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DEFENDER, NOT PROMOTOR:

The Limits to the African Union's Pursuit of Democratic Consolidation



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Abstract

Independently of the fact that the replacement of overtly authoritarian regimes in many African countries appeared to presage fundamental political change, a closer examination of democratic trends since the establishment of the African Union (AU) paints a less promising picture. In this paper, the author draws from observational data and empirical analyses to make an important point regarding the relationship between international agency and domestic politics in the African context. She contends that the democratic toolkit of the AU has been largely ineffective in promoting democratic consolidation on the continent.

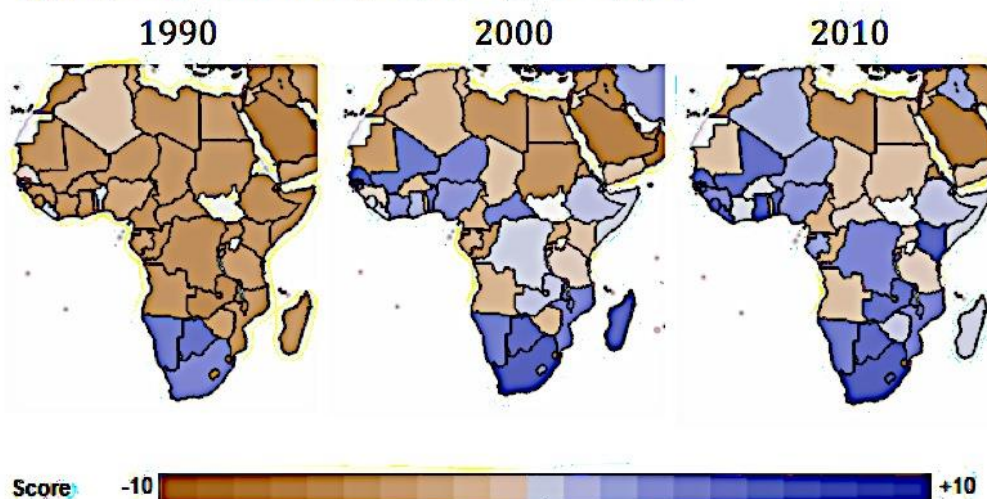
Introduction

Figure one on the page that follows captures a compelling story respecting the correlation between the African Union (AU) and pursuit of democracy in its member states. It highlights the dramatic transition of a majority of African states from the 'brown zone', or autocratic status between 1990 and 2000. However, such momentum does not carry through to the following decade, whereby the same duration sees few countries approach the right-hand side of the scale that represents consolidated, full democracies. Paradoxically, this is precisely the period over which the AU turned to democratic promotion as a central aim. It is this puzzle that this paper sets out to explore. It does so by examining the engagement of African states with the democratic toolkit of the AU. While noting that there has been a slow, steady improvement in democratic quality across the continent since the establishment of the AU, it is found that the democratic instruments of the AU have not played a discernible role in this regard.

Following an overview of relevant bodies of scholarship, the study attempts to bridge theories from across the democratization literature and international law. In doing so, it sets out a number of supply-side and demand-side causal mechanisms argued to underlie the ineffectiveness of the democracy-promoting toolkit of the AU. Next, systematic empirical tests of the association between instrument ratification and democratic consolidation are carried out, lending broad support to the hypothesis.

While studies on African democratic transitions are not short in supply, the subsequent question of consolidation has received much less theoretical and empirical attention (Pevehouse, 2005). Furthermore, the growing role of multilateral institutions in this regard is largely overlooked (Tieku, 2009). This issue is of utmost pertinence; effective defence and promotion of democratic practices in African states would render violent power struggles a thing of the past. On what has been the most conflict-prone continent in the world over recent decades, the importance of this topic cannot be overstated.

Figure 1) Recent Trends in Levels of Democracy across Africa



Source – Polity IV

The Arguments

Consolidation

Political regimes on the continent of Africa are often categorically described as devoid of legitimacy, efficiency and representativeness, instead characterised by ascriptive, patron-client relations (Chabal and Daloz, 1999; Ake, 2000). Indeed, following the third wave of democratic transitions across the continent in the early 1990s (Huntington, 1991), consolidation has proven particularly challenging for young democracies. Not only do reversions to authoritarianism occur frequently, (Bratton and van de Walle, 1997) but the phenomenon of 'democratic stagnation' is experienced by many nascent regimes post-transition (Diamond, 2002). Theorists from the 'preconditionalist' school contend that a "plague of illiberal democracy" has been produced by rapid democratization in settings that lack the necessary experience, institutions and conditions for democracy to flourish (Zakaria, 1997; Schedler, 2001). On the other hand, so-called 'universalists' have put forward the argument that democracy can come about in a multitude of fashions; that it is "a historical process with analytically distinct, if empirically overlapping, stages of transition, consolidation, persistence, and eventual deconsolidation" (O'Donnell & Schmitter, 1986). While there has been a secular improvement in democracy levels since the early 1990s, it is indisputable that fragile, 'partial' democracies are a prevalent phenomenon across the continent (Epstein et al, 2006; Matlosa, 2008). Moreover, many scholars argue that the internal push for true, fully consolidated democracy is absent over much of Africa (Chabal and Daloz, 1999; Sørensen, 2008). With that in mind, we turn to look at the external push.

External Democracy Promotion

Building on Gourevitch's (1978) seminal 'second image reversed', Putnam's (1988) 'two-level games' framework offers a useful foundation from which to examine how external factors influence domestic regimes, and vice-versa. Attempting to unpack the mechanisms at play, Putnam remarks "Domestic politics and international relations are often somewhat entangled but our theories have not yet sorted out the puzzling tangle" (ibid:427). Concerning external effects on regime type, several mechanisms have been espoused as influencing democratization. These include demonstration and diffusion effects (Huntington, 1991; Pridham, 1995) the impact of transnational interest groups or 'epistemic communities' (Grugel, 1999), as well as the use of force (Owen, 2002). However, while Legler and Tieku (2010:465) remark that of late, "multilateral instruments appear to be the trendy way to promote and defend democracy around the world," the link between international organisations and democratization, especially consolidation, is under-researched (McMahon, 2007:13). For the purposes of this

study, democratic promotion is understood as direct, non-violent measures on behalf of an international organisation (IO) explicitly intended to bring about, sustain and strengthen democracy in a member state (Lavenex and Schimmelfennig, 2011:888).

Admittedly, global consensus on the 'right' to democracy is, as yet, underdeveloped in relation to international law. However, an emerging doctrine of 'democratic entitlement' is undoubtedly gaining traction (Franck, 2001). Many IOs have been highly effective in this regard, in particular the European Union (EU) and Organisation of American States (OAS) (Acevedo and Grossman, 1996; Donno, 2010). In an attempt to apply the two-level games relationship to processes of democratic promotion, one can distinguish on the one hand, external supply-side mechanisms, operating as top-down 'leverage', and on the other hand, demand-side mechanisms facilitating 'linkage' to multilateral instruments (Levitsky and Way, 2006; Lavenex and Schimmelfennig, 2011). Admittedly, demand-side characteristics will affect the supply-side of an organisation and vice-versa but the distinction serves a useful function in terms of clarifying causal mechanisms, elaborated in greater detail in the theory section below. For now, an examination of the toolkits of multilateral organisations is in order.

The Role of Instruments

Any examination of domestic adherence to international rules must give consideration to both instrumentalist and normative accounts (Edelman, 1985; Keohane, 1997; Simmons, 2009). The essential distinction here rests on opposing theoretical positions regarding the behaviour of actors in institutional contexts. On the former account, actions are understood as product of choices informed by strategies undertaken to maximize preferences (Goldmann, 2005). Put differently, behavioural patterns are determined according to a 'logic of consequences' (March and Olsen, 1998). As applied to ratification of documents, this rationalist approach implies that states commit to international obligations when there is a self-serving outcome or obvious material reward (Keohane, 1997; Milner, 1997; Martin, 1999). An offshoot of this is the liberal perspective, suggesting that countries with a greater degree of responsiveness to citizens' preferences are more likely to ratify instruments according to such preferences (Moravcsik, 1997).

On the latter account, actions in the international arena are guided by actors' identities and norms. Viewed differently, a 'logic of appropriateness' determines that rules are followed when they are understood to possess normative validity and to be adequate for the task in question (March and Olson, 1998). Concerning international agreements, this standpoint suggests that states ratify partly due to a commitment to ideas embodied within the instruments (Chayes and Chayes, 1993; Franck, 1998). Furthermore, they may do so in order to communicate a political

position or in an attempt to establish a particular reputation (Risse and Sikkink, 1999; Hathaway, 2002).

Such accounts offer a useful background to the question of why states commit to external instruments. This study does not attempt to ally with a particular approach, but instead aims to glean insight from across the respective discourses in this section. Together with the two-level games framework, it is hoped that the theoretical scene has been set in order to address the issues of ratification and adherence, with the ultimate aim of accounting for why the organisation in question has been ineffective in its endeavours in promoting democracy. It is to this actor that we now turn our attention.

The African Union

The Organisation for African Unity came into existence in 1963, aimed at addressing regionally distinct problems such as decolonization, sovereign protection and economic development in the post-independence era (Legler and Tieku, 2010; Yihdego, 2011). However, the rebranding of the organisation as the African Union in Sirté, Libya in 1999 saw what had previously been derided as a 'dictator's club' turn, on paper, toward a democratic ethos. This watershed move was heralded by the universal signing of the Constitutive Act in Lomé, Togo in July 2000, espousing the objective to "promote democratic principles and institutions, popular participation and good governance" (A.U., 2000). This transformation to the espousal of universal democratic norms was a dramatic reversal for an organisation previously devoted fiercely to the protection of national sovereignty (McMahon, 2007:13; Yihdego, 2011:576).

The AU draws inspiration from the EU, among others, and like IOs more generally, facilitates the convergence of actors' expectations in given issue areas (Krasner, 1982:186). Collectively advancing continental integration since the turn of the millennium, a number of charters, declarations, covenants, pacts and resolutions have been adopted, aimed at democratic promotion (Maluwa, 2012:2). This effort has, to date, culminated in the adoption of the African Democratic Charter in 2007, which grants permission to the AU Commission to operationalise and follow up on the democracy promotion and defence ideals embedded in the Constitutive Act. The relevant instruments are outlined in greater detail in the research design section. However, it must be borne in mind that although these documents purport to reflect member-states' aspirations, their imprecise standards generated by indirect and for the most part, non-binding nature mean that they lack the status of law, and as such, their effectiveness is called into question (Dugard, 2005:37).

While rates of adoption and ratification of AU instruments are largely encouraging (Matlosa, 2008; Maluwa, 2012), progress on paper must be viewed alongside the fact that the

organisation has had multiple members with marked authoritarian tendencies throughout its existence. As such, there exists a tense relationship between gatekeeping strategies of such regimes on the one hand, and 'Africrats' and policy experts pursuing an agenda of democratic promotion on the other hand (Tieku, 2009:87). This being said, the fact that member states span the breadth of the democracy spectrum means that the AU offers the ideal laboratory in which to examine the effectiveness of its democracy-promoting instruments. Thus, we proceed to establish an understanding of these workings.

Theoretical Considerations

The hypothesis under consideration in this study is that AU's turn to democratic promotion has not led to advances in democratic consolidation on the continent. Prior to carrying out a statistical analysis of this claim, the causal mechanisms argued to underlie this ineffectiveness are set out. In light of the above discussion, causal mechanisms are delimited according to whether they are viewed as stemming from supply-side or demand-side factors. Within these categories, mechanisms both under 'logics of consequences' and 'logics of appropriateness' are then discussed.

Supply-Side Logics of Consequences

Deficient Review Structures

In general, rules, procedures and institutional bodies pertaining to an international agreement are set out to allow monitoring and enforcement of parties' performance (Raustiala, 2005:605). These give rise to information-sharing, in principle allowing countermeasures to operate (Keohane, 1986; Martin, 1999). Unsurprisingly, compliance is more widespread where strong structures, particularly courts, exist. Weak, vague, review structures, on the other hand, exert limited impact on state behaviour (Raustiala, 2005:606-607). It is argued that international agreements can induce incumbents toward democratic consolidation in that any reversals of democratic reforms would be equated with a violation of conditions, hence significant political and economic costs should be incurred (Pevehouse, 2005:37). However, the instruments of the AU broadly rely on voluntary compliance, so the potential for this mechanism to be undermined is high (Viljoen and Louw, 2007:4). Consequently, purported structural effects of agreements, acting as a deterrent to democratic backsliding, are diminished.

The 2003 AU Convention on the Prevention and Combatting of Corruption made conscious efforts to improve on earlier instruments, and established an Advisory Board on Corruption in order to monitor compliance. However, it has been relegated to the role of advocate and technical advisor, as it lacks resource capacity to monitor states' compliance with obligations (Maluwa, 2012:39-40). Established in the same year, the APRM explicitly rejected the use of rigid monitoring and enforcement structures in its approach, opting for subjective judgments on the commitment of member states to move toward common practices over requirements to meet objective predetermined standards (Cilliers, 2002:4). As such, there is no benchmark against which to measure compliance with this instrument. On the other hand, the AU's Department for Political Affairs is tasked with reporting and monitoring adherence to commitments contained in the 2007 African Charter on Democracy, Elections and Governance. Tieku (2009:85-86) makes the point that the office has a severe capacity deficit, however, remarking that a mere staff of five "are required to deal with all the governance, electoral, and human-rights issues on the second largest continent in the world...and there is little evidence that the five people [possess]...requisite technical skills to operationalise, concretize, and implement pertinent democracy-promotion and defence instruments." This situation is compounded by the persistent setbacks to attempts to establish an African Court of Justice that might hold violators accountable (Paterson, 2013:24).

On balance, while strong, precise review structures may deter parties from non-compliance, in the case of the AU, the quasi-judicial nature of its commission, non-binding demands and apparent capacity deficit across instruments means that this mechanism fails, for the most part, to come into play (Viljoen and Louw, 2007:12; Maluwa, 2012:33-36).

Incumbent Advantage

Closely related to the above mechanism, acceding to international agreements can aid consolidation by increasing the cost of anti-democratic behaviour on the part of democratic incumbents. Pevehouse (2005:38) offers examples of "bribing winners" in the case of MERCOSUR and the EU, both of whom combine positive inducements and negative sanctions to ensure democratic practices, whether by means of trade agreements, military protection, monetary coordination or financial assistance. As such, incumbent regimes are strongly incentivised to work within the rules of the system, and deterred from undermining liberal reform. The practice of issue-linkage is a common means to induce compliance, whether or not issues are substantively related, essentially expanding the set of possible inducements available to sustain adherence (Leebron, 2002:12-13).

However, in the first instance, effective inducements are hampered by the nature of the issue-area of democratic consolidation. Unlike agreements involving, trade or aviation, for instance, compliance takes place domestically. Thus violations are more difficult to detect and further, non-adherence is unlikely to adversely affect other member states to any great degree. In much the same way as the human rights domain, interstate reciprocity and joint gains are somewhat beside the point when it comes to democratic consolidation, as states have scant incentive to respond to non-fulfillment of democratic commitments on the part of other members (Moravcsik, 2000:217; Simmons, 2009:125). An illustration of this comes from the persistent failure of AU peers to respond to blatant electoral misconduct on the part of member states, even where these are criticised by the international community at large. Notable instances include Zimbabwe in 2002 and Ethiopia in 2005 (Abbink, 2006:187). Moreover, as it stands, the AU lacks the depth that would allow for effective inducement via issue linkage, as evidenced by the lack of credible existing sectoral integration (Akokpari, 2004:254). For instance, trade among the 54 countries of the AU currently represents under a tenth of the total on the continent (Paterson, 2013:2). Thus while a threat of potential trade sanctions on the part of bodies such as the EU may prove effective, such a move by the AU is unlikely to deter incumbents from democratic backsliding. Consequently, the 'positive' task of completing partial democracies (Schedler, 2001: 67) poses a challenge to the AU.

Firefighting, not Prevention

While the above section looks at external effects on incumbent regimes, international agreements can also impact 'losers' in the democratic process. That is to say, domestic opponents of a democratic regime can also be bound by the conditions of international instruments. By raising the costs of jeopardising political reform, external instruments can deter opponents from moving against a regime, thus serving to "underwrite" democratic consolidation (Pevehouse, 2005:43-44).

While success in furthering partial democracies has been limited, it is broadly acknowledged that the instruments of the AU have achieved some success with regard to the 'negative challenges' posed by coups d'état (Paterson, 2013:23). Unlike democratic backsliding, coup challenges are dealt with in an automatic, mechanical, legalistic manner, making them less prone to political manipulation (Saungweme, 2008:6; Tieku, 2009:84). Thus far, all AU member-states experiencing a military coup have been suspended from the AU, including Guinea-Bissau (2003), Togo (2005), Mauritania (2005, 2008), Guinea (2008), Madagascar (2009) and Niger (2010) (Paterson, 2013:25). Almost all states returned to civilian rule thereafter (Legler and Tieku, 2010:474). The rapidity and certainty with which punishments are

inflicted on the perpetrators of undemocratic takeovers mean that coercive measures of the AU have been effective in this regard.

Indeed, experts in the field widely believe that the AU anti-coup measures have deterred armed forces on the continent from planning and attempting coups (McGowan, 2006:242). This argument is supported by evidence from the dataset of Powell and Thyne (2011), which illustrates 8 successful coup attempts from the decade starting in 2000. In contrast, the same study records 16 successful coup attempts over the course of the 1990s, and 22 over the same time span in the 1980s. In this sense, it can be remarked that the instruments of the AU are more effective at 'firefighting' rather than prevention (Acevedo and Grossman, 1996). Thus, while the efforts to promote democratic consolidation leave much to be desired, it seems attempts at democratic defence have not been in vain.

Supply-Side Logics of Appropriateness

Dearth in Democratic Density

Regarding the specific issue-area of democratic promotion, one supply-side feature likely to be of great importance is the prevalence of democracies within the membership of an IO, in other words, its "democratic density" (Pevehouse, 2005:46). Multiple mechanisms underlie this link between more homogeneously democratic organisations and the defence and promotion of democracy. For instance, democracies are more likely to share underlying preference structures (Gartzke, 2000). Such common interests are likely to facilitate ease of setting and enforcing democracy promotion mechanisms (McMahon, 2007:5). Another way in which the democratic make-up of international organisations matters comes from the fact that democracies are more transparent. Consequently, it becomes easier to uncover cheating, thus making monitoring and enforcement more probable (Pevehouse, 2005: 48). A further way in which democratic density can matter is via socialization, where transmission of norms and values regarding the democratic process is more likely to take place where there is greater frequency of interaction with democratic actors (Cederman, 2004).

Given that the AU has a high percentage of members among its ranks with questionable democratic credentials, including a stubborn dictatorial bloc, many of the mechanisms generally linking international agreements to democratic consolidation are unlikely to operate effectively. Since AU membership is a matter of course, and the Union was legislated into existence with no history of natural development, a wide divergence of social, economic and political positions is hardly surprising (Akopari, 2004:254). Exacerbating any doubts regarding the credibility of the organisation's commitment to democratic governance is the fact that in the last decade alone, the rotating chair of the AU has been held by figures such as Sassou-Nguesso of the Republic of

Congo in 2006, Gaddafi of Libya in 2009 and Obiang of Equatorial Guinea in 2011. Leadership in the form of such figures does not inspire confidence in democratic commitment. Indeed, observers have remarked on the manner in which the efforts of 'Africrats' to reward or punish certain behaviours are often frustrated at the level of the Peace and Security Council, where such gatekeepers tightly control the agenda (Tieku, 2009:86). As such, an absence of willpower at the highest levels compromises the purported commitments of the organisation to democratic defence and promotion.

Lack of Legitimacy

It is often asserted that legitimacy is key to understanding compliance. Franck (1988:752) asserts that an independent "compliance pull" is exerted when a rule is perceived by the actors it addresses to have come into existence and to be applied according to the right process. The emphasis here is on the process of deliberating on rules and decisions approximating collective national interests, which supposedly elicits improved compliance with instruments (Chayes and Chayes, 1993:180).

Examining this mechanism in the context of the AU, however, it becomes clear that such legitimacy is lacking. The attempt to avoid particular states dominating proceedings led to AU rules being drafted by policy think-tanks and by AU bureaucrats (Legler and Tieku, 2010:467). Benefits aside, this has also had the counterproductive effect of denying the instruments' ownership at the state level, thus dampening the compliance pull potential. Akokpari (2004:250) laments the omission of national consultations or public discussions surrounding the establishment of the APRM, commenting that these tools were subsequently "deprived of the necessary legitimacy". So while association with the process of instrument formulation may have a bearing on subsequent rule adherence in some cases, the fact that the drafters of AU instruments are generally drawn from a separate pool to those who pull the democratic strings at the domestic level renders the legitimacy mechanism less applicable in the context of the AU.

Demand-Side Logics of Consequences

Direct costs to Ratifiers

International agreements are drafted with the intention of binding ratifiers, bearing the ultimate aim of modifying the practice of nations in certain ways. This may be understood as an 'instrumental' feature of treaties (Hathaway, 2002:1941). One hurdle is posed by the domestic institutional costs involved in altering entrenched political practices. Beyond the simple act of a signature, real adherence to democratic instruments involves structural tensions. The process

can often involve law reform; institutional restructuring; socio-economic policy adaptation, and transformations to entrenched political cultures (Matlosa, 2008:8). Maluwa (2012:27-28) highlights how instruments most likely to be successfully implemented are those that are least disruptive to the preferences and domestic legal structures of ratifying states. In contrast to indirect costs that, for example, environmental treaties or anti-terrorism charters might generate, adherence to democratic instruments often imposes direct costs on the ratifying authority. Therefore, the domain of democratic promotion is highly likely to provoke resistance to exogenously defined institutional influences. Relative to other issue-areas, this is likely to decrease the prevalence of follow-through on instrumental democratic goals.

Weak Audience Demands

A further obstacle to the instrumental operation of democratic defence and promotion is generated by the immaturity of some African democracies. It is argued that parties often adhere to international obligations to avoid punishment at the polls by voters who support treaty compliance (Trachtman, 2010). This can be viewed in terms of Fearon's (1994) conception of 'audience costs'. Breaking international agreements may be seen by domestic constituents as tarnishing the reputation of nascent democracies which could inflict unfavourable electoral consequences on non-complying regimes.

However, the operation of such audience costs has several prerequisites that are arguably lacking in nascent African democracies, where vast swathes of the citizenry have lived under authoritarianism for decades, and democratic culture has not had the time to become entrenched (Afrobarometer Network, 2009:1-2). An electorate holding elites to account over shortcomings on the international stage is thus an unlikely mechanism to occur in contexts where free media, independent judiciaries, and autonomous commissions, among other institutions, have yet had time to develop and flourish (Saungweme, 2008:2; Glen, 2012:144). Admittedly, it is precisely these shortcomings that many of the instruments, particularly the 2007 African Charter on Democracy, Elections and Governance, aim to address. However, non-adherence is compounded by low levels of involvement by non-state stakeholders in the formulation and popularization of AU instruments (Legler and Tieku, 2010:469; Mangu, 2012:34). As set out under the concept of 'linkage' above, such partnerships could serve to deter violations and enhance compliance to democratic consolidation.

Thus the demand-side particularities of the African context throw up a paradox. That is, the dearth of existing democratic institutions and cultures from which to build means that the instruments struggle to operate as they might where domestic audiences place greater pressure on authorities.

Demand-Side Logics of Appropriateness

Insincere Expressions

The act of ratifying an international instrument can serve to communicate a state's disposition to the global community, whether or not this declaration is sincere. This signalling aspect is understood as the 'expressive' feature of treaties, distinct from its 'instrumental' function outlined above (Hathaway, 2002:1940-41). The extent to which either conception of instruments comes into play is related to above-mentioned supply-side factors such as monitoring and enforcement. However, it is explored here as a demand-side mechanism, as it is domestic political elites who ultimately decide whether to follow through on professed commitments or whether to make empty promises (Viljoen and Louw, 2007:32).

When a state ratifies a democratic instrument, it makes a public statement of position. This can entail expressive benefits in and of itself, often serving as external validation, hence legitimizing the actor in question (Hettne, 2005:554-555; Pevehouse, 2005:37). Acceding to international agreements can be important symbolically: "There is an evident link...between recasting the national self-image and opening the way for consolidating democracy" (Pridham, 1995:177). However, this expression of commitment often takes place even when parties fail to meet stated requirements. With weak monitoring and enforcement, non-complying states are unlikely to be penalized. In such cases of a disjuncture between instrumental goals and expressive rewards, member states can in fact benefit from taking positions to which they don't subsequently conform (Hathaway, 2002:2007). Associated benefits include the placation of international actors (such as donors and investors) that a particular state is committed to certain ends embedded in the instruments.

Evidence shows that instruments are ratified in their expressive capacity by AU members in many instances. A 2009 report on the state of governance carried out by the United Nations Economic Commission for Africa decried a trend of commitment to AU documents in general that was "more formal than substantive" (UNECA, 2009:213). Referring to the APRM, an Afrimap (2010:2) review criticised the politicized fashion in which many acceding states chose to undertake the process. Contrary to the intentions of its design, parties to the instrument have often controlled the project at the executive level of government, keeping a distance from non-state actors such as NGOs. Alleged perpetrators such as Rwanda and Ethiopia (ibid) have thus ensured that they enjoy the expressive benefits of adhering to a progressive initiative, yet at the same time avoid the instrumental costs of ceding power to other actors.

Describing the state of non-compliance across documents as "alarming", Mangu criticises the fact that "most of the numerous and lofty instruments of the AU remain dead letters" (2012:27). The blame is squarely placed on the heads of national leaders who "perform remarkably well in the industrial production of conventions and declarations to attract more

development aid and please foreign sponsors” (ibid). Whatever the motivation, it seems that instruments being employed in their expressive capacity, often insincerely, is a worrisome phenomenon perpetuating across the AU. Where ratification is carried out as a low-cost, empty signal to international audiences, its potential to further democratic consolidation in nation states is severely compromised.

Analysis

The dependent variable of interest is democratic consolidation. At its simplest, a consolidated democracy is one that is unlikely to break down (Schedler, 2001:66). However, no definitive criteria exist for this (DiPalma, 1990). Consolidation is often conceptualized as simply the endurance of a democratic regime (Power and Gasiorowski, 1997; Pevehouse, 2005), but given the stated objective of the AU is to both defend and promote democracy, its democratic toolkit will be examined along both of these terms. Consequently, for the purposes of this study, consolidation will be understood as both democratic endurance as well as improvements in democratic quality (Shin, 1994). This captures the ‘negative’ tasks of deterring democratic reversals, as well as the ‘positive’ challenges of completing partial democracies (Schedler, 2001:67).

Democracy levels are operationalised using scores from the Polity IV Annual Time Series dataset. This measure aims at capturing levels of autocracy and democracy within a country each year over a 21-point scale, from -10 (complete autocracy) to +10 (complete democracy). Scores are given by six indicators. These measure the degree of competition and the power of the executive in a given regime (Marshall and Jaggers, 2012). Polity scores have the distinction of being the coin of the realm in quantitative democratization research, thus rendering findings from this investigation comparable with related works (Power and Gasiorowski, 1997; Pevehouse, 2005). However, to ensure findings are not simply a result of measurement type, all tests were repeated using Freedom House measures of democracy. Following Epstein et al. (2006), democratic consolidation is thus understood as either an increase or no change in the democratic rating of countries classified as partial or full democracies under this system (that is, those with a Polity score between 0 and +10). This three-way measure is deemed appropriate, as it captures the phenomenon of volatile partial democracies that feature across the continent, which can be overlooked by a blunt autocracy-democracy dichotomy such as that employed by Przeworski et al. (2000). As such, our observations of interest are narrowed to country-years in which a state can be said to have been at least partially democratic in the previous year.

In terms of independent variables, the central variable of interest is the level of commitment a state exhibits to the democratic defence and promotion efforts of the AU. This is operationalised as ratification by a given state of AU instruments that explicitly refer to improved democratic governance, and measured in multiple ways across the models to enhance robustness.

INSTOT

INSTOT operationalises ratification bluntly as the sum of instruments under scrutiny that a member-state has ratified in a given year. The relevant instruments, along with their democracy-promoting features are described next.

01PROTPAP - 2001 Protocol to the Treaty Establishing the African Economic Community Relating to the Pan-African Parliament

Adopted in March 2001, 47 of 54 members had ratified the above protocol during or before 2011. Article 3 describes the objectives of the African Parliament to “promote the principles of human rights and democracy in Africa”, as well as to “encourage good governance, transparency and accountability in Member States”. Article 11 vests the Pan-African Parliament with advisory and consultative powers pertaining to “the consolidation of democratic institutions and the culture of democracy”.

02PROTPSC - 2002 Protocol Relating to the Establishment of Peace and Security Council of the African Union

Adopted in 2002, by 2011 this protocol had been ratified by 47 Member states. Article 3 refers to the promotion and encouragement of “democratic practices, good governance and the rule of law” as an objective of the PSC. Article 14 vests the institution with the function of assisting post-conflict situations with the “restoration of the rule of law, establishment and development of democratic institutions and the preparation, organisation and supervision of elections in the concerned Member State”.

03CONVPCC - 2003 African Union Convention on the Prevention and Combatting of Corruption

Eight years after its adoption, 34 Member states had ratified this convention by 2011, under which, according to Article 3, parties undertake to abide by “respect for democratic principles and institutions, popular participation, the rule of law and good governance”. An interesting feature of this particular convention is the existence of a treaty body charged with monitoring post-ratification compliance (Maluwa, 2012: 35).

03APRM - 2003 African Peer Review Mechanism

Adopted at a 2003 AU summit in Durban, this innovative instrument of the New Partnership for African Development (NEPAD) compels acceding members to submit to and facilitate periodic peer reviews. One of its four thematic areas is ‘Democracy and good Political Governance’ which sets out nine key objectives. Among these is “Constitutional Democracy, including periodic political competition and opportunity for choice, the rule of law, a Bill of Rights and the supremacy of the constitution are firmly established in the constitution”. By 2011, thirty AU member states had voluntarily committed to the APRM process.

05NACDP - 2005 African Union Non-Aggression and Common Defence Pact

By 2011, 19 of 54 member states had ratified this Pact. Article 3 of the agreement obliges states to “undertake to promote such sustainable development policies as are appropriate to enhance the well being of the African people, including the dignity and fundamental rights of every human being in the context of a democratic society as stipulated in the Lomé Declaration”.

06AYC - 2006 African Youth Charter

Adopted in 2006, Article 10 renders states duty bound to schooling young people in “democratic processes, citizenship, decision-making, governance and leadership such that they develop the technical skills and confidence to participate in these processes”. Article 17 obliges State Parties to “strengthen the capacity of young people and youth organisations in peace building, conflict prevention and conflict resolution through the promotion of ... human rights education and democracy”, among other principles. Article 26 outlines the “[defence of] democracy, the rule of law and all human rights and fundamental freedoms” as a responsibility of African youth. 32 Member states had ratified this charter by 2011.

07CHARDEG - 2007 African Charter on Democracy, Elections and Governance

Seeking to bind African states to a conventional understanding of democracy, this document was adopted in January 2007. By 2011, 17 states had ratified the charter, providing a common frame of reference for democracy on the continent. Legal instruments to promote both horizontal and vertical accountability are provided for in Chapter 8. Setting out detailed rules for democratic activists to sustain existing regimes, it also imposes precise obligations on parties, in theory providing strong third party oversight. The AU is supposedly granted responsibility to enforce sanctions on authorities refusing to transfer power following free and fair elections, as well as on those manipulating domestic legal systems to prolong office.

The following will serve as control variables: GDPPC; Δ GDPPC. CONFLICT; BRITCOL; LAGDV; TIMEVAR.

GDPPC

Much scholarship in the field of democratization contends that higher incomes help to maintain stability in nascent democracies (Londregan and Poole, 1990; Przeworski et al., 2000). This possibility is controlled for by including a variable that measures per capita GDP levels in each country year, drawn from the World Development Indicators (The World Bank, 2012). The logged value of this was included to dampen the effect of outliers.

Δ GDPPC

Regimes undergoing economic downturns are said to be more prone to anti-regime activity, while those enjoying economic growth exhibit a higher likelihood of survival (Londregan and Poole, 1990). Thus, a variable capturing year-on-year change in per capita GDP is included to control for growth rates.

CONFLICT

Prospects for democratic endurance could be hampered by internal unrest. For instance, economic and military authorities will have low tolerance toward widespread anti-regime activity (Linz and Stepan, 1996). Thus a variable is included to control for any potential effects arising from this, which captures the summed magnitude of all societal episodes of domestic violence and warfare within a state in a year, as indicated by the CIVTOT variable in the dataset

compiled by the Center for Systemic Peace (CSP, 2013). There were no episodes of inter-state warfare among the observations in question.

BRITCOL

Most former British colonies inherited dualist common law systems that contain no written provisions to govern instrument ratification, whereas in former French colonies, many instruments require a specific act of parliament for ratification (Maluwa, 201: 15-17). Such institutional considerations stemming from the colonial past may affect a state's decision to ratify an instrument, as well as the domestic impact of the instrument. Furthermore, many studies contend that former British colonies fare better democratically than their counterparts of differing heritage (Diamond et al., 1987; Power and Gasiorowski, 1997). As such, a dummy variable indicating British colonial heritage is included to control for such effects.

LAGDV

This variable is determined by a country's democracy score in the prior year, ensuring that measurement captures democratic consolidation and not simply baseline levels. At the same time, it addresses issues of autocorrelation (Beck and Katz; 1995).

TIMEVAR

The inclusion of year-specific dummy variables can be used to control for aggregate exogenous changes that affect all units equally (Neumayer, 2005). However, taking into account that the study contains fewer than 400 observations, it was felt that if included, the number of degrees of freedom lost here would be too large. Thus, three dummy variables were incorporated, each encompassing a three-year time span. Dummy variable P1 indicates 1999-01, P2 indicates 2002-04 and P3 indicates 2005-07. Such an indicator aims to ensure that measures of instrument ratification are not simply picking up spurious global trends toward democratic improvement.

A word on the statistics used is in order. Prior to undertaking statistical analyses, a primary overview of data is deemed appropriate. This is considered particularly important given the relatively low number of observations in the study. Broadly looking at the relationship between democratic quality and AU instrument ratification, Table 1 highlights the fact that country-years in which a large number of instruments are ratified exhibit a similar mean democratic score to those in which none or very few are ratified. In other words, there is nothing in the data to

suggest that less democratic countries are more or less likely to engage with the instruments of the AU than are more democratic countries.

Table 1)

<i>Total no. of instruments ratified</i>	<i>Mean Polity Score</i>	<i>Mean FH score</i>	<i>Freq.</i>
0	5.06	3.53	101
1	7.50	2.17	24
2	6.26	3.19	42
3	6.08	3.25	75
4	6.28	2.89	36
5	4.73	3.88	26
6	5.96	3.33	24

Special attention is given to both the 03APRM and the 07CHARDEG as these instruments are considered to have the strongest focus on improving democratic quality, as well as being the most demanding of states in terms of their contents, with detailed specifications of courses of actions required of ratifiers. Table 2 presents the average change in polity score in country years where the respective instruments were ratified, alongside the average change in polity score of those where it was not.

Table 2)

<i>Polity Score in a country-year (FH score in parentheses)</i>		
	03APRM	07CHARDEG
Mean initial democracy levels at ratification	1.56 (3.95)	3.12(4.2)
Change in country-year where ratified	0.16 (-.018)	-0.32 (-.053)
Change in country-years where not ratified	0.28 (.046)	0.28 (.029)

As is clear from the table, country-years where the 03APRM was ratified in fact exhibit lower changes in polity score than country-years where a state was not party to the instrument. Even more striking is the result from the 07CHARDEG, illustrating that countries that had ratified an instrument entirely aimed at improving the quality of democratic governance display, on average, negative changes in Polity scores. In contrast, country years where the 2007 charter is not ratified show a mean improvement in their democratic quality. These results are

corroborated when our alternative measure of democratic quality is taken into account. Such figures provide strong evidence for the argument that the democratic instruments of the AU have been largely ineffective in achieving their aim.

In terms of analytical method, in order to test the hypothesis that the democracy-promoting instruments of the AU are not associated with an improvement in democratic consolidation, a dataset of member-states covering the period 1999-2011 was analysed. This timeframe spans the point from which the Sirté declaration was signed, heralding the turn toward a democracy-promoting ethos, up to the most recent year for which Polity data is available. The data used is both cross-national and time-series. As such, the analyses hope to explore whether, controlling for other factors, there are systematic differences in democratic consolidation between states that have ratified AU instruments pertaining to democracy, and those that have not, as well as whether there are systematic differences between the periods before and after instruments are ratified. While establishing causality is always challenging in such cross-national research, if the above hypothesis is false, we should expect strong, substantive relationships between instances of instrument ratification and democratic improvements.

In the only other widely known study to investigate the effect of international organisations on democratic consolidation, Jon Pevehouse (2005:156) employs event-history analysis. In this approach, consolidation is interpreted as the absence of democratic breakdown. However, it was felt that this approach fails to capture the dual-faceted nature of consolidation, erroneously equating democratic stagnation with democratic improvements. Thus, for the purposes of this study, an ordinary least squares model with the aforementioned lagged dependent variable was considered to offer the best insight. However, time-series cross-sectional data pools observations across countries and time, which can lead to issues such as serial and spatial autocorrelation, as well as heteroskedacity (Beck and Katz, 1995). Thus, clustered standard errors were specified to account for this between-country variation. It must be recognised that while all instruments under scrutiny refer explicitly to democratic improvements, these vary substantially in terms of demands placed on member states (Maluwa, 2012:2). Furthermore, some instruments, such as the 06AYC are indirectly related to democracy promotion, while others are more directly related, in particular the 07CHARDEG. Consequently, it was decided to examine ratification levels in a number of alternative ways, as described below.

Results and Discussion

At the outset, it is important to note that Polity and Freedom House scales operate in different directions. Thus, an increase in Polity Score (running from a scale of -10 to +10) is understood as an improvement in democratic governance, whereas an increase along Freedom House's measure (running from a scale of 1 to 7) can be equated with worsening democratic governance.

The preliminary analyses in Table 3 aim to convey the basic linear relationship between instrument ratification and democratic consolidation, measuring ratification bluntly as the sum of instruments signed by a member state in a given year. This precursory test suggests a negative, weak relationship between overall engagement with AU instruments and democratic consolidation measured both as a constant as per model 3(a) and as a change from the previous year, as per model 3(b). However, coefficients fail to reach significance across the models, as such it is appropriate to unpack ratification into its constituent instruments.

Table 3) Ordinary Least Square Analysis of Relationship between Democratic Consolidation and Total Instrument Ratification

	<i>3(a) Total on DEM</i>		<i>3(b) Total on ΔDEM</i>	
	<i>Polity</i>	<i>Freedom House</i>	<i>Polity</i>	<i>Freedom House</i>
INSTOT	-1.55 (.049)	1.51 (.015)	-1.54 (.040)	2.17 (.015)
LAGDV	11.00*** (.064)	32.89*** (.028)	-2.55** (.044)	2.08** (.020)
Constant	5.62 (.398)	2.27 (.088)	3.09 (.318)	-0.70 (.061)
N	328	328	328	328

*Cluster-robust standard errors in parentheses *** p<0.01, ** p<0.05, *p<0.10*

The second model disaggregates instruments individually. 4(a) measures democratic consolidation via the score exhibited by a democratic AU member by both Polity and Freedom House measures. Ratification is captured as a dummy variable for whether a state has signed a given instrument in that year. Model 4(b) operationalises democratic consolidation as a positive change in the aforementioned score. Models 4(c) and 4(d) carry out the same tests respectively, with an adjustment that measures ratification as the cumulative number of years

since a state ratified a given instrument. The effect of operationalising the instrument variable in this manner is to magnify both negative and positive changes over time in state practice (Hathaway, 2002:1991). Table 5 reports the results of an extended set of analyses, which involves the same tests as per table 4, but includes the control variables outlined above. All explanatory variables are lagged so as to account for delays between undertaking and performance (Chayes and Chayes, 1993:16).

By and large, the results of the basic analysis in Table 4 fail to show significance by either measure of democracy, with the exception of the 07CHARDEG, which has a strong, negative effect on both democratic levels and democratic changes as measured via Polity scores. This result is significant both in model 4(a) and model 4(c). Combined with the outcome that the majority of coefficients here fail to reach statistical significance, these figures offer tentative support for the hypothesis that the AU's instruments have not affected democratic consolidation. Some tests suggest a significant but weak effect of the 01PROTPAP and 03CONVPCC on democratic quality. However, these results are called into question given that the models in question do not account for general time trends. It is therefore impossible to rule out the possibility that such results may stem from a secular improvement in democratic quality over time. As such, we turn to the extended model in order to achieve a more accurate picture of the effects of instrument ratification on democratic consolidation.

Table 5 demonstrates that the earliest instruments do not generate significant or strong results when time trends and additional controls are included. And while both the 03CONVPCC and 06AYC alike are associated with democratic improvements, the results are weak and not strongly significant. Interestingly, both instruments are linked to treaty bodies, which lends support to argument that most AU instruments suffer due to weak review structures. However, neither instrument has democratic consolidation as its ultimate policy aim. As such, it is possible that the result here could be due to a spurious relationship.

Taken as a whole, a majority of coefficients point to a negative relationship between instrument ratification and democratic consolidation. The two strongest and most significant relationships thrown up by the models in question point to a significant effect of both the 05NACDP, and most strikingly, the 07CHARDEG. The latter instrument has as its ultimate aim the improvement of democratic governance by member states. The fact that this very charter is associated with a relatively strong, negative change in democracy scores is an important result, and offers strong grounds to fail to reject the hypothesis that an engagement with AU democratic instruments is not associated with an improvement in democratic consolidation.

Table 4) Basic Ordinary Least Squares Analysis of

Table 5) Extended Ordinary Least Squares Analysis of Relationship between Democratic Consolidation and Instrument Ratification

Treaty	5(a) Dummy on DEM		5(b) Dummy on Δ DEM		5(c) Cumulative on DEM		5(d) Cumulative on Δ DEM		on Δ DEM
	Polity	Freedom House	Polity	Freedom House	Polity	Freedom House	Polity	Freedom House	
01PROTPAP	.031 (.283)	-0.55 (.111)	-0.83 (.132)	-1.48 (.104)	-0.61 (.059)	-0.48 (.023)	-1.75* (.)	-1.51 (.134)	2.16 20)**
02PROTPSC	-1.15 (.276)	0.04 (.108)	-1.15 (.099)	-0.17 (.086)	0.69 (.061)	-0.65 (.023)	0.33 (.087)	0.45 (.087)	.74 .23)
03APRM	-0.05 (.202)	0.08 (.079)	0.81 (.080)	0.21 (.044)	-0.23 (.042)	0.69 (.016)	0.80 (.090)	-0.30 (.043)	.15 .16)
03CONVPCC	2.07** (.216)	-0.65 (.084)	0.69 (.158)	-0.48 (.058)	1.69* (.055)	-0.24 (.021)	0.86 (.111)	-0.54 (.060)	.75 .21)
05NACDP	-2.51** (.285)	1.32 (.110)	-0.94 (.101)	-0.87 (.089)	-1.75* (.098)	0.42 (.038)	-0.45 (.118)	0.32 (.088)	.63 .37)
06AYC	2.27** (.263)	-1.99** (.102)	1.01 (.094)	1.46 (.077)	1.49 (.106)	-1.84* (.041)	0.91 (.078)	2.38** (.067)	.90 .39)
07CHARDEG	-3.19*** (.267)	0.91 (.104)	-1.25 (.137)	-0.40 (.102)	-2.82*** (.182)	0.95 (.070)	-1.05 (.188)	-0.21 (.099)	.58 .69)
LAGDV	19.15*** (.030)	35.87*** (.025)	-2.15** (.033)	1.73* (.023)	18.69*** (.031)	35.29*** (.023)	-2.14** (.038)	1.99* (.021)	13** .19)
GDPPEC	0.64 (.000)	-0.12 (.000)	1.27 (.000)	-0.36 (.000)	0.73*** (.000)	-0.07 (.000)	1.48 (.000)	0.23 (.000)	.62 .76)
AGDPPC	-0.510 (.019)	0.17 (.008)	-0.06 (.011)	0.22 (.006)	-0.25 (.019)	-0.11 (.007)	0.05 (.011)	0.18 (.015)	.38
BRITCOL	4.95 (.221)	-1.23 (.085)	0.76 (.212)	-0.08 (.171)	4.97 (.223)	-1.33 (.085)	0.68 (.051)	-0.07 (.164)	
CONFLICT	-0.97 (.093)	0.38 (.037)	0.63 (.088)	0.17 (.032)	-0.92 (.095)	0.28 (.041)	0.60 (.053)	0.13 (.082)	
Constant	7.14 (.322)	3.60 (.167)	2.13 (.302)	-0.53 (.282)	6.37 (.344)	3.94 (.301)	1.96 (.562)	-0.62 (.272)	
N	328	328	328	328	328	328	328	328	

Cluster-robust standard errors in parentheses *** $p < 0.01$. ** $p < 0.05$. * $p < 0.10$

Turning to the other explanatory variables, neither internal unrest, colonial history nor economic growth are found to have any noticeable effect on democratic consolidation in the AU. Model 5(c) does highlight a significant but weakly positive effect of wealth on democratic consolidation in Africa, which is consistent with the findings of Przeworski et al. (2000). Broadly speaking, little confidence can be placed in any interpretation regarding alternative explanations on this basis. Additional robustness checks were carried out, including tests to check for the presence of interaction effects and multicollinearity. Neither were found to present any challenge to the findings. Tests were also run with other potential explanatory variables, including ethnic fractionalization, resource wealth and past experience with democracy. However, none of these were found to be significant, and in the final models it was decided to include only those control variables conceptually most relevant to both the independent and dependent variables.

While recognising that this is a dynamic model with relatively few observations, it is still possible to say that the hypothesis, on the whole, is supported, since the coefficients of the instruments fail to reach statistical significance for the most part. The fact that multiple tests run with alternative measurements point to the same broad outcome lends weight to this claim. Where coefficients do reach significance, they are more likely to suggest that the instruments harm democratic consolidation as they are to suggest that they are associated with improved democratic consolidation. Most notably, the instruments that, in theory, should have the most pronounced positive impact on democratic consolidation appear to have the opposite effect. Overall, echoing the findings from the descriptive statistics section, there is strong confirmation for the hypothesis suggesting the AU's democracy promoting efforts have been ineffective.

A close-up comparison offers further support. Taking the cases of Ethiopia and Zambia, the two states have engaged enthusiastically with the democratic instruments of the AU on paper. Both have been earlier ratifiers of all instruments in this study, with the exception of the 05NACDP. Furthermore, both ratified the majority of instruments in the same year as each other, with the exception of the 03APRM and 07CHARDEG, each of which Zambia ratified three years later than Ethiopia. In 1999 Ethiopia and Zambia languished in the partial democracy zone, both scoring 1 on Polity and 5 Freedom House scores, thus starting out under equal democratic conditions as measured by this study. With subsequent near-identical ratification patterns, it can be said that both states are subjected to the same external treatment effects on paper. If it was the case that the democracy-promoting efforts of the AU were highly effective, we might expect to see both states exhibit a marked improvement in democratic quality, closely in line with their ratification records. By contrast, a divergent picture emerges over the course of the twelve years under scrutiny. Zambia has made exemplary strides in terms of democratic quality, climbing to a Polity score of 7, spurred on by effective, cross-cutting party politics and vibrant civil society (Posner, 2005). Ethiopia, by contrast, has stagnated in its category of partial

democracy. Where a centralised executive is reluctant to implement professed commitments in practice (Hammerstad, 2004) democratic levels have remained unchanged over the 12 year period.

Selection Effects

In asking the question of whether or not AU instruments have impacted the democratic trajectory of states, it is important to consider the possibility that the democratic trajectory of states may have a prior impact on whether individual states subscribe to said instruments. Indeed, endogeneity opens up the possibility that the influence of international organisations on member states is epiphenomenal (Simmons, 2009). As such, an analysis pertaining to this area should consider whether the effects of instruments are simply reflections of underlying state preferences, and not of an independent external influence (Downs, Rocke and Barsoom, 1996).

Table 1 of the descriptive statistics section partially addresses this issue, as it illustrates that there is nothing in the data to suggest that more democratic countries have a different propensity to engage with the instruments of the AU than less democratic countries. Auxiliary regressions involving instrumental variables would add further weight to this evidence, but these were considered to be beyond the scope of this study.

At the same time, such a phenomenon, while important to bear in mind, is not problematic in terms of the theory underpinning this study. In fact, the reverse is actually the case. Often, those member states more likely to consolidate democratic regimes or who have already done so are, in fact, those who are likely to ratify instruments aimed at this end. This partly accounts for the apparent ineffectiveness of the AU's repertoire of instruments.

Conclusion

Although the replacement of overtly authoritarian regimes across Africa appeared to promise fundamental political change, a closer examination of democratic trends since the establishment of the AU paints a less promising picture. In general, it seems that transitions toward electoral democracy were more straightforward than the complex, multifaceted task of creating political foundations for sustainable democratic governance.

In this paper, support has been drawn from observational data and empirical analyses to make an important point regarding the relationship between international agency and

domestic politics in the African context. That is, as it stands, the democratic toolkit of the AU has been ineffective in promoting consolidation on the continent. Broadly backing the pre-conditionalist line of thinking, a key contribution that this paper seeks to make is that multiple mechanisms from both the external and internal domains interact to resist interference in the core domestic power sphere. On the supply-side, this failure is seen to stem from weak review structures, an inability to bribe incumbents, a lack of legitimacy and weak democratic density among the organisation. Feeding into this are demand-side issues stemming from the direct costs involved in democratic adjustments, an absence of audience accountability and the practice of insincere ratification. Admittedly, the causal mechanisms are merely backed up by observations, but ascertaining the exact extent of their validity would make for fruitful further research. Nonetheless, the empirical analyses combining well-established measurements of democracy with data compiled from instrument ratification lead to a strong degree of confidence that the overall hypothesis is supported.

The study hopes to have provided insight into institutional structures and conditions under which IOs more generally might become more influential, especially in adverse settings. In particular, the findings of this paper have implications for the design of democracy-promoting instruments, in that they support the existence of a trade-off between strength of monitoring and enforcement on the one hand, and levels of participation on the other. The success of the 'democratic defence' capacity of the Union in deterring military coups is indicative of this. Given that the AU has fared well in terms of ratification rates, it is possible to remain optimistic that improved standards of compliance might be achieved in due course. While of a different nature, the EU took over four decades to achieve full integration, through a gradual, functional process of membership expansion alongside sectoral integration. On the other hand, the AU has been described as hastily "legislated [...] into existence" (Akokpali, 2003: 10). With little time for organs to develop, the organisation has fallen short of achieving continent-wide policy aims just yet.

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