

The Resurgence of Military Coups in Africa and the Role of the African Union (AU)

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Abstract

One of the numerous challenges bedevilling the African continent today is the epileptic process of democratization. Good governance, at least defined from the context of establishing a democratic system that thrives on political legitimacy with high level of responsive leadership and accountability as well as greater supply of public goods, has eluded the continent. In short, the paradox of African governance architecture has resulted in the existence of authoritarian democracies, which has over the years created an enabling environment for military coups on the continent. Ironically, the African Union has responded to the military overthrow of constitutional governments with sanctions, nonetheless this has not always been successful as the experience of the recent military intervention in politics since 2000s has suggested. Thus, to say that Africa is the bastion of military intervention in the world is an understatement as more than two-thirds of its population were subjected to military rule at different points in time. However, what is intriguing about the spate of authoritarian rule in Africa is the near indifference or weak capacity of the AU to present a formidable action against the scourge of military coups on the continent. This paper argues that poor governance and legitimacy crisis have been the major cause of recent coups in Africa, but more worrisome is the hollowness of the continental organization to put a stop to military coups, which has further created a cause for concern that the prospect of the continent to nurture democracy and good governance in the 21st century is bleak. It adopts an exploratory method and qualitatively analyzed data for the extant literature of the subject of coups in Africa and the AU's reactions to such developments on the continent. The paper found out that the AU's responses are a mixture of toughness, passivity and unperceptively indifferent. Therefore, the paper recommends, among other things, that the AU has to be seen to be active and instantaneously its members have to agree to speak with one voice on matters of military intervention to scare other countries from the contagion effects of military putsches.

Key words: Conflict, coup d'état, democracy, governance, political legitimacy

Introduction

To say that Africa is in crisis of governance is to say the least. Similarly, the fact that the continent is in a serious state of governance deficit is no longer doubtful. What is seemingly debatable is the ability of African countries to learn from their trajectories of poor governance and change the pace of development in the politics and economy of their countries. Personal rule and personalization of politics have created a situation whereby democratic institutions are impaired the most at the expense of collective goods and big personalities are created to occupy the political space of their societies. The narrower the space the heavier the toll of misgovernance on citizens who suffer must of the brunt of leadership failure caused by lack of political legitimacy. Nowhere do these tendencies manifested themselves as in the continent's history of state formation and political processes. One of the legacies of colonial rule, which has exposed the barrenness of the continent, is the inability of post-colonial states to allow democracy to nurture and blossom as a veritable system of the peaceful transfer of power. This is the outcome of the politics of identity, social group alienation, neo-patrimonial relationship and the practice of rentier economy, which deepened the culture of primitive capitalist accumulation to the exclusion of citizens. These have inhibited attempts at building peaceful and stable political organizations and institutions even in countries with the most promising foundation.

At another level, to say that Africa is the capital of military coups in the world for several decades since the independence of most of its countries from colonial rule is to say the least. Paradoxically, it has been taking the lead in this regard after two decades of democratization, which swept most parts of the continent at the end of the Cold War in the 1990s. The resurgence of military takeovers in the 21st century has generated a lot of concerns in Africa and beyond. On the other hand, it has created the apprehension that if the resurgence of military coups is not checked, it will once again breed a "contagion culture" and affect other countries with similar features of trepidation, which I called "triggers. Democracy in Africa is a mosaic of paradoxes and contradictions manifested side-by-side with some elements of optimism and hope such that its future will yield democratic sustenance.

The sad reality of African states at independence created a fertile ground for officer corps with praetorian principles to take over power from constitutional governments. Therefore, no sooner was independence granted to most African countries than a new framework of power relations with its authoritarian culture enmeshed the political landscape of the continent. Constitutional order was extemporaneously disturbed mostly through bloody change and sometimes palace coups that ensued to consolidate authoritarian rule is prolonged, it gives no space for citizens to participate in decision-making. From East to West and North to South, the continent has since the 1950s been experiencing an avalanche of military intervention that renders its prospects for building

democracy and its consolidation erratic and also made the process of economic development epileptic.

Recently, the resurgence of military coups on the continents has created fresh debates about the ability of African states to sustain democracy. Of particular interest in the debate is its faculty which questioned the capacity of the continental body, the African Union (AU), to rescue the situation and reverse the trend. While it is true the organization cannot prevent military interventions before they occur, nevertheless, it can speak with one voice and condemn the forceful takeover of power and ensure the return to constitutional order. The bases of the AU to carry out this role has been clearly stated in its legal frameworks. In practice, the performance of the organization leaves much to be desired. Therefore, this paper examines the phenomenon of military intervention in African politics from the context of governance conundrum which has invariably created a contested legitimacy and further ruins the continent's prospects of establishing strong democratic institutions. Governance is conceived in this paper as the process of overseeing the direction of government policies through the institutional mechanisms of a given state. It includes the patterns of rule or practices such as public accountability, responsive and responsible leadership, the opening of democratic space for public participation in decision making and electoral process and the flourishing of the rule of law and transparency in the conduct of public affairs. Governance may be good or bad, depending on the conduct of governments. It is good when it yields compromise and accommodation, peace and security, unity and economic develop as well as sustenance of democracy on the basis of its noble tenets. Governance is said to be bad when it fails short of providing the attributes of its plip side.

Contested legitimacy arises when leadership has gone out of citizens' favour as a result of a track record of bad governance or weak institutional capacity to stem the tide of insecurity, economic hardships or sliding into a state collapse. In some cases, contested legitimacy arises when a government comes into power through a flawed election. Usually, civil society challenges government's legitimacy through protests and in response it represses the society to secure obedience. Put differently, severe crisis of confidence in leadership or discordant over legitimacy of leaders to continue steer the affairs of government produces contested legitimacy. Thus, governance crisis in Africa is the consequence of a weak performance in the conduct of public policy and it leads to the questioning of the authority of a leader and eventually results in fomenting social tension and insecurity that could easily prompt the military to take over. The officer corps usually hide under the pretence of salvaging the eroding state of the nation.

The paper argues that the AU has not been up and doing as the umbrella organization to stem the tide of military putsch. Instead of being hard on the defaulting member, the organization's responses have been contradictory and not always principally governed by its legislative frameworks. Central to the questions raised and answered in the paper are:

why Africa has been in the lead of military takeovers? Why the resurgence of military intervention in recent times on the continent? What has been the role of the AU in addressing the spate of military coups among its member's countries? What can be done to strengthen the capacity of the organization to rise from its slumber and instantaneously face the bull by the horn and sanction authoritarian military upon holding power?

In order to address these issues, the paper is divided into six sections. Section one is the introduction and this is followed by section Two, which discusses the framework of analysing unconstitutional changes of government in Africa. On the one hand, section Three, examines the trends of military intervention in Africa, on the other hand, factors that influenced the resurgence of military coups on the continent have been highlighted in section Four. In section Five, the paper examines the role of the AU and the challenges it faces in addressing the question of military coups in African states. Finally, section Six concludes the paper.

Military Coups and Power Relations in Africa: Framework of Analysis

Military regimes come through coups. The latter is an illegal and violent means of wresting power from the sitting civilian executive. It is also a forceful or violent eviction of government by officer corps, who replace a constitutional order and ultimately, as Cyril Obi (1999:137) aptly stated, enforce a government that is run usually "through predominantly military executive or ruling council". Until recently, three major schools of thought have dominated the literature on military intervention in politics. These are the structural model, the politicization school and the economic determinist school. The structural model argues that one can explain military intervention in politics mainly by making reference to the internal structure of the military as an institution, which includes the social background of the officers, their skill structure and career lines as well as their internal cohesion and cleavages and professional and political ideology (Finer, 1967; Horowitz, 1980). Central to the model's perspective is that military professionalism and discipline necessitated the development of the spirit of praetorianism, which amplifies the notion that soldiers are the saviours of their country and in the face of internal instability they have a cause to step in and 'maintain' law and order.

The second school of thought has been developed by Samuel Huntington (1968) in his seminal work, entitled *Political Order in Changing Societies*. Huntington, while disagreeing with the structural model that military intervention is conditioned by the internal characteristics of a military, argued that the political rather than the structural set up of the military is the chief causative agent of its intervention in politics. Specifically, Huntington's explanation traverses through politics, economy and society when he argued that military intervention in developing societies is only an aspect of the general politicization of social forces and institutions. In a society where most social forces and institutions are highly

politicised, there is every tendency that a politicised military would take over to satisfy some forms of political ambition.

The last but not the least is the school of thought which has been pioneered by Wolpin (1981), who, in his *Militarism and Social Revolution*, shares a radical view of society divided according to social class and the role each plays in the process of the production and social relations of production. Accordingly, his argument is premised on economic determinism as the motivating factor that prompts military intervention in politics. That the military is a conservative socio-political force which shares with the bourgeoisie similar materialistic class interests. Thus, the corporate interest of the military cannot be isolated from those of the bourgeoisie and so long as this motive of individual self-interest is at risk or not satisfied at all, the officer corps would intervene in politics. Contextually, 'politics' is seen as an easy and lucrative means of fulfilling the material interests of the military petty bourgeois class.

In practice, the theories examined above provide a general explanation that account for military intervention into politics in developing societies, especially in the 1950s and 1990s. Although these theories still provide relevant explanations about the *causes* of coups, nonetheless they are short of analysing what comes after the military coups or their disguised varieties, constitutional or civilian coups. However, this paper adopts a framework of analysis to explain the context of power relations upon wresting power by the military or any form of unconstitutional changes of government in Africa. For the purposes of clarity, a framework of analysis uses conceptual models to contextually analyse situations as opposed to a theoretical framework which is analytically and empirically based on rigorous investigation of a social phenomenon. The former is context-specific and may take the form of postulations to explain scientific propositions, while the latter is based on established or general scientific laws.

Therefore, the paper adopts and reformulates two major postulations. These are: the postulations put forth by John Kenneth Galbraith (1983) in his seminal work entitled: *The Anatomy of Power* and, those that have been developed by David Owen (2007), who examined the behaviour of leaders within the context of intoxication power and "hubristic" behaviour. Galbraith provides a distinction between what he called "condign" and "compensatory power" in the analysis of the pattern of power relationship between the state and society. He sees the difference between the two concepts similar to that which exists between negative and affirmative reward. In his words:

Condign power threatens the individual with something physically or emotionally painful enough so that he forgives pursuit of his own will or preferences in order to avoid it. Compensatory power offers the individual a reward or payment sufficiently advantageous or agreeable so that he (or she)

forgoes pursuit of his own preference to seek the reward instead (Galbraith, 1983: 30).

Simply, as Galbraith further added, “condign power wins submission by the promise or reality of punishment, compensatory power wins submission by the promise or reality of benefit” (1983:30). Thus, upon taking over power unconstitutionally, military leaders utilise the two sources of power and use them to their advantage. First, by threatening, often with brutal force, every quarters of society to desist from any attempt to provoke anger against a change of government; and second, by promising the return to normalcy, a better society or even a transition through an interim government to bring back a nation on tract. In reality, these are political gimmicks which are usually better understood as authoritarian rule characterised by dictatorship and human rights violations progresses. African military leaders use all what it takes to try and get the support of society to its grip, including deceit and lies. In the case of civilian leaders operating under the rubrics of illiberal democracy, compensatory power leads to “constitutional coups”. In this variant of power relations, citizens forgo the pursuit of their own preference (democracy and good governance) when they give in to personal rule, which comes through tweaking the constitution to extend the tenure of governments beyond constitutional limits. This type of change is associated with bad governance, deepening anxiety, insecurity and a large-scale corruption among the political class.

On its part, the AU sometimes overlook Owen’s (2007:x) truism: “power is a ready drug which not every political leader has the necessary rooted character to counteract”. The AU tends to appreciate power more than justice and this phenomenon leads to a situation whereby the organization compromises its legal framework on constitutional changes of government, particularly the African Charter on Democracy, Elections and Good Governance (ACDEG). As power mentally intoxicates leaders and make them develop “hubristic behaviour”, African leaders refuse to let go. This behaviour is expressed when leaders, now seen as the hero:

[W]ins glory and acclamation by achieving unwonted success against the odds. The experience then goes to their heads: they begin to treat others, mere ordinary mortals, with contempt and disdain and they develop such confidence in their own ability that they begin to think themselves capable of anything (Owen, 2007: xi).

Where heroism is not presented as a panacea for clinging to power, institutions of horizontal accountability are enticed to clear obstacles to ruler’s personal ambition. It is within the context of hubris that one can understand the underlying behaviour of military leaders to the continental body or their defiance of international community over calls for

a return to constitutionalism. The same attitudes are exhibited by civilian leaders scheming for consolidating their power after constitutional limits. Pursuing their end of grabbing power methodically, those leaders use praetorianism, military vanguardism or nationalist sentiments to advance their political ambition. More often than not, military governments often promise the return to civilian rule within foreseeable periods. They determine the course of political transition to civilian rule or actively participate in it and ultimately emerge as its major benefactor.

Africa and Military Coup Epidemics

To say that Africa is the cradle of military intervention is an understatement of fact. Of all the continents of the world, it has the highest number of coups d'état in its immediate post-colonial period and present history. The coup drama unfolds periodically and sometimes in quick succession within a short span of time like a wildfire that defies being halted by any means. Thus, apart from military mutinies that did not mutate as coups, the actual military intervention in Africa started in 1963 in Togo, Congo (Brazzaville) and Dahomey. Guttridge (1975) christened the 1960s - 1970s as a "decade of coups" on the continent and pointed out that between January 1963 and the end of February 1966, Africa had experienced 14 significant cases of military coups and by early 1968 there had been no less than nineteen successful military coups. That is not all. By the end of 1970, the total number of coup incidents in eight years was near to thirty (Gutteridge, 1975:1). As at 1999, Africa had had more than 70 successful coups as well as a significant number of attempted coups (Amadife, 1999). Duzor and Williamson (2022) have painted a grim picture of military coups in Africa as shown in Table I. They pointed out that of 486 attempted coups carried out around the world, Africa has over 214.

Table 1: SUCCESS RATES OF COUP IN PREVIOUS DECADES

Decade	Total Coup Attempts	Successful	Success Rate
1950-1959	6	3	50%
1960-1969	41	25	61%
1970-1979	42	18	42.9%
1980-1989	39	22	56.4%
1990-1999	39	16	41%
2000-2009	22	8	36.4%

2010-2019	17	8	47.1%
2020-2022	8	6	75%

Source: Powel and Thyne (2022), Cline Centre University of Illinois, VOA Research, 1950-Jan.25, 22, adopted in Megan Duzor and Brian Williamson (2022), VOA News, February <https://projects.voanews.com/african-coups/>

The Table above shows that out of 242 successful coups in the world a total of 106 are from the continent. The apprehension over the spectre of military coups in some parts of the continent has always been a cause for concern. This has been reinforced by the fact that out of 54 sovereign nations in Africa, 45 have experienced a military coup d'état and out of this number, the occurrence of coups has today become a regular phenomenon in 13 countries (Duzor and Williamson, 2022). Similarly, the coups that took place in Africa since the 1950s between 1960 and 1999, precisely during the period of the Cold War. A period of respite came during the last two decades (2000-2009 and 2010-2019) when military coups had profoundly declined largely as a result of the democratization process that took place at the end of the war.

Until the 2000s when the end of the Cold War propelled the resurgence of civil society agitation for democratization across African countries, the continent knew no respite in the incidents of military coups. The third wave of democracy comes with it the reintroduction of a multi-party system, which replaced orthodox one-party states. It also paved the way for a situation whereby military regimes became unpopular largely because of the shift in the global paradigm of support for the promotion of democracy and civil rights. These developments have given the impression that military intervention was no longer possible in Africa's political landscape. On the contrary, although the period in question had witnessed relatively a smaller number of military takeovers, only 12 coups were recorded from 2000 to 2012 (Felter, 2021), the incidents was far from over.

The turn of events since 2012 suggests that in the past five years or so military leaders have overthrown civilian governments in Zimbabwe (November, 2017), Mali (August, 2020), Chad (April, 2021), Guinea (September, 2021), Guinea-Bissau (February, 2022), Sudan (October, 2021) and Burkina Faso (January 2022). The experience of military coups in Myanmar, South-east Asia, and in Africa, particularly in Sudan and West African sub-region where serial coup plots led to the overthrow of constitutional governments in four countries within 18 months (two of them in Mali within the span of nine months), prompted the United Nations Secretary-General, Antonio Guterres to criticise what he described as an "epidemic of coups" (Nichols, 2021). Nowhere has this epidemic become dreadful as in Africa, a situation which further raised a lot of concerns about the reversal of the little gains some countries on the continent have achieved in the past

decades of democratization. At the core of this concern is the chilling fear that unless extra caution is made to reverse the ugly trend, the contagion effect of coups would easily drawback some countries into the egregious days of military authoritarianism with its attendant suppression of civil society and denial of human rights and freedoms.

By and large, Although in terms of African countries with the most coups, attempted and unsuccessful, Sudan tops the list with 17 (out of this number six were successful). It is Burkina Faso that takes the lead with the highest number of 8 successful coups staged in 1966, 1974,1980, 1982, 1983,1987, 2014 and 2022. This is followed by Nigeria with 8 coup attempts six of which were successful in July 1966, July 1975, 1983,1985, 1993 and 1998. Other countries on the top of the list are Burundi, 6; Chad 7; Ghana, 6; Comoros,6; Mauritania, 6; Sudan, 7; Ethiopia,5; Libya, 5; Sierra Leone, 5; Central African Republic, 5 and Benin, 5. Mali, Guinea and Guinea Bissau also have experienced coups, ranging from four to five times (Kazeem, 2017; Duzor and Williamson, 2022).

Regrettably, the balance sheet of military putsches in Africa today shows that very few African countries are fortunate not to have military coups in their polity. With the exception of Lesotho, which has had two coups, and recently Zimbabwe, Southern African states are immune from the spill-over of coups in the sub-region. Clearly, this shows that of all the African countries only Botswana, South Africa, South Sudan, Cape Verde, Malawi, Namibia, Eritrea, Senegal, Sao Tome and Principe, Seychelles and Mauritius have not experienced a military coup d'état. The list can be extended to other countries that have only one (Morocco and Mozambique) or two coups (Angola, Kenya, Cameroon and Djibouti) but since then have stabilised.

Why Resurgence of Military Coups in Africa?

Governance crisis in Africa is partly the outcome of the historical trajectories of state formation and the dynamics of power relations between those who control it and opposition parties and individuals. In either case, dictatorship has had a greater role in creating the enabling condition for military intervention in postcolonial African states. This singular phenomenon and its spill-over effects led Levan (2015) to conclude that most of the socio-economic malaise of African states are traceable to their endemic political problems. In their efforts to gain control of their societies, postcolonial African leaders centralised power with little space, if any, created for consociational arrangement in states with one-party systems. Of course, some African states were able to operate a multi-party system with an elaborate federal system of government but the leaders of these nations had failed short to respect of differences and opposition views. Consequently, the multi-party system and other forms of government on the continent, such as African socialism and other ideologies, generated authoritarian tendencies with the politics of exclusion and neo-patrimonial rule (Guttridge, 1976; Decalo, 1985; Levan, 2015). Levan (2015) noted that

under these conditions, the military arrogated to itself the role of a game changer and subjected many countries to unfortunate coups with dire consequences. The situation brought about internal contradictions in governance process. On the one hand, it creates a legitimacy crisis that affect leaders who controlled power for decades against the popular aspirations of their citizens. On the other hand, it facilitates the return of military rule, especially in countries with less institutional strength to safeguard democracy.

It is pertinent to review the scenarios that brought about coups with reference to the most recent ones experienced in the continent to undergird the point made above. Reasons for military intervention have been scholarly discussed and theorized. In general, it should be noted that the motives of coup planners may differ, so also a country's vulnerability to coups. However, there seems to be a general agreement among scholars about the factors that provoke the military to take over (Decalo, 1973; Powel, 2012). Decalo (1973) summarised these factors, which he attributed to "a syndrome of developmental strains and stresses in African political systems", or the "triggers" of coups. These are the failure of elites to resolve the daunting economic challenges bedevilling a country, high level of executive corruption, governmental inefficiency, inept public officers, inter-elite rivalry, legitimacy crisis arising from the leadership selection process, low level of political institutionalization, military praetorianism, the incompatibility of governmental policies vis-à-vis the military perception of the 'national interest' and threat to the army's professional interest and integrity, including a cut in the military budget or neglect of its welfare (Decalo. 1973: 108-109).

The resurgence of coups in many countries of Africa in recent times further suggests that there is a strong correlation between the institutionalization of democratic institutions and values and the stability of nations. One of these institutions is the conduct of free, fair and credible elections and the observance of the rule of law. Africa's coup hubs are mainly countries where illiberal regimes saddled by autocrats that refuse to let go at the end of their constitutional terms in office. African political landscape is impregnated with a network of insular leaders, who changed the constitutions of their countries, repressed the opposition and used sham elections to legitimize their stay in power indefinitely. Presidents Gnassingbé Eyadema of Togo, Yoweri Museveni of Uganda, Paul Biya of Cameroon, Paul Kagame of Rwanda, Pierre Nkurunziza of Burundi, Blaise Compaore of Burkina Faso, Zine El-Abidine Ben Ali of Tunisia, Tandja Mamadou of Niger, Idriss Deby of Chad, Omar Bongo of Gabon, and Abdel Fattah el-sisi of Egypt are examples of those leaders who manipulated the constitution of their countries to stay in power (France 24, 2009; Mbaku, 2020).

So insular are some African leaders that at the time Robert Mugabe was visibly ailing and facing a strong opposition and contested legitimacy, largely due to citizens' fatigue over his long stay in power and economic hardships, speculation was high that he wanted to build a dynasty in the country to support his wife, Grace, to succeed him as leader of

Zimbabwe. It was also alledged that Mugabe's scheme to clear the way for the actualization of his ambition of power succession led him to dismiss his powerful Vice President, Emmerson Mnangagwa in November 2017 (*The Guardian*, November 16, 2017).

It should be observed that countries whose leaders elongated power through dubious mechanisms are illiberal regimes that had severally experienced military coups. The insular nature of governance in these countries necessitated leaders to blatantly rape of democracy through either the change of constitutions or its manipulation and suppression of opposition. For example, among the countries without coup experience only Namibia amended its constitution in 1999 to specifically allow President Sam Nujoma a third term, which he did not run in 2004. Nujoma stood by his words not to contest election for a third term despite his ruling party's amendment of the country's constitution (The New Humanitarian, 2003). Later presidents were limited to two five-year terms in office, including Njoma's successor, President Hifikepunye Pohamba, who was elected in 2004. Nujoma's action can only be equated with that of Nelson Mandela in South Africa who in 1996 announced his stepping down and did not stand for re-election in 1999 after serving one term in office. He also did not publicly choose his successor. This is a complete departure from African autocrats and sit-tight presidents, who manipulate constitutions to stay in power regardless of their loss of political legitimacy, unpopularity or dissenting voices.

African dictators in the habit of changing the constitutions of their countries do so for their narrow political interests of staying in power longer than the limits placed by the constitutions of their states. It requires a robust and sincere democrat to resist a third term agenda, whether it is nurtured by the incumbent president or by his cronies in government. In 2020, out of four presidents that were about to complete their final terms in office, only two, Pierre Nkurunziza in Burundi and Mahammadou Issoufou in Niger had agreed to step down (Cassani, 2020). Not only in the most illiberal democracies of Africa, even among the longest democratic states like Senegal a third term was conceived by Abdoulahi Wade, who was elected President in 2000. Subsequently, he resorted to neo-patrimonial rule by dissolving the Senate and later re-established it by appointing all its members. That is not all, like president Alpha Conde in Guinea and Alassane Ouattara in Cot d'Ivoire, who amended their countries respective constitutions and allowed themselves contest election and 'won' for a third term, President Wade amended the Senegalese constitution several times to suit his personal rule without consulting the Kangaroo parliament he set up.

In contrast, countries that have not experienced coups have resolved to sustain democracy regardless of the patches of its challenges. More importantly, with the exception of Kenya and Cameroon, these countries have never had violence of the scale that could cause a serious breakdown of law and order. More so, they conduct elections periodically and peacefully and their verdicts are accepted by the opposition as a national

project. South Africa and Botswana in particular present a typical model for other African states as countries that do not allow the stress and strains of representative democracy to deter their determination in respecting and sustaining its values. Undoubtedly, the core values of democracy in contradistinction with civilian dictatorship is its ability to thrive based on constitutional limits, checks and balances, rule of law and human rights promotion and protection as well as political inclusion in the decision-making process. Side-by-side with these noble qualities is the ability of democracy to resolve the problem of self-seeking politicians. In this way, democracy addresses the succession problem and refines leadership selection to reduce uncertainty about the future and incentivises public officers to work tirelessly towards the provision of public goods to citizens (Levan, 2015).

Thus, contrary to countries that have experienced military takeovers, those without enforce regular elections without ignoring other vital elements of democracy. This is also what is found in Botswana, which has been described by *The Africa Report* (2019) as the “Africa’s foster child for democracy, good governance, and transparency”. The country keeps pace with a tradition of the peaceful transfer of presidential power unknown in any part of the continent. The transition period in the country is marked by the incumbent president voluntarily leaving office a year before the next general elections. In the absence of personal rule, democracy in Botswana thrives based on open and competitive elections, which have been unfailingly conducted transparently, peacefully and credibly since the country’s independence in 1965 (*The Africa Report*, August 28, 2019). Likewise, to show the resilience of democracy in the Cape Verde, the country’s Prime Minister, Pedro Verona Rodrigues Pires, had been in power from 1975 until 1991 when he was defeated by his arch rival, Carlos Alberto Wahnnon de Carvalho Veiga. Pires bounced back a decade later to unseat Prime Minister Veiga with only 12 votes, notwithstanding the incumbency of power enjoyed by the latter (Koigi, 2017). Meanwhile, where democratic institutions are strong political succession is usually built around trust, legitimacy and civility. These attributes are a far cry from the experience of countries with a background of violent change of government.

In short, the success story of African countries without military intervention can best be seen from the report of the annual Ibrahim Index of African Governance, also widely known as the Mo Ibrahim Index, which places the top-five countries between 2008 and 2017, ranked by their cumulative points across all indexes as follows: Mauritius (79.5 points), Seychelles (73.2), Cote d’ivoire (71.1), Namibia (68.6) and Botswana (68.5). Kenya and Morocco were the two countries that achieved the biggest strides. Also, the 2020 Index listed Mauritius (77.2), Cape Verde (73.1), Seychelles (72.3) Tunisia (70.4) and Botswana (66.9) as the top five countries. They were followed by South Africa (65.8), Namibia (65.1), Ghana (64.3) Senegal (63.2) and Morocco (61.0), respectively (2020 Ibrahim Index of African Governance).

Clearly, countries that had experienced military takeovers such as Tunisia and Ghana, were able to make the list of the top ten following their stability and democratic sustainability. Neither Mali, Chad, Niger, Guinea, Guinea Bissau, Sudan, Burkina Faso nor Nigeria had made it to the list. The latter is the most populous country in Africa whose democracy is epileptic because it is bedevilled by insecurity, violence, corruption and electoral oddities. Most of the problems of Nigeria's democracy are traceable to the undoing of the nearly three decades of military authoritarian rule, which were characterised by systemic corruption, constitutional lapses and neo-patrimonial regimes (Maduagwu, 1990; Lewis, 1994; Amadife, 1999; Jega, 2002). These challenges have been amplified by the civilian political class, who lack adequate orientation to imbibe democratic values and practices.

At another level, the nature and orientation of civil-military relations vis-à-vis the loyalty of the army to constitutional government is an important desideratum of peaceful democratic transition. Like in developing democracies where the culture of military loyalty to the constituted governments is assured, countries that defy military intervention in Africa have the most celebrated cases of loyalty to their constitutions. In South Africa, the country's national Defence Force (SANDF) rebuffed any politicization even at the peak of a political impasse between Cyril Ramaphosa, then the ANC President, and the then President of the country, Jacob Zuma in February 2018. Despite insinuations of a possible breakdown of law and order, the South African military pledged allegiance to the constitution and accepted directives from the government. Notwithstanding the support of soldiers who were former members of the ANC's Umkhonto weSizwe and their veterans, Zuma did not use the military surreptitiously to hold on to power. In fact, his decision to finally resign was said to have not only saved Ramaphosa from "the embarrassment of being rejected by the military", but also it indicated that the country needed no revolt to change or install a government, but a constitutional process (News24, July 22, 2018). Therefore, as Larry Diamond et al. argued, the core condition for consolidating democracy lies in the obligation of the state, citizens and institutions to commit to the rules and restraints that democracy presents (Diamond et al., 1999). Botswana, Eritrea, Cape Verde, Mauritius and other countries without military coups possess the strongest assets for democratic sustainability by orienting their militaries to bear true faith and allegiance to the constitution.

Similarly, despite being poor and are among African countries ranked "low" on the Human Development Index (HDI), with the exception of only South Africa, the continent's coup free countries have been able to cross the hurdle of the global economic shocks induced by the global health pandemic of 2019, COVID 19. Poor as they are and regardless of the daunting challenge of foreign investment inflow, some of these countries were able to attract Foreign Direct Investment (FDI) courtesy of their appreciable track record in political rights, civil liberties and sustainable peace. Data from the World Bank suggest

that in 2020 alone, FDI net flows (% of GDP) in Cape Verde stood at 4.35% compared to Algeria's 0.78%, Angola's 3.20%, Nigeria's 0.55%, Niger's 2.62% or Togo's 8.44%. The world average in the same year based on 180 countries is 3.99% (Worldbank.org.; The Global Economy.com).

In contrast, one of the reasons cited by the UN Secretary-General for the increase in coups in 2021 was the COVID-19 pandemic's economic and social impact on fragile states, which strained their budgets and exacerbated desperation among citizens (Felter, 2021; Duzor and Williamson, 2022). Although this does not mean that those countries badly hit by the impact of the virus were more prone to military takeovers, rather, it suggests that the social and economic induced costs of the pandemic are capable to cause further the instability to open a window of opportunity for disgruntled soldiers to strike a coup. Similarly, another lesson to be learned is the fact that bilateral and multilateral inflows of investments today depend on the ability of countries to respect global norms and practices. Since the global shift of the paradigm of development assistance following the end of the Cold War, military interventions are greeted with global condemnation more than ever before. Thus, a military change of government always goes with stiff economic sanctions in Africa and beyond.

It is however important to note the fact that some countries in Africa untouched by military coups are highly sophisticated in the practice of democracy. There are exceptional cases rather than routine experiences where shortcomings in these countries portray the grim picture of the risks in their democratization process. For example, the 2020 public protest over the government's handling of Wakashio oil spills in Mauritius where the government decided to unconstitutionally prevent protesters is one of the grey issues of concern in a country that has been consistently trying to establish a free society. The government went the extra mile clamping down on human rights, targeting independent media and deploying militarized police against peaceful protestors (Degnarain, 2021). This is not surprising because exceptional cases of pitfalls occur even in developed democracies, needless to mention postcolonial African states with a heavy burden of trial and error like processes. Similar encounters and action, such as the one in Mauritius, do occur in Malawi, Kenya, Senegal, South Africa, Eritrea and Botswana. However, what is most important is the ability of these countries to nip in the bud their tribulations and forge ahead on the basis of respecting the rule of law. Malawi's case of election crisis and how it was resolved through an independent judiciary always comes to mind when assessing the strength of the rule of law in the stability of a country not through the barrel of gun, as has been the case of countries in Africa South of the Sahara.

The 2019 election result declared by the Malawian electoral umpire saw the incumbent president, Peter Mutharika, declared winner. Electoral crisis arose following a series of protests by the opposition rejecting the outcome of the presidential election, which Malawian courts finally annulled and eventually delivered judgement for a rerun of the

exercise. This spectacular success has made Malawi the second country after Kenya in Africa to respect a constitutional process in a leadership crisis situation. Unlike in Kenya where the serving President Uhuru Kenyatta won a rerun, in Malawi the annulment of the first round of election gave the opposition a window of opportunity to form an alliance of nine political parties and ultimately won in the rerun presidential election. Thus, the existence of an independent judiciary serves to reinforce the viability of democracy and its consolidation. The case of Malawi showcases the strength of the rule of law and the military's commitment to the constitution instead of the personality of the incumbent president. What is more astonishing that raises the hope that some countries in Africa are on the way to sustaining democratic practices is the fact that the country's defence forces protected Malawians by shielding them during the protests so also the judiciary that delivered the verdict instead of backing the country's incumbent president (Corcoran, 2020).

These factors are wholly or partly alive in the recent coups that took place in Africa, only that they are interwoven with new emerging trends in the continent's political economy. This explains why the infiltration of Islamist insurgents and the excruciating economic hardships caused by the effects of the COVID-19 played out as the salient triggers of military coups in Mali, Burkina Faso, Chad and Sudan. Where these factors exist side-by-side with civilian dictatorship, corruption and weak democratic institutions and they have not reached a full circle permutation to cause coups, it could be the outcome of the effective use of the Early Warning Signs (EWS). When this is observed, it can be said that coup EWS provide prior knowledge to prepare government to address the negative infiltration of contagion culture.

Therefore, it is the failure of the vulnerability syndrome to diagnose the symptoms of coups or the coup EWS to prepare governments to devise coup remedies that cause a sudden military takeover. In most cases, as countries become weak by the day in the face of internal security threats and rising insurgencies, weak democratic institutions, youth bulge and despicable standards of living, they automatically fall prey to military takeovers. Again, as in Mali, Guinea-Bissau, Burkina Faso and Sudan, such takeovers were applauded by their citizens. However, the fact that the overthrow of civilian presidents was followed by citizen celebrations in the street does not necessarily mean democracy eludes these countries completely. Rather, the problem can be located within the failure of those who steer the institutions of horizontal accountability to effectively conduct governance in accordance with the ideals of democracy as a system of government. As these institutions were derailed from their basic expectations with less capacity to engender public goods, those in position of authority resorted to neo-patrimonial relationship and further excluded the majority of citizens from access to national resources. This was precisely the situation in Guinea when President Alpha Conde's repressive rule went berserk and jailed opposition political opponents and also abridged the rights of anti-government activists

before and after the country's general election, which he schemed for his return to power in 2020. The election was neither free nor fair and bereft of credibility.

Thus, the weaker the institutions of state the stronger the people's expectations, even if illusory, that military intervention would guarantee the return of normalcy and stabilize the society. Meanwhile, these expectations also signify in no small measure the weakness of the institution of civil society. One could hardly expect a robust civil society to concede military change of government as an alternative to constitutional government. After all, the euphoria that initially greeted military interventions in recent years has so far proven to be a showtime feast. Citizens built their support in the hope that military intervention would pave the way for a renewed democratization and return to civilian government within a short space of time. In reality, this is not always the case. The experience of Sudan's military coup in 2019 illustrates how people's expectations were dashed and their disillusionment gave birth to frequent anti-military rule demonstrations calling for a return to democracy. This scenario is also true of most countries that have fallen into the trap of military hoodwinked reasons for taking over constitutional governments in Africa. In a recent survey conducted by Afrobarometer, it was found that 76% of Guineans and 70% of Malians rejected military rule. Conversely, citizens support to democracy was 77% in Guinea, 70 % in Burkina Faso and 62 % in Mali, respectively (cited in BBC News, February, 2022).

Thus, as the democratic credentials of those in power eroded, sometimes in the face of creeping instability, abuse of human rights and a backsliding economy, political exclusion and the rise of irredentist groups or insurgencies, democratic institutions do not have the resilience to bring peace and make stable government possible. In most cases, civilian authoritarianism rears its ugly head as an outcome of narrowing democratic space when incumbent leaders nurture the idea of and make moves to keep themselves in power against the wishes of the people, majorly through the manipulation of the electoral process or amendments of the constitution for political expediency. Again, a clear case of this tendency was President Conde's modification of the country's constitution in 2020 to allow him to run election for a third term in office. Unless democratic institutions and processes checkmate the powers of civilian leaders a serious void will exist in Africa's democratic transition.

Basically, peace and stability have eluded most of the countries that have been plagued with military takeovers. To add salt to an injury, most of the Sahelian countries that have recently experienced military takeovers, such as Mali, Burkina Faso, Chad and Sudan were infiltrated by Islamist insurgencies to add to the already existing internal insecurity that has bedevilled their polity. This is to suggest that African countries have to learn to deal with the trend of insurgency that keeps spreading and weakening the ability of countries to supply public goods for their citizens. In fact, the recent coup in Mali (August 2020) was prompted partly because of the government's failure to stem the tide of groups loosely

allied to Al-Qaeda and the Islamic State in West African Province (ISWAP). The same reason can be extended to Burkina Faso's military coup of January 2022. Violence in these countries before the military takeovers was sporadic and had become a permanent feature of their social existence, as exemplified in the Burkina Faso attack near a goldmine in Inata, which killed over 50 people. The attack was linked to Al-Qaeda and ISIL (ISIS) who intermittently target the country's forces and civilians (Aina and Al-bakri Nyei, 2022).

The AU and the Military Coup Hullabaloo

The most appropriate entry point to the understanding of the AU's commitment to regional peace, sustainable democracy and political legitimacy for its member countries is the Lome Declaration of 2000. The Declaration, which was made by the organization's predecessor, the Organization of African Unity (OAU), against the background of the urgent need to retreat from the much-criticised policy of non-interference into the affairs of member states, is aimed to foster democracy. Its central target of policy change was to outlaw unconstitutional governments and confer legitimacy to those that come into power through credible and competitive electoral process. The Declaration was also augmented by more elaborate provisions in the Union's Constitutive Act, which not only emphasizes the need to overcome Africa's incessant conflicts through peacebuilding but also identifies unconstitutional changes of government as the chief source of instability and insecurity on the continent.

More than any other AU's document, the Constitutive Act has also committed the organization to the promotion of the rule of law, democratic institutions and culture (Phakathi, 2018). As clearly elaborated in its Article 30, the Act provides that "government which shall come to power through unconstitutional means shall not be allowed to participate in the activities of the Union" (Phakathi, 2018:131). Similarly, of all the ten legal instruments of the AU, the African Charter on Democracy, Elections and Good Governance (ACDEG) which was adopted on 30th January, 2007 is the most lucid in defining what constitutes the unconstitutionality of government. Article 23 of the Charter has unequivocally operationalized what the AU considers unconstitutional in the change of government in the following five acts: (a) Any putsch or coup d'état against a democratically elected government (b) Any intervention by mercenaries to replace a democratically elected government. (c) Any replacement of a democratically elected government by armed dissidents or rebels (d) Any refusal by an incumbent government to relinquish power to the winning party or candidate after free, fair and regular elections or (e) Any amendments, which is an infringement on the principles of democratic change of government (AU ACDEG, 2007:9-10).

Despite these provisions, it is sad to note that the African Union (AU) is arbitrary in its condemnation of coups and call for sanctions against the overthrow of constitutional governments by force. It suspended Mali, Guinea and Sudan on grounds of military

intervention but looked the other way when the military 'covertly' took over President Robert Mugabe's administration in Zimbabwe in 2017 and Chad after the death of President Deby in 2021. In some cases, the responses of the AU was not only indecisive but they were overly inconsistent and contradictory as the experience of Togo (2005), Mauritania (2005-2008), Guinea (2008), Madagascar (2009), Niger (2010) (Omorogbe 2011, cited in Phakathi, 2018:134), Burkina Faso and Zimbabwe (Phakathi, 2018) suggest. Generally, the AU's responses to unconstitutional change of government produce five scenarios. These are: tough stance (Mali, Guinea, Burkina Faso); tough stance at first glance, but receptive afterwards (Egypt, Togo, Mauritania); instant denial but acceptance afterwards (Zimbabwe); divided perception about coups and balancing act afterwards (Chad); and finally, receptive to constitutional coups (Cote d'Ivoire).

Tough Stance

Military coup in Mali was prompted by the rising anger against President Boubacar Keita's civilian government over the jihadists unleashed terror in the country and accusation of corruption. The military capitalised on the state of insecurity in Mali and staged a coup in August 2020. The military government that seized power made it clear that it would work with regional bloc, the AU and even the UN on its proposed transition timetable, which implies extending its rule until 2025. This was apparently rejected. The AU was hash on the military and decided to immediately suspend the country from participation in all its activities until normal constitutional order has been restored in the country. Besides this measure, sanctions against the country include border closures and restrictions on financial transactions. It was at the peak of the AU and ECOWAS sanction a second military coup occurred in May 2021, when Colonel Assimi Goita toppled an interim civilian government and took over power. The May coup leaders arrested the interim President of Mali, Bah Ndaw and Prime Minister Moctar Quane and pressured them to resign, thereby derailing a transition to democratic election that was underway after the August military takeover.

The AU's reaction was swift and its decision to suspend Mali again following a second coup in nine months was contained in a statement which called the military "to urgently and unconditionally return to the barracks, and to refrain from further interference in the political process in Mali" (Africanews, June 2, 2021). It also warned that in the event of not handing over power to civilian transitional leaders, "the Council will not hesitate to impose targeted sanctions and other punitive measures" against the country (Africanews, June 2, 2021). Although Goita vowed to pressure and assured that the planned election dates set out by the previous transitional authorities in February and March 2022 for presidential and legislative elections would remain sacrosanct, he subsequently reneged his pledge.

Regardless of being defiant to AU's measures, the experience of Mali has suggested that if the organization would be bold to this extent and confront situations the way it did in the West African state of Mali, most of what is known as contagious coups will be a thing of the past. Apart from the sanctions imposed on the country, the AU's communique on Mali demanded that none of the current leaders would be allowed to run in the upcoming elections. It also called on the lifting of restrictions on all political actors, including the leaders of the interim government under house arrest. Similarly, the AU also planned to carry out an assessment mission to Mali to review situation in the country and its measures (Africanews, June 2, 2021).

It should be noted that it was in return for setting a firm February 2024 election deadline by the Mali's military junta that the ECOWAS ended the sanctions it imposed on the country. Earlier, tough measures were also imposed on Burkina Faso when the Presidential Guard of the ousted President Compaore overthrew a transitional government and arrested President Kafando and Prime Minister Zida, alongside other ministers in December 2015 and also Guinea in September 2020 when Colonel Mamady Doumbouya overthrew the President Alpha Conde. In fact, in the case of Burkina Faso, the coup leaders had to eventually vowed to AU and ECOWAS's pressure and restored the interim leaders that were deposed until elections were finally conducted. Roch Marc Kaboré's victory in the election made him the country's first president to rule through democratic process (Phakathi, 2018).

Tough Stance at first Move, but Receptive Afterwards

The case of Egypt was worrisome as it illustrated a particular case of AU's double standard. No sooner than the democratically elected government of Mohamed Morsi was overthrown, a year after it was elected into power in 2012, than the coup leader, General Abdul Fattah el-Sisi, sets in motion a marathon transition which saw him transmuted as a civilian President. Following the coup and in the spirit of the Union's Constitutive Act, Egypt was immediately suspended from the continental body but it was later readmitted after the sham elections that brought the General into power. That was a not all, the fact that el-sisi ascended to the position of the Chairmanship of the African Union in 2019 through 2020 testifies to the point made by Maluleke (2022) that the organization prioritizes power over justice.

It is not metamorphosis from military to civilian leaders that is in doubt, but the ability of the leaders to surrender themselves to constitutional process and order as well steer the mantle of leadership with legitimacy. No wonder, Egypt under el-sisi has remained a military state despite wearing a civilian garb after his election as civilian President in March 2018. To cap it all, a 2019 constitutional change has allowed el-Sisi to remain in power until 2030 instead of 2022. This is a serious blow to democracy and a step that

encourages other military heads of government to use the same trick and hold on to power like other civilian dictators before them.

The experience of Egypt also shows that the election of military officers as Presidents is not a guarantee of good governance in Africa. On the average, as Rose and Peiffer (2019:v) observe, "more societies are subject to bad governance than to good governance" and that the major cause for this is corruption. Conversely, in African context, political corruption begets odious proclivities that bequeath bad legacies of neo-patrimonial rule. The situation makes democracy on the continent akin to personal rule in countries where leaders have clearly refused to work by its tenets, particularly in the face of weak democratic institutions. Military takeovers are principally informed by the dialectic of social forces that are mainly ingrained in the political economy of societies. Although there is no clear-cut explanation to military intervention, it is evident from the recent coups that weak institutions engender poor governance and political instability. When such a condition has heightened the abuse of democratic process and insurrection, it blossoms into a dangerous climate for military takeovers. This also calls for assertive actions by the continental and regional bodies, for heavier penalties to punish military governments so as to avoid coups spilling over to other countries.

Suffice it to say that Togo's (2005) experiences of military incursion into politics was totally a betrayal of the country's constitutional provisions. In case of any vacuum created either as a result of ill health or death, the president of a country is expected to be succeeded by his Vice or President of the National Assembly in a parliamentary system of government. But in Togo, the death of Gnassingbe Eyadema in February 2005 did not see the country's President of the National Assembly, Fabrice Quattara, succeeding the deceased President in line with the Togolese Constitution. Instead, what transferred was the intervention of the Togolese army which capitalised on the situation and imposed the son of the deceased, Faure Gnassingbe, as President. Although Togo's suspension from the activities of the AU had paid in when Faure Gnassingbe vowed to pressure and stepped down as President, he later contested and won the country's presidential election in April of the same year. Like the AU's case of response to Egypt after the elections that brought el-sisi's as civilian President, Togo was treated in the same way by the AU's Peace and Security Council (PSC). The Council felt a constitutional order was restored and it finally went ahead and lifted the ban on Togo.

Even in the case of Mali where the AU's response was tough, still a window opening for the military was created. The Economic Community of West African States (ECOWAS) had succeeded in pushing for the dissolution of the transitional military council and replacing it with a civilian-led transitional government. However, the action basically did not fundamentally change the political narratives in the country as Assimi Goita, who led the coup, has remained the country's vice president and also other cabinet ministers have been military men. This lapse has given the military the leverage to manipulate the

transitional government at will and offered the junta a breathing space to the extent of renegeing its earlier pledge to return power to civilians by February 2023 (France 24, June 7, 2021). In an announcement made by Col. Goita, a decree was signed which extended the duration of the transition to 24 months from March 26, 2022.

Instant Denial of Coups and Acceptance of Unconstitutional Government Afterwards

In what can be described as a total breach of its legislative framework, Phakathi (2018) has amply discussed the weird responses of the AU to coups in Zimbabwe. The response was not only appalling, but also a major obstacle to credibility of the organization in its onerous task of democracy through a credible leadership selection process in Africa. Coup in the country was essentially prompted by elite conflict between the President and the Vice President, Robert Mugabe and Emmerson Mnangagwa respectively, after the July 2013 election, which the former won. Mugabe's victory was widely acclaimed as free, fair and credible regardless of Morgan Tsvangirai's petition to the Constitutional Court of Zimbabwe, which subsequently affirmed that the election "was a true reflection of the will of the people of Zimbabwe" (African Union Commission, quoted in Phakathi, 2018:136). By this verdict, Mugabe's ruling Zimbabwean National Union-Patriotic Front (ZANU-PF), which defeated Tsvangirai's Movement for Democratic Change (MDC), which quit the election in protest, was sworn-in amidst protests. Soon afterwards an internal political impasse reared its ugly head between President Mugabe and his Vice President, Emmerson Mnangagwa which led to the firing of the later on grounds of disloyalty and neglect of duties, among others (Phakathi, 2018).

Thus, what started as a political feud between the two leaders turned out to be heavily politicised and brought in the country's military into the fold of the matter. General Constantino Chiwenga, a spokesperson of the military not only criticised Mugabe's decision to expel Tsvangirai, but he also castigated him for betraying party comrades. In any case, whatever reasons the Zimbabwean military gave for detaining and putting Mugabe under house arrest and his eventual forceful resignation were flimsy because the power to remove the Vice Present by the President of Zimbabwe was in accordance with the country's constitution. Suffice it to say that the sad reality of the incident was the response of the AU to the situation, which the organization's chairperson, President Alpha Conde, responded by saying "it seems like a coup" (quoted in BBC News, November 15, 2017).

Thus, as Phakathi (2018:136) aptly observed "by refusing to call a coup a coup, the AU lost an opportunity to assert its position on constitutional changes of government in Africa". Worse still, the Southern African regional body, the Southern African Development Cooperation (SADC) did not consider the Zimbabwean case as a coup, so also the individual leaders of the region. They accepted the denial of the Zimbabwean

military through its army officer, Major General Sibusiso Moyo, who went on air to say that the military did not stage a coup and that it was acting against “criminals” around President Mugabe (in BBC News, November 15, 2017). The only loud voice of the AU on Zimbabwean unconstitutional takeover was its call for the parties in conflict to sheathe their swords and make peace possible through the country’s constitution and the African Charter on Democracy, Elections and Governance. This position is contradictory to AU’s Chapter 8, Article 23 (1&2) of the ACDEG which provide for “sanctions in cases of unconstitutional changes of government” (ACDEG, 2007:9). It was highly unbecoming for a continental body that is always being look upon to restore and sustain democracy wherever it is eroded to play ostrich when it comes to where a collective voice is needed.

Furthermore, in what may be considered as a biggest contradiction to the Charter, Alpha Conde was quoted to have said that “we demand respect for the constitution, a return to the constitutional order and we will never accept the military coup d’état...” (Punch, November 16, 2017). The point is that what brought about the need to return to constitutional order if it was not breached? Besides, how could the Charter’s principles be adopted without enforcement by the organization? After all, Zimbabwe was not a signatory to the Charter to call the country to respect it. Above all, when eventually Mugabe was forced to resign as President the AU Commission Chairperson, Moussa Faki Mahamat, applauded Mugabe’s action as the best recourse to preserve his political legacy (Phakathi, 2018). Moreso, when Mugabe’s resignation ended his 37 years of rule at the age of 93, his sacked Vice President was quickly sworn in as Zimbabwe’s President for the first time in November 2017, and for the second time after winning the July 2018 general elections with nearly 51 percent as against the 44 percent votes for his rival, Nelson Chamisa (DW Live TV News, August 26, 2018).

Similarly, despite the Chairman of the AU’s statement to the effect that the organization would not accept a military coup in Zimbabwe, the country’s new President attended, for the first time, the 30th Ordinary Session of Assembly of Heads of States and Government of the African Union (AU) Summit held in Addis Ababa in January 28, 2018. Meanwhile, as far as Zimbabwean coup is concerned it can be regarded as a collective perjury against the enabling legal frameworks of the AU. Undoubtedly, member countries would have their grudges with Mugabe’s authoritarian rule for decades but that should not be at the expense of betraying the popular mandate of Zimbabweans and the consolidation of democracy in the country. For example, in contrast to the role of the AU and the ECOWAS sub-regional bloc in Mali where the democratic process was defended through sanctions and deterrent measures until the military backed down, the Zimbabwean coup was more or less aided and abetted by the AU and SADC. By refusing to act when they were badly needed to declare the removal of Mugabe as an act of military coup, these bodies had surreptitiously set a dangerous precedent in bringing the phenomenon of coup for the first time in Southern Africa. This development has

mortgaged the future stability of Zimbabwe and its neighbours the next door in the sub-region.

Divided Perception about Coups and Balancing Act Afterwards

The case of Chad (2021) provides a unique experience of the AU's reaction to unconstitutional change of government because members of the Union perceived the country's coup from different lenses. The situation not only exposes the double standards of the AU and its absence of shared values on the template of governance in Africa, but it also bastardizes the legal instruments of the organization on breach of constitutional process in power succession. The PSC's decision not to sanction Chad for the quick grab of power by Mahamat Deby under the canopy of a *de factor* government following the death of his father, President Idriss Deby, in April 2021 is an aberration. However, AU's response was neither proactive nor predicated on the logical precepts it set for its member countries as contained in the ACDEG. In fact, the organization was divided on Chad's military coup with some of its members calling for the country's immediate suspension, while others treated the Chad's experience as an exceptional case of security situation that required a special treatment (Handy and Djilo, 2021).

In view of the two opposing views, the AU's PSC sadly endorsed Chad's military council, but with some caveats. These includes the immediate review of the hastily designed transition Charter and the rejection of any possible extension of the 18-month transition. Other prescriptions by the PSC includes "the establishment of a national transitional council as the interim legislative body, inclusive national dialogue and respect for human rights and fundamental freedoms" (Handy and Djilo, 2021).

Receptive to "Constitutional Coups".

Article 23 (5) of the African Charter as pointed out earlier states that: "Any amendments, which is an infringement on the principles of democratic change of government" is unconstitutional. Unlike military takeover which by all intent and purposes use the threat or actual use of force to change a government, "constitutional " coups are carried out shrewdly to achieve a sinister objective of holding on to power by a civilian President or legitimise its renewal of terms of office through the manipulation of the constitution of a country (Mbaku, 2020). This type of coup is, as Camara defined it, "a way to cement presidential power – and do so with the appearance of legality" (2016). Constitutional coup is unconstitutional when a leader hatches its process and influences relevant political actors to execute it. It may also be single-handedly orchestrated by incumbents against any form of resistance by citizens.

Constitutional coups are said to be on the basis of constitutionalism when it is overwhelmingly backed by a constitutional referendum. Countries amend their

constitution to reduce or increase the term limits of the president and parliament as was the case of Burkina Faso (Comapaore,1997), Burundi (Nkurunziza, 2015), Chad (Deby, 2005), Congo-Brazzaville (Sassou-Nguesso, 2015), Djibouti (Guelleh, 2010), Niger (Tandja, 2009), Senegal (Wade, 2012), Sudan (al-Bashir,2005), and Uganda (Museveni, 2005), among others (Denis and Claudia, 2016:86; LeBas, 2016:169-171). Posner and Young (2007) observed that most of these countries did not opt to violate their constitutional rule, but they “changed or circumvented constitutions” to satisfy their desire for extending the power of their leaders (Posner and Young, 2007, quoted in Denis and Claudia, 2017:3). These referendums are not antithesis to democracy but a process towards its consolidation to avoid any further opening for sliding to autocratic rule and also ensure good governance (Camara, 2016).

Constitutional coups are informed by the ulterior motives of a leader to elongate his power beyond the stipulated terms enshrined in the constitutional of a country and it is pursued corruptly by force or inducement of the relevant democratic institutions. This type of unconstitutional means of holding on to power has become a recurrent decimal in African politics and it is the one that the AU’s Charter is expected to address because of its infringement on the principle of succession of power in a democracy. In fact, it has been pointed out that since 1990s, there were at least 30 presidents in Sub-Saharan African nations that have attempted to extent office term limits by changing the constitutions of their countries (Camara, 2016). Some presidents were met with resistance from civil society while others faced little, if any opposition, when they tweak constitutions to extend power limits.

On its part, the AU seems to be a mere onlooker with no tacit proclamation other than calling for the observance of constitutionalism. Sometimes, the continental body accept the strategy of taking over power through unconstitutional means and then holding elections to legitimize the military-imposed regimes. This explains why constitutional coups are accepted and leaders that benefit from them do not find any wrong doing on assumption of power. It is not surprising therefore most African countries have rulers that stay in power through what Decalo calls “civilian coups” (1985:220) for donkey years. These are, among other notorious authoritarian presidents, Teodoro Obiang Nguema Mbasogo of Equatorial Guinea and Omar Bongo in Gabon, who controlled power for 42 years. Others are Paul Biya in Cameroon, 39 years; Jose Eduardo dos Santos in Angola, 38 years; Gnassingbe Eyadema in Togo, 38 years, Robert Mugabe in Zimbabwe, 38 years; Senis Sassou Nguesso, 37 years; Yoweri Museveni in Uganda 35 years and; Omar al-Bishir in Sudan, 30 years (Felter, 2021).

What Should AU Do to Curtail Military Coups in Africa?

The African Union (AU) is old enough to be considered a matured organization that is fully committed to peace, security, stability and development for African states. Most of the countries that have experienced unconstitutional changes of government are paradoxically the ones that are plagued with instability and bad governance. Lack of a consistent and all-inclusive response to military takeovers are central to AU's disturbing performance. For it to be taken serious on the issue of democracy and good governance the organization has to confront taking over power from constitutional governments with all the seriousness needed to restore confidence in the continent's democratization process. Tough measures to sanction infringement of legal frameworks on democracy should start immediately upon any unconstitutional changes of governments as enshrined in the elaborate Charter of the organization. The document has covered various areas of interest to good governance but the main challenge lies in selective response in its implementation. A situation whereby the organization gives a soft landing to governments that are formed unconstitutionally through the legitimization of their sham electoral outcome will not auger well to the Union's goal of meeting its well-thought-out Agenda 2063. This is because the Agenda is primarily expected to fulfil the long dream of the continent to rejuvenate African values as part of the African Renaissance. These values cover changes in attitudes, transparency, focus, honesty, integrity, among others (Swart, 2014).

With shared values AU will meet the challenges of governance, but lack of this key principle of unity will further deepen the frustration of committed members. Maluleke (2022) perceptively noted that the vacuum that the absence of shared values poses to African unity is monumental. Unlike the European Union and other regional organizations which not only set democratic values as a key precondition for membership but also track the performance of each state on them, the AU is bereft of such idea. The only criteria for joining the AU is for the nation to belong to Africa.

There is need to carry all members of the organization along on the issue of a common approach and voice to implement the AU's legal frameworks, particularly now that the State of the Union (SOTU) Coalition programme tracks the performance of the African governments. Under this programme the AU Assembly has been charged with the responsibility "to monitor the implementation of policies and decisions of the Union as well as ensure compliance by all Member States" (quoted in Swart, 2014:8). The dilemma that always affect the Assembly is that the AU Charter had been adopted in 2007 and came in force in 2012 but still not all member states have ratified it (Maluleke, 2022). To date, it has only been ratified by 30 members states in a Union comprising 55 countries. Obviously, part of the dilemma that the AU faced amidst the topsy turvy that embroiled Zimbabwean coup was the fact that the country did not sign the African Charter. This is a serious blow to a continent that intends to review the progress of its individual member states on compliance with its legal frameworks.

Most of the experiences of unconstitutional changes of government in recent times suggest that governance deficit was at the centre of the crisis that afflicted the affected countries. This also explains why it is necessary to take a pro-active measure to address with the spirit of a collective action the issue of poverty, insecurity and underdevelopment and the crisis of legitimacy in member states. The prospects of galvanizing AU members to take a proactive measure on the state of the erosion of governance on the continent has started. At its 35th Ordinary Session of the African Union, the Kenyan President, Uhuru Kenyatta identified political instability and an absence of good governance as the main cause of coups in Africa (Dawt, 2022).

Also, political legitimacy should be a precondition for becoming and retaining membership of the AU. The current trend which the continental body is disposed to legitimising power for its sake not how it is evolved in African countries always negates the principles of justice, rule of law probity, accountability and good governance. One wonders why unpopular leaders with track records of human rights violations and other undemocratic credentials at home ascend to the position of the AU's Chairpersons. It actually toys with the sensibilities of Africans to know that Alassane Quattara was part of the team that represented ECOWAS to negotiate with the Guinean coupists a return to democratic rule or Alpha Conde as Chairperson of the AU. Little wonder, then that President Alpha Conde as the Chairperson of the AU did nothing outstanding to reverse the Zimbabwean unconstitutional change of government, which he said it was not a coup. Even if AU decides to be assertive on unconstitutional changes of government, some of its leaders would act like a pot calling cattle black.

Conclusion

African leaders must realise that there is no better alternative to democracy and that the system has to be safeguarded to ensure good governance and political legitimacy for sustainable development. Where the system has evidently failed in Africa, it has not done so in a vacuum, but for the lack of political actors' readiness to learn the ropes and sustain growth based on compromise and accommodation. The role of the AU in this regard is very crucial. Regrettably, the continental body has advertently or inadvertently not been utilising its frameworks and mechanisms on political, peace and security to the fullest to ensure commitment to the basic principles of good governance as stipulated in the documents. As it is today, the Union, as Phakathi (2018:129) aptly captured "is seen to be lenient in some cases and harsh in others". Consequently, democratic development in Africa is beset with myriad of challenges, particularly the phenomenon of incessant unconstitutional changes of government which has been retarding the process of consolidating democracy. The agenda 2063 projects are ambitious and a step towards making the continent mutually inclusive with forward and backward economic, social and policy linkages. Democratic and good governance is one of the strongest projects in the

chain but its impact will be realised if military coups are put to end and constitutional governments work together to address common goals on democratic sustenance.

References

- ACDEG, (2007), "African Charter on Democracy, Elections and Governance", Addis Ababa, AU Secretariat, <http://archive.ipu.org.idd-E>
- Africanews (2021), "AU Suspends Mali after Second Coup in 9 Months", June 2, 2021, <https://www.africanews.com.ua.su...>
- Aina, F. and Al-bakri Nyei, I. (2022), "Why have Civilians Welcomed the recent Coups in West Africa?", in *Aljazeera*, <https://www.aljazeera.com/opinions/2022/2/11/wy-have-civilians-welcomed-the-recent-coups-west-africa>
- Amadife, E.E. (1999), "Liberalization and Democratization in Nigeria: The International and Domestic Challenges", in *Journal of Black Studies*, Vol.29, No.5 Special Edition, May, pp.619-645
- BBC News (2017), "Zimbabwe Takeover Seems Like a Coup, African Union Says", BBC News, November 15, <https://www.bbc.com.news.worl...>
- BBC News (2022), "Coups in Africa: Why they Don't Spell the End of Democracy", BBC News, February 8, 2022. <https://www.bbc.com/world-africa-60289571>
- Camara, K. (2016), "State 'Unconstitutional Coups': They Tweak the Constitution to Stay in Power", in *The Washington Post*, September 16, at 1:00, <https://www.washingtonpost.com>
- Cassani, A. (2020), "Third term Bids and the Risk for Democracy in Sub Saharan Africa", Italian Institute for International Political Studies, October 26, www.ispionline.it
- Corcoran, B. (2020), "Malawi One of the Few Wins for Democracy in 2020", in *Irish Times*, Monday December 28, <https://www.irishtimes.com/opinion/malawi-one-of-the-wins-for-democracy-in-2020-1.4443891>
- Dawt, G. (2022), "AU members Condemn Coup Surge in Africa", February 6, in *VOA News.com* <https://www.voanews.com.au.mo...>
- Decalo, S. (1973), "Military Coups and Military Regimes in Africa", in *The Journal of Modern African Studies*, March, Vol.11, No.1, pp.105-127
- Decalo, S. (1985), "African Personal Dictators", in *Journal of Modern African Studies*, June 1985, Vol.23, No.2 pp.209-237
- Degnarain, N. (2021), "Mauritius in Crisis AS Militarized Police Deployed Against Protesters", in *FORBES*, January 11, <https://www.forbes.com/sites/nishandegnarain/2021/01/11mauritius-in-cris-as-militarised-police-deployed-against-peaceful-protestors/>
- Denis, T. M., Claudia, S. (2017), "The Institutionalization of power Revisited: Presidential Term Limits in Africa", in *Africa Spectrum*, No.52, Vol.2, pp79-102.
- Diamond, L. Hartyn, J. and Linz J.J. (1999), "Introduction: Politics, Society and Democracy in Latin America", in Larry Diamond et al. (eds.), *Democracy in Developing Countries, Latin America*, Boulder: Lynne Rienner Publishers

- Duzor M. and Williamson, B. (2022), "By the Numbers: Coup in Africa", in VOA News, <https://projects.voanews.com/African-coups/>, February 2, last accessed 20th April, 2022
- DW Live TV News (2018), "Emmerson Mnangagwa Sworn in as Zimbabwe's President" , <https://www.dw.com/emerson-m...>, August 26,
- Felter, C. (2021), " 'Africa's Leaders for Life' ", www.cfr.org, Council on Foreign Relations, June 30,
- Finer, S.E. (1967), *The Man on Horse back: The Role of the Military in Politics*, London Pall Mall Press
- France24 (2009), "Changing the Constitution to Remain in Power", October 23, www.france24.com
- France24 (2021), " African Union Announces "Immediate Suspension " of Mali after a Second Coup" , <https://www.france24.com.africa>, June 2,
- France24 (2022), "Mali Junta Announces Two-Year Delay Until Democratic Rule", <https://www.france24.com.africa>, June 7,
- Galbreath, J.K. (1983), *The Anatomy of Power*, Transworld Publishers, Ltd.,
- Gutteridge, W.E. (1975), *Military Regimes in Africa*, London: Methuen and Co Limited
- Handy, P.S and Djilo, F. (2021), "AU Balancing Act on Chad's Coup Sets a Disturbing Precedent", in *Institute for Security Studies, ISS*, <https://africa.org.iss-today.au->
- Harowitz, D.L. (1980), *Coup Theories and Officers Motives: Sri Lanka in Comparative Perspectives*, New Jersey: Princeton University Press
- Huntington, S. (1968), *Political Order in Changing Societies*, London: New Haven, Conn.,
- Jega, A.M. (2002), "Democracy in Nigeria: Conceptions, Representations and Expectations, 1985-1996", in *Proceedings of Faculty Seminar Series, Vol.*, Faculty of Social and Management Sciences, Bayero University, Kano
- Kazeem, Y. (2017), "What is a Coup? These 40 African Countries Could Help Explain", in *Quartz Africa*, November 16, <https://qz.com/africa/1130009/what-is-coup-zimbabwe-joins-40-african-countries-that-have-had-coups/>
- Koigi, B. (2017), "Why Cape Verde is a Model for Democracy in Africa", <https://www.fairplanet.org/story/why-cape-verde-is-a-model-for-democracy-in-africa/>, June 07,
- LeBas, A. (2016), "Term Limits and Beyond", in *Current History*, May Vol.115, No.781, Africa May, pp.169-174
- Levan, A.C. (2015), *Dictators and Democracy in African Development: The Political Economy of Good Governance*, New York: Cambridge University Press
- Lewis, P.M. (1994), "Endgame in Nigeria? The Politics of a failed Democratic Transition", in *African Affairs*, Vol. 93, No.372, July pp.323-340
- Maduagwu, M.O. (1990), "The Military as a Watchdog of the Political Order in Nigeria?", in *Nigerian Journal of Policy and Strategy*, Vol.5, No.1 & 2, June/December
- Maluleke, L. (2022), "Coups in West Africa – A Critical Analysis of AU and ECOWAS Responses", March 14, <https://gga.org.coups-in-west-afric...>
- Mbaku, J.M. (2020), "Threats to Democracy in Africa: The Rise of Unconstitutional Coups", in *Africa in Focus*, October 30, *Brookings*, <https://www.brookings.edu/>

Mo Ibrahim Foundation (2020), "2020 Inrahim Index of African Governance Index Reort".
<https://mo.ibrahim.foundation>

News 24 (2018), "How Ramaphosa 'dodged a coup' – security bosses reveal all",
<https://www.news24.com/news24/security-bosses-reveal-how-cyril-dodged-a-coup-20180722-2>

Nichols, M. (2021), " 'An epidemic' of Coups. UN Chief laments, urging Security Council to Act",
October, 26, <https://www.reuters.com.world.O>

Obi, C.I. (1999), "Political and Social Change", in Remi Anifowose and Francis Enemuo (eds),
Elements of Politics, Lagos: Malthouse Press Ltd.

Owen, D. (2007), *The Hubris Syndrome: Bush, Blair and the Intoxication of Power*, London: Politics
Publishing

Phakathi, M. (2018), "An Analysis of the Responses of the African Union to the Coup in Burkina
Faso(2015) and Zimbabwe (2017)", in *Journal of African Union Studies*, Vol. 7 No.3, December,
pp.129-145

Powel, J. (2012), "Determinants of the Attempting and Outcome of Coup d'état", in *The Journal of
Conflict Resolution*, December 2012, Vol.56, No.6. December, pp. 1017-1040

Punch (2017), "We'll Never Accept Coup in Zimbabwe – African Union", November 16,
<https://punchng.com.breaking-wel...>

Rose, R. and Peiffer, C. (2019), *Bad Governance and Corruption: Political Corruption and Governance*, UK:
Palgrave Macmillan

Swart, G. (2014), "Editorial: The State of the (African) Union", in *Journal of African Union Studies
(JoAUS)*, Vol.3, Issues 1, pp.5-22.

The Africa Report (2019), "Botswana Unravels: Unmasking Africa's democracy Post Child", August
2018, <https://www.theafricareport.com/16645/Botswana-unravels-unmasking-africas-democracy-poster-child/>

The Guardian (2017), "Robert Mugabe Sacks Vice-President to Clear Path to Power for wife",
Monday 6, November, <https://www.theguardian.com.now>

The New Humanitarian (2003), "Nujoma Says he Won't Stand for Fourth Term",
<https://www.thenewhumanitarian.org>

Wolpin, M.D. (1981), *Military and Social Revolution in the Third World*, New Jersey: Allandheld, Osmun
World Bank.org, <https://data.worldbank.org>

Worldometers (2022), "African Countries by Population", <https://www.worldometers.info.wo...>

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