



Trends in SADC Mediation and Long-Term Conflict Transformation

Dimpfo Deleglise

INTRODUCTION

Conflict recurrence and the limited duration of peace settlements in Zimbabwe, Lesotho, and Madagascar in the last ten years provides the rationale for examining the approach of the Southern African Development Community (SADC) to mediate conflicts in member countries. Studies show that SADC's acquiescence to long-serving Zimbabwean President Robert Mugabe during its mediation period between 2007/2008 and 2013 led to the organization's endorsement of two undemocratic elections that prolonged Zimbabwe's socio-political and economic crisis. SADC's handling of Lesotho's political turbulence between 2014 and 2017 also reproduced its instability, making the small country one with the highest number of government turnovers in the SADC region. Madagascar's political crisis from 2009 was left to drag on owing to dissonance between itself and the African Union (AU), also engaged in Madagascar at the time.¹

D. Deleglise (✉)
University of French Guiana, Cayenne, French Guiana
e-mail: ddeleglise@cris.unu.edu

In all three countries, post-conflict recovery was overshadowed by reversals in fundamental freedoms, civil liberties, and checks on government that mirrored the deterioration in democratic institutions and the rule of law. These countries continued to be dominated by ruling parties with links to the military and security services, and socio-economic recovery has stalled for many years. As both an intergovernmental organization and a Regional Economic Community (REC), SADC mediation in the three countries has had its fair share of politics. These have been spurred by deeply ingrained patterns of avoiding confrontation with its member states and the compulsion to close ranks on issues concerning governance deficits.

While mediation efforts cannot lead to holistic societal transformations overnight, this chapter argues that SADC failed to lay the groundwork for such transformations and consequently was unable to find a balance between ending these conflicts and fulfilling longer-term agendas for sustainable peace. SADC mediation traditionally pursues “track one” diplomacy; hence its primary occupation has been to secure agreements between political and military elites. But, civil society organizations and other non-state actors have increasingly underlined the importance of including a broader variety of actors like themselves in SADC’s mediation process. For an organization that essentially functions on the basis of an elite consensus, this debate has been polarizing within the organization and among policy practitioners.

SYSTEMIC CONFLICT TRANSFORMATION FRAMEWORK AND MEDIATION

The departing point of this chapter is that the kind of peace envisaged through a mediation process matters to the viability of the agreements and resolutions made. Organizations like SADC should seek to support long-term solutions which hinge both on the demilitarization of politics and investment in effective institutions of participation and development. They should specifically invest in attaining what Johan Galtung refers to as “positive peace,” as opposed to “negative peace,” often reflected in mediation approaches that view peace agreements solely as end products. Galtung challenged what he perceived to be a simplistic use of the concept of peace in international relations and conflict. He questioned whether a peace concept that does not exclude at least severe forms of inequality, subservience, and exploitation was really fruitful. His argument was that

peace was often negatively defined or determined by its absence.² Charles Webel similarly conceived that conflict is not the antithesis of peace, and that conflicts may, perhaps paradoxically, promote and increase peace and diminish violence if the conflicting parties negotiate in good faith to reach solutions to problems that are achievable and tolerable, if not ideal.³ He also developed a peace index that categorizes countries' peace profiles as ranging from "strong or durable" (roughly equivalent to Galtung's description of positive peace) to "weak or fragile" peace.⁴

This thinking is well captured by the systemic conflict transformation (SCT) framework. It explains conflict mediation processes that pay attention to constructive change in contexts where repeated and deep-rooted cycles of conflict episodes exist.⁵ It is based on the idea that interventions in conflict situations need to reflect the complexity of conflict systems, and should seek to reduce this complexity as part of the outcomes of any intervention. This is based on the assumption that for mediation to contribute to positive change, third party interventions must seek to: constructively transform conflict systems; support processes of comprehensive social change; allow local actors to drive social change through an inclusive approach; and deal with the power asymmetries that hamper a transformation in relationships between actors in the political system.⁶ The SCT paradigm, therefore, strongly stresses that organizations not only seek to manage or resolve conflicts, but also transforms them by helping to change the relationship between the parties and, more broadly, in society. This includes addressing the structural causes that originally led to the conflict. In this chapter, the shortcomings of SADC's mediation approach, as analyzed through the SCT lens, are enumerated. These, or at least some of them, can be overcome if mediation processes are conceptualized to incorporate conflict transformation.

SADC's Policy and Institutional Framework for Mediation

SADC's peacemaking mandate is implied in its founding treaty and more so in its 1996 protocol that established its security structure, the Organ on Politics, Defence and Security Cooperation (OPDSC).⁷ The text of the protocol outlines a range of objectives in relation to peacemaking. This includes reference to the Organ's responsibilities to "manage and seek to resolve inter and intra state conflict by peaceful means" and that the methods employed "to prevent, manage and resolve conflict by

peaceful means shall include preventive diplomacy, negotiations, conciliation, mediation, good offices, arbitration and adjudication by an international tribunal.”⁸ Specifically, the protocol states that all mediation efforts be authorized by the SADC Summit—SADC’s supreme policy-making institution, made up of the sitting presidents of its member states⁹—and lists the following aims: the defense and maintenance of democracy, peace, security, and stability; and that SADC exists to promote common political values and systems in its member states that are transmitted through democratic, legitimate, and effective institutions.¹⁰

SADC’s mandate to mediate conflicts in its member countries, therefore, means that it can involve itself in the internal affairs of sovereign states, and hold them accountable to implementing decisions flowing from the peace agreements it facilitated. While this is a vital and even foundational matter, the SADC Treaty determines the degree of its involvement. Moreover, the compliance of member states to its agreements is treated with ambiguity and contradiction in the Treaty. To illustrate, in formal terms, members cede important decision-making powers to SADC by virtue of the fact that the Treaty gives SADC jurisdiction over the affairs of its members.¹¹ But this jurisdiction is both limited and, more importantly, contested by the member states themselves. The implementation of all SADC decisions by member states, including peace agreements, is also affected by its principles guiding the implementation of its policies outlined in the Treaty. In particular, the concept of variable geometry. Variable geometry basically acknowledges that member states have varying levels of development and on that logic, they should be given flexibility and leeway in the implementation of SADC policies. For instance, a member state can claim that it lacks institutional capacity to implement a regional political program and effectively evade its obligations. This is a claw-back clause so countries can evoke the argument that their institutions are yet to mature to the level required to implement regional agreements. The SADC Treaty also prescribes (in Article 33) when and what kinds of sanctions the organization can impose on a member state. In practice, it has only ever sanctioned countries for being in arrears financially, but never for violating the terms of peace agreements that SADC has facilitated.

SADC’s mediation structure, formally called the “Mediation, Conflict Prevention and Preventative Diplomacy Structure,” only started to take shape in 2010.¹² It comprises a mediation support unit (MSU) located in the OPDSC Directorate, a Panel of Elders (PoE), and a mediation

reference group (MRG). The MRG is meant to increase the use of mediation by SADC member states as a tool for the prevention, containment, and resolution of conflict by peaceful means; and strengthen their understanding of the root causes and potential causes of conflict in SADC countries. This explains the decision to staff it with officials from member states. However, the PoE is not yet operational. Diplomatic engagements by member states fill its gap. Once operational, it will be comprised of five members who are highly regarded political, civic, or religious leaders. Fifty percent of these are supposed to come from the governmental sector and the rest from the non-governmental sector. This structure is semi-functional, and SADC has maintained its reluctance to formally include non-state actors in its mediation processes.

TRENDS IN SADC MEDIATION IN ZIMBABWE, LESOTHO, AND MADAGASCAR

Zimbabwe

In its early mediation efforts, SADC took a case-by-case approach, relying on political leaders and individual countries appointed as its mediators to make decisions instead of SADC as a collective entity. Generally, SADC mediation interventions can be grouped into three fluid categories: (i) those concerning election-related disputes, as were the case in Zimbabwe and Lesotho in 2007; (ii) those assisting a country or conflicting parties to overcome a political impasse; and (iii) those where a military has sought to usurp power, as was the case with Madagascar's 2009 coup and Lesotho's coup attempt in 2014. In all three categories, the legitimacy and legality of political power was an important conflict-causing factor. SADC applied relatively different approaches and resources to those conflicts, depending on the mediation actors, the country's geostrategic features, and its own capacities.

The SADC mediation in Zimbabwe took place in two stages. The first was in March 2007 when the SADC Summit mandated President Mbeki of South Africa to "facilitate dialogue between the opposition and government" following an international outcry over a police crackdown on opposition activists in Zimbabwe. SADC was reluctant to intervene, having agreed publicly that the election crisis was essentially a result of the need for land redistribution, and therefore caused by Western sanctions.¹³ There was no mention of the political, governance, and security issues

that were apparent in the overt violence that characterized Mugabe's rule. The initial Mbeki involvement was thus narrowly focused on institutional conditions for the next round of elections in 2008. As such, issues like the brutal violence orchestrated by Zimbabwe African National Union-Patriotic Forces (ZANU-PF) forces nationwide to tip the election in its favor, and the evolving humanitarian crisis impacting on the electorate, were neglected.¹⁴

A first outcome of the Mbeki talks was registered five months into the negotiations. The talks agreed to a constitutional amendment—Constitutional Amendment No. 18, which was subsequently adopted by the Zimbabwean Parliament. But Michael Aeby argues that ZANU-PF drafted the amendment unilaterally. The amendment altered the presidential term from six to five years, and reduced the parliamentary term by two years. The Amendment also empowered the Zimbabwe Electoral Commission (ZEC) to redefine constituency boundaries, but subject to parliamentary approval before elections could take place.¹⁵ Mugabe also deliberately set an early date for the election in 2008, and Mbeki downplayed the concerns of the opposition Movement for Democratic Change (MDC) about both the unilateral constitutional amendment and the early election date. Mbeki also downplayed these concerns in his reports to the SADC Organ, which consequently emphasized procedural and not substantive issues. Aeby concludes that this was a major reason why SADC accepted that early elections could be held with only minimal reforms in place.¹⁶

The March 2008 elections took place in an environment of limited external scrutiny. Eldred Masunungure explains that the government had refused to accredit “unfriendly” foreign observers. The military had overtly taken over and had become the arbiter of Zimbabwe's fate during this period.¹⁷ The first election results that began to trickle in showed that ZANU-PF had lost to the MDC in its main constituencies. The electoral commission then stopped announcing results and froze them for five weeks. SADC remained non-intrusive, adopting a “wait-and-see” approach on how the impasse would be resolved. The results were reported to be inconclusive and a runoff presidential election was to be convened within 21 days in terms of the country's electoral laws.

The ZANU-PF government extended the period to 90 days. The period (prior to the runoff election) was characterized by violence unleashed mainly by ZANU-PF youth militia and the state security forces against opposition members and supporters. This was captured in the

preliminary statement of SADC's observer mission.¹⁸ Opposition leader and Mugabe's main contender, Morgan Tsvangirai, withdrew from the race after then-SADC Chair, President Levy Mwanawasa of Zambia, had reportedly urged him to pull out. Mugabe won the elections with 85.5 percent of the vote, which SADC and African Union (AU) observers declared illegitimate. He was then sworn in again as the country's president. This pushed the AU's involvement in Zimbabwe as it effectively refused to recognize the June election results.¹⁹ The AU Summit met in Egypt from June 30 to July 2, 2008, and directed SADC to intervene to resolve the impasse, ostensibly over the illegitimacy of Mugabe's presidency. It motivated for "a negotiated solution," and expressed its support for a government of national unity.²⁰ SADC called on Mbeki to lead negotiations over a government of national unity in Zimbabwe. The negotiations started on July 21, 2008, with the signing of a Memorandum of Understanding (MOU) by the MDC and ZANU-PF in which they committed themselves to dialogue and to concluding a Global Political Agreement (GPA). The GPA was produced in September 2008, and provided for a Transitional Government, mandated, among others, with preparing the country for free and fair elections by drafting a constitution; holding a referendum; promoting equality, national healing, cohesion, and unity; undertaking security sector reform; and reconstituting the Zimbabwe Electoral Commission, the Anti-Corruption Commission, Media Commission, and the Human Rights Commission.²¹

Mbeki stepped down as SADC mediator in late 2008 and was replaced by Jacob Zuma, who assumed the South African presidency in 2009. The thrust of SADC's mediation mission under Zuma from 2009 to 2013 was to push for full implementation of the GPA. But, in Zimbabwe, implementation of the GPA had run into serious difficulties, with the inclusive government seemingly backing away from meeting some of its provisions. Eventually, the Joint Monitoring and Implementation Committee (JOMIC) was set up to monitor the GPA but its structure was deeply flawed: it only comprised representatives of signatories to the GPA and ZANU-PF officials rejected moves by SADC to second its own officials to JOMIC. They believed such a mechanism would constitute interference in Zimbabwe's internal affairs. Mugabe then proceeded to call for elections in April 2013, despite widely held views that the country was not ready for elections, and that he and his party had failed to comply with the GPA.²² Nonetheless, elections took place. The election results, which the MDC deemed flawed, showed Mugabe winning 61 percent of the

vote, thus securing his continued tenure as president. SADC terminated its mission in Zimbabwe as soon as it had endorsed the 2013 elections. Meanwhile, JOMIC died a natural death.

Madagascar

Madagascar was plunged into a different crisis two years into Mbeki's mediation in Zimbabwe when Andry Rajoelina toppled sitting president, Marc Ravalomanana, in a decisive coup d'état. Ravalomanana fled the country and was mostly exiled in South Africa. SADC reacted by convening an Extraordinary Summit on Madagascar led by Swaziland's King Mswati,²³ who was the OPDSC Chair at the time. It eventually deployed a mission to the capital, Antananarivo. The SADC mission arrived only to find AU and United Nations (UN) missions on the ground, and tensions and confusion brewed over which organization had a genuine mandate to lead the mediation process.²⁴ Meanwhile, SADC resolved at its summit that Ravalomanana be reinstated and threatened to use force if this was not done.²⁵ Three months later, having made no headway, SADC shifted from a militarist posture to a mediatory one.²⁶ It decided to establish a mediation team led by former Mozambican President Joaquim Chissano, while the AU and UN appointed its own mediators. The leadership incoherence between the three organizations was later resolved: the AU and the UN dissolved their mediation team and SADC became the sole mediator to the crisis. The backlash was soon felt by the SADC mediation team on many fronts. Foremost was that the team was relatively small and the new regime had exploited the leadership coordination quarrel by using the time to entrench itself into government.

The SADC mediator's approach was to reach a compromise between the political elites and it facilitated negotiations that resulted in a power-sharing accord.²⁷ Under the accord, Ravalomanana would not be reinstated as outlined in SADC's initial communiqué. Instead, an interim, inclusive government, led by Rajoelina, would be set up to oversee a 15-month transitional period and elections. Laurie Nathan argues that at this stage, Chissano's deviation from the principled position of the Summit derived from an assumption that he was providing for inclusivity, consensus, and compromise.²⁸ But, the accord failed to resolve the crisis and Chissano persevered with the mediation. In January 2011, Chissano produced a roadmap that entailed another major compromise of democracy.²⁹ The roadmap allowed the coup perpetrators to contest

elections and denied this opportunity to Ravalomanana, who was barred from returning to Madagascar until the new government decided that a favorable political and security climate existed. Local diplomats concluded that Chissano had capitulated to the junta.³⁰

SADC removed Chissano as the mediator and insisted that Ravalomanana be free to contest the poll. Over the next 18 months, SADC mediators were unable to secure the compliance of the regime. In 2012, the SADC Summit backed down and adopted the “ni-ni” solution, under which neither Ravalomanana nor Rajoelina would run for president.³¹ The two politicians eventually agreed to this. SADC then set up a liaison office in Madagascar in April 2012 to support mediation activities in the country. But it was too little, too late. The country held elections in late 2013, but has since struggled to stabilize its government and implement economic reforms owing to a lack of institutionalized democracy and governance mechanisms.³² Some of the most pressing challenges that remain include a lack of civilian authority and control over the security forces; human rights abuses, including arbitrary or unlawful killing; a lack of judicial independence; and restrictions on freedom of speech and press.³³ In September 2015, SADC sent a “Special Envoy’s advance team” to Madagascar for five days with staff from its MSU. The Mission submitted its report with findings and recommendations to SADC, some of which were that Madagascar’s former heads of state were a divisive group, and indicated unconditional willingness to work with the SADC Special Envoy to address existing differences among themselves; and to provide the necessary guidance and support to the national reconciliation process. This conclusion proved that the initial mediation process had gone awry along the way and that there was a need to focus more on the substantive aspects of the mediation, as opposed to concentrating exclusively on the procedural ones.

Lesotho

Similar to SADC’s past interventions in Lesotho, its intervention in the country’s political crisis from 2014 was precipitated by a coup attempt. However, the veracity of the coup attempt was contested in Lesotho and SADC evaded the matter altogether, fanning the flames of the crisis during that time. Despite varied accounts, what later emerged through careful documentation and investigation is that in August 2014, Lesotho’s Prime Minister, Thomas Thabane, asked for a military intervention from

SADC, having reported an attempted military coup in his country that forced him to flee to South Africa. What transpired was that the country's army general at the time, Tlali Kamoli, had defied orders to leave office, and was later believed to have orchestrated plots to assassinate the Prime Minister, some high-ranking military officials, and politicians not aligned with him. This compelled Thabane's exile to South Africa, along with other opposition and security officials. The Prime Minister's request to SADC for a military intervention was not granted. SADC eventually downplayed the coup allegation despite the apparent tensions surrounding a politicized and partisan security apparatus the issue had brought.³⁴ These issues were well known to South Africa and SADC. The 2014 intervention would be the organization's fifth in the country's history. As such, South Africa has both witnessed and been involved in mediating Lesotho's cyclical conflicts since its independence in 1966. All share a common heritage of faltering democratic rule, coups, and coup attempts that have all undermined state capacity and legitimacy for generations. It goes without saying that Lesotho's conflict equation exhibits some common and consistent features: it follows or is precipitated by power struggles in the military, power struggles within governing parties, or a change in government.³⁵

Following SADC's rebuff of the coup allegation, it appointed then-South African Deputy President, Cyril Ramaphosa, to act as a SADC facilitator in Lesotho. His specific mandate was to "facilitate the restoration of political and security stability in the short and long terms."³⁶ SADC deployed an observer team to Maseru, known as the SADC Observer Mission in Lesotho (SOMILES), made up of police officers and military personnel from various member states. The peace process facilitated by Ramaphosa resulted in an agreement in October to schedule snap elections in 2015. Six months after the reported attempted coup, Lesotho held its snap elections, which the SADC facilitator promoted as a solution to the political crisis triggered in 2014.

The preference for this solution may have been the political backdrop to the coup attempt. The country's first coalition government elected in 2012 had collapsed, with parliament being suspended for several months. One of the major parties in the collapsed government signed a new alliance with the opposition and within the same month the coup attempt was reported. While there were legitimacy issues to do with the collapse of the governing coalition, there was nothing that

suggested that Ramaphosa treated the attempted coup as an unconstitutional change of government. The elections in February 2015 produced a hung parliament and, just as in 2012, the various parties negotiated coalition alliances. The result was a new government headed by Pakalitha Mosisili, the country's long-serving prime minister until 2012 and leader of the opposition in the 2014 parliament. SADC officially closed the SOMILES mission in Lesotho in April 2015 after what it referred to as "successful elections."³⁷ Ramaphosa submitted a report to the new government, outlining a number of observations and recommendations for the way forward.

The recommendations were contained in the "Proposal on Constitutional and Institutional Review for the Kingdom of Lesotho" prepared by the SADC facilitating team. But in the months to come, the new government backtracked on all of the SADC decisions agreed prior to the elections, including electoral reforms. As soon as it assumed power, the Mosisili government reinstated Kamoli, and staged a witch-hunt of opponents and dissidents. This included arresting some military officials for an alleged mutiny whose timing coincided with Thabane's prior allegation of a coup attempt in 2014. As part of these arrests, the country's former military chief appointed by Thabane in 2014, Lieutenant-General Maaparankoe Mahao, was killed by his peers in an alleged attempt to arrest him for mutiny. Fifty other soldiers were incarcerated while awaiting trial. Mosisili asked SADC to help establish the circumstances surrounding Mahao's death.³⁸ SADC appointed a ten-member commission, led by the Botswana High Court Judge Mpaphi Phumaphi, to investigate the full scope of Lesotho's instability. The Mosisili government vehemently rejected the commission's report, and it became a source of diplomatic tension between the government and SADC. It was even challenged in Lesotho's High Court by one of the military top brass allegedly involved in Mahao's killing. In addition, senior government officials bluntly stated that the commission's findings would not be binding, and that the whole endeavor was an exercise in futility.³⁹

Led by Botswana as chair, SADC later threatened Lesotho with suspension if it were to refuse to abide by the Commission's recommendations. The recommendations under security reforms were controversial, as they challenged the narrative of both the 2014 coup and the 2015 charges of mutiny under Mosisili, and his reinstatement of Kamoli. The SADC Commission of Inquiry particularly described the latter as a "polarizing character within the Lesotho Defence Force," and recommended his

removal as army chief. The Commission also found no basis for the alleged mutiny, and recommended the immediate release of the incarcerated soldiers.⁴⁰ Following months of impasse and standoff between the Lesotho government and SADC, the Lesotho government accepted the Phumaphi recommendations on condition that it would develop its own reforms that would be compatible with Lesotho's laws. Part of the recommendations accepted included reforms to its electoral system, the constitution, security structures, and public service aimed at depoliticizing government administration. On the security front, the government announced Kamoli's retirement and his deputy as the new head of the Lesotho Defence Force.

In March 2017, Mosisili lost a no-confidence vote in parliament. Instead of handing over power to the opposition, he responded by dissolving parliament and calling fresh elections. So, essentially, between receiving the SADC Phumaphi report in 2015 until March 2017, no real reforms had taken place. SADC had papered over Lesotho's security crisis, treating it like a political matter to be handled by the incumbent administration. Thabane won the 2017 elections and for more than two years presided over a fragile coalition government. Somewhat predictably, the government collapsed in 2020, after Thabane became embroiled in a scandal involving the murder of his second wife in 2017 allegedly by his current wife. He was replaced as prime minister by the former finance minister, Moeketsi Majoro.

Ramaphosa's mediation in Lesotho erred in many respects, including on its impartiality, inclusivity, and its ability to address a host of proximate and underlying causes of Lesotho's recurrent conflict. These include deep polarization between the country's political actors, politicized state institutions, and the militarization of politics more broadly. This made the implementation of SADC resolutions both contentious and discretionary. By its own admission, SADC has limited capacity to monitor, evaluate, and ensure implementation of agreements that it helps to broker through mediation. According to the Organ Directorate's 2015 progress report, the implementation of mediation agreements and roadmaps by member states stood at 50 percent. Even more challenging is developing the baseline for these evaluations. The process is also inherently political as it concerns an organizational image, and the need to project publicly some modicum of consensus and progress in fulfilling its peacemaking mandate. This partly explains its claims that it has been successful in mediating

conflicts in Zimbabwe, Madagascar, and Lesotho in the last decade—contrary to existing research pointing to their relapse into violence and conflicts.⁴¹ Arguably, the success it refers to relates exclusively to its facilitation of peace agreements.

THE POTENTIAL CONTRIBUTION OF THE SYSTEMIC CONFLICT TRANSFORMATION FRAMEWORK TO SADC MEDIATION

Mediation certainly takes place in extremely complex environments, and its contributions are often multifaceted and difficult to grasp. Plus, the necessary conditions for an SCT framework to be applied to a mediation process by a regional organization may discourage its use. These refer to:

- i. The politics regarding the mandate of the mediator, the time-frames and resources employed;
- ii. the acceptability of non-state actors and partners to the process; and
- iii. the human, institutional, and financial capacities on both sides to implement a transformational peacebuilding agenda.

Yet the application of SCT would not be “re-inventing the wheel.” SADC mediation is essentially geared to building peace, despite the specific mandates given in the different countries. Building peace requires that mediation not become the monopoly of governments, but incorporate the participation of institutions outside of it.

While SADC has a formal mandate to engage in mediation as a form of peacemaking, the experiences of Zimbabwe, Lesotho, and Madagascar illustrate the pushback from elite parties in these countries on the exact mandate and responsibilities of the SADC mediator. In both Zimbabwe and Madagascar, the use of “track one” negotiations meant that there was little room for a systemic intervention using other, unofficial tracks of diplomacy. This exacerbated existing divisions within groups on the ground. In Zimbabwe, the relationship between the government and civil society organizations was deeply fragmented. ZANU-PF strongly guarded and monopolized the mediation process, in order to protect and maintain its own version of the conflict. This reflected ZANU-PF’s failure to transform itself from a liberation movement into a political party, including a refusal to acknowledge the roles played by others, such as civil society

organizations (CSOs), students, churches, and other non-state actors in the liberation struggle.⁴² As such, the mediation itself became a weak tool of conflict management from the onset, and even less of a tool to transform the relationships and structures that govern those relationships in the longer term. Ultimately, the country experienced a partial, if not pseudo-democratic, transition in 2008 and 2013, and the period thereafter conformed to Galtung's concept of negative peace.

SADC's preference for "track one" diplomacy does not deter it from using other non-official tracks in its mediation processes. While its mediation reflected a more traditional and state-centric approach in Zimbabwe and Madagascar, it later gravitated toward a more hybrid type in Lesotho. This has been described as "track one and a half" diplomacy.⁴³ It comprises interaction between official representatives of conflicting actors mediated by a third party not representing a political institution. Jeffrey Mapendere finds that it helps address some deficiencies of "track one" diplomacy, and directly influences power structures without being driven by governmental political agendas.⁴⁴ In all three cases, agreements were facilitated without a fundamental transformation of relationships for purely pragmatic reasons. There was no stated transition from mediation to post-conflict processes, and the agreements were left to self-implementation. This changed somewhat for Lesotho when SADC set up a commission of inquiry to help facilitate long-term transformation as understood by many. The snag, however, was that the viability of the process was subject to the executive control of that country.

KEY RECOMMENDATIONS

1. *Increase utilization of Systemic Conflict Transformation in the SADC region.* The Systemic Conflict Transformation (SCT) approach is consistent with the Southern African Development Community's broader peacemaking mandate and thus could be an effective means for conflict transformation in the region. Mediation that is geared to building peace inevitably requires the transformation of society at all levels. SCT emphasizes the importance of engaging civil society in an effective way, parallel and integral to a peace process. It should be understood as part of mediation from the beginning and be initiated at some point.
2. *Move beyond "track one" diplomacy.* The primacy attached to track one negotiations can squeeze out potentially more effective tracks

of diplomacy. Countries have numerous invoked domestic jurisdiction over SADC processes, or lament SADC's involvement in their affairs as intrusions on sovereignty. Over-investment in a single SADC mediator can amplify pushback from elite parties in these countries on the exact mandate and responsibilities.

3. *Develop a framework for engaging non-state actors.* SADC needs an explicit, consolidated policy framework for engaging non-state actors in its peace and security affairs. What currently exists is a relatively defunct memorandum of understanding between SADC and the regional umbrella body for NGOs—the SADC Council of NGOs—signed in 2008. Modalities for involving NGOs in SADC mediation are not yet clear, but these could take the form of ad hoc arrangements, loosely defined collaborations or even superficial consultations. Ultimately, the future relevance of SADC's mediation structure lies in its capacity as a strategic policy advisory and technical tool for supporting SADC to detect conflicts, prevent and manage them, and help countries implement agreements to consolidate peace.

NOTES

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9. *Ibid.*, Article 11.
10. *Ibid.*
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13. Gavin Cawthra, *The Role of SADC in Managing Political Crisis and Conflict: The Cases of Madagascar and Zimbabwe* (Maputo: Friedrich-Ebert-Stiftung Mozambique, 2010), 7.
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