

Conference

Strengthening Democracy -

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Non-Paper by Prof. Emmanuel Gyimah-Boadi¹ Strengthening Democratic Resilience in Africa

African Democracy in the Last Three Decades

Several recent milestones mark the maturation of African democracy. In Kenya, power was transferred smoothly from Uhuru Kenyatta to William Ruto, his nemesis, on September 13 after a highly competitive but peaceful presidential election followed by the Supreme Court's dismissal of multiple petitions, affirming the results of the presidential election of August 9 and declaring the de facto opposition candidate winner. Also in August, Angola held its second multi-party polls, with the perennial opposition UNITA getting closer in votes to the ruling MPLA than ever before.

These and several other recent milestones signal the popular acceptance of democracy around Africa, as confirmed consistently by <u>Afrobarometer surveys</u> from 2011 to 2021 across African 30 countries².

Nevertheless, recent coup d'états have sounded the alarm not to take these advances for granted. Indeed, democracy is under threat even in African countries with regular elections, such as Benin, Ghana, Senegal, and South Africa. While democracy is widely accepted, supply has generally lagged³.

Emerging Threats

<u>Unconstitutional change of government</u>

The most clear and present danger is the re-emergence of military coup d'états, with four successful ones (one in Burkina Faso, one in Guinea, two in Mali) and two failed attempts (Guinea-Bissau and Niger) in West Africa alone since March 2021.

Quasi-constitutional extension of government

"Third termism" - the baleful practice of democratically elected heads of state changing or reinterpreting the constitution that brought them to power to allow them to stay past their original term limit – has been attempted by 22 rulers since 2015⁴, including Guinea's Alpha Condé who was later removed through a coup.

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² For example, seven in ten Africans say, "Democracy is preferable to any other kind of government."

³ Afrobarometer survey data show a rise in popular dissatisfaction with the way democracy works in their countries as well as concerns about leaders' corruption and impunity

⁴ https://africacenter.org/spotlight/circumvention-of-term-limits-weakens-governance-in-africa/



Rough tactics

While elections have become regular and expected, their overall quality is declining, largely due to the abuse of incumbency. Direct tactics by incumbents include vote-buying, voter intimidation, and electoral violence. Less directly, some ruling governments monopolize state media (usually having the widest coverage in the country) or abuse control of voter data. Others use election technologies procured opaquely from vendors with murky legal identities, thereby eroding trust in the process.

Governments have also used foreign consultants for sophisticated, often unethical, public relations operations involving hacking as well as spreading of fake news, with destabilizing collateral damage. Britain's Cambridge Analytica election consulting firm has had controversial involvements in presidential elections in Ghana⁵, Kenya⁶, and Nigeria⁷. Russia's Wagner Group is reported to be adding information warfare capabilities to its notorious mercenary operations to prop up autocrats⁸ in some of Africa's fragile countries.

Elite capture of the state and its democratic institutions and processes

Growing popular disenchantment with the political status quo, including the entire democratic project itself, fueled by capture of the state and its democratic institutions and processes by the elite (particularly incumbent leaders and parties and their allies in the state bureaucracy, private sector, civil society, and media in a winner-takes-all mindset). Such capture enables elites to manipulate the state infrastructure and appropriate for themselves resources that should have gone towards national socio-economic development; deepens corruption and official impunity; erodes trust in elected leaders; and weakens ordinary citizens' faith in the multi-party democratic order.

Growing crisis of material welfare, insecurity

Africa's democratic resilience is also threatened by persistent poverty, inequality⁹, joblessness, and wide gaps in governments' delivery of education, health care, infrastructure, and security, deficiencies that may raise doubts about democracy's ability to deliver well-being. ¹⁰ The COVID-19 pandemic and Russia's invasion of Ukraine have combined for a massive negative economic shock—crippling debt, record inflation, shortage of critical imports—resulting in strife and discontent (manifested in street protests in recent months), exacerbating short-term risks. The negative impact of climate change too is also aggravating medium-term risks through food insecurity, farmer-herder conflicts, and forced migration, adding to the fragility of the state and legitimacy of government.

The global environment's negative vibes

Furthermore, African democracies are under pressure from transnational radicalization and related violent extremism, illicit trafficking, and insurgency, factors some governments use an excuse for rolling back civil liberties in favor of a heavy hand.

All these conditions are fertile grounds for non-traditional, non-democratic development partners such as China and Russia, to position themselves as the more "generous," less-demanding antidote to Western development

⁵ https://privacyinternational.org/news-analysis/3343/hindsight-files-2020-much-more-politics

⁶ https://theconversation.com/how-the-nigerian-and-kenyan-media-handled-cambridge-analytica-128473

⁷https://www.theguardian.com/uk-news/2018/mar/21/cambridge-analyticas-ruthless-bid-to-sway-the-vote-in-nigeria

⁸ https://www.nytimes.com/2022/05/31/world/africa/wagner-group-africa.html;

^{9 13} out of 15 ECOWAS countries fell in 2020 HDI's "low" category -

¹⁰ Afrobarometer survey data show a rise in popular dissatisfaction with the way democracy works in their countries as well as concerns about <u>leaders' corruption</u> and impunity



assistance, offering an alternative political and economic model to Africans thirsty for infrastructure through "developmental democracy¹¹." Thus, the likes of Putin and Xi Jinping have become, to some African leaders, role models who can get things done. China and Russia, in particular, seem keen to counter democratic forces and movements in Africa. Their recent blocking of the UN's backing of sanctions against Mali's coup makers exemplifies this point.¹²

African state/inter-state and non-state/CSO actors' responses to democratic backsliding

Alarmed by the recent state of coup d'états, African policy leaders at the African Union (AU) and Regional Economic Community (REC) levels have sought to revive and strengthen dormant pro-democracy protocols and mechanisms, such as the African Charter on Democratic Governance (ACDEG), and the African Peer Review Mechanism. A July 2022 stakeholders' seminar on ACDEG called for universal accession to ACDEG by 2023 and recommended measures to support states in this regard. The AU/Africa Governance Architecture (AGA) has also made actions to combat unconstitutional change of government a top agenda item.

Of the RECs, the Economic Community of West African States (ECOWAS) has been the busiest, having seen four successful coups in the last two years. The sub-regional body came out strongly against the coups in Mali, Guinea, and Burkina Faso and sent a stabilization force to Guinea Bissau following the attempted coup in that country. Senior former statesmen and stateswomen are also making backroom engagements under the West African Elders Forum, the Obasanjo Presidential Library, and similar vehicles.¹³

A large and growing number of non-state actors—civil society organizations (CSOs), activists, journalists, opposition politicians, ordinary citizens, and even some state officials—is acting individually and collectively to defend human rights and demand accountability across the region in the media (especially social media), streets, courts, and through direct engagements with key state and inter-state leaders and international partners. The most formidable "activists" of this "resistance bureau" include a new generation of creative young people using a mix of art, new technology, and old-school protest tactics to challenge corrupt officials and agitate for better governance — witness Nigeria's #EndSARS movement which forced the government to abolish a rogue police unit in 2020. Recent CSO-driven initiatives, Drive for Democracy, and Data for Governance Alliance, and West Africa Democracy Solidarity Network aim to mobilize the collective power of pro-democracy actors and resources to counter autocratization, respectively, in Africa and West Africa.

Keen to forestall popular uprising over economic conditions and to blunt the appeal of extremism, most African governments have made youth employment and construction of physical infrastructure key pillars of their manifestos. But, invariably, these otherwise routine government responsibilities become tools for corruption and political patronage and create inefficiencies.

Recommendations

African states must go beyond constitutions and entrench constitutionalism by enhancing the constitutional, legal, operational and financial independence of state accountability institutions - judiciary, election management body, human rights/public protector, anti-corruption/public accountability bodies. RECs should make term-limited presidential tenure a requirement for membership, drawing lessons from the EU on inducing compliance among members. And CSOs on the ground should build their technical and organizational capabilities

¹¹ As described by stakeholders at the AU's July 2022 "Stakeholder Seminar on the African Charter on Democracy, Elections, and Governance."

https://www.aljazeera.com/news/2022/1/12/russia-and-china-block-un-support-for-ecowas-sanctions-on-mali

¹³ Reported by Sierra Leone's former president Ernest Bai Koroma at the July 2002 "Drive for Africa's Democracy" conference in Arusha, Tanzania.



to apply private and public pressure on state bodies to perform their constitutional duties as pressure groups in Ghana are asking of the country's Auditor-General. The G7 can support such initiatives

African states must enact national laws and regulations for ensuring credible regulation of political, especially election campaign financing and to check illicit financial flows. The G7 could share best practices and provide technical assistance, building on and helping to implement the Mbeki Report's recommendations¹⁴, and weave such requirements into anti-money laundering regimes.

The AU must significantly strengthen existing partnerships and collaboration with national, sub-regional and continental independent think-tanks, university research institutes, pro-democracy/human rights organizations, and other non-state civic activist groups for country-level tracking of incumbent governments' compliance with democracy and good governance norms.

Regional bodies must send strong, credible signals to dissuade would-be coup-makers. Despite its mixed results, ECOWAS' approach to the recent flurry of coups in West Africa shows some promise. Though the putschists in Mali and Guinea dismissed the sub-regional body's sanctions initially, they did engage eventually. More importantly, the coup makers in Burkina Faso, who came later, were quick to announce a plan to return to constitutional rule.

Coordinating military stabilization operations in the mold conceptualized by the AU's Standby Force and that deployed by ECOWAS following the coup in Guinea Bissau could be an additional deterrent and help combat regional security threats. The G7's diplomatic nudging backed by financial support and training can help.

Local civil society actors must also strengthen their technical and organizational capacities to mount professional, credible monitoring of domestic elections, including the conduct of parallel vote tabulation (PVTs), such as Ghana's Coalition of Domestic Election Observers, Nigeria's YIAGA and Zimbabwe Election Support Network, which have proved to be invaluable tools for election credibility and, therefore, peace.

Once in power, governments' incentives to protect democracy become perverse. Change will come from a variety of actors, including changemakers in the executive branch, legislators, civil society, and regional bodies, and international partners, each using their unique leverage. The G7 should make its contributions in coordination with not only national governments but also interstate institutions and civil society. While cooperating on technical matters with relevant state bodies, such multi-stakeholder platforms can allow voices that will serve as early warning to backsliding by governments and bring leaders in line with democratic governance principles.

The views shared in this paper do not necessarily reflect the official policy position of the German Federal Foreign Office.

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¹⁴ The AU/ECA's Report of the High Level Panel on Illicit Financial Flows from Africa.