POLICY BRIEF

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Navigating South Africa's Diplomatic Dilemma: Crafting a Coherent Foreign Policy for Engagement with Transitional Governments.

Executive Summary

South Africa's performance in achieving the Agenda 2063 Goals, particularly in peace and security, raises questions about the country's consistency in condemning and intervening in the Unconstitutional Changes of Governments (UCGs) and the resurgence of military coups in Africa. It further challenges the African Union's (AU) commitment to upholding constitutionalism and achieving its goals for a peaceful and secure Africa. The predicament faced by the Department of International Relations and Cooperation (DIRCO) in engaging with suspended member states further complicates South Africa's diplomatic stance on not engaging with suspended countries. This policy brief evaluates citizens' attitudes towards demanding democracy and rejecting military rule, thus measuring their perceptions regarding the impact of UCGs on their country. The recommendations serve as a coherent foreign policy approach for engagement with transitional governments to reinforce South Africa's foreign policy behaviour and approach to existing diplomatic dilemmas in Africa.

Introduction

The resurgence of UCGs, unlawful transitions of power, and frequent incidents of military coups infiltrating African Regional Economic Communities (RECs) member states, namely Mali, Sudan, Burkina Faso, and Guinea in Africa, and recently Guinea Bissau, Chad, Sudan and Niger have spurred international attention being hallmarks of the continent's collapse in democratic governance. On a regional scale, the revival of military coups in Africa results in an immediate deterioration of democracy, governance, corruption levels, security, crime rates, human rights conditions, humanitarian circumstances, and the socio-economic status of the nations affected. Consequently, on the continental level, it has the capacity to delay the successful implementation of Silencing the Guns, an Agenda 2063 flagship initiative. In just 16 months, between August 2020 and February 2022, at least six (6) coups have successfully taken place, and five (5) attempted coup d'état's took place in the Africa.[1]

These coups demonstrate that the sanctions imposed by the African Union (AU) and respective Regional Economic Communities (RECs) as a call demanding the immediate and unconditional restoration of constitutional order in the member states mentioned above undermine the shared values of legislative frameworks such as the AU Constitutive Act, the African Charter on Democracy, Elections, and Governance (ACDEG), and the Lomé Declaration of July 2000.[2] South Africa's constitutional democracy is well renowned across Africa due to the role the African National Congress (ANC) liberation movement played as a non-violent revolutionary coup, abolishing racial and political discrimination with a strong emphasis on non-racialism, non-discrimination, liberty and peace, democratic organs of self-government, and equality as core values entrenched as founding principles of the Constitution of the Republic of South Africa, 1996.

South Africa's Foreign Policy Behaviour Towards UCGs

The South African foreign policy engagement with transitional governments has revealed gaps, indicating inconsistent behaviour in foreign policy. This inconsistency is evident in two aspects: i) the Department of International Relations and Cooperation (DIRCO) and its line-function departments undertaking diplomatic missions, and ii) the reception of credence letters by Heads of Mission-Designate from suspended member states.[3]

The nature of the outcomes demonstrates South Africa's inconsistent decisions to condemn member states captured by UCGs and coups, undermines the importance of upholding constitutionalism and respecting AU joint values and principles outlined in regulatory frameworks such as the African Charter on Democracy, Elections, and Governance (ACDEG) and the AU Constitutive Act. Consequently, these identified gaps imply that South Africa condones the reversal of the flagship project 'Silencing the Guns' and hinders the progressive realisation of 'A Peaceful and Secure Africa,' aligned with the 4th Agenda 2063 aspiration. UCGs and coups significantly challenge political stability, democracy, and Africa's socio-economic growth.

Findings and Analysis

Figure 1: Democracy Demands in REC Member States: UCGs Rejection 2014-2015.

Factors Accelerating UCGs in Africa

Strongly disapprove
Disapprove
Approve

Adapted from Afrobarometer (R6 2014/2015), Afrobarometer (R6 2015)[4].

1. **Weak democratic institutions:** fragile institutions hinder effective governance and democratic processes, increasing the likelihood of UCGs.
2. **Political instability and power struggles: i**nfighting, rivalries, and power struggles within political factions create an environment conducive to UCGs.
3. **Socio-economic issues:** unemployment, organised crime, conflicts, and lack of access to affordable and sustainable energy contribute to the socio-economic challenges that fuel UCGs.
4. **Corruption and poor governance:** mismanagement or abuse of resources, administrative corruption, and protests against abuse and mismanagement of state resources erode public trust and contribute to UCGs.
5. **External factors:** interventions by mercenaries or external actors to replace democratically elected governments can undermine stability and legitimacy.

Figure 2: Democracy Demands in REC Member States: UCGs Rejection 2020-2021.

Strongly disapprove
Disapprove
Approve
Strongly approve

Adapted from Afrobarometer (R9 2021/2023), Afrobarometer (R9 2022).[5]

6. **Lack of effective regional and international responses:** Inadequate regional and international coordination and responses to UCGs prolong their impact and create further instability.
7. **Lack of tangible progress from democratic elections:** The failure to deliver meaningful change following democratic elections can lead to frustration and the potential for UCGs and or coups.
8. **Rapid population growth and urbanisation:** The challenges associated with a growing population and urbanisation patterns strain governance systems and exacerbate socio-economic challenges.
9. **Absence of a transformative economy:** Limited economic opportunities and a lack of inclusivity contribute to grievances and social tensions leading to UCGs.
10. **Access to basic services:** Inadequate provision of essential services infringes human rights such as healthcare, education, and infrastructure, therefore eroding public trust in governments and contributing to UCGs.

When comparing Figure 1 above, a map demonstrating demand for democracy and rejecting UCG 2014–2015, to Figure 2 below, a map demonstrating demand for democracy and rejecting UCG 2021–2022. It is essential to highlight that Guinea strongly disapproves of military coups as an alternative to govern. However, there has been a significant increase in respondents expressing approval of military coups as an alternative to governing the country in Burkina Faso, Mali, and Sudan in the past seven years due to the common factors accelerating UCG in Africa.

Figure 3: Frequency of Military Coup d'états from 1950-2020.

Top 4 African Nations with Highest Frequency of Successful and Attempted Coups from 1950 to 2020.

Burkina Faso: 8 successful coups and 9 failed attempted coups

Sudan: 6 successful and 17 failed attempted coups

Mali: 5 successful and 8 failed attempted coups

Guinea: 3 successful and 6 attempted failed coups
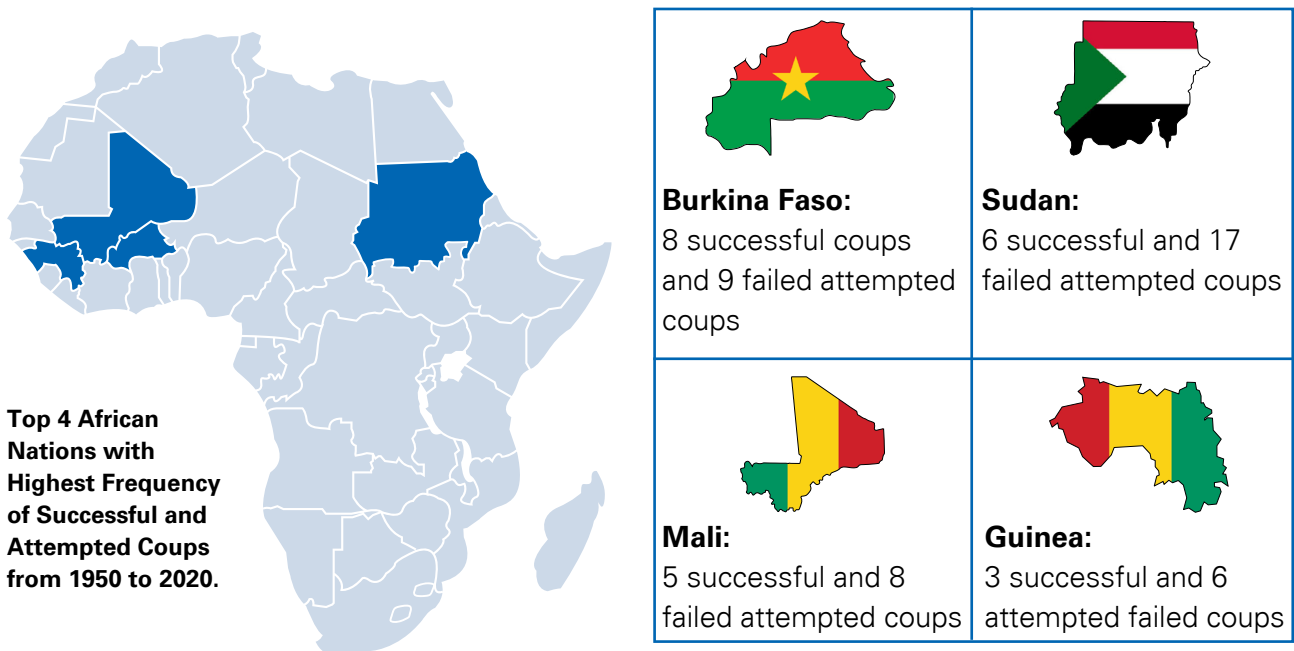
Self-Created: Modified and adapted from Duzor and Williamson (2022:01)[6].

Figure 4: Evidence of UCGs' impact in the top 4 African Countries.

Impact of unconstitutional changes in 4 African Countries
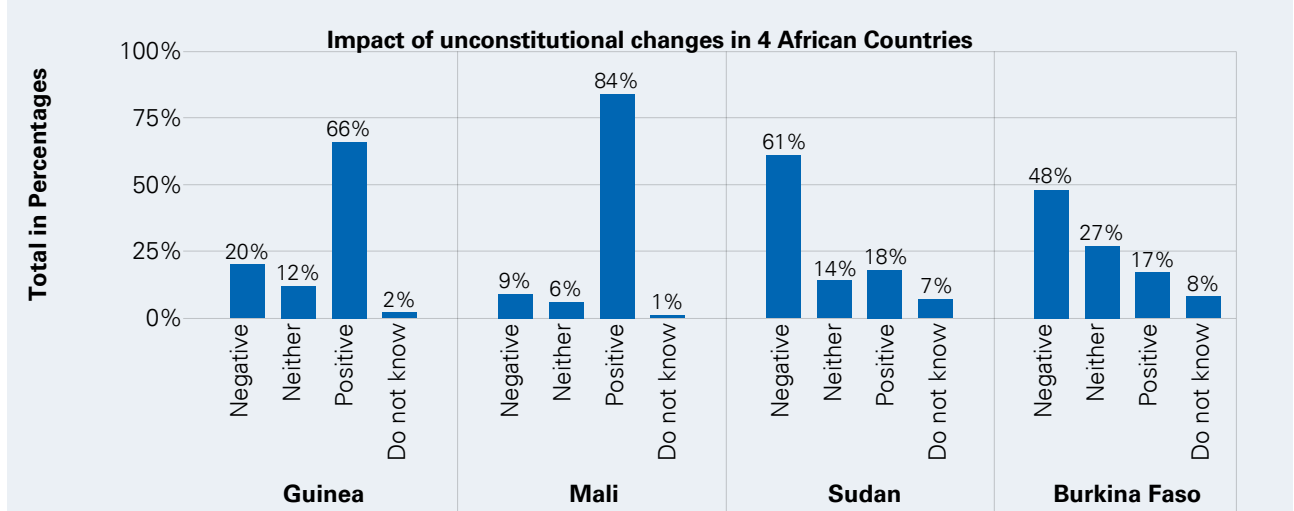
Self-Created: Modified and adapted from UNDP Soldiers and Citizens Military Coups and The Need for Democratic Renewal in Africa Report (2023:77)[7].

Figure 4 illustrates that, on average, more respondents in two African countries perceive the impact of UCGs and military coups as favourable. It is essential to note that these results encompass a wide range of regional variations in factors contributing to the resurgence of coups and UCGs and citizens' support for unlawful transitional governments. These variations include issues where citizens believe the government could have been better handled, with 35% indicating concerns about the absence of security and stability, 15% pointing to problems of corruption and dysfunctional government, and 14% highlighting the lack of an improved economy with job opportunities. Additionally, 63% of respondents indicated that democracy is abused or ineffective.[8] Respondents cite these factors as reasons for supporting incoming UCGs or coups, as they believe leaders who acquire power unlawfully are more likely to listen and respond to their needs. Figure 4 highlights explicitly that Mali had the highest percentage of respondents who viewed events favourably (84%), followed by Guinea (66%). In contrast, Burkina Faso (48%) and Sudan (61%) had significantly lower percentages of respondents arguing that the UCG and resurgence of military coups have a negative impact.

Table 1: African Nations' Progress Towards Agenda 2063 Goals, in Percentages (%).

Agenda 2063 Goals	AU, ECOWAS, IGAD and SADC Member States			
	Burkina Faso	Guinea	South Sudan	South Africa
Goal 13: Peace, security and stability preserved.	0%	0%	100%	0%
Goal 14: A stable and peaceful Africa.	100%	100%	100%	0%
Goal 15: A fully functional and operational African peace and security Architecture.	0%	100%	100%	0%
Country Progress Achieving Agenda 2063 Aspirations				
4th Aspiration: A peaceful and secure Africa.	33%	67%	67%	0%
Agenda 2063 Performance				
The country's overall performance in implementing the Agenda 2063.	46%	38%	46%	22%

Self-Created: Modified and adapted from the African Union Commission and African Union Development Agency - NEPAD. 2022. AUC & AUDA-NEPAD Second Continental Report on the Implementation of Agenda 2063. (2022:99,108,125 & 126)[9].

The findings in Table 1, illustrating African Nations' Progress Towards Agenda 2063 Goals in percentages (%), indicate that South Africa's performance concerning Agenda 2063 Goals could be improved. The outcomes reflect South Africa's foreign policy engagement with transitional governments, revealing gaps that signify inconsistent foreign policy behaviour. To better understand these policy gaps, the analysis is broken down as follows:

1. Inconsistent Commitment to Agenda 2063 Goals: South Africa's performance in achieving the Agenda 2063 Goals is lacking, particularly in peace, security, and stability goals. The data indicates South Africa has not progressed towards goals 13 to 15. This lack of progress signals a fundamental issue in the country's commitment to the aspirations of the African Union and its pursuit of a peaceful and secure Africa.

2. Engagement with Suspended Member States: This inconsistency is evident in two aspects: i) the Department of International Relations and Cooperation (DIRCO) and its line-function departments undertaking diplomatic missions, and ii) the reception of credence letters by Heads of Mission-Designate from suspended member states. South Africa's diplomats face a dilemma when dealing with suspended member states that have experienced military coups. This predicament arises from a conflict between the African Union's principles outlined in regulatory frameworks like the African Charter on Democracy, Elections, and Governance (ACDEG) and the AU Constitutive Act, which call for the condemnation of Unconstitutional Changes of Government (UCGs), and the South African government's approach.

3. Condoning UCGs and Coups: The data suggests that South Africa may not consistently condemn member states that have undergone UCGs, particularly those resulting from military coup d'états. This inconsistency may be interpreted as an implied acceptance or condonation of such actions, undermining the importance of upholding constitutionalism and respecting AU joint values and principles.

4. Impact on 'Silencing the Guns' and Peaceful Africa: As reflected in this data, South Africa's engagement with transitional governments could have significant implications for the African Union's flagship project, 'Silencing the Guns,' and the broader objective of achieving a peaceful and secure Africa. UCGs and coups pose substantial challenges to political stability, democracy, and socio-economic growth on the continent. If South Africa does not consistently condemn these actions, it is essential to highlight that the outcome can hinder the AU's efforts to realise a progressively peaceful and secure Africa.

Methodology

The research methodology involved a two-day interactive workshop where the researcher conducted participant observation to collect data. The workshop encouraged participation and collaborative discussions among Heads of Missions, DIRCO and HSRC AISA Officials, Partner Departments, academics, policy analysts, civil society, and business representatives. This collaborative experience produced a detailed analysis of the issues and the impact of unconstitutional government changes on South Africa's foreign policy on the African continent. The policy brief focused on Burkina Faso, Mali, Guinea, and South Sudan as case study areas due to their frequent experiences with government changes and subsequent suspensions from AU activities as per specific articles within the Constitutive Act and Democracy Charter.

Recommendations

The identified gaps in South African foreign policy engagement with transitional governments highlight the need for a strategic framework guiding South Africa's interactions with nations undergoing military transitions. This issue underscores the necessity of developing a comprehensive and coherent foreign policy strategy encompassing various engagement aspects. This strategy should address bilateral meetings, ambassador accreditation, participation in international gatherings, endorsement of candidatures in multilateral organisations, procurement of military equipment, and the feasibility of engaging bilaterally with countries facing sanctions and suspensions. The challenge is to discern the appropriate levels of engagement, formulate effective strategies and tactics, and establish safeguards to ensure the integrity of South Africa's foreign policy behaviour throughout interactions with the identified countries. The following recommendations are made to strengthen and improve South Africa's Foreign Policy behaviour and Engagement Framework with Transitional Governments:

A. To reduce the impact of UCGs on South Africa's Foreign Policy in Africa:

- Conduct an exhaustive examination of the gaps within the African Union's normative frameworks concerning UCGs.

- Advocate for the criminalisation of UCGs through the African Court of Human and Peoples' Rights, as stipulated in the Malabo Protocol. This should explicitly reference the AU Assembly decision on the abuse of universal jurisdiction principles, as outlined in Articles 28B–28M of the Protocol.

- Reformulate the Lomé Declaration and the African Union's Constitutive Act to comprehensively address UCGs' challenges and establish effective mechanisms for restoring constitutional order.

B. To Ensure Consistency in the AU Peace and Security Council's Approach to Sanctioning Countries with UCGs:

- Evaluate South Africa's position and approach towards transitional governments to inform foreign policy initiatives.

- Re-evaluate Post-Conflict Reconstruction and Development (PCRD) strategies by drawing insights from successful examples like Lesotho. Re-evaluate Post-Conflict Reconstruction and Development (PCRD) strategies by drawing insights from successful examples like Lesotho, which held an Extra-Ordinary SADC Double Troika Summit on July 3, 2015. This summit endorsed the 2014 SADC election observation report, establishing a commission of inquiry. Lesotho's experience is particularly relevant to this discussion because it serves as a pertinent case study, showcasing the strategic role of PCRD interventions in addressing challenges arising from political turmoil, including contested elections and security issues. There was no outright winner in the 2015 elections and insecurity challenges emanating from Lesotho Defence Force (LDF) and opposition parties engendering mutiny -an open rebellion against government which can also be conceptualised as a UCG.

- Establish educational institutions dedicated to supporting the rehabilitation and mental well-being of victims affected by UCGs.

- Apply sanctions consistently across African multilateral organisations and RECs, including the AU, ECOWAS, Economic Community of Central African States (ECCAS), IGAD and SADC, to avoid mixed signals and contradictions in South Africa's position, especially when diplomats engage with coup-disturbing transitional governments.

- Analyse common factors contributing to the resurgence or occurrence of coups in different African states, considering the effectiveness of existing early warning systems in curbing coups and UCGs.

C. To strengthen South Africa's Contribution to Sustainable Peace and Development in Africa through Bilateral Engagements and Multilateral Structures:

- Strengthen South Africa's role in the AU Peace and Security Council's efforts to sanction nations that have experienced unconstitutional government changes consistently.

- Leverage South Africa's membership in multilateral and plurilateral structures, such as the AU, the UN, and continental partnerships, to promote sustainable African peace and development.

Re-evaluate, quantify, and redefine South Africa's foreign policy interests, reconfiguring its position to support decisions made by multilateral and bilateral institutions regarding sanctions on governments involved in unconstitutional changes. Consider a nuanced approach that accounts for specific circumstances and regional stability implications.

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