POLICY BRIEF

Democracy in Danger: The Limitations of the African Union's Stance

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Introduction

Since the 1950s, the African continent has experienced over 80 successful coups and over 100 attempted ones, making it a region with the highest concentration of military coups. This region suffers from weak international support and fell victim to the Cold War era, during which military coups were more prevalent often framed as a battle against terrorism and corruption within the continent. The African Union (AU) and the Economic Community of West African States (ECOWAS) are regional organizations that were established to create mechanisms responding to the fragility of democratic states and potential geopolitical shifts. However, their efforts remain limited and mostly symbolic, with no significant impact.

The start of this decade has witnessed a growing trend of military coups in Africa. Successful coups occurring in Mali (2020, 2021), Guinea (2021), Burkina Faso (2022), Sudan (2021), Chad (2021), Niger (2023), and Gabon (2023) mirror the political instability observed during Africa's post-independence era, raising concerns about the emergence of new *Coup Belts* across Northwestern and Central Africa. The term *Coup Belt* originates from a modern geopolitical concept and neologism which emerged during the 2020s to describe the region of West Africa, Central Africa and the Sahel that is home to countries with a high prevalence of coups d'état.

Following the 2023 Nigerien coup, these countries form a continuous chain stretching between the east and west coasts of Africa (Walsh, 2023).

West Africa's Coup Belt
Military-led Chad foiled recent assault on presidential complex

■ Military coups since 2020
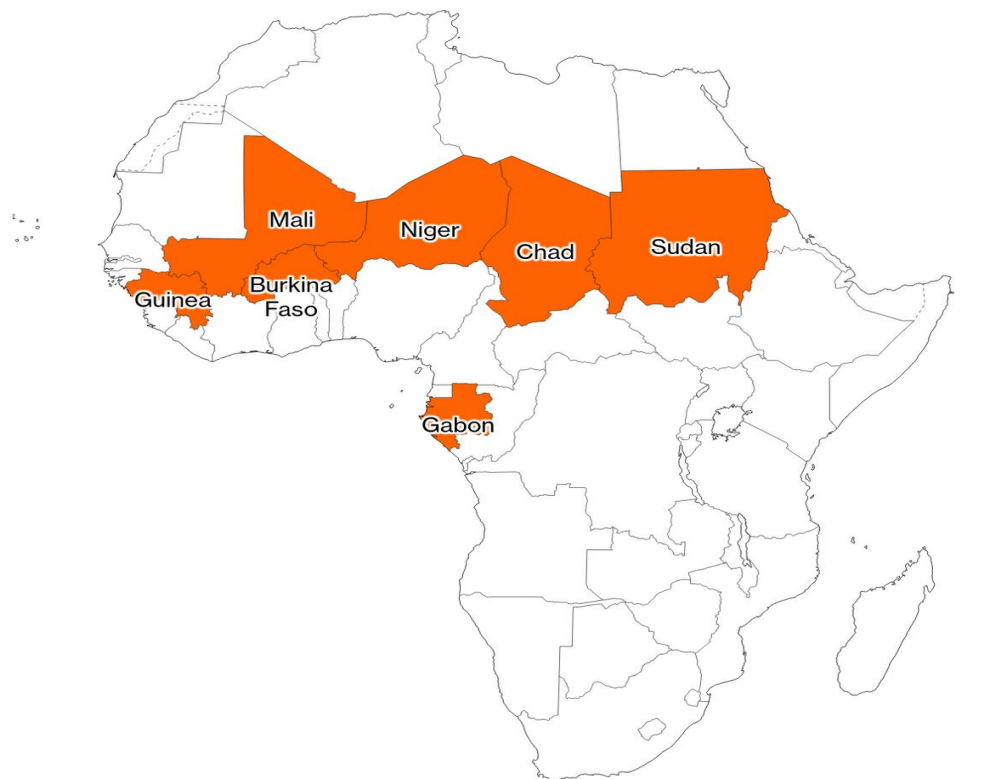
Source: Bloomberg News   **Bloomberg**

(Hoije, 2025)

Background: Coups in Africa (Post-2020)

(i) Mali: In 2020, increased internal corruption within the Malian executive and growing public discontent led the Military (led by Colonel Assimi Goïita) to orchestrate the the nation ever saw, overthrowing President Keita. Public protests against the government and increased jihadist insurgencies in the northern region of Mali brought further instability. Colonel Assimi Goïita once again led a second coup against the military interim government,

catalysing violence throughout the territory due to growing fragility of the state and an upsurge of disagreements within the new transnational government. As the government , in which key military figures were excluded, experienced power struggles, another coup further delayed Mali's return to democratic governance.

Guinea: The then-reigning President Alpha Condé had overreached his powers by amending the constitution to allow a third term in office. Through this he also suppressed opposing parties, and his poor governance left much of the country in poverty, creating deep political divisions leading up to his ousting.

Burkina Faso: Similar to Mali, Burkina Faso experienced two coups in 2022, as it was losing territory to jihadist groups. The government's inability to control the situation and protect civilians was met with public discontent, ultimately resulting in a military coup aimed at restoring order. The second coup emerged in the following months as Damiba, who had previously ousted the President, met the same fate, passing over the leadership to Ibrahim Traore to fix its issues.

Sudan: Post the transition from Omar al-Bashir's dictatorship to a democracy, Sudan was governed by a joint civilian-military body called the Sovereign Council, which was formed under a power-sharing agreement, conferred upon providing a path towards democracy. This power-sharing agreement was soon disregarded by the military, fearing the rising influence of civilian leadership, and staged a takeover, claiming the civilian government as ineffective.

Chad: Following the sudden death of its President Idriss Deby, his son, General Mahamat Idriss Deby assumed power through an undemocratic transfer of power which triggered public protests. While it wasn't a general coup, but by seizing power, scrapping the constitution and justifying military rule, his actions were widely labelled as a coup.

Niger: Niger has faced rising instability, with escalating jihadist violence linked to ISIS across the Sahel. This growing insecurity was used as justification for the military coup, which also reflected deepening anti-French sentiment amid France's expanding presence in the region.

Gabon: Allegations of electoral fraud by President Ali Bongo Ondimba, coupled with decades of entrenched corruption, fueled widespread public anger. Unlike other recent coups in the region,

which were often justified by jihadist threats, Gabon's military seized power on the grounds of long-standing political corruption, framing the coup as a liberation from a deeply compromised regime (Vines, 2024).

Why Democracy over Military Rule?

Democracy may not always be the most effective model of governance, as illustrated by China and Russia. Although authoritarian in nature, these states have demonstrated significant development in areas where democratic processes might be slower or less effective. Recently, Burkina Faso, under the military rule of Captain Ibrahim Traoré, following the 2022 coup, has gained considerable public support. Military rule is often imposed to restore order quickly but is rarely a sustainable long-term solution as it often entails the suppression of civil liberties and political freedom. The military often gains more power and control while corrupting the system instead of following the slow path towards democracy. While democracy can be slow and vulnerable to manipulation, it promotes representation and government accountability which are crucial in the long run for a peaceful and agreeable rule. The goal is not to abandon democracy entirely, but to adapt and reform it gradually to address systemic challenges.

Limitations of African Democracy

This recurring cycle of coups in Africa highlights the internally damaged governance structure that the continent operates on, which is still present from its independence days. The colonial legacy left behind persists, with corruption still prevalent even in countries that have declared themselves democratic and were holding regular elections that were often manipulated. The public at large was ignored in politics, which primarily benefitted the elites while most of the state battled with economic crises and poverty. Another reason for the weak democratic system is the widespread presence of Jihadist threats in Mali, Burkina Faso, Niger creates a difficulty in maintaining order the chaos and insecurity sees the need for military intervention into politics as the militaries have a lot of autonomy they generally do not have checks and balances that keeps them within civilian oversight this autonomy allows militaries to intervene at any time without consequences (Ifri, 2017).

Military coups intended to end democratic corruption also rarely led to real reforms as seen in Sudan, where even a mixed civilian-military transnational government the military often ignores

the constitution, focusing instead on power consolidation. Resource-rich regions are exploited by elites while the rest of the country struggles in a one-sided, labor-dominated workforce.

The Need for a More Active African Union

The African Union (AU) is a continental body consisting of the 55 member states that make up the African Continent. It was officially launched in 2002 as a successor to the Organization of African Unity (African Union). Regional organizations like the African Union and ECOWAS were designed to establish mechanisms to promote democracy and prevent unconstitutional intervention. The AU was established with a goal of peace, unity, and democracy, adopting the African Charter on Democracy, Elections and Governance, which does not support any unconstitutional change of government, but the institution remains weak, with its only response being diplomatic condemnation and suspension of the country. Chad's coup, also violated the Union's charter that mentions a zero-tolerance policy towards unconstitutional changes in government, was still tolerated by the AU, revealing cracks and a lack of accountability within the organization. Despitethe exception made in Chad's case several countries have been suspended, but this action does not affect military regimes whose purpose is to retain power (Maluleke & Bennett, n.d.).

EU Charters
• **Charter 2 of the Treaty on Europe Union** - The European Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities, as laid down in Article 2 of the Treaty on European Union (TEU)
• **Charter 7 of the Treaty on European Union** - Article 7 of the Treaty on European Union allows for the possibility of suspending European Union (EU) membership rights (such as voting rights in the Council of the European Union) if a country seriously and persistently breaches the principles on which the EU is founded as defined in Article 2 (TEU, 1992)

AU Charters
• **Article 4(p) of the Constitutive Act of the African Union** - Condemns and rejects any unconstitutional changes of governments. • **Article 30 of the Constitutive Act of the African Union** - Governments which shall come to power through unconstitutional means shall not be allowed to participate in the activities of the Union. (AU, 2002)

The EU enforces a Court of Justice that acts like a watchdog to its member-states in cases like Chad, where compliance with its policies is a necessity, we can see with the examples of Poland and Hungary, where strict measures were enforced under Section 7 of the TEU to, ensure full compliance with EU protocols and prevent challenges to its core values.

The AU, which largely adopted the European Union's institutional model, still struggles to exercise real authority in cases of democratic non-compliance. While the AU has adopted charters similar to the EU's, it lacks binding mechanisms and institutional autonomy the AU mostly depends on its member states, whereas in the EU, the institution holds greater central authority. The Charter although now is a legally binding document has a severe flaw of it applying to those who have signed and ratified it giving the AU a limited scope with many countries not signing and operating outside the charter's jurisdiction hurting democracy. While the EU enforces provisions like Article 7 of the TEU, which creates real pressure on members to comply the AU still lacks a similar Charter it does have Article 30 of the Constitutive Act, which denies participation in Union activities but these suspensions have no real consequences since many of these military regimes can function in isolation with the vast amount of natural resources and alliances with external countries like Russia or China.

Recommendations

To strengthen democratic governance across the continent, the African Union should become a more active body in adopting a similar hands-on approach much like the European Union in its enforcement mechanisms and involvement within its member countries affairs. To do this

- The Charter on Democracy should be reformed to strengthen its commitment to democracy, by including rules and a legal enforcement mechanism with legal consequences in case of breaches will strengthen its hold over the members.
- Introducing a similar body like the European Court of Justice will also serve as a watchdog monitoring the states along with the legal enforcements introduced.
- The Charter on Democracy, Elections and Governances scope right now is limited, introduction of incentives to those who sign the charter while having stronger consequences for incompliance will increase the effectiveness of the Union.
- Increasing the independence of the Peace and Security Council and the Courts jurisdiction helps avoid the fragmentation of the AU framework

Military Rules often after stating emergency as a means for justification for the coup need to look forward to a transition period back to democratic rule, the AU can introduce a timeline of 1-2 years while assisting the then military rule in this transition and that any non-compliance will be met with stronger sanctions or consequences. A larger framework of governance should be brought in, where:

- An oversight committee, introduced which oversees the security sector of all member states to prevent uprisings
- A mandatory provision of democratic leaders on term limits
- Ensuring full transparency of voting with election observers and reports to prevent democratic corruption or electoral
- Like the African Peer Review Mechanism a mechanism that serves as a criticism for good governance will help in battling corruption.

 In the end the AU like the EU must build its own independent financial budget to become an independent body that acts for all while maintaining a distance from over-reliance to its countries. Gaining autonomy increases the union's ability to act on crises like coups and prevent suspension of member states instead ensuring compliance to a transition period that will lead the path towards

the African Unions vision of a shared collective and democratic Africa. Transition from a symbolic institution to someone who is in charge allows this change.

References

About the African Union | African Union. (n.d.). Retrieved from https://au.int/en/overview

Africa's Coups and the Role of External Actors. (Siegle, 2021). *Africa Center for Strategic Studies.* Retrieved from https://africacenter.org/spotlight/africas-coups-and-the-role-of-external-actors/

African Union. (2000). *Constitutive Act of the African Union.* Adopted at Lomé, Togo, on 11 July 2000. Retrieved from https://au.int/en/treaties/constitutive-act-african-union

Coast to coast, a corridor of coups brings turmoil in Africa. (Walsh, 2023, July 29). *The New York Times.* Retrieved from https://www.nytimes.com/2023/07/29/world/africa/africa-coups-niger.html

Democracy in Africa: Reversing Backsliding after Ten Years of the African Charter on Democracy | Ifri. (2017, June 12). Retrieved from https://www.ifri.org/en/editorials/democracy-africa-reversing-backsliding-after-ten-years-african-charter-democracy

European Union. (2012). *Consolidated version of the Treaty on European Union.* Official Journal of the European Union, C 326/13. https://www.europarl.europa.eu/factsheets/en/sheet/146/the-protection-of-article-2-teu-values-in-the-eu

Hoije, K. (2025, January 8). Chad army foils attack as gunfire erupts near presidency. Bloomberg News. Retrieved from https://www.bloomberg.com/news/articles/2025-01-08/chad-army-foils-attack-as-gunfire-erupts-near-presidency

Maluleke, L., & Bennett, M. (n.d.). *Coups in West Africa – a critical analysis of AU and ECOWAS responses.* Good Governance Africa. Retrieved from https://gga.org/coups-in-west-africa-a-critical-analysis-of-au-and-ecowas-responses/

Vines, A. (2024, April 14). *Understanding Africa's recent coups.* Georgetown Journal of International Affairs. Retrieved from https://gjia.georgetown.edu/2024/04/13/understanding-africas-coups/