



REGIONAL WORKSHOP ON THE DEMOCRATISATION AGENDA IN SOUTHERN AFRICA: PROGRESS, CHALLENGES AND THE WAY FORWARD

VENUE: BIRCHWOOD HOTEL, BOKSBURG, SOUTH AFRICA
22 -23 MAY 2017



Group photo

SUMMARY REPORT

The Southern African Development Community (SADC) Lawyers' Association and the Konrad Adenauer Stiftung (KAS) under the auspices of its Rule of Law Program for Sub Saharan Africa convened a regional stakeholders' workshop under the theme

'Democratisation Agenda in Southern Africa: Progress, Challenges and the Way Forward' that sought to contribute to the protection and strengthening of democracy in the SADC region.

The discussions centred around the dynamics and complexities of the current democratisation status in the region and the specific role that the legal profession in collaboration with other stakeholders including the academia, political parties, human rights institutions, the media, the civil society, trade unions, traditional leaders, religious groups and electoral management bodies could play to not only safeguard democracy in the region but to also strengthen the same.

To understand the dynamics and the associated nuances with the view to crafting the appropriate way forward, the workshop sought to review the democratization process from the colonial era, the post-independence promises and the current constitutional democracies in the region by discussing *inter alia*, the following issues:

- Defining democracy and democratisation and its application in the Southern African regional context;
- Tracing the immediate post-independence years and the promise that the region held;
- Reviewing the regression that was experienced in most of the countries after a few years of independence and the role of the founding presidents and liberation movements in the region in aiding and abating the actions and omissions that impacted on democratisation;
- Examining the emergence of opposition political parties and social movements, after years of *de facto* and *de jure* one party states;
- Assessing the role and adequacy of elections in Southern Africa as an ingredient for the democratisation agenda;
- Evaluating the impact of bilateral and multilateral economic strategies in particular Structural Adjustment Programs (SAPs) on the democratization process, the rule of law and human rights in the region;
- Assessing the development of constitutional democracies in the region in the last two decades;
- Exploring the alternative democratic ideologies for Africa;
- Exploring the specific role of the legal profession in supporting the democratisation process in the region; and
- Exploring the specific role of SADC as a regional body in supporting the democratisation process

The workshop drew participants from diverse disciplines and interest groups from Botswana, Malawi, Zambia, Zimbabwe, Lesotho, Swaziland, Mauritius, Mozambique, Namibia, DRC, Tanzania and South Africa.

The key note speech was delivered by the Hon. (Rtd) Justice Zakeria Mohammed Yacoob (formerly of the Constitutional Court of South Africa) who underscored the need for valued-based democracy that upholds the principles of freedom, equality and human dignity.

Other key speakers included Mr. James Banda, President of SADC LA; Mr. Henning Suhr, KAS Resident Representative to South Africa; Dr. Arne Wulff, Director, KAS' Rule of Law Program for Sub Saharan Africa; Dr. Jabusile Shumba, Political Economic Analyst at the Canadian Embassy to Zimbabwe, Angola and Botswana; Dr. Lwazi Lushaba Professor of African Politics, African Political Economy and the post-colonial African State at the University of Cape Town; Mr. Simon Mamabolo, Acting Chief Electoral Officer of the Independent Electoral Commission of South Africa; Mr. Mark Heywood, Director of Section 27 - SA; Adv. Mpheane Lepaku, Head of COSATU Policy; Mr. Mpho Molefe of the African Independent Churches and Acting Secretary General of NICSA; Prof. Michelo Hansungule, Professor of Law and Academic Researcher at the Centre for Human Rights University of Pretoria; Prof. Andre Mbata Mangu, Professor at College of Law, University of South Africa & Faculty of Law, University of Kinshasa, DRC; Ms. Makanatsa Makonese, Chief Executive Officer, Zimbabwe Human Rights Commission and Ms Maureen Kondowe, Senior Partner, Konsewa Law Consulting, Malawi.