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# More Democracy, More Security? Regionalism and Political [In]Security in East and Southern Africa

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## ABSTRACT

This article assesses African Union (AU) normative frameworks and practicalities of interlocking democracy and security in specific African sub-regions. Following an Africa-focused brief, historicised and comprehensible conceptualisation of evolving AU democracy and security paradigms, the article qualitatively analyzes the EAC and SADC's democracy and security enterprises in member states whose protracted and recurring political crises culminated in regional mediation. Specifically, the EAC's role in Burundi and SADC's role in Lesotho and Zimbabwe provide fertile areas to assess collective approaches to the nexus of democracy and security in East and Southern Africa. The examination finds that core principles of the developing AU pan-African democracy and peace norms, indeed, provide a balanced platform for state, human and regime security promotive of positive peace in Africa's sub-regions. However, considerable variations exist in the extent and implementation of the complementary standards by Africa's regional blocs to advance democracy and security in troubled member states.

## ARTICLE HISTORY

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## Introduction

Africa was touched by the third wave of democratisation from the 1970s to the 1990s (Huntington 1991). At the end of the Cold War, internal opposition to authoritarian government and Western pressures for democratic reform further stimulated democratic transition across the continent (Baynham 1994). Many African countries adopted pluralistic constitutions, providing ostensibly essential frameworks for multiparty democracy, including periodic elections, the rule of law, respect for human rights and autonomous institutions. However, those nascent democratic institutions and procedures remained a work in progress. The African Union (AU) has notably developed a normative democratic governance framework, which supports peace and security continentally. Regional Economic Communities (RECs), such as the East African Community (EAC) and the Southern African Development Community (SADC), have

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formulated complementary mechanisms for promoting democracy and security in member states. However, country-level commitment and compliance with democratic governance and security norms remain uneven (Handy and Djilo 2021; Khadiagala 2018). This article assesses the AU's normative democratic consolidation framework and its interrelation with security in specific regional and national contexts. The analysis is well-embedded in literature to provide the illustrative cases of the EAC (Burundi) and SADC (Lesotho and Zimbabwe). The article argues that while the RECs are important agents of promoting democracy consolidation and human security, some specific factors limit them from doing so.

The article comprises three main sections. The first provides a conceptual framework of democracy, security and the democracy-security nexus. This includes an overview of evolving AU democracy and security paradigms. The second examines the EAC and SADC's democracy and security initiatives in member states whose protracted and recurring political crises culminated in regional mediation. Specifically, the EAC's role in Burundi and SADC's role in Lesotho and Zimbabwe provide fertile areas to assess collective approaches to the reciprocal democracy and security relationship in East and Southern Africa. The three African states have experienced volatility triggered by issues around disputed election outcomes or term limits that disregarded continental and regional standards. The AU and its REC interventions in Burundi, Lesotho and Zimbabwe to stem political violence and prevent conflict spilling over into neighbouring countries in the short-term have been substantially studied individually (Badza 2008; Curtis 2013; Daley 2007; Deleglise 2020; Dzinesa and Zambara 2011; International Crisis Group [ICG] 2015, 2016, 2019; Mashimbye 2022; Mhandara and Poe 2013; Moore 2010; Mross 2019; Rupiya 2020; Sibanda 2014; Wilén 2016). But there is no recent single up-to-date scholarly comparison of how the region and country-specific interventions produced mixed outcomes regarding democratic reforms and good governance necessary for medium to long-term security.<sup>1</sup> The concluding section draws on the cases to determine factors that may undermine the role of RECs as agents of democratic consolidation and security. Thus the article adds a different comparative analytical flavour to existing academic debates that can provide invaluable insight concerning the interrelation between security and democratic consolidation.

## Democracy: conceptual and practical implications

How democracy is conceptualised determines the perceived depth and quality of its societal outcomes, including intertwining political and security implications. Although democracy is a dynamic process whose meaning is contested, there is a consensus that it invokes self-determination (Cawthra, du Pisani, and Omari 2007, 18). Significantly, most sub-Saharan African states acquired independence in the 1960s and 1970s when in vogue was Dahl's minimalist democracy conceptualisation, which emphasised fundamental criteria: control over governmental decisions, frequent free and fair elections, universal suffrage, individual's right to run for public office, freedom of expression, access to alternative sources of information, and freedom of association for interest groups and political parties (Dahl 2000; see also Cawthra, du Pisani, and Omari 2007;

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<sup>1</sup>Khadiagala (2018) provides an instructive comparative analysis but is already five year's old.

McFaul 2004). Central to this notion was the assumption that periodic elections were a logical and crucial “stepping stone” to further and deeper democratic reforms. Schmitter and Terry Lynn (1991, 78) denote this as the “fallacy of electoralism” or “electoral authoritarianism” as autocratisation can be veiled in elections.

However, Dahl’s ideas influenced the constitutions that formed the foundations of several emergent post-colonial African states. Lodge (2017, 18) succinctly summed up the problem: “On the whole, those first generation African constitutions omitted extensive contractual obligations between governments and their citizens. In general, their treatment of civil rights was perfunctory”. Accordingly, the legal foundations of many post-colonial states were either weak or inappropriate to sustain the nascent democracies and promote citizens’ wellbeing.

The post-Cold War years turned towards more comprehensive definitions of democracy in Africa, including robust democratic institutions, processes, norms and values upholding fundamental human rights and civil liberties.<sup>2</sup> Matlosa (2010, 198) thus alluded to the three meanings of democracy:

First, in its narrow sense, it is procedural and limited to elections. The second form is where it assumes institutional dimensions that promote and protect civil and political rights that go beyond elections. The third, and highest form, relates to the socio-economic factors that underpin democracy. It is important to emphasise that in all three variations, elections are central, even though, on their own, they do not amount to democracy.

In addition to periodic elections, autonomous and strong public institutions capable of fulfilling the social compact, ensuring government accountability, and securing people’s rights and well-being should support democracy (Afrobarometer 2021). Such institutions, tailored to undergird democracy by improving governance and citizens’ lives, typically include electoral, gender, media and human rights commissions and public protectors or ombudspersons.

Today’s substantive notions of democracy also consider the centrality of political and socioeconomic rights, including the redress of inequality and poverty to secure a better quality of life for all. As the World Bank notes, the existing patterns of inequality in Africa, many of which are rooted in its history of racial discrimination and land dispossession, engender structural insecurities that necessitate and present severe challenges to democratic change and consolidation (World Bank 2016, 124). Indeed, African scholarship has aptly argued that “Africa needs a democracy that is rooted profoundly in its own cultural context, historico-political trajectory and socio-economic realities even if influenced by global trends’ (Matlosa et al. 2008, 1; see also Ake 1996; 2000).

## Security: theory and practical implications

Security is a contested concept since a universalised static definition of the term is inconsistent with different groups’ interpretations of what security is or should be (Buzan 1991; De Bhal 2014; McDonald 2012; Smith 2005). This paper uses three meanings of the concept – traditional, human and regime security. It discusses the notion of security in conjunction with the similarly evolving concept of peace, which can be defined

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<sup>2</sup>The Universal Declaration of Human Rights includes civil and political rights, like the right to life, liberty, free speech and privacy. It also includes economic, social and cultural rights, like the right to social security, health and education.

either negatively or positively (see Galtung 1967). Negative peace is the absence of direct violence or war by, among others, the enactment of a ceasefire, imposing internal order and projecting an external military deterrent. Positive peace is the presence of reconciliation and co-existence based on, inter alia, human rights, justice, sustainable development and the elimination of structural violence.<sup>3</sup>

*Traditional security* focused on the defence of the state's sovereignty and territorial integrity against external aggression – defining characteristics of negative peace. It was popular during the Cold War when the security of the state and citizens' welfare were fused based on the assumption that both depended on a strong and capable state (Carnesale and Nacht 1976, 2; Walt 1991). The notion that security derives from a militarily strong state was oblivious to how the same state can be a source of insecurity to its population and how the strong armed forces can pose a threat to the state itself (Kolodziej 1992, 423; McDonald 2012, 43; R. Blake McMahon and Branislav L Slantchev 2015).

Significantly, the pan-African conceptualisation of security under the Organisation of African Unity (OAU), the forerunner to the AU, exuded traditional security characteristics. Arguably, the OAU's prominent venture was restoring territorial integrity to many formerly colonised states. Against the Cold War backdrop, the OAU's pan-African continental security and solidarity framework focused on safeguarding the sovereignty and territorial integrity of newly independent African states against external threats (Legum 1975; Murithi 2014; Smith 2012). The assumption that secure states would logically look after their citizens possibly explains the OAU's policy of not intervening in the domestic affairs of its sovereign member states, enshrined in Articles 2a and c of the OAU Charter. Consequently, despite the adoption of the 1981 African Charter on Human and Peoples' Rights, the OAU remained largely mute on internal disputes and instances of human rights violations in countries such as the Central African Republic (CAR), Equatorial Guinea and Uganda.

*Human security* challenges traditional militaristic notions of security that focus on the state. Formalised by the United Nations Development Programme (UNDP) after the Cold War, the paradigm argues that the referent for security should be people instead of states. It emphasises the protection of "the vital core of all human lives in ways that enhance human freedoms and human fulfilment" (Commission on Human Security 2003, 4). Human security is characterised by peoples' "freedom from fear" and "freedom from want", entailing the eradication of structural violence. Human security is synonymous with positive peace as it deals with different albeit interconnected security threats: political (undemocratic systems, human rights abuses and repression), economic (inequality, poverty, unemployment), socio-cultural and community (inter-and intra-ethnic, religious and other identity-based tensions), personal (physical violence, crime, domestic violence, child labour), demographic (urbanisation, youth bulge), environmental and climatic (environmental degradation, resource depletion, pollution, natural disasters), food-related (hunger/famine) and health-related (deadly infectious diseases, lack of access to basic health care).

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<sup>3</sup>Structural violence includes embedded socio-economic and political hierarchies that impose conditions, which place people at high risk for negative consequences, such as poverty, unemployment, inequality, malnutrition, crime and disease.

*Human security*, therefore, broadens the conceptualisation of what constitutes a security issue and who are security actors (Buzan 1991). Besides states and inter-governmental organisations such as the UN, AU and RECs, the concept encompasses a range of non-state actors and agents, including but not limited to individuals, civil society organisations, academia, the media and the private sector. As discussed later, the AU and RECs have devised collective initiatives to respond to human security risks and promote positive peace.

*Regime security* refers to safeguarding governing elites, democratic or not, from violent internal and external challenges to their rule (Cawthra 2007, 42). These threats include domestic rivalries, insurgencies, military coups and terrorism. Koblenz (2013, 502) notes that regime security “is most applicable to governments that hold power through non-democratic means”. Authoritarian regimes are bound to consider as a security threat “even simple political opposition or criticism of policy postures of the government” (Cawthra, Matlosa, and van Nieuwkerk 2007, 241). The regime security notion explains why some African incumbents resorted to tools like repression when cornered by formidable opposition movements, especially perceived as externally backed or in the service of imperialism. Regime security thus recognises the interplay between domestic and international factors in a government’s security policy. Some analysts argue that the AU and RECs have sometimes secured the aspirations of elites and their regimes more than those of citizens (human security) or the state itself (state security) (Cawthra 2007; Louw-Vaudran and Chikohomero 2019).

## Understanding the democracy-security nexus

The relationship between security and democracy is based on the dual conditionality concept (Seidelmann 2001) and democratic peace theory (Doyle 1983). Firstly, the nexus between security and democracy is reciprocal in that security conditions democratic development as much as democratic consolidation conditions security. Associated with fundamental civil and political liberties, fair and open processes of political competition and choice, inclusive political institutions and processes to prevent violence and manage conflict constructively; responsive governments and checks and balances, democracy is often perceived as a condition for stability and security (Carothers 2007; International Institute for Democracy and Electoral Assistance 2006; Matlosa 2012; Mross 2019; Naumescu 2014). Secondly, the democratic peace thesis posits that democracies do not fight each other, thus promoting regional security, and by extension, that they are in some contexts less prone to internal conflict as the process of democratisation itself appears to be associated at least in some cases with conflict and insecurity (Cawthra, Matlosa, and van Nieuwkerk 2007; Doyle 1983; International Institute for Democracy and Electoral Assistance 2006; Kant 1957; Mansfield and Snyder 1995; Naumescu 2014). For example, Botswana and Mauritius, the SADC region’s two longest-enduring liberal democracies with economies strong enough to facilitate complementary state and human security, have also been the most stable and peaceful, lending credence to the dual conditionality and democratic peace thesis (Cawthra, Matlosa, and van Nieuwkerk 2007). Yet, democratic transitions in African countries, such as the DRC, have been associated with some insecurity and violent conflict.

Nevertheless, during the Cold War, the preeminent traditional notion of security resulted in negative peace in some newly independent African states. The formula for a peaceful society in post-colonial Africa tolerated some direct and structural violence (Daley 2007, 335). For example, “peaceful” African states included dictatorships, military rule or one-partyism, characterised by administrative malfeasance, flagrant abuse of power and general neglect of democratic values (Omotola 2011). In some countries, the elites employed state violence to defend their power and privileges. Traditional authorities were often banned, and constitutions amended or repealed to suppress political dissent. Democratic institutions and practices were sometimes dismantled, legislatures reduced to mere rubber stamps, judicial independence compromised, and media freedom curtailed. Therefore, the semblance of political stability or the absence of war was simply a by-product of brutal repression and abuse by the ruling elites often under the façade of safeguarding national security. This trend represented a massive setback for the early attempts to entrench democracy and intra-state positive peace in post-colonial Africa. The reality was different only in a handful of countries, including Mauritius, Botswana, Gambia and Senegal, where post-independence multiparty constitutions survived, thus, entrenching democracy, peace and security.

Repressive African rulers were unrestrained by international norms and scrutiny. Regional organisations disregarded imperatives of democratic governance under the cloak of the OAU policy of non-interference in the domestic affairs of sovereign member states (Ikome 2010, 177). The Cold War exacerbated the situation as African autocrats, governing client states, often enjoyed political cover and economic support from their patrons, which they used to safeguard security of the regime by co-opting or crushing any political dissent.

### ***From state to human security in post-cold war Africa: the quest for democratic peace?***

At the end of the Cold War, the ascent of liberal thinking transformed Africa’s political landscape by enhancing the links between democratic governance, stability and human security. Politically, the notions of competitive democracy encouraged the emergence of domestic opposition groups, while the centralised economies were subjected to privatisation and competition via the imposed structural adjustment policies. However, some of these changes had undesirable consequences for the continent, for example, privatisation allowed dictators’ unchecked access to national resources which strengthened their position in power, while the opposition groups used competition to contest even legitimate governments. The combined effect was further breakdown of internal security with dire consequences for the livelihoods of many Africans (Deng and Zartman 2002, 4).

Therefore, in the 1990s, security, democratic pluralism, economic cooperation moved to the centre stage of the changing African political discourse and Africa’s international relations, particularly with the Global North. The 1991 Conference on Security, Stability, Development and Cooperation in Africa (CSSDCA) held in Kampala, Uganda, adopted a position that, “lack of democracy, denial of personal liberty, and abuse of human rights are all causes of insecurity” (Deng and Zartman 2002, 7). Deng and Zartman posit that where the concern is with security of states and people, the “key to security is the

responsible exercise of sovereignty, in the absence of which cooperation among neighbours is required to deal with internal problems and conflicts.” (Deng and Zartman 2002, 8). This is a comprehensive meaning of security that transcend traditional notions of military considerations but includes conflict prevention, containment and resolution of conflicts amounting to collective continent-wide security imperative.

Subsequently, the OAU issued the 1993 Declaration on the Establishment of a Mechanism for Conflict Prevention, Management and Resolution. Furthermore, the OAU introduced two new democracy and intervention norms, namely the 1999 Algiers Declaration on Unconstitutional Changes of Government and the 2000 Lome Declaration on the Framework for an OAU Response to Unconstitutional Changes of Government.

The transformation of the OAU to the AU and the adoption, among others, of the Common African Defence and Security Policy (CADSP), New Partnership for Africa’s Development (NEPAD), the African Charter on Democracy, Elections and Governance (ACDEG), the African Governance Architecture (AGA) and Agenda 2063 reflected African states’ commitment to democracy, peace, justice and sustainable development that promote human security and positive peace. The Constitutive Act of the AU enunciated its core aims and values as, among others, promotion of peace, security and stability as a prerequisite for development and integration, promotion and protection of human and peoples’ rights, consolidation of democratic institutions and culture, ensuring good governance and the rule of law, unequivocal embrace of popularly elected governments, and condemnation and rejection of unconstitutional changes of government. Furthermore, the AU’s Constitutive Act replaced the OAU statist non-interference principle with non-indifference and sovereignty-with-responsibility. Specifically, Article 4(h) establishes the right of the AU to intervene in a member state to prevent grave violations of human rights. In fulfillment of the Constitutive Act, the AU adopted the CADSP, which is premised on human security and identifies political exclusion and oppression, identity-based conflict, economic decline, the collapse of political orders and terrorism among threats to peace and security in Africa.

The AU introduced Shared Values and established the AGA in 2011 to streamline the implementation of existing institutions and instruments on good governance, respect for human rights, justice and the rule of law meant to consolidate democracy as a stepping-stone to peace and security. The AU has defined the Shared Values as a set of core principles for Africa to democratically govern by basic right to life, participation in governance, equality of persons, justice, adherence to the rule of law, sovereignty and the interdependence of states (Khadiagala 2018). The AGA seeks to promote member states’ ratification and effective implementation of AU normative frameworks on democratic governance and human rights as per aspirations of Agenda 2063. The AU enacted the legally binding ACDEG in 2012, which derives its authority from the Constitutive Act and consolidates abovementioned commitments by African governments to democracy and security. The ACDEG complements the Constitutive Act by providing an enhanced cooperation framework on democracy, elections and governance between the AU, RECs, member states and the International Community (Aniekwe and Samuel Mondays 2016).

Events in some African states have tested the political capacity of the AU to consistently implement and uphold the sanctity of the normative democracy and security frameworks (Bamidele and Ayodele 2018). The AU has regularly suspended member states over coups, which occurred at a rate of once or twice per year until 2020, re-admitting

them when they return to constitutional rule (see Amani Africa 2022). For example, the CAR and São Tomé and Príncipe were suspended in 2003, Guinea from December 2008 until January 2011, Madagascar from March 2009 to January 2014, Mali from March 2012 through to October 2013, Egypt from July 2013 till June 2014, Guinea-Bissau from April 2012 up to June 2014, and Burkina Faso, briefly, in September 2015 and Mali, for the September 2020 military coup. Since mid-2021, a wave of coups led the AU to suspend an unprecedented four countries (Mali, Guinea, Sudan and Burkina Faso) in less than a year (Amani Africa 2022, 1). The AU also rebuked Sudan and Burundi for their 2015 polls' failure to meet continental election standards.

However, the AU's norms and efforts to propagate and anchor democracy and security in Africa have challenges and gaps. First, there is concern around the AU's deviant responses to some member states affected by crises deriving from unconstitutional changes of governments, tenure prolongation through constitutional amendment by incumbents, rigging elections by governments or their refusal to concede defeat (Omotola 2011). In somewhat a double standard after the resurgence of coups in 2021, the AU did not suspend Chad after Lieutenant General Mahamat Idriss Déby was swiftly installed as his late father's successor in violation of the constitution (Maclean 2022). The AU lacks mechanisms for addressing the manipulation of term limits or "constitutional coups" by incumbents, which are accompanied by the stifling of democratic space or political crises, such as in Uganda and Burundi (Amani Africa 2022, 3–4). Some analysts saw the changes of government in Egypt Tunisia during the Arab Spring as a negation of the principles of the AU's normative frameworks related to constitutionalism and democracy (Bamidele and Ayodele 2018). However, the AU's normative framework lacks clarity "on how to navigate cases of democratic popular uprisings" making such elaboration imperative (Amani Africa 2022, 4 and 6).

Second, the AU has grappled with balancing the principles of sovereignty and non-indifference (Desmidt and Hauck 2017). For example, in 2015, following the escalation of tensions and violence in Burundi, the AU Peace and Security Council (PSC) proposed to deploy a 5,000 strong force to stop human rights violations. The Burundian government objected to the proposed mission, which it would view as an "invasion". Devoid of Burundi's consent, a divided AU upheld the principle of sovereignty and indirectly deferred the Burundian crisis to mediation by a similarly divided EAC, as discussed below. Third, the resurgence of coups indicates the weaknesses of AU and REC sanctions in deterring putsches making consensus among member states critical for their strong and collective enforcement (Amani Africa 2022, 4, 6, 7).

### **Regionalism: democracy and security nexus**

The AGA working in conjunction with the African Peace and Security Architecture (APSA), launched a partnership with the RECs in 2002, to improve the efficacy of the AU in addressing conflicts across the continent.<sup>4</sup> The 2002 Protocol establishing the PSC provides the legal foundation for APSA. The central structures and instruments

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<sup>4</sup>The eight RECs recognised by the AU are the Arab Maghreb Union (UMA), COMESA, Community of Sahel–Saharan States (CEN–SAD), EAC, Economic Community of Central African States (ECCAS), Economic Community of West African States (ECOWAS), Intergovernmental Authority on Development (IGAD), and SADC.

of APSA entail complementary roles between the AU and its RECs. These structures include the PSC, Continental Early Warning System, and mediation structures including the Panel of the Wise, among others. To further bolster vertical cooperation the AU and the RECs signed a Memorandum of Understanding in January 2008 with the express aim to streamline cooperation on the implementation of the continental peace and security agenda (Vines 2013, 103). The memorandum specifically obliges the RECs to foster policies that promote democratic principles and practices, good governance, the rule of law, the protection of human rights and fundamental freedoms.

In Eastern and Southern Africa, the AGA and APSA are represented by the EAC and SADC respectively (see Malebang 2014). These two regional bodies of the AU and their efforts at making secure sub-regions through democracy form the focus of the following analysis.

### ***EAC: democracy and regional security***

The EAC has protocols for the promotion of democracy and collective security.<sup>5</sup> Article 3 (3) (a) of the EAC Treaty urges member states to maintain “adherence to universally acceptable principles of good governance, democracy, the rule of law, observance of human rights and social justice”, as key criteria for membership. The EAC Protocol on Democracy and Good Governance, currently only in draft form, commits member states to the observance of human rights; adherence to the principles of democracy; and regular, transparent, free and fair elections conducted by independent and impartial national electoral management bodies (EMBs) as a preventive measure against instability and conflicts within the region. The EAC essentially lacks instruments that explicitly prohibit unconstitutional changes of government (Amani Africa 2022, 5).

Efforts to consolidate and entrench democracy in EAC member states have focused heavily on reforming EMBs into “midwives” of free and fair political competition and bulwarks for regional peace and stability (Makulilo 2015). Consequently, the EAC Forum of National Electoral Commissions established regional standards to determine the credibility and legitimacy of electoral processes (Khadiagala 2018). However, regional norms on democracy and governance have not taken root as exemplified by the EAC’s impotence when confronted with tenure prolongation through constitutional amendment by incumbent presidents in Uganda, Rwanda and Burundi (Khadiagala 2018).

The EAC Treaty states that peace and security are pre-requisites for the achievement of the objectives of the Community, including social and economic development. Specifically, member states commit to “... foster and maintain an atmosphere that is conducive to peace and security through cooperation and consultations on issues pertaining to peace and security of the partner states with a view to prevention, better management and resolution of disputes and conflicts between them” (EAC Treaty Amended 2006, Article 124).

### ***The EAC and Burundi: democracy and regional [In] security***

Burundi’s transition to democracy followed the Arusha Peace and Reconciliation Agreement (Arusha Accords) of 28 August 2000. Brokered by regional states, the accords

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<sup>5</sup>EAC Member States are Burundi, Kenya, Rwanda, South Sudan, Tanzania and Uganda.

ended Burundi's civil war, outlined a transitional power sharing government, and laid provisions for a democratic constitution that addressed the root causes of the conflict and the conduct of elections (Khadiagala 2010, 15). Subsequently adopted in February 2005, the new constitution mandated inclusivity and a quota system in administrative positions to maintain political equilibrium between the ruling National Council for the Defence of Democracy-Forces for the Defence of Democracy (CNDD-FDD) and the opposition parties. The constitution also provided a framework for an Independent National Electoral Commission (CENI) cognisant of Burundi's ethnic and gender sensitivities (Makulilo 2015, 5).

Although these positive gains were realised with broad external actor support, the role of the EAC was most prominent. Under the tutelage of the EAC, Burundi held the 2005 transitional elections. The polls saw the CNDD-FDD and its leader Pierre Nkurunziza win the presidency. The milestone elections, organised by the newly installed CENI, were generally deemed competitive, peaceful and free and fair, and ushered in inclusive leadership at all levels of government.

Notwithstanding the solid foundations for peace and democracy laid by the Arusha Accords, Nkurunziza's government was soon criticised for repression, "muzzling" of the press, and human rights abuses, among other violations of agreed to EAC norms (see International Crisis Group [ICG] 2015, 2016). The international community, including the EAC, largely overlooked the "infringements of democratic procedures and the authoritarian trend" (Mross 2019, 205) "as long as Burundi remained generally stable" (Curtis 2013, 75). Subsequent elections in 2010 and 2015 were marred by violence and opposition boycotts. An African Commission on Human and Peoples' Rights (ACHPR 2015) fact-finding mission to Burundi reported on the narrowing of political space, rising polarization and violence marked by serious human rights violations with impunity as the country failed to consolidate the achievements of the Arusha Accords.

In 2015, EAC norms on democracy, peace and security were directly tested when President Nkurunziza amended the constitution to prolong his tenure via a third term in contravention of the Arusha Accords and the resulting constitution. This move also violated the regional and AU principles of constitutionalism and limited term limits (ICG 2019). It tested the AU and EACs' commitment to the reform agenda and capacities to enforce compliance with commonly held democratic norms and values. Nkurunziza's actions plunged Burundi back into violence and political instability. He was re-elected in the turbulent July 2015 election marred by violence and intimidation of opposition parties. Held in defiance of both the EAC and AU advisories, this poll reignited Burundi's politically motivated violence and unrest that triggered socioeconomic and refugee crises and threatened regional stability.

As previously mentioned, the AU left the mediation of the Burundi conflict to the EAC. The EAC-led Inter-Burundi Dialogue (IBD) was under the mediatorship of Ugandan president, Yoweri Museveni, supported by former Tanzanian president, Benjamin Mkapa, the EAC-designated facilitator. Several factors constrained the EAC's efforts. Firstly, EAC heads of states, some of whom were pacesetters in constitutional amendments to cling to power, lacked the legitimacy or leverage to promote regional norms, denounce Nkurunziza, and mediate the conflict (Khadiagala 2018). Secondly, EAC member states were divided over whether to adopt an interventionist approach amidst the Burundian government's emphasis on the principle of sovereignty. Initially, Rwanda criticised Nkurunziza

while Uganda and Tanzania appeared more inclined to maintain the status-quo (Desmidt and Hauck 2017). Against this backdrop, Nkurunziza's regime resisted regional mediation and refused to engage in talks with the opposition groups. Mkapa ultimately expressed his growing frustration with the uncooperative behaviour of the government side in a report to the EAC: "It is necessary that the EAC impose sanctions against the government [of Burundi] in order to create a balance between both conflicting parties so that the negotiations reach a lasting solution" (ICG 2015).

Still, the EAC leaders were not unanimous in their support for such a move, and thus Burundian government obstinacy persisted with impunity. Mkapa eventually admitted defeat and the contents of his final report to the EAC heads of state on 1 February 2019, were a clear reflection of a mission unaccomplished, emphasising that "the political situation in Burundi remains worrying" (ICG 2019). EAC leaders essentially kicked the can down the road. In the run-up to Burundi's 2020 elections, the leaders released yet another non-resolute and non-committal communiqué pledging further consultations on their way forward. The leaders subsequently designated the presidents of Kenya, Tanzania and Uganda to mediate and resolve the long-running Burundian political crisis.

In the final analysis, the IBD process under the aegis of the EAC failed to realign Burundi with the regional commitments to democracy, peace and security. The four years of mediation effort neither advanced a politically stable Burundi nor improved the human security situation in the country. Nkurunziza's regime arguably survived at the expense of the security and welfare of many Burundians, as there was no opening of political spaces and no improvement in the protection of human and civil rights. The situation remained unfavourable to the return of thousands of Burundian refugees scattered around East and Southern Africa (ICG 2019). Given the EAC mediation process's failure to make much headway in the Burundian conflict, Nkurunziza ultimately contributed to the stabilisation of the country with his decision not to seek an additional term following the constitutional referendum in 2018, which had raised concerns that Burundi would see a repeat of the unrest that erupted after he stood for a third time in 2015 (defenceWeb 2018).

### ***SADC: democracy and regional security***

SADC's policies on regional security and democracy aspire to promote state, regime and human security simultaneously.<sup>6</sup> As the cornerstone for cooperation in Southern Africa, the 1992 SADC Treaty (1992, as amended) commits member states to act in accordance with the principles of sovereign equality, human rights, democracy and the rule of law, mutual benefit, and the peaceful settlement of disputes. The Treaty obliges member states to promote common political values and governance systems through democratic, and effective institutions to strengthen the relationship between democracy, peace, security and stability. Article 33 of the Treaty stipulates the imposition of sanctions against non-conforming member states. SADC's regulations demand the suspension of any

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<sup>6</sup>SADC's sixteen member countries are Angola, Botswana, Democratic Republic of Congo, Eswatini, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Tanzania, Union of Comoros, Zambia, and Zimbabwe.

government that seizes power by unconstitutional means, explaining Madagascar's expulsion from the organisation in 2009 following a de-facto military coup.

SADC adopted the 1996 Protocol on Politics, Defence and Security Cooperation whose objectives combine the promotion of peace and security with democracy and human rights. The Protocol outlines the modus-operandi of SADC's intervention in sovereign member states in the case of significant intra-state conflict that threatens citizens' security. SADC established the key Organ on Politics, Defence and Security in 2001. SADC's Strategic Indicative Plan for the Organ (SIPO) outlines regional political, peace and security priorities and shapes the operationalisation of the Protocol and the Mutual Defence Pact. The SIPO also seeks to align SADC's governance, peace and security framework with the AU's. Drawing on deep interconnections between democracy, peace, security and stability, the SIPO aims to create a peaceful environment for SADC's Programme of Action as outlined in the Regional Indicative Strategic Development Plan (RISDP). SADC's aspirations, as espoused in the RISDP 2020–2030 and Vision 2050, envisage a peaceful, inclusive, competitive, middle-to high-income industrialised region where all citizens enjoy sustainable economic wellbeing, justice and freedom.

SADC recognises that elections often trigger violence in member states rooted in historical, cultural, structural and systemic factors and thus adopted clear regional benchmarks and election conflict prevention strategy. The SADC Principles and Guidelines Governing Democratic Elections obligated member states to “holding of regular free and fair, transparent, credible and peaceful democratic elections to institutionalise legitimate authority of representative government” (SADC 2015).<sup>7</sup> These norms facilitate regional election monitoring or assistance and member states are supposed to enshrine them in national frameworks and implement them. Therefore, the benchmarks represent an important tool for mitigating, specifically, electoral disputes and safeguarding regional stability.

Therefore, the SADC Electoral Advisory Council (SEAC) was created with a mandate to advise on and encourage the implementation of the region's election norms. SEAC developed a Strategy for the Prevention of Electoral Related Conflict in recognition of the relationship between election observation/assistance with conflict prevention and management (SADC 2017). The strategy aims to enhance the capacity of SEAC to proactively advise SADC Diplomatic structures on the prevention and resolution of electoral related conflicts. SEAC and SADC electoral observer teams have thus been deployed to member states to monitor compliance with regional norms during pre and post – electoral periods and offer necessary technical advice to electoral stakeholders, including EMBs. A key concern is how the principles of respect for national sovereignty and non-interference in domestic affairs, entrenched in the SADC Treaty, arguably feed instability or electoral disputes and promote regime rather than human security due to the intricacy of enforcing incumbent governments' compliance with regional election standards. Furthermore, some SADC member states in electoral-related crises stonewall

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<sup>7</sup>Among other commitments, the benchmarks enjoin SADC member states to establish impartial, all-inclusive, competent and accountable national EMBs; safeguard the human rights and civil liberties of all citizens, including freedoms of movement, assembly, association and expression, and the right of all stakeholders to campaign and have access to the state media during electoral processes among many other functions.

regional intervention under cover of sovereignty and non-interference in internal affairs, such as the Zimbabwe case discussed next.

### ***SADC and Zimbabwe: democracy and regional [in] security?***

SADC interventions in Zimbabwe have been the subject of widespread intrigue and contestation. On occasion, debate over how to deal with Zimbabwe polarised political opinion among SADC member states. SADC's role in Zimbabwe can be traced back to the failed intervention by former presidents, Joaquim Chissano of Mozambique and Ali Hassan Mwinyi and Benjamin Mkapa of Tanzania, from 2003 to 2006. Subsequently, amid the ensuing political crisis, SADC mandated then South African president Thabo Mbeki to facilitate an agreement between the ruling Zimbabwe African National Union-Patriotic Front (ZANU-PF) and the opposition Movement for Democratic Change (MDC).

Intervening in a volatile political environment, Mbeki surmounted serious obstacles and prudently got ZANU-PF and the two MDC formations to agree to some constitutional and electoral reforms. These reforms facilitated a political climate marked by reduced levels of violence in the run-up to the transparent March 2008 harmonised elections (Dzinesa and Zambara 2011). However, a delay in announcing the very close presidential election result fuelled suspicions about the manipulation of the outcome in favour of the incumbent, President Mugabe, whose rule nearly ended as he lost the first round with 43.2% of the vote to MDC's Morgan Tsvangirai's 47.9%.<sup>8</sup> Following a wave of politically motivated violence, mainly by ZANU-PF youth militia and the state security forces, Tsvangirai withdrew from the 27 June presidential run-off, and Mugabe emerged victorious in the one-man elections race. Zimbabwe's security sector was instrumental in propping up Mugabe's ZANU-PF regime at the expense of democracy, the opposition, and regional stability. The reports of the SADC, AU and PAP election observer teams about the presidential run-off were notably all negative (Badza 2008).

Subsequently, an AU Summit Resolution on Zimbabwe, on 1 July 2008, called for the formation of a government of national unity to resolve the disputed election. However, the AU, applying the principle of subsidiarity, mandated SADC to resume its mediation of the Zimbabwe crisis. On 15 September 2008, following an intense process facilitated by Mbeki, ZANU-PF and the two MDC factions signed the Global Political Agreement (GPA) – with the AU and SADC as guarantors. The agreement culminated in the power-sharing transitional government in February 2009. SADC leaders hailed this outcome as example of ‘African solutions to African problems’, even if this secured the intransigent ZANU-PF regime's hold on power and short-changed the Zimbabwean electorate, in the hope that the country would implement democratic reforms in preparation for future credible elections (Dzinesa and Zambara 2011, 63 and 64; Mashimbye 2022). The GPA and transitional coalition government stabilised Zimbabwe politically and economically – improving security and stability in the interim. However, the adoption of a new constitution notwithstanding, the country held its 2013 elections without a SADC-endorsed electoral reform roadmap to level the playing field, prevent future disputed elections and put democratisation on a sustainable footing.

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<sup>8</sup>ZANU-PF lost control of the House of Assembly for the first time since independence in April 1980 and only guaranteed its majority in the Senate through presidential appointees.

Several factors impacted SADC's role as peacemaker and guarantor of the GPA and democracy in Zimbabwe. Firstly, SADC's mediation was elitist and de-emphasised mass democratic participation when the security perceptions and calculations of the ruling ZANU-PF elite were driven by regime security concerns. Limiting the process to only three political parties excluded important players such as civil society, labour and smaller political parties, and thus, reinforced the politics of exclusivity that has characterised ZANU-PF rule and is against the dictates of participatory democracy (Dzinesa and Zambara 2011, 67). ZANU-PF, like other liberation movements-cum-governments in Southern Africa, notably enjoys some legitimacy and gravitas as the genuine advocate and custodian of Zimbabwe's democracy (Rupiya 2013, 3; Taylor 2016, 159). However, the GPA did not timeously recognise the immediate human security needs of specific victims of Zimbabwe's multifaceted crisis, including refugees and internally displaced people, women and other casualties of political violence. It lacked an effective transitional justice mechanism since the Organ on National Healing and Reconciliation was stillborn (Dzinesa and Zambara 2011, 67).

Secondly, SADC's member states were divided concerning Zimbabwe's political situation and democratic deficit with implications for regime and human security. The pan-African liberation-anti-imperialist solidarity among some Southern African leaders, particularly those of South Africa and Namibia whose countries' racially skewed land ownership contained seeds of political upheaval, prevented open criticism of Zimbabwe's, particularly ZANU-PF ruling elites' nonconformity. Under Mbeki, the regional powerhouse, South Africa, consistently played down the political crisis in Zimbabwe, evoking perceptions of liberation movement solidarity with Mugabe's ZANU-PF, which sought political power retention by any means, including overriding regional democratic electoral norms (see Khampepe Report 2002; Moore 2010; Rupiya 2020). Namibia's founding president, Sam Nujoma, lamented a big Southern African problem created by the British when the European Union (EU) imposed sanctions against Zimbabwe (Irish Times 2002). Conversely, some SADC states were critical of Zimbabwe. Levy Mwanawasa, the then president of Zambia, referred to Zimbabwe as a "sinking titanic," insinuating a domestic political and human insecurity crisis that warranted negative sanction by the regional body (The Star 2007). Botswana was scathing about the legitimacy of Zimbabwe's 2008 bloody run-off calling for the country's exclusion from SADC and AU meetings (The New Humanitarian 2008).

Thirdly, SADC lacked impartial mechanisms to oversee the implementation of the GPA's stipulations, particularly preparation for elections conforming to regional standards in the absence of regional mediation architecture then (Dzinesa and Zambara 2011, 64). SADC involvement and pressure were further limited by the ZANU-PF government's masterful statecraft and clarion call against Western imperialism, neo-colonialism, and regime change, and foreign interference in the affairs of a sovereign state. This was in the context of ZANU-PF's aggressive election campaigns centred on Fast Track Land Reform to conclude Zimbabwe's land-based liberation and democracy struggles in line with Constitutional Amendments No. 16 and 17, prompting Western sanctions (The Herald 2022).<sup>9</sup>

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<sup>9</sup>Zimbabwe's constitutional amendments permitted expropriation of agricultural land for resettlement purposes without compensation and possible recourse to courts of law.

Fourthly, SADC was hamstrung by a lack of institutional mechanisms to enforce member states' compliance with the regional electoral benchmarks. The organisation can only encourage member states to adhere to the regional electoral benchmarks. In addition, key member states such as South Africa were unwilling to enforce regional norms (Khadiagala 2018). SADC did not have leverage on President Mugabe and ZANU-PF, whom the South African mediation team blamed for incomplete GPA implementation and was incapacitated when Mugabe and ZANU-PF rejected its communiqués, pleading with the GPA parties to develop and implement an electoral roadmap, and instead threatened to withdraw Zimbabwe from the organisation (Dzinesa 2012; Dzinesa and Zambara 2011; Sibanda 2014; Tinhu 2013; Zondi 2012; Zulu 2013). This is in a context where the ZANU-PF government's disregard of the SADC Tribunal's decisions on the country's land reform contributed to its disbandment and/or reined its mandate to arbitrate on cases of human rights violations (Khadiagala 2018).

Lastly, the guarantors of the GPA arguably placed a premium on short term peace and stability over efforts to find lasting peace premised on a democratic Zimbabwe (Aeby 2017). Despite allegations of electoral malfeasance and concerns that other fundamental factors of the country's protracted conflict remained unresolved, SADC endorsed Zimbabwe's 2013 elections that ZANU-PF won by a landslide to secure its regime security as "credible and peaceful", providing it with a vital exit strategy.

SADC's subsequent marginal role in Zimbabwe's democratisation was confirmed by two key political incidences involving the military, which Mugabe and ZANU-PF retained exclusive control of during the SADC – brokered transitional power sharing arrangement (Rupiya 2013, 12–13). Firstly, SADC's mediation attempts collapsed during the historic palace coup or military assisted transition or Operation Restore Legacy, when the generals' loyalty shifted from Mugabe in ZANU-PF factional battles resulting in his 2017 overthrow (Fabricius 2017). Secondly, SADC initially endorsed Zimbabwe's first post-Mugabe elections in 2018 as a political watershed in the country's history. Later, it was hamstrung beyond a joint statement with international observers, including the AU, EU and the Commonwealth, condemning the post-election violence involving a military crackdown on opposition protesters (Kasambala 2019).

The second post-Mugabe general elections were held in August 2023 in an environment deemed by the SADC Electoral Observer Mission (SEOM) "generally calm and peaceful" (SADC 2023). President Mnangagwa of the ruling ZANU-PF was declared a winner with 52.6% of the vote. However, the elections were widely viewed as fraudulent, inviting criticism from the opposition, local groups and observer missions, including the AU, Common Market for Eastern and Southern Africa (COMESA), the EU, the Commonwealth Group and the Carter Center (SADC 2023; Nantulya 2023). Most importantly, the SEOM, often criticised for being too accommodating and readily endorsing flawed elections that preserved incumbent regime security, stated that the polling process did not meet the basic requirements outlined in the SADC guidelines for democratic elections. The SEOM, castigated by ZANU-PF and commended by the opposition, reported that the process "fell short of the requirements of the Constitution of Zimbabwe, the Electoral Act, and the SADC Principles Governing Democratic Elections." (SADC 2023).

On 28 September 2023, Zambian President and Chair of the SADC Organ Troika, President Hakainde Hichilema, presented to the other two members of the Troika, Namibia

and Tanzania, the SEOM's Preliminary Statement on Zimbabwe's elections. The Troika adopted the statement, which made it an official SADC report. The Troika voiced its displeasure about the conduct of Zimbabwe authorities around the elections and instructed the SADC Secretariat to convey such to Harare. Notwithstanding the Zimbabwean government's remonstrations, the adverse SEOM report was subsequently presented to SADC leaders at the Extraordinary Summit held in Luanda, Angola, on 4 November, which, somewhat symbolically, noted the report. This provoked some to accuse the regional leadership of burying "their heads in the sand" amid ongoing malfeasance that promotes post electoral violence and insecurity (Gavin 2023).

Zimbabwe remains mired in over two decades of electoral conflict between the opposition and ZANU-PF, national polarisation and Western sanctions, denting an economic recovery promotive of human security and positive peace. The incomplete or improper implementation of Zimbabwe's electoral legal framework and SADC election guidelines and the lack of electoral reforms to level the playing field leave Zimbabwe susceptible to disputed votes and insecurity in the future (Dzinesa 2022; Guma 2023; Matambo 2023).

### ***SADC and Lesotho: democracy and [In]security?***

Lesotho has witnessed several SADC interventions since the mid-1990s because of a perennial politico-security crisis characterised by partisan security sector institutions, election related political conflict and toxic power struggles. The multiplicity of fragile political parties and weak legal framework for coalition governments contributed to political instability. Significantly, the intransigence of the incumbent ruling parties and exclusion of civil society structures has been a common challenge to SADC's regional peace making in Lesotho. The regional body's interventions appeared inclined towards the security of the regimes involved rather than their citizens or human security.

In 1998, when the government and opposition parties deadlocked over a disputed election, SADC convened its annual Heads of State and Government Summit in Mauritius, where Lesotho was on the agenda, but only the embattled government side could attend. The opposition leaders were worried about resolutions consummated in their absence. Furthermore, in the build-up to the SADC Summit, the then embattled Lesotho Congress for Democracy (LCD) governing party appeared to have lost interest in the regional mediation process, calling for military intervention instead. Military intervention promptly followed the Mauritius Summit and effectively restored the embattled LCD government. And rightly or wrongly, this left the feeling among the opposition leaders that the decision to bypass the mediation process was formulated or endorsed in Mauritius between the ruling party representatives and the SADC troika ('Interview with Malebo V. Moeketse, then leader of the one of the opposition parties (MFP, December 2011').

Ruling party arrogance and intransigence were first displayed by the LCD government in its dealings with the subsequent SADC mission in the late 2000s. Following intractable post-election disputes and a constitutional crisis in 2007, the country's opposition parties called upon SADC to intervene and assist in breaking an emerging constitutional stalemate. SADC eventually intervened in April 2007 following a fact finding visit by the SADC troika to Maseru. The SADC troika report, released on 11 June 2007, explicitly called on the LCD government to initiate a formal political dialogue to be facilitated

by SADC dedicated eminent persons. On 13 June 2007, the SADC Eminent Person Group led by the former president of Botswana, Ketumile Masire, arrived in Lesotho to broker a peaceful solution to the stalemate and arrest the deteriorating political situation in the capital, Maseru.

Masire delivered his preliminary report to the Extraordinary Summit of the Organ Troika held in October 2008. Firstly, Masire expressed a good sense of commitment by all sides to the mediation process. Secondly, the report indicated that a panel of experts had been roped in to advise on the workings of the new Mixed Member Proportional (MPP) parliamentary model proposed for Lesotho as part of broader political reform endorsed by the Independent Political Authority (IPA) process. SADC's plan backed by the ruling LCD and opposition parties was that the advisory panel of experts was to arrive in Lesotho on the 25 November 2008 and commence with an all-party seminar to deliberate on the workings of the MMP model. However, despite being planned well ahead of time, this critical seminar could not take place due to the government's simple failure to attend. As Masire later reported, this was just one of many instances of foot-dragging by the ruling party throughout the mediation process.

In September 2009, Masire submitted his final report highlighting two crucial points to the SADC Summit held in the Democratic Republic of Congo (DRC). Firstly, the ruling party made it clear that it was no longer interested in the services of the Panel of Experts and was rather keen on maintaining the status quo. Secondly, Masire expressed shock that the country's highest court had dismissed the opposition's challenge of the electoral outcome, stating it had no jurisdiction over such matter, despite it being of utmost national concern (Mdlalani 2009). According to Masire, after the dismissal of the court case, the Lesotho government ultimately informed him as a SADC envoy that they were no longer interested in his mediation and that he could go home (Bame 2009).

SADC's response was rather lame in the face of a defiant LCD government, which the mediator's report blamed for uncooperative behaviour and intransigence. The regional leaders chose to dispatch yet another mission to Maseru – a so-called high powered SADC Troika of Foreign Ministers plus the then Secretary General of SADC, Tomaz Salomão. The mission arrived in Lesotho on 24 October, hoping to convene yet another stakeholders meeting to reignite the stalled mediation process. At this meeting the opposition put forward a few pre-conditions of their own: firstly, that SADC must first table Masire's report for discussion. Secondly, the opposition threatened to stop cooperating with SADC if the regional body continued to act in favour of the ruling party (Malebo V. Moeketse, Interview, December 2011). A member of the coalition of opposition parties, Mafa Sejanamane, reportedly told the SADC mission that "SADC had become a club of leaders working together to oppress their people" (Moeletsi oa Basotho 2009). Indeed, Masire's report marked an end of the episode that followed the SADC military intervention in 1998 and the 2007 post-election intervention in Lesotho. Otherwise, it seems apparent that Lesotho's inherently volatile politics will for the foreseeable future necessitate intervention or support in one form or another. Recent regional initiatives, following then Prime Minister Tom Thabane's exile in 2014 amid a coup attempt, have included the SADC Facilitation since the appointment of then South African deputy president Cyril Ramaphosa as SADC Facilitator in 2015, the SADC Oversight Committee from 2014 to 2017 and the SADC Preventive Mission in Lesotho (SAPMIL) from 2017 to 2018 (see Delegisle 2020).

Ramaphosa and SADC's exertions resulted in Lesotho's multi-stakeholder National Reform Authority (NRA) proposing political reforms enshrined in an omnibus constitutional Bill, including a new legal framework to crucially help address conflict factors, among others, the formation of government and coalitions, the electoral system, unfettered executive powers such as the prime minister's dissolution and prorogation of Parliament, and weak oversight and checks and balances (NRA 2022; Nyane 2022a). The reform programme largely stalled amid political paralysis occasioned by internal rifts in the All-Basotho Convention, the anchor of the then-governing coalition (Fabricius 2022; Louw-Vaudran 2022). Despite some signs of movement, Lesotho's Parliament allegedly dragged its feet over crucial political reform legislation to help bring political stability to the country ahead of the critical October 2022 general elections (Fabricius 2022; Louw-Vaudran 2022). A frantic and chaotic effort to enact the reforms bill, including the unconstitutional recalling of Parliament after its five-year term, proved abortive, meaning the 2022 vote occurred under the old constitutional framework responsible for Lesotho's chronic instability (Nyane 2022a). The election resulted in yet another governing coalition led by the new Revolution for Prosperity party. How to survive a full five-year term and pass reforms to avert political instability where all previous coalition governments failed were fundamental tasks confronting the incumbents (Nyane 2022b). They've got their work cut out.

### Concluding reflections

While there is little doubt about the close relationship between democracy and security, case studies reveal that the ability of the RECs to enhance human security in their respective regions by supporting democracy as a conduit for political stability leaves much to be desired. While the RECs are assigned a prominent role as drivers of democratic reforms and guarantors of security under the AU governance and peace and security plans, their performance varies subject to different factors. The case studies highlight some of the factors that may militate against the ability of the RECs to act as agents of democratic consolidation and political stability and security in their respective sub-regions.

Firstly, the RECs' approach to intrastate conflict seems inclined toward upholding the sovereignty of their member states. This approach means that any intervention by a regional body will require the consent and cooperation of the government of the day, regardless of such a regime's position or role in the conflict. The practice of recognising embattled governments by external mediators confers some level of legitimacy and thus tilts the mediation processes in favour of ruling parties. At the very least, this creates a perception among other protagonists, that incumbent parties enjoy special treatment that the other protagonists are not privy to. The engrained biases of the mediators is often reflected in the terminology wherein some parties to the conflict are referred to in inferior parlance, such as rebels or puppets, even if the government's own legitimacy is contested. This speaks volumes. We argue that it affects the attitudes of the negotiating parties, and thus the quality of the mediation process.

As we have seen in the Lesotho and Zimbabwe case studies, the LCD and ZANU-PF governments were parties to the SADC-led negotiation processes, while their very legitimacy were under question. The same governments continued to enjoy some benefits of

incumbency, including unrestricted participation in regional summits where Lesotho and Zimbabwe were on the agenda. This had a deleterious effect on the mediation processes, and it goes without saying that it had the effect of alienating the opposition parties from the SADC-led mediation processes, while simultaneously legitimising the government sides. In the Burundi case, Nkurunziza's government did everything, from requesting delays to boycotts (with no consequences) to undermine the mediation process and whittle down its integrity. But most blatantly, Burundi's government was able to interfere with the larger mediation process including derailing important scheduled EAC meetings.

All the three case studies we considered in this study confirm that, with access to privileges of incumbency, the ruling parties become increasingly intransigent and start downplaying the mediation process. Only rarely, in fact only once did SADC invite Zimbabwean opposition to its meeting. In both Burundian and Lesotho opposition groups not once have the EAC and SADC ever invited opposition groups to its formal meetings.

Secondly, there is a growing perception that regional mediation is essentially high-level process, which involves only the political elites (ruling elites and their counterparts in opposition). And since they involve only the elites, the role of the mediator/REC amounts to finding acceptable power arrangements among the national elites participating in the process but fails to address the real societal conditions on the ground that reproduce political instability, violence and human insecurity. In both SADC and the EAC, the result of interventions is almost always the same – fragile, short-term arrangements involving the national elites. Patricia Daley (2007) has argued that mediation outcomes are not transformative and that they hardly affect societal circumstances and thus fail to reach lasting solutions to guarantee the security of the people. This is borne out by the fact that the semblance of stability that comes with the short-term arrangements of convenience among the national elites last, for as long as these elites remain happy. As Daley (2007, 342) puts it, in such circumstances, democracy simply amounts to elites' access in state institutions meaning participating in the negotiations and signing the agreement secures a stake in government. This is part of the reason why SADC has been stuck in mediation in both Lesotho and Zimbabwe for decades despite several agreements having been signed in each country. The agreements amount to short-term arrangements between the elites that are logged on ongoing contest for power.

Thirdly, regional resolutions are often taken by consensus, where absolute majority is required to determine the way forward. Therefore, where consensus is not possible, a majority or a regional decision becomes elusive. This has proven to be a significant obstacle in both the EAC and SADC mediation processes. For example, in the EAC decisions can only be taken by consensus, except in situations where a member concerned is being considered for suspension or possible expulsion. This need for consensus, has often proven a major huddle that impeded decisive regional action. The case studies also teach us that, the African RECs role in conflict management intervention seems limited to a legitimising function. Beyond that, these regional organisations clearly lack both the economic and political will/power to enforce compliance to regional commitments at best. Their pronouncements may only serve to open way for international action on a noncompliant member state or vice versa.

The saga of ongoing mediation in African sub regions bear testimony to Daley's statement that, there is more to regional peace negotiations than it is often acknowledged.

Daley (2007, 333) argues that, in regional mediation process, the resulting peace agreement or lack thereof, is not necessarily reflective of a compromise for the sake of peace, but marks essentially, a temporary stalemate between the manoeuvrings (considerations) of the regional actors and the local ones. For example, regional pronouncements may come with commitments or obligations that some regional member states may individually not want to commit to. Moshoeshoe (2012, 196) argues that while the regional bodies may make the interventions, ultimately, decision making remains the prerogative of the national leaders or their governments who draw up political conclusions and determine the way forward for the region. Therefore, regional decision-making involves making self-interested judgements by governments individually or as a group, in lieu of taking the responsibility for the consequences likely to follow from such decisions.

The challenge therefore, is that decisions by RECs are often tied to the accompanying analysis of the political consequences. Official regional outcomes or pronouncements, may stand at odds with internal interests of some of the member states of the REC; the more influential such a member is within the REC, the higher the chance that the regional position will align closely with their national interests. Strategic thinking of this kind and its consequences for performance of the REC cannot be ignored or ruled out when analysing the behaviour or conduct of RECs and their interventions in fellow member states (Moshoeshoe 2012, 204). One crucial observation is that these RECs can only be as good as their member states allow them to be and it seems where national leaders themselves have a reason to fear the power of RECs, they deliberately keep the regional organizations weak.

The inability of the RECs to impose their will on member states has led to situations where their lofty goals and objectives of consolidation of democracy, security and relative stability has been exchanged for higher tolerance for autocratic tendencies. Examples of Burundi and Zimbabwe, clearly illustrate that both the EAC and SADC settled for short-term stability at the expense of simultaneously entrenching democracy and human-centric security. Speaking of the EAC-Burundi intervention, Nina Wilén states that, “International actors have adopted a comfortable “laissez-faire” approach in Burundi characterized by a “good enough” peace (Wilén 2016, 70). The same can be said about SADC and its long running interventions in Lesotho and Zimbabwe, where over many years, illustrate that relative stability is often so readily welcome that regional missions hardly ever get to deal with the fundamental underlying issues.

Some of the lessons deducted from our case studies are as follows. While the RECs can ostensibly support democratic development and stability in member states mainly by speedily resolving conflicts and restoring stability and peace wherever necessary, the regional organisations tend to incubate or manage political crises instead of resolving them. In Lesotho and Zimbabwe, SADC has been bogged down in long running interventions or a series of interventions involving multiple issues and in both cases, SADC has failed to set these member states on a democratic path. The same is obvious with the EAC in Burundi, where the EAC intervention since the 1990s, has been a start-stop mission that has limped from one crisis to the next with little to no progress in terms of enhancing democracy and security.

The EAC and SADC interventions considered here show their capacity to support member states uphold democratic institutions and enforce adherence to democratic

practices appears frail at best and questions about commitment to democratic governance continue to linger. This is borne out by the fact that despite decades of active involvement by the two regional bodies, political instability and insecurity remained a prominent feature of political life in all the three case studies considered in this article. These regional interventions clearly failed to undergird and uphold further democratic development and enhance peace and security of the citizens as well as ensure durable peace and security within their respective sub-regions.

## Disclosure statement

No potential conflict of interest was reported by the author(s).

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