International
IDEA

A DECADE OF POPULAR UPRISINGS IN AFRICA (2011-2021)

Lessons Learned for Regional Bodies on Managing Transitions

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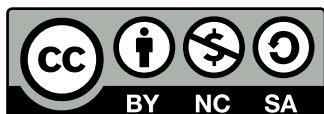Lessons Learned for Regional Bodies on Managing Transitions

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Acknowledgements

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Abbreviations

ACDEG   African Charter on Democracy, Elections and Governance

APRM   African Peer Review Mechanism

AU   African Union

AUC   African Union Commission

AU PSC   African Union Peace and Security Council

ECOWAS Economic Community of West African States

OAU   Organisation of African Unity

RECs   Regional Economic Communities

SADC   Southern African Development Community

UCG   Unconstitutional change of government

UNDP   United Nations Development Programme

ZANU-PF Zimbabwe African National Union Patriotic Front

ZDF   Zimbabwean Defence Forces

EXECUTIVE SUMMARY

After the resurgence of multiparty politics in the 1990s, the subsequent two decades brought democratic revitalization across the continent.

After the resurgence of multiparty politics in the 1990s, the subsequent two decades brought democratic revitalization across the continent. Yet the last decade (2011–2021) has seen the wave of popular uprisings slamming once again against the bedrock of especially long-established autocratic regimes. As a pointer to the momentous scale of these political shifts, the first quarter of 2019 alone saw the clamour for greater political rights and better socio-economic conditions propel the galvanization of two major mass revolts in Africa, leading to the ouster of long-serving autocrats—Omar Hassan al-Bashir in Sudan and Abdelaziz Bouteflika in Algeria. These add to the spell of uprisings that swept across the continent a decade ago. Put together, and to varying degrees, the uprisings of the last decade have occasioned peculiar but complex political transitions at the helm of affected African countries in ways that have tested the relevance and applicability of existing normative frameworks. This has occurred both at the continental level—that of the African Union (AU)—and at subregional levels—those of the Regional Economic Communities (RECs)—and concerns frameworks such as those that regulate the question of unconstitutional changes of government (UCGs). As the pan-African body with the foremost mandate of maintaining peace and security across the continent, the AU has been robust in its condemnation of coups and yet has appeared incapable of exercising the same principled stance in its response to popular uprisings that occasion changes in governments. This is seen as a critical normative gap to address, given its policy and reputational implications. It is in this context of policy deficiency that the present study emerges.

This study undertakes a broad reflection of the regional responses to popular uprisings in Africa over the last decade. First, it surveys existing continental frameworks for addressing UCGs and glances through triggers of popular uprisings. It then proceeds to take stock of the policy responses of the AU and RECs, assessing their degree of effectiveness in ushering in a return to more democratic constitutional orders. Second, it considers the extent to which the actions of the AU and RECs leave room for the consolidation of the democratic gains ushered in through such mass protests. It then weighs the consistency of AU and REC responses to popular uprisings against the prescriptions of continental and regional frameworks and evaluates whether such responses create space for democratization. Finally, it considers the overall lessons learned from AU and REC responses to popular uprisings in Africa over the last decade, and then shares key policy recommendations to guide future responses.

As the analytical syntheses of this study reveal, the upsurge in mass uprisings across Africa presents the AU with a choice. One option is to become a more principled, concise, constructive, predictable and democracy-supporting continental body when dealing with popular uprisings. Another is to remain mired in inconsistency and ambiguity—as it is at present—in the face of mobilized popular protests aimed at discarding oppressive regimes and creating spaces for democratic transformation across African countries. The current piecemeal, knee-jerk approach, based on an instinctual perception of the political realities in particular countries, will not work for long, and serious policy rethinking is now needed at the African continental level. Meanwhile, at the subregional level, it would appear that RECs have perhaps been more predisposed to listening to and accommodating the democratic aspirations engendered by popular movements calling for regime changes. In the West African region, for instance, leaders of the Economic Community of West African States (ECOWAS) played instrumental mediation support roles that helped consolidate some of the political dividends achieved through mass protests. This was even as ECOWAS played a decisive role in securing appreciable outcomes from efforts by popular uprisings to orchestrate political transitions in Burkina Faso (2014), Côte d'Ivoire (2011) and The Gambia (2016). In Southern Africa, the withdrawal by the Southern African Development Community (SADC) of political

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cover and diplomatic support for Robert Mugabe during the 2017 Zimbabwean crisis was a crucial factor in paving the way for a post-Mugabe transition in the country.

Given its mandate, there are growing expectations that the AU will expand on its continental toolkit of normative frameworks. This will enable it to respond more consistently to mass protests in ways that safeguard the democratic gains they generate, while also protecting the sanctity of democratically gained political power in Africa from random usurpation through unconstitutional means. To this end, this study proposes seven recommendations, which are outlined below and elaborated upon in Chapter 6 of this Report.

1. Review existing normative frameworks and address gaps to ensure comprehensiveness, clarity and consistency in AU action in response to UCGs, including changes of government driven by popular uprisings.
2. Increase strategic vigilance at the highest continental level towards constitutional amendments that extend or eliminate presidential term limits and towards all other amendments or laws that undermine democratic competition.
3. Support member states and their respective RECs in establishing and entrenching rules-based democratic governance systems and in enabling RECs to play more active peer-reviewing roles at subregional levels.
4. Prioritize the socio-economic development of African countries and the economic integration of the African continent as key components of the continental toolkit of preventive measures against current challenges linked to UCGs.
5. Strengthen preventive diplomacy, including prioritized support for early warning systems at the AU and REC levels (as well as through strategic cooperation with multilateral partners such as the European Union and United Nations) to signal AU member states' risks, threats and vulnerabilities to UCGs.
6. Deepen and widen research into the role of the military in popular uprisings.
7. For the AU, develop mechanisms for determining whether governments are democratic and gradually begin insisting that membership of the organization be conditional on fulfilling a baseline of democratic credentials.

INTRODUCTION

Revolutions in North Africa, the flames of which were lit in 2011 in Tunisia, have exerted a slow-burning influence on the rest of the African continent. For close to a decade, popular, often youth-led, uprisings against national regimes have been on the rise in Africa. In some cases, this has led to the successful overthrow of longstanding autocratic rulers. Undoubtedly, this wave of popular uprisings is not the first Africa has seen. Precariousness, staggering inequality, poor living conditions and a lack of political voice have characterized the daily lives of Africa's poor since the colonial period. In fact, the emergence of modern post-colonial Africa as we know it was significantly shaped by these factors (Arnould, Tor and Vervaeke 2016; Ani 2021). Africa first began encountering mass uprisings in the late colonial period of the 20th century, when popular uprisings were channelled into nationalist and liberation movements throughout the continent. The late 1980s and early 1990s saw uprisings against the austerity imposed by international financial institutions and against years of authoritarian rule, which forced the inauguration of multiparty democracy in some African countries. These uprisings gained global support, especially from the West, and helped occasion a democratic shift across the continent.

Despite the introduction of multiparty systems in many countries, the political space often remained tightly controlled by the regimes in power. Free, fair and openly competitive elections were scarce. In addition, there was frequent harassment of the political opposition, of independent voices critical of incumbent regimes and of civil society organizations, even as regimes exerted restrictions and control (Ssenyonjo 2020). Consequently, the uprisings of the last decade

have, to some extent, prompted unconventional yet complex political transitions in the affected countries.

Democratically speaking, the popular uprisings of the last few decades have yielded some positive dividends. One such example is the Tunisian popular uprising, which started in December 2010, inspired by a committed generation of alienated youth. This uprising then motivated a revolutionary force across the Arab region that became known as the 'Arab Uprisings'—'a series of demonstrations that shook the power of autocratic regimes across the Arab world' (Pwayidi 2015: 1). First, in January 2011, the uprisings successfully forced an end to Ben Ali's 24-year rule. Soon afterwards, in February 2011, Hosni Mubarak's 30-year control of the Egyptian nation was ended by unrelenting mass protests in Cairo's Tahrir Square. Gaddafi too was forced out violently—under more controversial circumstances—and by October 2011, the 42-year rule of the Libyan leader was ended. However, the wave did not stop there: it continued growing and affecting other regions in Africa. In West Africa, Burkina Faso deposed its autocratic leader of 27 years, Blaise Campaoré, in a series of mass protests and popular riots that erupted across the country in October 2014 following an attempt to extend his office through amendment to the country's constitution. In Zimbabwe, Robert Mugabe's controversial 30-year era came to a dramatic end in September 2017. The ageing leader had attempted to suppress protests through harsh crackdowns when the military instead forced him out of office. In Ethiopia, mass protests brought down the government, creating space for the rise of a young charismatic leader who went all the way, winning the Nobel Peace Prize (Ani 2021). Today, Ethiopia struggles with a new set of problems created by separatist tensions in the Tigrayan region of the country. In Mali, President Ibrahim Boubacar Keïta fell from power in August 2020 as a result of irregularities surrounding the 2018 presidential elections combined with generalized discontent over poor economic conditions, serious allegations of human rights violations by government forces and the poor handling of the Tuareg rebellion in the northern parts of the country.

Unfortunately, these uprisings have also tested the relevance and applicability of existing frameworks at the level of the AU and of the subregional RECs. Such frameworks include those that regulate

the question of UCGs through the complex political transitions in nine African countries: Tunisia (2011), Egypt (2011, 2013), Libya (2011), Burkina Faso (2014), Zimbabwe (2017), Ethiopia (2018), Sudan (2019), Algeria (2019) and Mali (2020). Given its continental mandate, the AU, especially its Peace and Security Council (AU PSC), has been as inconsistent in its response to popular uprisings as it has in its condemnation of coups. This study is thus birthed in the context of ongoing struggles and aims to hatch a consistent policy response to the complexities presented by popular uprisings against undemocratic regimes in Africa.

This Report undertakes a broad reflection of the regional responses to popular uprisings in Africa over the last decade. First, and following an overview of the challenge, it surveys existing continental frameworks for addressing UCGs. It briskly glances through triggers of popular uprisings, before proceeding to audit AU and REC policy responses (such as statements, actions and sanctions) to key popular uprisings, assessing their degree of effectiveness in catalysing a return to more democratic constitutional orders. Second, it considers the extent to which the constitutional governance norms of the AU and RECs envisage adequate responses that both maintain constitutional order and leave room for satisfying a people's democratic aspirations—a delicate balance that has thus far been difficult to achieve. Third, and in the same vein, it weighs the consistency of the AU's and RECs' track record of responses to popular uprisings against the prescriptions of continental and regional frameworks, and then assesses whether such responses in their totality support a move towards democratization. Finally, this Report carefully considers the overall lessons learned from AU and REC responses to popular uprisings in Africa over the last decade and shares key policy recommendations to guide future AU and REC responses.

Chapter 1
OVERVIEW OF THE CHALLENGE

Popular uprisings, protests and unconstitutional regime changes are common characteristics of political change and political life in Africa (Dersso 2016; Ssenyonjo 2020). The concept of 'political change' refers to the totality of transformations that the political structures of a society undergo so that power and influence are redistributed within the same country or between several countries—the goal usually being a shift from an authoritarian status quo to a more democratic one.

After two decades of democratic revitalization following the resurgence of multiparty politics in the 1990s, the last decade has seen the return of the wave of popular uprisings across the continent, which have been slamming against the bedrock of autocratic, and especially long-established, regimes.

After two decades of democratic revitalization following the resurgence of multiparty politics in the 1990s, the last decade has seen the return of the wave of popular uprisings across the continent, which have been slamming against the bedrock of autocratic, and especially long-established, regimes. Marks, Chenoweth and Okeke (2019) have, for instance, noted that 'people power is rising in Africa'. They stress that 'over the past decade, mass uprisings in Africa have accounted for one in three of the nonviolent campaigns aiming to topple dictatorships around the world. In the last decade, Africa has seen 25 new, nonviolent mass movements—almost twice as many as Asia'. In some of the affected countries, entrenched regimes have been reconfigured. In others, they have simply been uprooted and cast away. And it would appear now—perhaps more than ever before—that for African citizens groaning under the jackboot of authoritarian oppression, silence is no longer the preferred option (Mbaku and Saxena 2004; Amuwo 2009; Omotola 2011).

The scale of the political shifts instigated has been momentous: the first quarter of 2019 alone saw the clamour for greater political

rights and better socio-economic conditions propel the galvanization of two major mass revolts in Africa, leading to the ouster of long-serving autocrats—Omar Hassan al-Bashir in Sudan and Abdelaziz Bouteflika in Algeria (ISS 2019). Combined, both leaders had been in power for half a century. Before the toppling of these two, a Tunisian popular uprising—inspired largely by a committed generation of disenfranchised youth—motivated a revolutionary cascade across the region. This became known as the 'Arab Uprisings', 'a series of demonstrations that shook the grip of autocratic regimes across the Arab world' (Pwayidi 2015: 1). First, in January 2011, it successfully forced an end to Ben Ali's 24-year rule. Soon afterwards, in February 2011, Hosni Mubarak's 30-year presence at the helm of the Egyptian nation was ended by sustained mass protests culminating in Cairo's Tahrir Square. Gaddafi was similarly forced out, albeit under more controversial circumstances, and by October 2011, the 42-year reign of the Libyan strongman had come to a messy, bloody end.

In West Africa, the former French colony of Burkina Faso jettisoned its autocratic leader of 27 years, Blaise Campaoré, in a ground swell of mass protests and popular revolts. These were ignited across the country in October 2014, when Campaoré attempted to amend the country's constitution to extend his duration in office. In Zimbabwe, Robert Mugabe's controversial 30-year reign came to a tedious but dramatic end in September 2017. As the ageing leader attempted to quell long-simmering protests through merciless crackdowns, the military was compelled to break allegiances, forcing him out of office instead. In Ethiopia, mass protests engendered a reshuffle in the ruling party, creating space for the rise of a young charismatic leader who would go on to win the Nobel Peace Prize. Today, he struggles with a new set of problems posed by secessionist agitations in the Tigrayan region of the country. And in Mali, President Ibrahim Boubacar Keïta fell from power in August 2020, the result of a domino effect of grievances—long-held animosity over perceived irregularities surrounding the 2018 presidential elections combined with generalized discontent over poor economic conditions, serious allegations of human rights violations by government forces and the poor handling of the Tuareg insurgency in the northern parts of the country, which forced citizens onto the streets.

Put together, and to varying degrees, the uprisings of the last decade have especially occasioned peculiar but complex political transitions at the helm of affected African countries.

Put together, and to varying degrees, the uprisings of the last decade have especially occasioned peculiar but complex political transitions at the helm of affected African countries. They have also elicited varying responses from the AU, evidencing more robust and predictable norm-based responses to situations of UCGs and inconsistencies to popular uprisings.[1] While this inconsistency in the face of mass uprisings has explainable roots, it nonetheless constitutes a critical normative gap. Given its far-reaching policy and reputational implications, this gap needs to be interrogated and addressed.

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1   For instance, Atta-Asamoah (2021) has rightly argued that while the AU expressly condemns the seizure of political power by force, the continental body does clearly recognize the right of people to engage in protests against oppressive regimes. See paragraph F(ii) in AU (2013) for more information.

Chapter 2

THE AU'S FRAMEWORK FOR ADDRESSING UCGS: DO POPULAR UPRISINGS FIT IN THE NORMATIVE MOULD?

The first three decades of Africa's post-colonial experience were characterized by politically motivated assassinations, coups d'état and unconstitutional changes and transfers of political power at the helm of African countries (Posner and Young 2007; Atta-Asamoah 2021). Since most African countries gained independence in the 1960s, the continent has collectively experienced more than 200 coups d'état (Barka and Ncube 2012: 1), distributed across more than two-thirds of all African countries, and 90 per cent of these have been successful. The West African country of Burkina Faso, for instance, has experienced 10 coup attempts—the most of any country on the continent. It is therefore understandable that the policy and normative attempts at the continental level to address the prevalence of UCGs were somewhat hyper-focused on coups and other forms of military seizure of power, including rebel takeovers and the interventions of mercenaries (Dersso 2016; Abebe and Fombad 2021): they clearly represented an existential threat to the foundational survival of African democratization and to the consolidation of the state-building process in Africa.

Atta-Asamoah (2021) has argued that this serious normative commitment to addressing Africa's coup culture at the pan-African and regional levels combined well with the early gains of the continent's democratization experience in the early 1990s, noticeably reducing the frequency of coups across Africa after 2000. To put this decline into perspective, between 1952 and 1989, 65 successful coups took place on the continent compared to 14 coups in 14 countries between 1990 and 2000 (Miller 2011; Atta-Asamoah 2021). Nonetheless, the statistics remained uncomfortably high relative to

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the rest of the world. This brief interlude of optimism after 2000 was accompanied by at least a general feeling that African continental policy reflection with respect to the nature of the African state was beginning to shift—from the central commitment of preserving state sovereignty towards also accommodating the urgent need to preserve and enhance the democratic character of the African state, which had been badly harmed by coups.

It has been argued that the strong commitment of the AU towards the decolonization of African countries and the preservation of their sovereignty as foundational principles, pursuant to article II of the 1963 OAU Charter, had compromised its core priorities of enforcing member states' adherence to democratic principles and protecting the human rights of ordinary Africans.

It has been argued that the strong commitment of the Organisation of African Unity (OAU) towards the decolonization of African countries and the preservation of their sovereignty as foundational principles, pursuant to article II of the 1963 OAU Charter, had compromised its core priorities of enforcing member states' adherence to democratic principles and protecting the human rights of ordinary Africans. With the transformation of the OAU into the AU in 2001, the AU quickly recognized that 'member states can no longer be complacent in the face of various human rights abuses and bad governance in neighbouring areas, especially due to shared developmental interests and the transboundary nature of conflicts' (Ani 2021: 4). And as Mbata Mangu (2014) reiterates, 'virtually all AU instruments aim at promoting democracy and good governance … [including] all AU human rights instruments, the ACPCC [African Union Convention on Preventing and Combating Corruption], the ACDEG, the NEPAD, and APRM documents'. In short, as Hellquist (2019: 5) concludes, 'the identity shift from the OAU to the AU enabled the latter to present itself as a normative community'.

It must nonetheless be understood that post-colonial Africa's collective attempts to entrench normative frameworks to tackle UCGs did not begin as a deliberate policy consensus at the level of the OAU/AU in the institutionalist sense; rather, it was a series of ad hoc steps taken by regional policymakers to respond to and prohibit what was becoming the unacceptable trend of military takeovers and rebel incursions into African national capitals. An early example of such nascent efforts to build guardrails against military overthrow of democratically elected governments was seen in the declaratory efforts of the OAU Council of Ministers in 1997 to address the coup d'état in Sierra Leone. In a series of proposals, they urged African countries and the broader international political community to refrain from legitimizing, recognizing or supporting regimes and

their perpetrators that had come to power through the overthrow of democratically elected governments (Dersso 2016). In the 1999 OAU Summit in Algiers, the organization began taking formal steps to address UCGs, unanimously rejecting them as an affront to democracy. It went further, through the Decision on Unconstitutional Changes of Government (July 1999) (Negm 2021), to impress on leaders who had come to power unconstitutionally to take necessary steps to restore constitutional order before the convening of the Lomé Annual OAU Summit the following year.

The Lomé Declaration, adopted in July 2000 by the 36th Assembly of the OAU, has rightly been considered as the watershed in African efforts to codify norms against the prevalence of UCGs. First, it showed a clear zeal to protect the modest gains of democratization achieved in Africa by embedding constitutional means as the sole acceptable route for changes in government on the continent. At the philosophical level, the Lomé Convention's stance against coups is grounded in the 'primacy of civilian rule and the formal prohibition of the involvement of regular armed forces in political affairs' (Abebe and Fombad 2021: 66). The convention defined and established a consequential listing of scenarios that amounted to UCGs (Dersso 2016; Abebe and Fombad 2021; Ani 2021; Atta-Asamoah 2021) and then formalized and reinforced the ban on UCGs, outlining a series of response measures to address UCGs when they occur. These include (a) condemning the act and issuing a warning to the perpetrators; (b) granting them six months to restore constitutional order and suspending them from participation in OAU/AU continental activities; and (c) exercising limited and targeted sanctions if they fail to restore constitutional order within six months of the UCG (Dersso 2016).

Despite its bold overture, the Lomé Declaration—which was non-binding on member states until the signing of the Constitutive Act of the African Union—has been criticized for its failure to contemplate other manifestations of UCGs in its list-based definitions. Such manifestations may include the manipulation of constitutions by presidential incumbents to extend their tenures in office or election rigging. They also raise the consequential question of how to respond consistently to changes in government initiated by popular uprisings against oppressive regimes (Dersso 2016; Abebe and Fombad 2021;

Ani 2021; Atta-Asamoah 2021)—a question which is becoming a zeitgeist of post-2000 political transitions across the continent.

Since the Lomé Declaration, the African continent has made welcomed advances to expand the normative scope of its standing policy against UCGs. The current portfolio of AU frameworks thus comprises a set of statements and AU instruments, which now include the following: (a) the Lomé Declaration on the Framework for an OAU Response to Unconstitutional Changes of Government; (b) the AU Constitutive Act; (c) the Protocol Relating to the Establishment of the Peace and Security Council of the African Union; (d) the African Charter on Democracy, Elections and Governance (ACDEG); (e) the Ezulwini Framework for the Enhancement of the Implementation of Measures of the African Union in Situations of Unconstitutional Changes of Government in Africa; (f) the African Charter on Human and Peoples' Rights and other relevant AU human rights instruments; and (g) the AU Assembly Decision 269 (XIV) of 2 February 2010.

The AU's impetus to preemptively intervene in the national affairs of African countries to protect democratic principles and prevent UCGs is perhaps derived from its interpretation of the prescriptions of article 4(h) of the AU Constitutive Act.

The AU Constitutive Act of 2001 conveys the AU's bedrock normative commitment to democratization in Africa by first enjoining member states in article 3(g) 'to promote democratic principles and institutions, popular participation and good governance' and then categorically prohibiting them in article 4(p) from engaging in 'all unconstitutional changes in government, thereby highlighting the continent's zero-tolerance policy on military overthrows of democratic governments' (Ani 2021: 5). The AU's impetus to pre-emptively intervene in the national affairs of African countries to protect democratic principles and prevent UCGs is perhaps derived from its interpretation of the prescriptions of article 4(h) of the AU Constitutive Act, which empowers the continental body with the right to 'intervene in a member state pursuant to a decision of the Assembly in respect of grave circumstances: war crimes, genocides, and crimes against humanity, as well as a serious threat to legitimate order'. Article 7(h) of the Protocol Establishing the African Union's Peace and Security Council also empowers the AU with greater enforcement teeth against UCGs through provisions for the implementation of sanctions against AU member states where transitions of power occur through unconstitutional means.

Article 23 of the ACDEG, adopted on 30 January 2007, is in a similar vein but goes further, expanding the list of scenarios qualifying as UCGs to include 'any amendment or revision of the constitution or legal instruments, which is an infringement on the principles of democratic change of government' (article 23(5)). The inclusion of this article is perhaps driven by the policy necessity to address a key deficit of the Lomé Declaration relating to the manipulation of constitutional provisions on presidential term limits. Serving as a comprehensive normative compass to guide the actions of African countries on questions of democratic practice, elections and governance, the ACDEG enacts prohibitions in article 23 against the following four additional commonplace scenarios in Africa: (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; and (d) any refusal by an incumbent government to relinquish power to the winning party or candidate after free, fair and regular elections. In article 28, the ACDEG underscores that such actions also warrant appropriate sanctions from the AU (Ani 2021; Atta-Asamoah 2021) in order to bring to 'justice the perpetrators of unconstitutional changes of government or take necessary steps to effect their extradition'. The ACDEG addresses an important governance concern in its prohibition of constitutional amendments by presidential incumbents to extend their term limits, and by so doing, underscores the AU's newfound resolve for credible and democratically acceptable political transitions at the helm of African countries. Nevertheless, it too conspicuously sidesteps the thorny issue of popular uprisings.

At the subregional level, the antecedents of violent conflicts and the mixed fortunes of democratic consolidation have led to coup-driven democratic rollbacks—for instance, in the West African region. To respond to UCGs, RECs such as ECOWAS have evolved localized normative instruments for their neighbourhoods and put in place institutional standards of practice. For instance, article 1(b) of the ECOWAS Protocol on Democracy and Good Governance of December 2001 clearly underscores that 'every accession to power must be made through free, fair and transparent elections', while article 1(b) stresses ECOWAS's 'zero tolerance for power obtained or maintained by unconstitutional means' (ECOWAS 2001). In article 45(1), the

At the subregional level, the antecedents of violent conflicts and the mixed fortunes of democratic consolidation have led to coup-driven democratic rollbacks— for instance, in the West African Region.

protocol empowers ECOWAS to impose sanctions in increasing order of severity in 'the event that democracy is abruptly brought to an end by any means or where there is massive violation of human rights in a member state'.

The ECOWAS heads of state have taken decisive action, pursuant to the ECOWAS Protocol, to deal with an unconstitutional change of government. A clear example occurred in The Gambia in 2016, when the incumbent of 23 years, Yahya Jammeh, refused to concede defeat and relinquish the office of President after elections that were nationally and internationally considered to be free, fair and transparent (Reinhold 2019). Through amplified, unanimous pressure, ECOWAS was able to compel the increasingly psychotic Jammeh to leave The Gambia, paving the way for the ascension of a democratically elected president (Reinhold 2019; Ani 2021). The West African bloc equally resorted to the threat of force in inducing President Laurent Gbagbo's compliance during the 2010–2011 Ivorian crisis (Abebe and Fombad 2021). ECOWAS is generally regarded as the REC with the most evolved capabilities for handling UCGs in Africa. This is not surprising, since all but two of its member states have never experienced a military coup or a UCG (Piaplie 2019). Since 1990, the West African regional body has applied more than eight sanctions against seven of its members, all in response to instances of UCGs (Cowell 2011: 331). Additional recent sanctions include Mali (2021), Guinea (2022) and Niger (2023).

The currents of popular revolutionary action of the last decade have helped reshape Africa's political topography in ways that have been as historic as they have been consequential.

The currents of popular revolutionary action of the last decade have helped reshape Africa's political topography in ways that have been as historic as they have been consequential. Beginning with Tunisia in 2011 and then sweeping across Egypt, Libya, Burkina Faso, Zimbabwe and, more recently, Algeria and Sudan, mass protests have helped uproot autocratic leaders but they have also altered the fate of democratic processes and paved the way for autocratic dispensations. And therein lies the bone of contention for the AU's response. While it is a straighter policy shoot to target sanctions against UCGs that assume the forms of coups, rebel incursions or mercenary action, the organization is still struggling to find its footing normatively to allow it to project consistency when UCGs occur in the context of popular uprisings (Hellquist and Palestini 2021). And a complicated scenario is rendered even more complex by the

fact that while the AU outlaws changes of government by force, it does explicitly recognize the rights of people to mobilize in protest of oppressive regimes. This is why the AU has so far opted for a case-by-case approach in its response to such regime changes—an approach which unfortunately appears inconsistent and fragmented. Abebe and Fombad (2021) therefore aptly conclude that 'the single-largest gap in [Africa's UCG] normative framework concerns cases of the removal of governments in the large-scale popular uprisings against perceived authoritarian and undemocratic governments'.

Chapter 3

TRIGGERS OF POPULAR UPRISINGS IN AFRICA (2011–2021)

Even though the triggers to popular uprisings in Africa over the last decade may appear contextually distinct, varying from country to country, they are nonetheless still primarily connected to the defunct hopes and thwarted aspirations of Africa's predominantly youthful population.

Even though the triggers of popular uprisings in Africa over the last decade may appear contextually distinct, varying from country to country, they are nonetheless still primarily connected to the defunct hopes and thwarted aspirations of Africa's predominantly youthful population. Consensus has formed among scholars that Africa's popular uprisings are not always as impulsively triggered as they first appear to be. They are often the consequences of many years of bad governance, corruption and misrule; of poverty and socio-economic marginalization of segments of the population; and of human rights violations and political disenfranchisement, all of which engender grievances that eventually boil over. Most African countries are underdeveloped economies facing multiple development challenges and socio-economic complications that are deepened by deficient institutions. Most of these countries' regimes are authoritarian ((International IDEA 2021), giving no indication of political diversity, peaceful transfer of power, or freedom of expression and of the media. On the whole, where the masses have taken to the streets, this appears to be because their belief has waned in the possibility that national governments could still deliver the socio-economic and political dividends of an increasingly liberalizing Africa.

In the 1990s, there were high hopes that the sweeping wave of democratization that followed the end of the Cold War would pave the way for the widespread entrenchment of democracy across Africa. It was anticipated that this would unleash the democratic dividends of better and inclusive governance, people-serving institutions, sound and accountable economic management, social justice, human rights and the rule of law. However, the fact remains that 'many African

citizens still live under authoritarian regimes and the continent's democratic scores had regressed'. These betrayed hopes have played a key part in mobilizing millions of Africans to the streets to demand changes to regimes and governments (Bratton and van de Walle 1997; Omotola 2008; Dersso 2016). The AU PSC was itself compelled to acknowledge in a statement issued on 29 April 2014 that mass uprisings occasioning regime changes across the continent are often 'deeply rooted in governance deficiencies' within countries—a statement which complemented its previous assessment that most popular uprisings are indeed attributable to the trinity of democratic deficits, political instability and bad governance. In fact, as the AU PSC further notes in greater detail, 'situations of greed, selfishness, mismanagement of diversity, mismanagement of opportunity, marginalization, abuse of human rights, refusal to accept electoral defeat, manipulation of constitution, as well as unconstitutional review of constitution to serve narrow interest and corruption, among other factors, are potent triggers for unconstitutional changes of government and popular uprisings' (AU 2014: 1).

Since 2011, the African countries that have experienced mass protests of the scale and intensity that have toppled governments have generally tended to be those where autocratic leaders have employed coercion to consolidate their regimes over decades, committing egregious human rights abuses to perpetuate their rule. These coercive attempts have generally coincided with poor stewardship over their economies, widening unemployment, poor standards of living and ineffective governance institutions that have failed to curtail the widespread excesses of corruption, misrule and a wide variety of other accountability problems. In fact, as Ani (2021: 8-9) argued, 'the inability of illegitimate regimes to deliver public goods and human security, opens up possibilities for power contestations'.

For instance, Jonathan Tossell, writing about the Sudanese case, has argued that the 2019 mass uprising was fuelled by years of worsening economic performances, authoritarianism and the long-drawn nature of systemic repression embedded at the heart of the regime's responses to calls for meaningful reforms (Tossell 2020). The strength of the popular uprising itself amply showcased that al-Bashir had 'lost his legitimacy at home' (Hellquist 2019), in addition

Since 2011, the African countries that have experienced mass protests of the scale and intensity that have toppled governments have generally tended to be those where autocratic leaders have employed coercion to consolidate their regimes over decades, committing egregious human rights abuses to perpetuate their rule.

to his crippled legitimacy abroad. An arrest warrant issued by the International Criminal Court on al-Bashir gave him the notorious distinction of being the first ever sitting president to be served by the international body. And while the camaraderie of African heads of state might have helped insulate him from arrest, the sanctions that Sudan endured over allegations of grievous human rights abuses perpetrated by his regime alienated the country from the cushioning support of international aid and the economic windfalls typically accruable through foreign investments (Copnall 2019).

The immediate trigger of protests was primarily the decision by the al-Bashir government to eliminate subsidies on wheat, the country's staple food source, thereby tripling the cost of 'a loaf of bread from one Sudanese pound to three (about 0.02 USD to 0.06 USD)' (Elmileik 2018). This was in spite of years of slow-burning grievances owing predominantly to skyrocketing costs of living, inflation rates exceeding 70 per cent and the limiting of deposit withdrawals by banks (Ani 2021). Sudan had experienced similar antecedents, which should have served as a warning to the al-Bashir government. In 2011, 2013 and 2016, economic difficulties triggered by the imposition of austerity measures and rises in fuel prices had led to mass protests. These, in turn, had engendered serious criticisms about al-Bashir's longevity in power and his government's indulgence in widespread corruption (Branch and Mampilly 2015).

In Algeria, the decision of its 81-year-old president, Abdelaziz Bouteflika, to run for a fifth term on 18 April 2019 forced Algerians to take to the streets in mass protests. Having been in power for 20 years, Bouteflika had managed to employ a combination of repressive tactics to keep the country under control. He had also used the country's rents from rising oil prices to placate public opinion through the funding of generous public housing schemes, transport infrastructures and generous loan schemes targeting the youth. But as oil prices floundered, the Bouteflika government appeared incapable of fulfilling the economic aspirations of the country's population. When the popular protests ignited, 30 per cent of Algerians under 30 years of age were unemployed. Serious allegations of corruption involving senior government officials made things worse, badly bruising a regime whose credibility had already been seriously tarnished. With the organizational prowess of the

Hirak Movement unsettling the country, the Algerian army stepped in to oust President Bouteflika in April 2019 (Serrano 2021).

On 17 December 2010, Tarek el-Tayeb Mohamed Bouazizi, a local street vendor in Ben Arous, Tunisia, engaged in an act of self-immolation as a protest against the confiscation of his wares as well as his subjection to repeated harassment, corruption, oppression and humiliation by municipal police authorities. His burning body sparked the Tunisian mass uprising that eventually brought down the Ben Ali regime after 23 years in power and ignited the fuse of the uprisings. But what brought instant popular support to the initial wave of protests was a direct consequence of the country's high unemployment rates and the repressive tendencies of the long-serving Tunisian Government. Similar conditions of popular discontent with decades of misrule, corruption and underdevelopment, combined with the inspiring precedent set by Tunisia, would subsequently force Egyptians and Libyans into the streets, setting off chain reactions that ended with the ousting of Mubarak after nearly 30 years in power and the ousting of Gaddafi after more than 40.

In Burkina Faso, a wave of demonstrations and then riots quickly spread across multiple cities in the West African former French colony in October 2014. These came in the wake of attempts by the country's President Blaise Campaoré to amend the Constitution to eliminate term limits, thereby allowing him to run for another term and extend his 27-year stay in power. On 30 October, protesters breached a series of police lines and torched the country's National Assembly—to prevent members of parliament from sitting to deliberate on the constitutional amendment—as well as other government buildings and the offices of Campaoré's ruling Congress for Democracy and Progress party. Intensifying domestic pressure subsequently forced Campaoré to resign on 31 October and flee to Côte d'Ivoire at the behest of President Alassane Ouattara.

Whether in Zimbabwe (2017), Ethiopia (2018) or Mali (2020), the eventual trigger for mass protests was citizens' lost faith in the ability of, and utter dissatisfaction with, incumbent governments and regimes to govern effectively and democratically in ways that respect human rights and address their unmet needs and

aspirations. In Zimbabwe, the ageing Robert Mugabe had steadily relied on the Zimbabwean Defence Forces (ZDF) and other coercive implements of state power to repressively quell years of mass protests. In 2017, however, the unsettling potential of a series of national protests to destabilize his 37-year grip on power was amplified by internal wrangling for succession within the Zimbabwe African National Union Patriotic Front (ZANU-PF) party between the First Lady, Grace Mugabe, and the Vice-President, Emmerson Mnangagwa. The vice-president was fired and ZDF sided with him, placing Mugabe and his family under house arrest and intensifying pressure on the ailing leader to quit. As ZDF spokesperson Sibusiso Moyo later underscored, 'the ZDF is trying to pacify a degenerating political, social and economic situation in our country, which if not addressed may result in violent conflict' (Mangirazi 2017). In Ethiopia, Hailemariam Desalegn was forced to resign in mid-February 2018, giving room for the rise of Abiy Ahmed. This followed sustained and at times violent anti-government mass protests in the Oromia and Amhara regions, combined with severe confrontations between militia within Ethiopia's Somali region (Manek 2018). These protests were first and foremost grounded in vexations over poor economic conditions and dissatisfaction with the regime's governance and human security performance.

In Mali, a popular uprising began on 5 June 2020, with the rallying of protesters on the streets of Bamako demanding the resignation of Ibrahim Boubacar Keïta. The so-called Malian 5 June Movement was mobilized by perceived irregularities in the Malian 2018 presidential elections combined with other simmering grievances. Among these were deeply concerning reports of human rights violations resulting from the Malian army's actions in the ongoing war in Mali's Tuareg-controlled north, especially in the Segou and central Mopti regions, where about 456 civilians had reportedly been killed (HRW 2020). Dissidents equally bemoaned the Keïta government's handling of the Covid-19 pandemic, which by May 2020 had spread to 1,265 cases and 77 deaths. The degenerating impasse motivated mutinying soldiers to arrest President Keïta and his vice-president, forcing Keïta to announce his resignation on 19 August 2020.

A lingering question which scholars and political analysts have had to grapple with is why the popular uprisings alluded to above succeeded

in triggering changes in government where others previously failed. As Marks, Chenoweth and Okeke (2019) have reiterated, 'during the past decade, mobilization has succeeded when activists have transcended their identities'. They add that 'the current generation of protesters has inherited four other key factors that underpin the success of uprisings in Africa. Activists have mobilized mass movements, harnessed women's participation, and leadership, elicited active or tacit support from military and security services, and secured regional buy-in'.

We now turn our attention towards considering the policy responses of the AU and RECs to popular uprisings in Africa. Have their actual responses and engagements always aligned with laid-down policy prescriptions for UCGs? How effective have these policy responses been in incentivizing a return to democratic constitutional order in the countries concerned while, at the same time, also preserving the gains and democratic aspirations of the popular revolts?

Chapter 4

A DECADE OF AU AND REC POLICY RESPONSES TO POPULAR UPRISINGS

The AU's policy responses to unconstitutional changes of government have borne mixed fruits (Engel 2010) and there is still a lingering normative debate among scholars, diplomats and AU policy experts on how to respond effectively to popular uprisings in the continent.

The AU's policy responses to unconstitutional changes of government have borne mixed fruits (Engel 2010) and there is still a lingering normative debate among scholars, diplomats and AU policy experts on how to respond effectively to popular uprisings in the continent. At the centre of these differences in opinion is a deceptively complicated dilemma. On the one hand, a union that explicitly bans UCGs needs to find the space to accommodate its renewed policy resolve to stand by the side of peoples protesting the excesses of oppressive regimes. Yet, on the other hand, the union cannot appear to be sanctioning the chaotic dismantling of African governments by mass protests. How can these responses be reconciled? This complicated ballroom dance has perhaps sometimes been at the source of the inconsistencies that have typified the AU's responses to popular uprisings over the last decade. Atta-Asamoah (2021) has, for instance, pointed out that 'in situations where legitimate means of political expressions have morphed into regime change agenda, the AU has lacked a common basis to express itself on the outcomes due to ambiguity in its Framework for managing UCGs and popular protests in particular'. This has created a gap in the applicability of the AU's normative framework on UCGs, a problem which the AU itself has been candid about in its own self-assessment. For example, in the 2014 statement issued by the AU PSC, the union explicitly recognized such gaps and acknowledged the negative impact of its response to the aftermath of the Arab uprisings (Atta-Asamoah 2021). The AU PSC also underscored the fact that 'flexibility and inconsistency in the interpretation and application of the relevant instruments' have created a significant 'credibility problem for the AU' due to the gaps highlighted above.

This section of the study audits AU and REC policy responses (such as statements, actions and sanctions) to popular uprisings in Africa over the last 10 years. Through a series of case studies, it assesses the effectiveness of these responses in catalysing a return to more democratic constitutional orders. Broadly, it is guided by the ensuing questions:

1. What were the AU/REC policy responses to the uprisings in question and how effective were they?
2. How consistent were such responses to existing continental and regional frameworks, and were they adequately focused on maintaining constitutional order in the affected countries while, at the same time, satisfying people's democratic aspirations?
3. Did the responses of regional bodies support a move towards democratization?

4.1. **TUNISIA (2011)**

Tunisia experienced the opening salvo of the uprisings. On 17 December 2010, Tarek el-Tayeb Mohamed Bouazizi, a local street vendor in Ben Arous, engaged in an act of self-immolation to protest against the confiscation of his wares as well as his subjection to repeated harassment, corruption and humiliation by municipal police authorities. His self-sacrifice laid bare the undercurrent of grievances harboured by the Tunisian masses towards the Ben Ali regime. The ageing leader's poor stewardship of the economy had drained out initial modest economic gains, leading to rising unemployment, social inequality and desperation. Worsening oil prices meant that the government had become too cash-strapped to buy the loyalties of the lower class through cheap housing and other amenities. To exacerbate the situation, 'Ben Ali himself became more rapacious than rational: members of his and his wife's family dominated the commercial elite' (Angrist 2013), corruption and nepotism was rife and his government had lost most of its credibility in the eyes of Tunisians. In short, the entire country was a primed tinder box waiting to explode in angry protest when Bouazizi lit the match to set himself ablaze. Within a few months, Ben Ali's 23 years in power came to an end. He hurriedly fled the country on 14 January 2011. But Tunisia

had started a fire of popular uprising that would burn through Egypt, Libya and the wider region.

In its very first press release on the Tunisian crisis, the AU was swift in its condemnation of the excessive use of force against Tunisian demonstrators, which had led to the loss of lives. The AU PSC called for restraint, 'calm, and an end to all acts of violence and destruction of property' (AU 2011). The AU also reiterated the urgency for a 'peaceful democratic transition to allow the people of Tunisia to freely choose their leaders through free, open, democratic elections' (AU 2011). Yet, it is telling that the union remained silent and refrained from issuing any statements until Ben Ali left, a gesture that has since been interpreted as its tacit support for the protesters.

Notwithstanding, the most decisive AU response to the Tunisia crisis came in the form of an AU resolution agreed during the AU's 16th Ordinary Session Assembly of 30–31 January 2011, in which the union 'expressed solidarity with the people of Tunisia and urgently appealed to all Tunisian parties to work together in unity, peace, and by means of consensus, while respecting legality, towards a peaceful and democratic transition that would enable the Tunisian people to choose their leaders' democratically (Cakmak and Ozcelik 2019: 74). With the conduct of democratic elections in accordance with the Tunisian Constitution, the transition period effectively ended without any breaches of existing AU normative rules (Cakmak and Ozcelik 2019: 74).

4.2. EGYPT (2011, 2013)

The Egyptian case presented significant complexities for the AU's intervention (Ogbonnaya and Femi-Adedayo 2014), not least because Egypt is one of the AU's so-called 'big five'. The country occupies a powerful place in the broader geopolitics of continental Africa. First, the AU did not initially suspend Egypt or apply sanctions on the country following the UCG in the context of mass protests that toppled Hosni Mubarak on 11 February 2011. In fact, against the backdrop of current limitations in UCG norms as applicable to changes in governments instigated by popular uprisings, it is somewhat understandable that Egypt received no condemnation

from the AU, since the military had not actively pressured President Mubarak out of office. It had simply refused to deploy force to quell protests, thereby facilitating the conditions of his departure from office.

Yet some eyebrows were raised when the AU still failed to act against Egypt even after the Supreme Council of Armed Forces stepped in to fill the power vacuum and proceeded to suspend the Egyptian Constitution and dissolve its legislature. In fact, as Solomon Dersso observed, the AU PSC 'had the interim government under probation' and stood ready 'to invoke the AU's UCG norm should the army abort the transition to democracy by arrogating power to itself' (Dersso 2019: 118). This effectively granted Egypt the pass to proceed with the re-establishment of constitutional rule through the conduct of elections.

Nevertheless, the AU was compelled to take a tougher stance against Egypt in the summer of 2013. Elected President Mohamed Morsi's Muslim Brotherhood found itself on the receiving end of popular protests due to fast-building grievances following its desecularizing agenda, which threatened large swathes of the Egyptian population, and due to its inability to allay the socio-economic anxieties of many. Three days after the commencement of mass protests, on 3 July 2013, General Abdel Fattah el-Sisi announced that the constitutionally elected President Morsi had resigned, thereby completing the second Egyptian revolution. Two days later, the AU PSC suspended Egypt's membership from the AU, stressing that 'the overthrow of the democratically elected President does not conform to the relevant provisions of the Egyptian Constitution and, therefore, falls under the definition of an unconstitutional change of Government'. As Alex de Waal has written of the AU's Egyptian decision, 'the AU has taken a stand on principle, making it clear that its principles apply to the biggest and most powerful of its states, as much as to the smaller ones' (De Waal 2013).

Egypt was only readmitted into the AU in June 2014, following el-Sisi's election to the Egyptian presidency, even though this also contravened article 25(3) of the ACDEG, which forbids perpetrators of UCGs from participating in elections that seek to restore constitutional democracy or from holding any positions of authority

in the institutions of the member state (Abebe and Fombad 2021: 78). Such inconsistencies in the application of AU normative rules erode the organization's credibility and undermine the seriousness of its efforts to prevent UCGs in Africa.

4.3. **LIBYA (2011)**

Following Tunisia and Egypt, Libya was the third Northern African country to be embroiled in the wind of popular uprisings triggered by the 2011 uprisings. From the start, the Libyan situation was bound to be extremely complex to handle because of several contentious variables. First, the country was led by an unstable leader who had become a lightning rod of controversy around the world. Muammar Gadaffi had spent more than 40 years at the helm of the Libyan state actively building enemies—some from the most powerful countries in the world—who were willing to seize on any opportunity to expel the Libyan strongman from power. Allegations of his involvement with the Lockerbie incident had planted a target on his back. Second, within Libya and Africa, Gadaffi divided public opinion equally at the highest levels. There were those who saw him as a relic of Africa's post-colonial struggle who had morphed into a serial human rights abuser. Yet others felt that despite his acidic tone and egotistical persona, 'the brother Leader' had championed the course of pan-Africanism and the African liberation struggle at such an enormous cost that he deserved to be tolerated. Third, and perhaps most importantly, even those who found him revolting were leery of the foreboding chaos that would engulf Libya and the region, should Gadaffi be removed by force. And, as it turns out, their fears were rationally grounded.

The AU response to the Libyan crisis was layered. As De Waal (2012) recounts:

> The first AU discussion on the Libyan crisis was at the Peace and Security Council (PSC) meeting of 23 February and focused on the Libyan authorities' repression of demonstrations and the threats that Gaddafi was making against the opposition. The next discussion, held at the level of heads of state on 10 March, forged the African

diplomatic response to the Libya crisis. The PSC proposed a high-level ad hoc committee made up of Heads of State, anticipating that this would have the required clout and influence to facilitate a negotiated solution in Libya and rally the international community behind the AU's efforts. The meeting was chaired by the Mauritanian President Mohamed Ould Abdel Aziz. He and other Heads of State had quickly recognized that the Arab Spring meant that Gaddafi could not survive. The other key intervention was from Déby: 'beware of opening the Libyan Pandora's box'. He feared spill over to Chad and other African neighbours. The themes of the meeting included the need for a ceasefire, for humanitarian assistance (including the rescue of African migrant workers), and for an inclusive peace agreement combined with a democratic transition. Instead of applying its newly-developed doctrine of supporting democratic uprisings, the AU interpreted the Libyan conflict through its more familiar lens of responding to a civil war.

The centrepiece of the AU's Libyan strategy was thus the deployment of conflict management tools to address a crisis that had begun as a popular uprising. For some observers, this was an interesting policy stance, given that the Libyan situation was essentially seen as an ugly version of the Tunisian case that preceded it. Nevertheless, a few points must be highlighted regarding the AU's overture for a negotiated settlement to the Libyan conflict. First, despite painstaking AU-driven efforts that culminated in a draft roadmap for a negotiated post-Gadaffi era in Libya, this was not even given a chance for success. It was killed in the cradle by France, the United Kingdom and the United States. Already divided over Gadaffi, African countries failed to provide a united policy front on dealing with the Libyan situation at the African level. Some countries which sat on the UN Security Council, such as Gabon, Nigeria and South Africa, instead supported a parallel western-backed UN effort, leading to the passing of Resolution 1973. Had any of them voted against the UN plan, perhaps the African negotiated roadmap could have had a lifeline. But they did not. And Libya paid the price, along with the rest of Africa. Second, African countries failed to back the AU plan with diplomatic, financial and logistical support. While the AU had a workable plan and a very sound strategy, it lacked the coherence and

public relations platform to effectively market its plan to the rest of the world in a way that could outsell the more hostile western-backed initiative that eventually proceeded. Third, and perhaps more crucially, an important lesson from the Libyan case is that popular uprisings against oppressive regimes do not always have happy endings by default. Only with consistent policy instruments and through the stringent normative enforcement of principles can countries mired in popular uprisings return to the path towards constitutional order and political stability. In this respect, Libya remains a cautionary tale for the AU.

4.4. BURKINA FASO (2014)

The AU's engagement with the 2014 Burkina Faso popular uprising has frequently been cited as a classic example of lack of clarity and consistency in the organization's response to changes of governments inspired by mass protests. After sustained popular protests ended Blaise Campaoré's attempts to extend his 27-year rule through constitutional amendments, the disgraced leader and members of his government fled the country. This left a power vacuum that was hurriedly filled by the military, in clear violation of the Lomé Declaration, the Constitutive Act of the African Union, and the ACDEG. The AU PSC was expected to suspend the country's membership and enforce a blunt ultimatum requiring an abrupt handover to a civilian-led transition. Yet the AU surprised many by opting for a hand-holding role instead, persuading Burkina Faso's military junta to establish a transitional government within two weeks to pave the way for the holding of elections, without suspending the country from the union as the Lomé Convention requires (Abebe and Fombad 2021: 74). The AU's velvet glove approach here contrasts sharply with the iron-fisted approach it later displayed over the Sudanese case of 2019 and once again underscores the inconsistency of its response to popular uprisings tail-ended by military seizures of power (Abebe 2019a).

In 2015, it was the West African REC, ECOWAS, that was compelled to flex its robust muscles in Burkina Faso, when remnants of the country's special armed unit in charge of presidential security overthrew the new transitional government—a government headed

by Michel Kafando and his Prime Minister Isaac Zida, and installed after the 2014 popular uprising (Rakotomalala and Karoui 2015). In a swift intervention from regional peers, including Benin, Nigeria and Senegal, the regional bloc demanded the country's immediate and unconditional turnaround to constituted transitional order. The ECOWAS bloc's coordination efforts were led by the newly elected Nigerian president Muhammadu Buhari, together with French president François Hollande, to ensure France and ECOWAS presented a united front. Michel Kafando was returned to power after the briefly installed military leader, Diendéré, capitulated under ECOWAS pressure, a feat unprecedented in the country's history. The Burkina Faso case also demonstrated the AU's principle of subsidiarity at work, whereby regional organizations are encouraged to assume primary responsibilities in addressing issues within their neighbourhoods before the AU steps in.

4.5. **ZIMBABWE (2017)**

In Zimbabwe, the AU was first of all faced with the challenge of determining whether a forceful change of government had indeed occurred. The ZDF had seized control of Harare on 14 November 2017, placing Zimbabwe's capital and republican institutions under its stranglehold. This came in the wake of a protracted succession rivalry within the ZANU-PF between the First Lady, Grace Mugabe, and the then-Vice-President, Emmerson Mnangagwa, which had ended with the firing of the latter. The ZDF effectively placed President Robert Mugabe under house arrest and intensified pressure on him to resign the office of president (Roessler 2017), but it nonetheless strategically came short of removing him from office. It thereby avoided crossing the AU's red line and launching a full-blown coup while still creating all the effects of one. The military then undertook a shrewd media offensive with clear messaging to the effect that it had not engaged in a coup. 'Operation Restore Legacy', as it called its efforts, was barely an attempt to 'pacify a degenerating political, social and economic situation in our country, which if not addressed may result in violent conflict' (Mangirazi 2017). To add to the confusion, Mugabe himself appeared on national television to dismiss the occurrence of a coup, even though he flatly refused to step down. The ZDF then opened another pressure front on the

ageing leader within ZANU-PF by threatening impeachment, at which he finally capitulated and resigned from office.

As Roessler (2017) has argued, 'the sounder approach would have been for the AU's PSC to condemn the de facto coup—as it would a de jure coup—and threaten to suspend Zimbabwe from the African Union until the military released Mugabe from house arrest, handed over power to a transitional post-Mugabe government and returned to the barracks'. Indeed, the AU chairperson had briefly suggested that the unfolding situation in Zimbabwe seemed 'like a coup', even though the organization itself failed to officially describe it as such. The problem was that the Zimbabwe situation had presented the AU with a policy hot potato to handle. One option for the organization would be to condemn the coup outright, as well as the ZDF's seizure of political power. However, it would severely harm its credibility if it were seen once again to be insulating Mugabe and thereby silencing the popular aspirations of an overwhelming majority of Zimbabweans clamouring for his departure. Alternatively, it could simply overlook the ZDF's intervention on the grounds that it was an historic opportunity to rid Zimbabwe and the AU of the embarrassment that Mugabe's reign had morphed into. Yet it then risked establishing the dangerous precedent of allowing the use of force as a tool of political transition. The AU finally opted for the latter, tacitly supporting the ZDF through its strategic silence (the Zimbabwe situation received no condemnation from the AU PSC) and deferring to SADC, the Southern African REC, which held the same views. Confusion was sparked when Zimbabwe was not censured by the union. In fact, a key army general who was one of the masterminds of the Zimbabwean soft coup eventually became the country's vice-president (Abebe 2019a).

In many respects, the Zimbabwe problem firmly underscores what could aptly be described as an inherent difficulty within the current normative frameworks in Africa—that of determining what is an accurate threshold at 'which a military-led or military-backed pressure leading to a resignation of an incumbent may or may not constitute a coup d'état' (Abebe and Fombad 2021: 76). It also highlights inconsistencies in the AU's practice regarding UCGs and a fundamental misalignment with its own normative policies, even though some might argue that the AU's yearning to see a post-Mugabe democratic dispensation emerge in Zimbabwe might have

triumphed over its natural hardline instincts against coups. Either way, the Zimbabwean situation strongly indicates the urgent need for clearer continental guidelines and procedures to guide the AU's action in the future, should a similar situation occur again.

4.6. **ETHIOPIA (2018)**

Between 2016 and 2017, Ethiopia found itself under a prolonged state of emergency declared by its central government in a bid to curb popular protests and manage bottled grievances (HRW 2017). The protests went on unabated, however, and the country's Prime Minister, Hailemariam Desalegn, was forced to resign in mid-February 2018, giving room for the rise of Abiy Ahmed after sustained and, at times, violent anti-government mass protests in the Oromia and Amhara regions. This combined with severe confrontations between militia within Ethiopia's Somali region (Manek 2018). These protests were fuelled by grievances about the regime's poor socio-economic, governance and human security profile. Nevertheless, Ethiopia continues to implement 'broad restrictions on civil society, independent media, and independent political parties, harassment and arbitrary detention of those who do not actively support the government, severely limited space for dissenting voices' (Manek 2018).

As Alex de Waal has reiterated, Ethiopia often behaves as though the 'AU is for others, not Ethiopia' (De Waal 2020). The country has resisted multiple attempts by the AU to engage it in addressing the structural grievances that give rise to popular unrest in the country. Having its seat in Ethiopia, the AU too has come under fire for its velvet glove treatment of the country's government. Ongoing crises in Tigray have both exposed the Ethiopian Government's escalated use of force and revealed its penchant for manoeuvring AU attempts to regulate its violent repression of popular dissent within its boundaries (De Waal 2020).

4.7. **SUDAN (2019)**

The Sudanese popular uprising against the al-Bashir regime began as a series of mass rallies, starting on 19 December 2018, against price hikes due to the elimination of government subsidies on basic commodities. The Sudanese Government responded repressively, with President Bashir accusing protesters of being incited by ethnic minority spoilers and foreign actors. The Sudanese strongman was confident in his ability to coercively manage the protests to a conclusive end, having been able to do so in previous incidences, notably in 2012 and 2013 (Ani 2021). His grip on the military and national intelligence services remained strong after all. Unsurprisingly, escalated crackdowns on protesters by security forces saw the deaths of more than 100 civilians between December 2018 and April 2019, further igniting the anger and resolve of protesters. By April 2019, as the protests evolved, the nonviolent and disciplined nature of the popular manifestations began engendering sympathies from some within the security forces. The tipping point came shortly afterwards, in early April, when the military rank and file declined to obey instructions to use force to quell protests. Bartkowski (2017) has pointed out that one of the strategic advantages of peaceful protests is that they encourage sympathy for protesters and, in so doing, compel security forces to reassess where their allegiances ultimately lie—with the people or with the repressive state. On 11 April, in an ironic turn of events, al-Bashir was overthrown by the Sudanese military, following an announcement by the first Vice-President and Minister of Defence, Lt. General Awad Ibn Auf, that also suspended the Constitution, disbanded the National Assembly and set-up a two-year transition led by the military.

The AU's initial response to the Sudanese crisis was controversial. First, the body began by cautiously watching the unfolding situation in the country on the ground, remaining conspicuously mute, even when the al-Bashir regime escalated the intensity of its deadly crackdown, costing civilian lives. For AU critics, the pan-African body's failure to issue a statement condemning the Sudanese Government's repressive tactics spoke volumes about the AU's prioritization of regime stability and state sovereignty over the human rights of common Africans. The AU would release its first statement on 11 April 2019, however, when the Chairperson of the African Union

Commission (AUC), Moussa Faki Mahamat, condemned the military takeover. This sparked further outrage in Sudan and across the African continent, with a critical consensus forming to the effect that the AU was in favour of 'incumbent dictatorial regimes' (Ani 2021). It was felt that the organization had compromised its consistency and credibility when it failed to condemn the al-Bashir government's crackdown on civilians but was hasty in condemning the military for helping to oust a long-serving dictator who had been the subject of sustained popular protests.

Setting emotions aside, there were pragmatic calculations underpinning the AU's moves on the Sudanese question. First, its initial reticence was in line with a time-honoured, albeit controversial, tradition within the union to allow incumbents and governments sufficient leeway to initially manage protests within their countries. Second, the AU has a standing 'zero tolerance policy for military involvement with political transitions on the continent' (Ani 2021: 16), pursuant to rule 37(4) of the Lomé Declaration. Besides, many AU policymakers in Addis Ababa continue to see the Libyan mishap as a cautionary tale on the plethoric ways in which uncoordinated popular uprisings can potentially dismantle a country for good.

On 15 April 2019, four days after the AUC's controversial condemnation, however, the matter was referred to the AU PSC. Concluding that the situation amounted to a coup and an UCG, it gave the military an ultimatum to hand over political power to a transitional authority led by civilians within 15 days. The AU would subsequently meet on 30 April to extend the deadline for its ultimatum by an additional 60 days. Failing to heed the AU PSC's instructions and opting instead to intensify its violent crackdown on protestors on 3 July 2019, Sudan's military junta left the AU with no choice but to 'suspend, with immediate effect, the participation of the Republic of Sudan in all AU activities until the effective establishment of a civilian-led Transitional Authority' (AU 2024) on 6 July 2019. Sudan's Transitional Military Council received threats of further punitive sanctions from the AU targeting both entities and individuals spoiling the transition to a civilian-led government, pursuant to article 23(2) of the Constitutive Act of the African Union. The AU would subsequently lift its sanctions on the country on 6 September 2019, following the announcement by Sudanese authorities of a power-sharing

arrangement leading to the appointment of Abdallah Hamdok, a civilian, as Prime Minister of a new transitional council jointly comprised of military and civilian leaders (Ani 2021).

In Sudan, the AU confronted the gap created by its incomplete normative framework on UCGs as pertaining to popular uprisings. First, the organization fumbled in its initial response but subsequently recovered some of its soiled reputation when it aligned itself firmly with the Sudanese people in pressuring the military junta and in securing a civilian-led transitional government through a sustained pressure campaign. Its actions on Sudan at least created space for the consolidation of the democratic gains won through the toils of the mass protests that toppled the al-Bashir regime. Second, while the initial ultimatum of two weeks for the military to hand over to a civilian-led transition appeared impractical, the AU PSC's second decision to extend the period by an additional 60 days created a dangerous precedence for the future. It demonstrated that the AU PSC can blink in the face of its ultimatum. But, perhaps more importantly, it also contravened the prescriptions of the Lomé Declaration, which mandates that once a change of government is labelled as unconstitutional by the AU PSC, the violating member state must be immediately suspended from the organization.

4.8. **ALGERIA (2019)**

As in Sudan, Abdelaziz Bouteflika's fall from power might have been initiated by mass protests, but the final push came from the country's armed forces, albeit in a more subtle fashion than compared to, say, Mali, Sudan or Zimbabwe. As has already been highlighted in this Report, there were simmering grievances following a decade of economic stagnation, chronic corruption, widening social inequality and unemployment, and these were laid bare after an attempt by the 81-year-old Bouteflika to run for a fifth term on 18 April 2019. Algerians then occupied the streets, organizing mass protests that would eventually bring an end to Bouteflika's 20-year reign.

In its response to the anti-Bouteflika protests in March 2019, the AU called for a 'national dialogue' to bring an end to the Algerian crisis, with the AUC Chairperson Moussa Faki reiterating that the

organization was 'closely following up developments in Algeria' and underscoring the need for peaceful protests. He later praised President Bouteflika's decision to abstain from his fifth term ambitions. Later, in June 2019, the AU Chairperson urged all stakeholders in the Algerian situation to exercise a willingness to compromise in order to prevent a downward spiral towards further chaos. Following the successful December 2019 presidential election, the AU Chairperson used a January 2020 statement to praise the recently elected Algerian Government and the people of Algeria for their peaceful management of the country's delicate transition process, which had led to widespread consultations and constitutional amendments based on the rule of law.

4.9. **MALI (2020)**

In Mali, a popular uprising began on 5 June 2020, with the rallying of protesters on the streets of Bamako demanding the resignation of Ibrahim Boubacar Keïta. The Malian 5 June Movement was mobilized around a series of grievances, including perceived irregularities in the Malian 2018 presidential elections, and reports of human rights violations implicating the Malian army which had led to the killing of 456 civilians (HRW 2020). Dissidents equally protested the Keïta government's handling of the Covid-19 pandemic, which had resulted in 1,265 infections and 77 deaths by May 2020. The crisis motivated mutineering soldiers to arrest President Keïta and his vice-president, forcing their resignation on 19 August 2020.

The AU PSC immediately suspended Mali, in accordance with rule 37(4) of the Lomé Declaration, 'until the restoration of constitutional order', and the union further demanded 'the release of President Ibrahim Boubacar Keïta, the Prime Minister and other government officials forcibly detained by the army'. This was clearly in line with AU normative standards and demonstrated the AU's decisiveness in the face of UCGs. ECOWAS, however, went a little further in its condemnation, promising to close the bloc's land and air borders with Mali, while signalling that it was readying sanctions against 'all the putschists and their partners and collaborators' (France 24 2020). As of June 2021, Mali's continued failure to take significant steps

toward achieving a comprehensive transition to civilian rule led ECOWAS to extend Mali's suspension until February 2022, aligning with the scheduled handover to a democratically elected government .

Chapter 5
CONCLUSIONS

What lessons can we learn from the failures and successes of the AU's responses to UCGs in Africa, especially those occasioned by popular uprisings? How have the problems of consistency and comprehensiveness impacted on the AU's credibility and reputation as demonstrated by the case studies? What key policy recommendations can guide the AU and RECs to better respond to these challenges going into the future?

It is altogether befitting that this study concludes with a restatement of these questions, given the centrality of the responses to them in shaping the AU's future policy actions. This is even as the union continues to grapple with UCGs and mass upheavals which, judging from the trend of the past 10 years, are perhaps bound to become more frequent. In essence, the AU is presented with a choice. It can become a more principled, concise, constructive, predictable and democracy-supporting continental body when dealing with popular uprisings. Or it can remain one mired in inconsistency and ambiguity in the face of highly mobilized impulses by populations seeking to discard oppressive regimes and create spaces for democratic transformations in their countries. The AU's eventual choice will become more evident in the nature and scale of the strategic steps it takes to reposition itself in response to UCGs in Africa in the next few years.

Under the current normative regime, the AU has built an enviable track record for its no-nonsense stance towards coups in Africa, even if its position has sometimes been unclear, as in recent coups in Chad or the autocoup in Tunisia. Yet the body has also displayed

a consequential degree of reluctance to engage when peoples have mobilized across Africa to challenge or change oppressive governments, even when such governments were democratically elected. This stance has raised objective questions about the union's real commitment to democratic reform within member states. Because the ACDEG rejects unconstitutional changes of government, the AU has found itself incapable of 'explicitly endorsing popular protests as a legitimate basis for political transitions' (Marks, Chenoweth and Okeke 2019), even when such protests have been founded on genuine attempts to conserve democratic progress, emplace good governance and promote human rights. For instance, as Marks, Chenoweth and Okeke (2019) observe:

> as a result of this enforced neutrality, the AU failed in its attempt to intervene in the 2015 Burundi crisis owing to the controversial re-election of President Pierre Nkurunziza for a third term. The AU also sent mixed messages in the 2018 electoral process in the Democratic Republic of the Congo and has turned a blind eye to ongoing protests in Cameroon as well as recent austerity protests in Chad.

Therefore, some scholars have argued that the AU's 'long-standing focus on illegitimate *change* has favoured regime stability but proved ill-fit to transform long-lasting dictatorships' (Hellquist 2019). Such dictatorships have been responsible for much of the democratic reversals on the continent and continue to violate the human rights of Africans.

That said, there have been recent policy shifts by the AU over the 2019 Algerian and Sudanese crises, with the organization aligning with the popular sentiments of the mass protesters and calling for the expeditious emplacement of civilian-led transitions in both nations (Marks, Chenoweth and Okeke 2019). This speaks positively, perhaps, about the potential for a new standard of practice in the union's handling of popular uprisings to emerge, albeit gradually. We will have to count on the organization's handling of future cases to ascertain whether this is effectively what occurs.

At the subregional level, RECs have perhaps been more predisposed to listening to and accommodating the democratic aspirations

engendered by popular movements calling for regime changes. In the West African region, ECOWAS leaders played instrumental mediation support roles that helped consolidate 'political gains achieved through nonviolent resistance' (Marks, Chenoweth and Okeke 2019). For instance, it was thanks to the decisive role of ECOWAS that popular uprisings were successful in orchestrating political transitions in Burkina Faso (2014), Cote d'Ivoire (2011) and The Gambia (2016). In Southern Africa, SADC's withdrawal of political cover and diplomatic support for Robert Mugabe during the 2017 Zimbabwean crisis was a crucial factor in paving the way for a post-Mugabe transition in the country (Marks, Chenoweth and Okeke 2019). Given their greater proximity to the domestic affairs of member states than, say, the AU, RECs are going to have to continue playing important roles in strengthening democratic consolidation within neighbourhood states, ensuring that incumbents respect constitutional provisions on term limits, protect human rights and adhere to the principles of democratic governance enshrined in the ACDEG. Therefore, synergy and complementarity between the AU and RECs should be further strengthened going into the future.

On a final note, it must be underscored that UCGs, popular uprisings and complex political transitions at the helm of African countries are mere symptoms of structural problems and governance deficiencies within those countries—problems which may manifest as human rights violations, poverty, unemployment and widespread inequalities, and in front of which poorly run and often repressive governments appear incapable. The failure to deliver public goods and guarantee the human security of citizens feature frequently as triggers of popular unrests in countries that have experienced them.

Overall, the AU's stance on UCGs has helped occasion a decline in coups; yet more must be done to expand on Africa's toolkit of normative frameworks. This will enable it to respond more consistently to mass protests in ways that safeguard the democratic gains they generate, while also protecting the sanctity of political power in Africa from random usurpation through unconstitutional means. In this regard, the ensuing recommendations are worthy of consideration.

Chapter 6
POLICY RECOMMENDATIONS

1. Review existing normative frameworks and address gaps to ensure comprehensiveness, clarity and consistency in AU action in response to UCGs, including changes of government driven by popular uprisings

To achieve this, the AU will have to speed up a few processes that are currently underway, including the drafting of continental guidelines for the amendment of national constitutions across Africa and further discussions on the elaboration of an addition protocol to the ACDEG on the subject matter. Furthermore, it should establish a strategic-level subcommittee to conduct a comprehensive review of all current normative frameworks on the continent (which are presently spread across different documents), with the aim of developing a synergized and consolidated blueprint of the AU framework on responding to situations of UCGs, including popular uprisings.[2] This could serve as a useful framework instrument for the reference of the AU PSC as it engages in addressing circumstances of popular uprisings across the continent. In conducting the normative framework consolidation work, emphasis should be placed on definitional clarity to pre-
empt any ambiguity in the AU's response. Such definitional clarity should importantly consider the evolving place of popular uprisings as instruments for challenging the perpetuation of oppressive systems and regimes in Africa and seek to preserve the democratic aspirations and gains achieved by such mass movements. One way of achieving this is by building on the AU's emerging response to

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2 This recommendation is pursuant to the press statement of the AU PSC at its 432nd meeting, after the convening of an open session devoted to the theme 'Unconstitutional Changes of Governments and Popular Uprisings in Africa—Challenges and Lessons Learnt' (AU 2014).

mass uprisings, which presently assumes four dimensions (Atta-Asamoah 2021), as espoused below:

1. *A mass civilian uprising triggers the resignation of an incumbent leader.* The AU appears to view the situation as a domestic affair and though it might routinely issue statements calling for peaceful transitions, it typically does not mount any direct intervention as it normally would in UCGs.
2. *An army steps in to fill a power vacuum triggered by the resignation of a regime or incumbent president.*[3] Here, the union typically provides a six-month deadline for the restoration of civilian governance, applying a raft of sanctions if this deadline is not met.
3. *An army usurps a popular uprising and pressures an incumbent to resign.*[4] The AU clearly considers this as a military overthrow. It demands an expeditious return to civilian leadership and applies sanctions if there is failure to comply. The timing and scale of military involvement, however, must be clearly defined.
4. *A mass protest transforms into an armed struggle.* The AU regards this as an outbreak of conflict and activates its conflict management tools, as in Libya.

2. Increase strategic vigilance at the highest continental level towards constitutional amendments that extend or eliminate presidential term limits and towards all other amendments or laws that undermine democratic competition

1. *Accord highest-level AU strategic vigilance to the disturbing trend of constitutional changes in Africa inspired by the desire of incumbent presidents to extend or eliminate presidential terms.* Constitutional meddling to prolong and perpetuate a leader's stay in power should be considered as a soft coup, with clearly the same objective as a rebel incursion into a national capital to seize political power or a military overthrow of a sitting government. As such, the AU should act with the same sense of urgency in imposing punitive sanctions against such a leader and in taking all necessary steps to ensure that such amendments never

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3   *Example:* the Burkina Faso case of 2014.
4   *Example:* the Sudan and Mali cases of 2019 and 2020 respectively.

succeed. Where they have succeeded, pressure should be applied to seek their reversal.

2. *Proactively promote constitutional changes that foster democracy, based on continental studies and experiences.* Such constitutional changes include those that empower the opposition or otherwise address 'winner-takes-all' politics, and not simply those that play watchdog against undesirable changes.

3. Support member states and their respective RECs in establishing and entrenching rules-based democratic governance systems and in enabling RECs to play more active peer-reviewing roles at subregional levels

A distinguished level of cooperation already exists between ECOWAS and the AU on the question of UCGs. Such cooperation should be strengthened with all other RECs in Africa, especially the Economic Community of Central African States, through a strategic engagement anchor which recognizes that popular uprisings are a direct outcome of governance deficits in member states and must be addressed. RECs should thus receive technical and financial support from the AU as well as the diplomatic cover that they need to engage in meaningful peer sanctions. This will enable them to strengthen respect for democratic principles, the rule of law and democratic governance in countries within their subregional neighbourhoods. Efforts should also be made to appropriate and domesticate the spirit and letter of the ACDEG across member states to reinforce the consolidation of democracy and address some of the underlying structural governance deficits that often trigger coups and popular uprisings in the first place. Strategic partnerships with UN partners should be strengthened, such as with the United Nations Development Programme (UNDP), which is a key governance stakeholder, especially around the leveraging of technical expertise. The AU can also create and sustain top-level strategic connections between the UNDP and the African Union Development Agency–New Partnership for Africa's Development (AUDA-NEPAD), with the aim of building stronger bridges of complementarity. This, in turn, will facilitate the sharing of expertise and other resources at national and REC levels to support African countries in improving both their governance and their democratic performance and credentials.

4. Prioritize the socio-economic development of African countries and the economic integration of the African continent as key components of the continental toolkit of preventive measures against current challenges linked to UCGs

The UCGs and mass uprisings do not just occur in a vacuum. They are triggered in varying degrees by complex and deep-seated problems at the heart of African countries and by a desire to make economies work in ways that meet the socio-economic aspirations of their citizens. This is why it comes as no surprise that poor performances of socio-economic variables often underlie the explosion of popular uprisings across the continent, as has been experienced in Sudan, Tunisia, Zimbabwe and other countries. Africa has the world's fastest-growing population and also its most youthful. At the same time, the continent remains bogged down by pervasive unemployment as well as vertical and horizontal inequalities that impede its sustainable development. Appropriate and timely investment is needed to support governmental efforts across Africa to implement sound socio-economic policies and shore up development; thus, such investment will play a decisive role in reducing the overall risk of UCGs and popular uprisings.[5] Indeed, this is likely to help strengthen social contracts between citizens and governments, and consequently, more peaceful dispensations.

5. Strengthen preventive diplomacy, including prioritized support for early warning systems at the AU and REC levels (as well as through strategic cooperation with multilateral partners such as the EU and UN) to signal AU member states' risks, threats and vulnerabilities to UCGs

Without robust early action, early warning is useless. There is a pressing need for the AU and RECs to develop rapidly deployable capabilities to ensure proactive action when early warning systems signal potential risks for UCGs and mass protests within African countries. Given the cost-effectiveness of preventive action in the conflict management spectrum, the AU and RECs should strengthen

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5   It is well established, as Atta-Asamoah (2021) has argued, that 'where people have their basic needs, social services, and a perspective of hopeful futures, they are less likely to engage in mass protestations unless in extreme cases of human right abuses, political exclusion, and vertical inequality'.

collaboration with multilateral partners with tested early warning capabilities, such as the UN and EU, and synergize efforts to strengthen early warning data collection, analysis and use. Preventive efforts should be complementary not competing—such as those that can be leveraged diplomatically—and should be activated in a coordinated fashion. There are clear opportunities for the AU to concert with RECs in setting up a strategic-level expert group to investigate gaps in all continental conflict prevention instruments and mechanisms, and to generate recommendations to make them more effective and relevant.

6. Deepen and widen research into the role of the military in popular uprisings

The military is, without doubt, a consequential actor in the African political space, given its almost ubiquitous involvement in UCGs and, occasionally, in facilitating political outcomes, even with mass protests. Effective policy-driven research into its role is therefore of the utmost importance. Such research should aim to (a) analyse contextual factors that predispose military interventions in political affairs within respective African countries; (b) uncover whether military involvement is crucial to the success of popular uprisings to overthrow authoritarian leaders; and (c) explore ways to ensure the depoliticization of armed forces across the continent.

7. For the AU, develop mechanisms for determining whether governments are democratic and gradually begin insisting that membership of the organization be conditional on fulfilling a baseline of democratic credentials

There is a pressing need for the AU and RECs to develop rapidly deployable capabilities to ensure proactive action when early warning systems signal potential risks for UCGs and mass protests within African countries.

Such a mechanism does not presently exist and is urgently needed. The Constitutive Act of the AU does explicitly recognize a set of democratic principles, but in the practical sense, as Abebe and Fombad (2021: 66) have argued, 'membership of the AU does not depend on the fulfilment of those principles'. At the basic level, the AU should set up a continental ascertainment process for elections, building on the reports and assessments of AU election observers as part of an independent continental certification procedure. The process would strive to determine, based on the conduct of periodic elections, whether or not countries are truly democratic and then classify them accordingly. Such public classifications can serve to incentivize countries to more speedily entrench democratic norms

and constitutional principles at home to meet AU standards. It is important to acknowledge the possibility that such classifications could unwittingly provoke domestic efforts within countries that seek to overthrow governments because they have been listed by the AU as undemocratic. However, the union can avert such misgivings by continuing firmly with its prohibition of UCGs, while reserving the ability to pressure its member states to clean up and strengthen their democratic credentials (Abebe and Fombad 2021: 67). This is important given that 'one of the major limitations of the AU in situations of popular uprising is that there is no policy guidance for member states and the continental body to manage the situation to ensure human and democratic rights' (Ani 2021: 18). Another set of parameters for establishing the democratic character of African countries should invariably focus on human rights, socio-economic justice and other relevant variables that demonstrate their democratic behaviour.

In summary, the AU and RECs have been immensely challenged in the past decade due to their weak normative frameworks on UCGs concerning popular uprisings and political changes. The regional bodies have failed to respond to uprisings in a consistent and inclusive manner in the face of popular movements striving peacefully for democratic transformations. The AU has managed, in some cases, to recover some of its lost reputation by supporting African people's movements to secure a transitional democracy. Nevertheless, in some of these countries, its inability to commit to democratic demands for reform by endorsing the political transitions dictated by military leaders has led to the re-creation of old autocratic regimes. Finally, as indicated earlier, political transitions in African countries are hard to achieve simply by supporting the African people's movements: the AU must also seek ways to address the structural problems and governance deficiencies within countries that have led to these uprisings in the first place. Therefore, it is crucial to attend to the gaps in the AU frameworks on UCGs to guarantee the inclusion of different forms of human rights violations, poverty, unemployment and widespread inequalities. In addition, it is important to speed up the processes of developing amendments and guidelines to initiate reform of the poorly run and authoritarian governments within member states. Failure to address the economic problems and lack of human security facing most African citizens

The AU and RECs have been immensely challenged in the past decade due to their weak normative frameworks on UCGs concerning popular uprisings and political changes.

tends to trigger popular unrests in countries experiencing these issues. It is therefore imperative that the AU expands its stance on UCGs that have helped occasionally by declining military coups. This entails establishing normative frameworks which will enable a more consistent response to mass protests and help safeguard the democratic gains they have generated.

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Popular uprisings, protests and unconstitutional regime changes are common characteristics of political change and political life in Africa. The decade 2011–2021 has seen a wave of popular uprisings slamming against the bedrock of long-established autocratic regimes. Put together, and to varying degrees, the uprisings of the last decade have especially occasioned peculiar but complex political transitions at the helm of affected African countries, eliciting varying responses from the African Union, and testing the relevance and applicability of existing normative frameworks at the continental and subregional levels.

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