



ABSTRACT

Military coups have emerged as a significant challenge to democratic stability and governance in Africa, undermining the rule of law and reversing decades of progress in political reforms. This paper explores how the African Union (AU) can strategically engage its sub-regional bodies, such as Economic Community of West African States (ECOWAS), the Southern African Development Community (SADC), the East African Community (EAC), and the Intergovernmental

STRENGTHENING THE RULE OF LAW: LEVERAGING AFRICAN UNION SUB- REGIONAL BODIES TO ADDRESS MILITARY COUPS IN AFRICA

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Introduction

Military coups have long been a recurring challenge in Africa, undermining political stability, democratic governance, and the rule of law. From the post-independence period to the present, several African nations have witnessed a series of unconstitutional power seizures, with recent years seeing a resurgence of such events. Between 2020 and 2022 alone, there were successful military coups in Mali, Guinea, Sudan, and Burkina Faso, highlighting the fragility of democratic institutions across the continent (Powell, 2021). Military interventions often result in the suspension of constitutions, the repression of civil liberties, and the weakening of the rule of law, with devastating consequences for economic development and human rights. The African Union (AU), established in 2001 as a successor to the Organization of African Unity (OAU), was conceived to promote peace, security, and democratic governance across Africa. Its *Constitutive Act* (2000) explicitly rejects unconstitutional changes of government and stresses the importance of



Authority on Development (IGAD), to strengthen the rule of law and curtail the resurgence of military coups across the continent. These sub-regional organizations possess unique insights into their respective geopolitical landscapes and are well-positioned to implement preventive and corrective measures. The paper identifies key strategies, including capacity-building initiatives to strengthen judicial and electoral institutions, fostering inclusive governance to address grievances, and enhancing the rapid deployment of conflict mediation teams. It emphasizes the importance of a unified approach, where the AU coordinates efforts across sub-regional bodies to enforce legal frameworks such as the African Charter on Democracy, Elections, and Governance. Furthermore, the study examines case studies of successful and failed interventions by these bodies to derive lessons for effective implementation. However, challenges such as resource limitations, political interference, and inconsistent enforcement mechanisms impede these efforts. The paper argues that overcoming these barriers requires political will, increased funding, and stronger partnerships with global organizations. By leveraging the unique strengths of its sub-regional bodies, the AU can promote the rule of law, deter unconstitutional power seizures, and contribute to sustainable democratic governance across Africa.

Keywords: African Union (AU), Sub-Regional Bodies, Rule of Law, Military Coups and Democratic Governance

democracy and good governance as foundational to the continent's long-term stability. In this context, the African Charter on Democracy, Elections, and Governance (ACDEG) was adopted in 2007 to further solidify the AU's commitment to promoting the rule of law and preventing unconstitutional power shifts (African Union, 2007). Despite these legal instruments, the AU's efforts to curtail military coups have often been hindered by limited enforcement capacity, lack of coherence in response strategies, and political complexities within individual states.

To address these challenges, it is crucial for the AU to leverage its sub-regional bodies, such as the Economic Community of West African States (ECOWAS), the Southern African Development Community (SADC), the East African Community (EAC), and the Intergovernmental Authority on Development (IGAD), which have been instrumental in promoting peace and security within their respective regions. These sub-regional organizations possess a more granular understanding of local political, social, and security dynamics, enabling them to respond more swiftly and effectively to crises. Their proximity to member states allows for better diplomacy, conflict prevention, and, when necessary, intervention. For example, ECOWAS has been notably proactive in managing political instability and responding to coups in West Africa, deploying peacekeeping



forces and imposing sanctions to deter further military takeovers (Hartmann, 2017). The potential for these sub-regional bodies to support the AU in improving the rule of law and curbing military coups is significant, but underutilized. By strengthening collaboration between the AU and these organizations, Africa can develop a more unified and effective approach to preventing coups and upholding democratic governance. The success of this approach, however, depends on several factors: the harmonization of legal frameworks, capacity building for early warning systems, coordination of peacekeeping efforts, and a shared political will among member states to prioritize democratic norms over short-term political gains.

This paper examines how the African Union can harness the strengths of its sub-regional bodies to improve the rule of law and curtail military coups. It explores the current legal and institutional frameworks guiding the AU and sub-regional bodies, analyzes case studies of regional interventions in military coups, and offers recommendations for enhancing the collaboration between these entities to create a more robust and effective system for maintaining democratic governance across the continent.

The African Union's Commitment to the Rule of Law

The African Union (AU), since its inception in 2001, has demonstrated a firm commitment to the rule of law as a foundational element of peace, security, and sustainable development in Africa. This commitment stems from the recognition that the rule of law is critical in building democratic institutions, protecting human rights, and fostering political stability. The AU's stance on the rule of law is explicitly articulated in its Constitutive Act (2000), the African Charter on Democracy, Elections, and Governance (ACDEG) of 2007, and various other protocols that aim to promote constitutional governance, prevent unconstitutional changes of government, and address violations of legal norms within member states. This section elaborates on the AU's legal framework, mechanisms, and actions taken in pursuit of its commitment to the rule of law.

The Legal Framework for the Rule of Law

The AU's primary legal instruments highlight the organization's deep-rooted commitment to upholding the rule of law across the continent. These documents underscore the importance of constitutionalism, good governance, human rights, and the rejection of military coups or any other form of unconstitutional change of government.

- i. The Constitutive Act of the African Union (2000): The AU's *Constitutive Act* serves as the foundational legal framework that binds all member states to shared principles, one of the most important being the respect for democratic governance and the rule of law. Article 3(g) of the Act commits the AU to



- “promote democratic principles and institutions, popular participation, and good governance” (African Union, 2000). Article 4(p) further emphasizes the AU’s rejection of “unconstitutional changes of government,” which include military coups and any actions that undermine the legitimacy of governments formed through democratic means. This principle is one of the bedrock tenets of the AU’s political and security architecture, reflecting its stance that respect for the rule of law is non-negotiable in fostering political stability and sustainable development.
- ii. The African Charter on Democracy, Elections, and Governance (2007): To strengthen its legal framework on the rule of law, the AU adopted the *African Charter on Democracy, Elections, and Governance* (ACDEG) in 2007, which further defines the organization’s commitment to promoting democracy and the rule of law across its member states. The Charter represents a comprehensive framework that lays out the principles for conducting elections, maintaining democratic governance, and protecting citizens’ fundamental rights. It specifically calls on member states to take concrete measures to “strengthen institutions and promote the culture of democracy and the rule of law” (African Union, 2007, Article 2).

ACDEG also details the AU’s stance on preventing and addressing unconstitutional changes of government. Article 23 of the Charter defines an unconstitutional change of government as including any seizure of power by the military, mercenaries, or armed dissidents, as well as any amendment or manipulation of constitutions intended to extend a leader’s tenure. The Charter mandates that any state experiencing an unconstitutional change of government will be automatically suspended from participating in AU activities until constitutional order is restored. By creating clear legal and institutional mechanisms to address such changes, the AU has positioned itself as a key defender of the rule of law on the continent.

Institutional Mechanisms for Upholding the Rule of Law

The AU has established several mechanisms to operationalize its commitment to the rule of law and ensure that violations, such as military coups, are addressed swiftly and effectively.

The Peace and Security Council (PSC): The AU’s *Peace and Security Council* (PSC) is one of the primary bodies tasked with maintaining peace and security across the continent, including safeguarding the rule of law. Established in 2004 under the Protocol Relating to the Establishment of the Peace and Security Council of the African Union, the PSC is empowered to intervene in cases of grave breaches of the law, including unconstitutional



changes of government (African Union, 2002). The Council has the authority to impose sanctions, deploy peacekeeping forces, and offer mediation to resolve conflicts stemming from political instability. The PSC has played an instrumental role in responding to coups and unconstitutional changes of government in various African countries. For example, in 2020 and 2021, the PSC swiftly condemned the military coups in Mali and Guinea, invoking AU sanctions and suspending the countries' participation in AU activities. These actions reflect the AU's strong stance against the erosion of constitutional governance and demonstrate its resolve to restore the rule of law in times of crisis (Elowson & Wiklund, 2021).

The African Governance Architecture (AGA): The *African Governance Architecture* (AGA) is another critical mechanism through which the AU promotes the rule of law. The AGA was established as a platform for dialogue between AU organs and member states to promote good governance, democracy, and human rights. It serves as the overall framework for the AU's governance efforts, with a focus on enhancing the rule of law, strengthening electoral institutions, and fostering constitutionalism. The AGA works in tandem with the African Peer Review Mechanism (APRM), a voluntary self-assessment tool that allows member states to assess and improve their adherence to democratic governance and the rule of law. By promoting peer reviews and encouraging dialogue on governance practices, the AU has sought to create a culture of accountability and transparency within its member states.

AU's Actions and Responses to Rule of Law Violations

The AU's track record in upholding the rule of law, particularly in cases of unconstitutional changes of government, is a testament to its dedication to democratic governance. However, the AU's responses have varied in effectiveness, often shaped by political complexities, regional dynamics, and the level of commitment from sub-regional organizations.

- i. **Condemnation and Suspension:** The AU has consistently condemned military coups and other unconstitutional changes of government. Following the guidelines set out in ACDEG, the AU has suspended several member states from its activities in the wake of military takeovers. For instance, the AU suspended Guinea in 2021 after a military junta overthrew President Alpha Condé, calling for a swift return to constitutional order (BBC News, 2021). Similarly, Mali was suspended in 2020 after a military coup, with the AU demanding the restoration of civilian rule and the holding of democratic elections. Suspension from the AU is often accompanied by the imposition of sanctions, which may include travel bans on coup leaders, freezing of assets, and restrictions on economic aid. These



measures aim to pressure coup leaders to restore constitutional order and act as a deterrent to future unconstitutional power grabs.

- ii. **Mediation and Peacekeeping Efforts:** In addition to sanctions and suspensions, the AU often engages in mediation efforts to resolve political crises and ensure a peaceful transition to civilian rule. In collaboration with sub-regional organizations like ECOWAS and SADC, the AU has facilitated dialogues between military juntas and civilian leaders, pushing for transitional governments and the organization of free and fair elections. For instance, in the aftermath of the 2020 coup in Mali, the AU and ECOWAS jointly mediated discussions that led to the formation of a transitional government tasked with organizing elections to restore democratic governance (International Crisis Group, 2020).

The African Union's commitment to the rule of law is deeply enshrined in its legal frameworks and institutional mechanisms, which emphasize the rejection of unconstitutional changes of government and the promotion of constitutional governance. Through instruments like the Constitutive Act and ACDEG, the AU has set clear standards for member states regarding the rule of law and democracy. However, the AU's efforts are often complicated by political realities on the ground, requiring the AU to continually refine its strategies for promoting the rule of law, often in close collaboration with its sub-regional partners. As the AU continues to evolve, its commitment to upholding the rule of law remains central to its mission of achieving peace, security, and development in Africa.

The Role of Sub-Regional Bodies in Preventing Military Coups in Africa

Sub-regional organizations in Africa play a pivotal role in addressing the continent's political, economic, and security challenges, particularly in preventing military coups and promoting democratic governance. These organizations, including the Economic Community of West African States (ECOWAS), the Southern African Development Community (SADC), the East African Community (EAC), and the Intergovernmental Authority on Development (IGAD), are better positioned than continental bodies like the African Union (AU) to address region-specific issues due to their proximity, familiarity with local contexts, and established networks within member states. Their interventions range from early warning mechanisms, peacekeeping efforts, and diplomacy to imposing sanctions and enforcing constitutional norms. This section explores the roles and interventions of key sub-regional bodies in preventing military coups and promoting constitutional governance in Africa.



Economic Community of West African States (ECOWAS)

ECOWAS has been one of the most proactive sub-regional organizations in responding to military coups and unconstitutional changes of government. Its approach to upholding democratic norms and the rule of law has been largely codified in its legal frameworks and demonstrated through decisive interventions in countries such as Mali, Guinea, and Burkina Faso.

- i. The ECOWAS Protocol on Democracy and Good Governance (2001): The 2001 *Protocol on Democracy and Good Governance* is a key instrument through which ECOWAS has committed itself to preventing military coups and promoting the rule of law in its member states. Article 1 of the Protocol explicitly prohibits unconstitutional changes of government, including military takeovers, and mandates that member states respect democratic processes, particularly electoral outcomes and constitutional transitions (ECOWAS, 2001). This protocol enables ECOWAS to intervene diplomatically and militarily when member states experience disruptions in democratic governance. The Protocol further provides a legal framework for suspending member states that violate constitutional norms and initiating sanctions against coup leaders. These legal tools give ECOWAS a clear mandate to act swiftly in cases of coups, making it one of the most assertive sub-regional bodies in Africa.
- ii. ECOWAS in Action: Mali, Guinea, and Burkina Faso: ECOWAS has frequently intervened in West African states to reverse military coups and restore constitutional order. A notable example is Mali, which experienced military coups in 2012, 2020, and 2021. In response to the 2012 coup that ousted President Amadou Toumani Touré, ECOWAS immediately condemned the coup, imposed economic sanctions, and mediated negotiations between the coup leaders and political actors. This culminated in the formation of a transitional government and the eventual restoration of civilian rule (Aning & Edu-Afful, 2013). Similarly, in 2020, ECOWAS played a key role in addressing another coup in Mali, which led to the ousting of President Ibrahim Boubacar Keïta. The organization imposed sanctions and suspended Mali from its activities, pressuring the military junta to agree to a civilian-led transitional government (International Crisis Group, 2020). ECOWAS's approach in these instances highlights its commitment to preventing military coups and ensuring that democratic governance is restored swiftly.

In Guinea, ECOWAS condemned the 2021 coup that ousted President Alpha Condé, suspending the country from the organization and calling for a rapid return to civilian rule. Similarly, following the 2022 military coup in Burkina Faso, ECOWAS imposed sanctions



and urged the military government to establish a transition roadmap to restore constitutional rule.

Despite ECOWAS's decisive actions, the recurrence of coups in West Africa highlights the deeper structural issues—such as insecurity, corruption, and weak governance—that need to be addressed to prevent military takeovers in the long term. ECOWAS's success in preventing coups is often dependent on the broader political and economic contexts in which these events occur, suggesting that complementary socio-economic interventions are necessary for sustainable political stability.

Southern African Development Community (SADC)

SADC's approach to preventing military coups has been less assertive compared to ECOWAS, reflecting the diverse political systems and the more restrained diplomatic culture in the Southern African region. However, SADC has played a key role in managing political transitions, particularly in Zimbabwe and Lesotho, where military and political crises threatened constitutional governance.

- i. **SADC's Interventions: Zimbabwe and Lesotho:** In Zimbabwe, SADC faced a significant challenge during the 2017 military coup that ousted long-time President Robert Mugabe. While SADC did not formally characterize the events as a military coup, reflecting the organization's diplomatic caution, it facilitated a peaceful transition by endorsing Emmerson Mnangagwa's succession (African Union Peace and Security Council, 2018). SADC's response was criticized for being passive and prioritizing regional stability over constitutional order. This response highlighted the limitations of SADC's capacity to prevent military interventions, especially when member states are reluctant to confront each other over internal political issues. Lesotho, on the other hand, has witnessed multiple military interventions in its political affairs, prompting SADC's more direct involvement. Following the 2014 political crisis in Lesotho, where the military played a prominent role in political disruptions, SADC deployed a peacekeeping mission and facilitated political dialogue aimed at restoring constitutional governance (Matlosa, 2017). In 2017, SADC further assisted in Lesotho's political transition by overseeing elections and providing security to ensure a peaceful process. While SADC's role in Lesotho demonstrated its capacity to intervene diplomatically and militarily, the organization's overall response to military coups and political crises has been more restrained compared to ECOWAS.
- ii. **Challenges Facing SADC:** One of the challenges facing SADC in preventing military coups is the divergent political interests and regimes among its member states. Unlike ECOWAS, SADC's member states include a mix of democracies and



authoritarian governments, which often results in hesitance to confront unconstitutional changes of government. Additionally, SADC's reliance on consensus-based decision-making limits its ability to act swiftly and decisively in response to coups. However, SADC's potential lies in strengthening its legal frameworks and developing more proactive early warning and rapid response mechanisms to prevent coups before they occur.

Intergovernmental Authority on Development (IGAD)

IGAD, which operates in East Africa and the Horn of Africa, has played a significant role in managing political instability and conflicts in its member states, including those stemming from unconstitutional changes of government. The organization has focused heavily on mediation and conflict resolution, given the complex political and security dynamics in the region.

- i. **IGAD's Mediation Efforts in Sudan and South Sudan:** In Sudan, IGAD has been instrumental in mediating political transitions following military coups and uprisings. After the 2019 ouster of President Omar al-Bashir by the military, IGAD, in coordination with the AU, facilitated negotiations between Sudanese military leaders and civilian opposition groups, resulting in the formation of a transitional government (Abdalla, 2020). Although the transition has been fraught with challenges, IGAD's role in preventing a complete military takeover demonstrated the organization's commitment to supporting constitutional governance in the region. IGAD has also been deeply involved in South Sudan, where military and political leaders have clashed repeatedly since the country gained independence in 2011. Through the IGAD-led peace process, the organization has worked to mediate conflicts between rival factions and prevent further military disruptions to the fragile political landscape (International Crisis Group, 2019). IGAD's focus on mediation and peacebuilding in East Africa underscores its commitment to preventing the escalation of military conflicts into full-scale coups.

Challenges and Opportunities for IGAD: IGAD faces numerous challenges, including ongoing conflicts, weak state institutions, and complex political environments in its member states. These factors make it difficult to prevent military coups and unconstitutional changes of government. Moreover, IGAD's interventions are often constrained by its limited financial and logistical resources, as well as external geopolitical influences that complicate peace processes. Despite these challenges, IGAD's strength lies in its capacity to mediate conflicts and facilitate dialogue between military and civilian leaders, providing an important framework for addressing governance issues in East Africa.



The East African Community (EAC)

The East African Community (EAC) has also taken steps to promote democratic governance and prevent military coups in its member states. While the EAC has been less active in responding to coups compared to ECOWAS and IGAD, it has worked to promote regional stability through diplomacy and economic integration.

- i. EAC's Approach to Regional Stability: The EAC's primary strategy for preventing coups is promoting regional economic integration and development, which it views as essential for political stability. By enhancing economic cooperation and trade, the EAC seeks to reduce political grievances that could lead to military interventions (Nshimbi & Moyo, 2017). The EAC has also worked to harmonize electoral processes and governance standards across its member states, although it has been criticized for not taking a more proactive stance on constitutional crises, such as in Burundi during its political unrest in 2015.
- ii. Sub-regional bodies in Africa play an essential role in preventing military coups and promoting democratic governance, each contributing in unique ways based on regional contexts. ECOWAS has emerged as a leader in actively responding to military coups, leveraging its legal frameworks and political will to impose sanctions, suspend member states, and mediate transitions back to civilian rule. SADC, while less assertive, has engaged in diplomatic interventions to manage political crises, particularly in Zimbabwe and Lesotho. IGAD's mediation efforts in Sudan and South Sudan demonstrate its capacity to prevent military conflicts from escalating into coups, while the EAC focuses on promoting regional stability through economic integration. These sub-regional bodies, working in coordination with the African Union, are crucial to strengthening the rule of law and ensuring that Africa moves towards greater political stability and democratic governance.

Challenges Facing Sub-Regional Bodies in Africa

Sub-regional bodies in Africa play a vital role in maintaining peace, security, and governance on the continent. Their contributions are crucial in addressing regional issues, such as military coups, civil conflicts, and unconstitutional changes of government, by promoting dialogue, economic integration, and democratic governance. However, despite their significance, these bodies face several challenges that undermine their effectiveness. These challenges include political divisions, resource constraints, weak legal frameworks, and external interference. This section provides an in-depth analysis of the key challenges facing sub-regional bodies in Africa, with a focus on the Economic



Community of West African States (ECOWAS), Southern African Development Community (SADC), Intergovernmental Authority on Development (IGAD), and East African Community (EAC).

Political Divisions and Lack of Cohesion Among Member States

One of the primary challenges facing sub-regional bodies is the lack of political cohesion among their member states. This lack of unity often hampers their ability to respond swiftly and effectively to crises, including military coups and unconstitutional changes of government.

- i. **Divergent Political Systems and Interests:** The political systems and interests of member states within sub-regional bodies can differ significantly, leading to disagreements and inefficiencies in decision-making. For instance, SADC comprises countries with varying political systems, including democracies, hybrid regimes, and authoritarian governments. These differences often result in hesitancy or reluctance among member states to take strong action against unconstitutional changes of government or human rights abuses, especially when authoritarian regimes within the bloc are involved. A notable example of this occurred in 2017 when SADC chose not to formally characterize the ousting of Zimbabwe's President Robert Mugabe as a coup, opting instead for a cautious diplomatic response (Matyszak, 2017). Similarly, in ECOWAS, political divisions among member states can lead to inconsistent responses to crises. For example, in the case of the 2021 coup in Guinea, while ECOWAS condemned the military takeover and imposed sanctions, some member states expressed divergent views regarding the severity of the sanctions and the timeline for returning the country to civilian rule (International Crisis Group, 2021). These divisions reflect underlying tensions between member states, which often prioritize national interests or alliances over collective regional action.
- ii. **Challenges in Reaching Consensus:** Many sub-regional bodies operate based on consensus-based decision-making, which can hinder swift and decisive action. In SADC, for example, all major decisions require consensus, which can be difficult to achieve given the diverse political landscapes and interests of member states. This system often delays the ability of the body to take timely actions to address military coups or other crises, as seen in its slow response to political turmoil in Lesotho in 2014 and the 2019 political unrest in Malawi (Chikapa, 2019).



Resource Constraints and Financial Limitations

A significant challenge faced by sub-regional bodies in Africa is the lack of adequate financial and material resources to carry out their mandates effectively. These organizations often rely on limited budgets, which hinders their capacity to respond to crises, deploy peacekeeping missions, or conduct mediation efforts.

- i. **Inadequate Funding for Peacekeeping and Mediation:** Peacekeeping operations and conflict mediation are expensive undertakings that require substantial financial and logistical support. For example, ECOWAS has played a leading role in deploying peacekeeping forces to stabilize post-coup environments, such as in Mali in 2013 and 2020, but the cost of these missions has strained the organization's financial resources. ECOWAS's peacekeeping mission in Mali (AFISMA), while initially successful, faced challenges related to funding and sustaining troop deployments, prompting calls for greater international financial assistance (Williams, 2016). The reliance on external donors, such as the European Union and the United Nations, to fund peacekeeping operations is a common feature across sub-regional bodies, raising concerns about the long-term sustainability of such missions.
- ii. **Limited Capacity for Institutional Support:** Beyond peacekeeping, sub-regional bodies also face challenges in supporting member states in strengthening institutions that can prevent military coups and promote the rule of law. The African Governance Architecture (AGA), for instance, is a platform aimed at promoting good governance and democracy, but its implementation at the sub-regional level has been hampered by financial and institutional constraints. Sub-regional bodies such as the EAC and SADC often lack the resources to effectively implement governance reforms, train electoral commissions, or provide technical assistance to fragile states at risk of coups or political crises (Murithi, 2016).

Weak Legal Frameworks and Enforcement Mechanisms

While many sub-regional bodies have adopted protocols and legal frameworks to prevent unconstitutional changes of government, the enforcement of these frameworks remains a significant challenge. Weak legal instruments and inconsistent enforcement mechanisms often undermine the effectiveness of these bodies in maintaining constitutional governance.

- i. **Weak Enforcement of Democratic Norms:** In many cases, sub-regional bodies have failed to consistently enforce their own rules regarding unconstitutional changes of government. For instance, while ECOWAS has been praised for its firm stance on military coups, it has been criticized for its inconsistent application of



sanctions and enforcement of democratic norms. The 2011 post-election crisis in Côte d'Ivoire, in which incumbent President Laurent Gbagbo refused to cede power despite losing the election, is an example of how sub-regional bodies can struggle to uphold democratic principles when powerful leaders resist (Adebajo, 2011). Although ECOWAS initially imposed sanctions, the resolution of the crisis required significant international involvement, including military intervention by French and UN forces, highlighting the limitations of ECOWAS's enforcement capabilities. Similarly, SADC's handling of political crises in Zimbabwe has exposed the organization's reluctance to enforce democratic norms. Despite widespread reports of electoral fraud and political repression under Robert Mugabe's regime, SADC repeatedly endorsed disputed election results, emphasizing stability over democratic governance (Matyszak, 2017). This inconsistency in enforcing democratic standards erodes the credibility of sub-regional bodies and limits their ability to prevent unconstitutional power grabs.

- ii. **Challenges with Compliance:** Even when sub-regional bodies adopt clear legal frameworks, ensuring compliance from member states is often difficult. Governments that are guilty of violating democratic principles may resist or ignore sanctions and other punitive measures imposed by regional organizations. For example, when the EAC imposed sanctions on Burundi in response to President Pierre Nkurunziza's controversial decision to seek a third term in 2015, the government largely disregarded the organization's calls for dialogue and political reform (Ndikumasebo, 2016). This resistance to compliance reflects a broader challenge faced by sub-regional bodies in holding member states accountable to agreed-upon governance norms.

External Interference and Geopolitical Interests

Sub-regional bodies in Africa must also navigate external interference and geopolitical interests that complicate their ability to maintain peace and security in the region. Foreign powers often have vested interests in the political outcomes of African states, and their involvement can undermine the efforts of sub-regional bodies to prevent military coups or resolve conflicts.

- i. **Influence of Global Powers:** Global powers such as the United States, France, Russia, and China have significant economic and political interests in Africa, and their involvement in regional crises can sometimes obstruct the efforts of sub-regional bodies. For example, in Mali, the presence of French military forces under Operation Barkhane has complicated ECOWAS's peacekeeping and mediation efforts. While France has supported ECOWAS's objectives in Mali, its military and



political involvement has also been perceived by some as undermining African-led solutions to the conflict (Tull, 2017). Additionally, Russia's growing influence in Africa, particularly through military and economic partnerships with authoritarian regimes, poses challenges for sub-regional bodies seeking to promote democracy and prevent coups.

- ii. **Competing Regional Interests:** Competing regional interests and alliances within Africa can also undermine the efforts of sub-regional bodies. In the Horn of Africa, for example, IGAD has struggled to mediate conflicts in Somalia and South Sudan due to the competing interests of member states such as Ethiopia, Kenya, and Uganda, each of which has different security and economic priorities in the region (Fisher & Anderson, 2015). These internal divisions often result in fragmented or delayed responses to crises, reducing the effectiveness of IGAD's conflict resolution efforts.

Limited Capacity for Early Warning and Preventive Diplomacy

Preventing military coups and unconstitutional changes of government requires the ability to anticipate and address emerging crises before they escalate. However, many sub-regional bodies in Africa lack robust early warning systems and the capacity to engage in preventive diplomacy.

- i. **Inadequate Early Warning Mechanisms:** Early warning systems are critical for identifying political, social, and economic indicators of instability that could lead to military coups. While the African Union has established the Continental Early Warning System (CEWS), the integration of this system with sub-regional early warning mechanisms remains limited. For instance, ECOWAS's early warning system has faced challenges in effectively predicting and preventing military coups, as evidenced by its inability to foresee the 2020 coup in Mali (International Crisis Group, 2020). Weak intelligence-sharing, limited resources, and poor coordination among member states hinder the effectiveness of early warning systems in detecting and addressing the root causes of instability.
- ii. **Limited Diplomatic Capacity:** Sub-regional bodies also face challenges in conducting preventive diplomacy due to their limited diplomatic capacity and resources. Diplomatic missions aimed at preventing coups or mediating political crises require skilled negotiators, technical expertise, and sustained engagement, all of which require significant investment. IGAD, for example, has struggled to provide continuous diplomatic support in South Sudan due to resource limitations and the complexity of the conflict (Murithi, 2016). Without adequate resources



and skilled personnel, sub-regional bodies are often unable to engage in timely and effective preventive diplomacy.

Sub-regional bodies in Africa face a range of challenges that impede their ability to prevent military coups and promote constitutional governance. Political divisions, resource constraints, weak legal frameworks, and external interference all contribute to the difficulties these organizations encounter in responding to regional crises. While sub-regional bodies have made significant strides in maintaining peace and security on the continent, addressing these challenges is crucial to enhancing their capacity to uphold the rule of law, prevent unconstitutional changes of government, and foster long-term political stability in Africa.

Strategies for Enhancing Collaboration between the African Union (AU) and Sub-Regional Bodies

The collaboration between the African Union (AU) and sub-regional bodies is vital for addressing the complex challenges that the African continent faces, particularly in maintaining peace, security, and promoting the rule of law. Sub-regional bodies such as the Economic Community of West African States (ECOWAS), Southern African Development Community (SADC), Intergovernmental Authority on Development (IGAD), and East African Community (EAC) are key players in conflict resolution, peacebuilding, and governance, but their effectiveness often hinges on how well they coordinate with the AU. Despite existing efforts to integrate their actions, challenges such as overlapping mandates, resource constraints, and political divergences have hindered optimal collaboration. This section explores strategies to enhance collaboration between the AU and sub-regional bodies to strengthen peace, security, and governance in Africa.

Institutionalizing the Relationship between the AU and Sub-Regional Bodies

One of the most effective ways to enhance collaboration between the AU and sub-regional bodies is by institutionalizing their relationship through formal frameworks and agreements. Clear guidelines and legal frameworks can establish the roles and responsibilities of each entity, prevent overlapping mandates, and streamline decision-making processes.

- i. The African Peace and Security Architecture (APSA): The African Peace and Security Architecture (APSA) is an AU-led initiative designed to formalize collaboration with sub-regional bodies in addressing peace and security challenges. APSA provides a structured framework for conflict prevention, management, and resolution. It integrates the AU with the Regional Economic



Communities (RECs) and Regional Mechanisms (RMs), aiming to create a cohesive system for responding to security threats. However, APSA's full operationalization has been slow, and more effort is required to institutionalize it effectively (Williams, 2017). APSA could be strengthened by developing clearer protocols for communication, coordination, and decision-making. For instance, regular consultations between the AU Peace and Security Council (PSC) and the corresponding security organs of sub-regional bodies can ensure that decisions are aligned and complementary. Additionally, increasing the frequency of joint meetings and formal agreements between the AU and sub-regional bodies would ensure that both entities work in tandem on critical issues such as military coups, unconstitutional changes of government, and regional conflicts.

- ii. **Harmonizing Legal Frameworks and Protocols:** One major issue that impedes collaboration is the lack of harmonized legal frameworks between the AU and sub-regional bodies. Each sub-regional body often has its own protocols, which may conflict with AU policies or cause delays in decision-making. Harmonizing these frameworks would streamline the AU's relationship with sub-regional bodies. For example, the AU's African Charter on Democracy, Elections, and Governance (ACDEG), which emphasizes the importance of constitutional rule and condemns military coups, should be harmonized with similar protocols at the sub-regional level, such as ECOWAS's Protocol on Democracy and Good Governance. This harmonization would create a consistent set of standards for addressing unconstitutional changes of government across Africa (Murithi, 2016).

Enhancing Early Warning and Conflict Prevention Mechanisms

Effective collaboration between the AU and sub-regional bodies depends heavily on the ability to anticipate and prevent crises before they escalate. Strengthening early warning systems and coordinating conflict prevention efforts are key strategies for enhancing collaboration.

- i. **Strengthening the Continental Early Warning System (CEWS):** The AU's Continental Early Warning System (CEWS) is designed to monitor and predict potential crises across the continent. However, its effectiveness is limited by the capacity of sub-regional bodies to feed information into the system and act on early warnings. For example, while ECOWAS and IGAD have developed their own early warning systems, the integration of these systems with CEWS has been inconsistent due to a lack of resources and coordination. Improving this integration would involve sharing intelligence and analysis between the AU and sub-regional bodies on a real-time basis. Establishing joint monitoring units



staffed by personnel from both the AU and sub-regional bodies would enhance the collection and analysis of data. Furthermore, investing in technology and training for personnel involved in early warning systems could improve the speed and accuracy of information sharing (Williams, 2017).

- ii. **Enhancing Preventive Diplomacy:** In addition to early warning, the AU and sub-regional bodies need to enhance their capacity for preventive diplomacy. Preventive diplomacy involves diplomatic efforts aimed at de-escalating tensions before they lead to open conflict. The AU and sub-regional bodies should work together to develop joint mediation teams that can be deployed rapidly to regions experiencing political crises, such as those at risk of military coups or electoral violence. For instance, during the 2019 Sudanese crisis following the ousting of President Omar al-Bashir, both IGAD and the AU played crucial roles in brokering a transitional agreement between the military and civilian forces. Strengthening such joint mediation efforts would improve the ability of both the AU and sub-regional bodies to address crises before they escalate into coups or widespread violence (Abdalla, 2020).

Enhancing Capacity Building and Resource Sharing

One of the major challenges faced by both the AU and sub-regional bodies is a lack of financial and technical resources to effectively carry out peace and security operations. By improving resource sharing and capacity-building initiatives, both entities can enhance their ability to respond to security challenges.

- i. **Pooling Financial Resources for Peace Operations:** Both the AU and sub-regional bodies often rely on external donors to fund peacekeeping missions and other security-related operations. For instance, ECOWAS's peacekeeping operations in Mali and Liberia, as well as the AU Mission in Somalia (AMISOM), have been heavily funded by external actors such as the European Union and the United Nations. This reliance on external funding can create delays in deploying missions and can leave African-led initiatives vulnerable to external influence (Adebajo, 2011). To mitigate this, the AU and sub-regional bodies could explore ways to pool resources through joint financing mechanisms. For example, establishing an African Peace Fund, contributed to by member states of both the AU and sub-regional bodies, would ensure a more sustainable and autonomous source of funding for peace operations. Additionally, creating regional solidarity funds within sub-regional bodies would help build financial resilience in times of crisis.
- ii. **Joint Training and Capacity Building:** Joint training programs between the AU and sub-regional bodies would enhance the technical and operational capacity of both



organizations. These programs could focus on peacekeeping, mediation, election monitoring, and governance. By pooling resources to train personnel in conflict resolution, early warning, and preventive diplomacy, the AU and sub-regional bodies can ensure that they have well-trained and equipped staff ready to respond to crises. The AU's African Standby Force (ASF), which includes troops from sub-regional bodies, provides a foundation for enhancing joint training and capacity building. The ASF's operationalization has been slow due to a lack of resources, but closer coordination between the AU and sub-regional bodies on training and logistics could help make the force more responsive and effective (Cilliers, 2008).

Improving Communication and Coordination

Effective collaboration between the AU and sub-regional bodies requires improved communication and coordination mechanisms. Clear and consistent communication channels ensure that both the AU and sub-regional bodies are aware of each other's actions and can synchronize their responses to crises.

- i. **Creating Joint Coordination Committees:** One strategy for improving communication is the establishment of joint coordination committees between the AU and sub-regional bodies. These committees could meet regularly to assess ongoing crises, share information, and plan joint actions. For example, regular coordination between the AU Peace and Security Council and the ECOWAS Mediation and Security Council would ensure that both bodies are aligned on responses to security threats in West Africa.
- ii. **Strengthening Liaison Offices:** The AU has already established liaison offices in many sub-regional bodies, but these offices often lack sufficient staff and resources to operate effectively. Strengthening these liaison offices by increasing their funding and staffing levels would improve the flow of information between the AU and sub-regional bodies. These offices could also serve as points of contact for joint decision-making and could play a key role in coordinating joint operations, such as peacekeeping missions or electoral monitoring.

Addressing Overlapping Mandates and Jurisdictional Conflicts

Another challenge in AU-sub-regional collaboration is the overlapping mandates between the two entities. Both the AU and sub-regional bodies often have similar roles in conflict resolution, governance, and peacekeeping, which can lead to jurisdictional conflicts and duplication of efforts.



- i. **Clarifying Roles and Responsibilities:** One way to address overlapping mandates is by clearly delineating the roles and responsibilities of the AU and sub-regional bodies. The African Union Constitutive Act and the various protocols governing sub-regional bodies should be reviewed and amended where necessary to avoid conflicts in jurisdiction. For example, the AU could focus on continental-wide initiatives, while sub-regional bodies handle more localized conflicts and governance issues.
- ii. **Delegation of Authority:** The AU could delegate more authority to sub-regional bodies to manage crises within their respective regions. This delegation of authority would enable sub-regional bodies to act more swiftly in response to crises, with the AU providing strategic oversight and support. By empowering sub-regional bodies, the AU can reduce the burden on its own resources while ensuring that local actors are taking the lead in resolving conflicts. Enhancing collaboration between the African Union and sub-regional bodies is essential for strengthening peace, security, and governance across the continent. Institutionalizing the relationship between the AU and sub-regional bodies, harmonizing legal frameworks

Conclusion

Enhancing collaboration between the African Union (AU) and sub-regional bodies is vital for addressing the complex and evolving challenges of peace, security, and governance in Africa. While sub-regional bodies play a crucial role in managing localized conflicts and promoting democratic governance, their efforts must be synchronized with the AU's broader continental strategies to ensure a unified and effective approach. Several strategies can enhance this collaboration, including institutionalizing the relationship through frameworks like the African Peace and Security Architecture (APSA), harmonizing legal protocols, and enhancing early warning systems. The pooling of financial and technical resources, improving communication through joint coordination committees, and clarifying mandates between the AU and sub-regional bodies are equally important.

Furthermore, investing in preventive diplomacy, joint training, and capacity-building initiatives would improve the continent's ability to respond swiftly and effectively to emerging crises. Addressing resource constraints and external dependencies by developing autonomous African funding mechanisms can increase the sustainability of peace operations. Clear delineation of roles, alongside robust liaison offices, will ensure that both the AU and sub-regional bodies can act in a complementary and efficient manner.



Ultimately, a strengthened partnership between the AU and sub-regional bodies is critical to preventing military coups, resolving conflicts, and promoting the rule of law, which are essential for Africa's long-term stability and democratic growth. Through enhanced collaboration, Africa can better confront its challenges and achieve the shared vision of peace, prosperity, and unity.

Recommendations

To enhance collaboration between the African Union (AU) and sub-regional bodies, the following recommendations are suggested:

Institutional Reforms and Framework Strengthening

- i. Strengthen the African Peace and Security Architecture (APSA): Fully operationalize APSA to institutionalize coordination between the AU and sub-regional bodies. Regular reviews should be conducted to address gaps and inefficiencies in its implementation.
- ii. Harmonize Legal Frameworks: Align the AU's protocols, such as the African Charter on Democracy, Elections, and Governance (ACDEG), with similar protocols of sub-regional bodies like ECOWAS and SADC. This alignment would create consistent standards for addressing unconstitutional changes of government.

Capacity Building and Resource Mobilization

- i. Establish an African Peace Fund: Create a continental funding mechanism contributed by AU member states and sub-regional bodies to ensure sustainable financing for peace and security operations, reducing reliance on external donors.
- ii. Enhance Joint Training Programs: Develop and fund joint capacity-building initiatives focused on conflict prevention, mediation, peacekeeping, and governance to ensure skilled personnel at both AU and sub-regional levels.

Enhance Early Warning and Conflict Prevention

- i. Integrate Early Warning Systems: Fully integrate the AU's Continental Early Warning System (CEWS) with the early warning systems of sub-regional bodies, ensuring real-time information sharing and response mechanisms.
- ii. Develop Joint Mediation Teams: Establish rapid-deployment mediation teams composed of AU and sub-regional personnel to address crises before they escalate into military coups or widespread conflict.

Strengthen Communication and Coordination

- i. Create Joint Coordination Committees: Establish committees to facilitate regular communication and joint decision-making between the AU and sub-regional



bodies. These committees can oversee the planning and implementation of peace and security initiatives.

- ii. Enhance Liaison Offices: Invest in AU liaison offices within sub-regional bodies by increasing funding and staffing to improve the flow of information and coordination of activities.

Clarify Roles and Responsibilities

- i. Delineate Roles Clearly: Clearly define the responsibilities of the AU and sub-regional bodies in peace and security efforts to avoid duplication of efforts and jurisdictional conflicts.
- ii. Delegate Authority: Empower sub-regional bodies to take the lead in managing localized crises, with the AU providing strategic oversight and support.

Promote Political Cohesion and Ownership

- i. Foster Political Will: Encourage member states to prioritize collaboration between the AU and sub-regional bodies by adhering to agreed protocols and committing to collective security goals.
- ii. Enhance Ownership of African Solutions: Promote the principle of “African solutions to African problems” by ensuring that peace and security interventions are designed and implemented with significant input from African actors.

Increase Accountability and Monitoring

- i. Establish Monitoring Mechanisms: Develop systems to monitor and evaluate the effectiveness of AU-sub-regional collaborations, ensuring that recommendations and reforms are implemented.
- ii. Promote Accountability: Enforce compliance with AU and sub-regional protocols on constitutional governance, with penalties for states or leaders involved in unconstitutional changes of government.

Encourage Inclusivity and Stakeholder Engagement

- i. Engage Civil Society Organizations (CSOs): Involve CSOs and other stakeholders in the planning and implementation of peace and governance initiatives to enhance transparency and effectiveness.
- ii. Strengthen Citizen Participation: Promote inclusive governance by encouraging AU and sub-regional initiatives that involve citizens in decision-making and monitoring processes.



By implementing these recommendations, the African Union and sub-regional bodies can build a stronger, more cohesive partnership to address Africa's governance and security challenges, effectively preventing military coups and fostering sustainable peace and development across the continent.

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