

Constitutional Norms and the Decline of the Coup d'état:  
An Empirical Assessment of the African Union's first Decade

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Abstract

The coup d'état was once described as “the most visible and recurrent characteristic of the African political experience” (Decalo 1990). In its first decade, the African Union has witnessed a precipitous decline in coup activity. This paper examines the role of the African Union in this decline. Coups are by no means obsolete, and recent events in countries such as Madagascar and Niger suggest the AU is limited in its ability to restore fallen leaders. Still, the AU has had an important role in preventing coup attempts. Anti-coup actions have significantly altered the cost-benefit structure for potential challengers and have successfully deterred illegal seizures of power. Political opponents now avoid attempting coups due to the expectation of sanctions and long-term costs of regional condemnation. This claim is supported with bivariate data from 1950-2010, including multivariate analyses that test the impact of the AU versus other common determinants of coups for the years 1963 to 2009. A cross-regional comparison indicates that the AU's first 10 years has led to a decline in coup activity that is on par with that of Latin America.

After an inability to reverse a high profile coup d'état in Mauritania in 2005, some commentators claimed that the African Union (AU) had “fail[ed] the coup test” (Othieno 2005). Such condemnations overlook the AU's strength as a deterrent, rather than in its ability to reverse actions already taken. Coups are no longer met with grudging acceptance; they are met with robust condemnation. In this paper we illustrate the impact of this policy shift. Once described as the “most visible and recurrent characteristic of the African political experience” (Decalo 1990, 1), the AU's anti-coup efforts have made the coup d'état an anomaly.

Figure 1 reports a three-year average for total yearly coup attempts in Africa from 1960 to 2010. The dashed vertical line represents the shift from the OAU to AU, which brought clearly stated anti-coup provisions. The figure illustrates a precipitous decline after 2001, a decline that is also reflected in descriptive statistics. Scholars traditionally explain coups by looking at internal characteristics of a state, such as wealth (Londregan and Poole 1990) or level of democratization (Lindberg and Clark 2008). Influence of foreign actors is noted by David (1987) and Thyne (2010). Scholarship on the ability of International Organizations (IO) to influence the behavior of domestic actors offers another avenue of inquiry relevant to the trends observed in Africa. The strong anti-coup language adopted by the AU—and actions implementing its provisions—inhibits coups through two mechanisms. First, it increases the short-term costs of unconstitutional transfers by explicitly supporting the targeted government. Second, clear signals of condemnation, along with the implementation of sanctions, decreases long-term benefits through reputation costs and withholding support for the new regime. Through this process, the AU has demonstrated that it is much more serious about confronting the problem than its predecessor and as a result, can claim much of the credit for the decline in

coup activity. The aim of this paper is to demonstrate—both theoretically and empirically—that the African Union has significantly changed the course of African politics.

First we review the literature on the impact of sanctions and international norms and how they impede bad behavior. Adopting the dominant paradigm of civil war scholarship, we argue that coup-plotters rationally consider the opportunities and constraints of this environment. The anti-coup language of the AU, as well as the accompanying growth and respect for constitutional norms increases short-term costs and decreases long-term benefits of mounting a coup. We then test this relationship with coup activity from 1950, beginning at independence and ending in 2010, and use multivariate analyses for the years 1960-2009. These empirical tests provide strong evidence of the AU's effectiveness, which is on par if not superior to the effort to combat coups in the Americas. We then close with a brief discussion of the current state of the coup and future directions for the AU.

## TOWARD AN ANTI-COUP FRAMEWORK

The effectiveness of organizations increases as institutionalization of the mechanisms to identify and punish violations solidifies. Zangle (2008) demonstrates this by noting the remarkable gains in efficacy of the World Trade Organization compared to its predecessor. This example parallels the evolution of the OAU to the AU regarding its ability to deter coup activity. While clear objectives to prevent such behavior in the latter days of the OAU cannot be overlooked, the instruments to enforce the goal were not available. The newly formed AU and its institutionalized mission offered a number of areas for improvement.<sup>1</sup>

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<sup>1</sup> It is not the goal of this paper to give an in-depth illustration of the mechanisms in place for the AU to respond to coups. We encourage readers to consider the excellent work of Souaré (2009) for an exceptional discussion of this area.

When the OAU was founded in 1964 it adopted principles that ultimately limited its ability to deal with unconstitutional transfers of power. First, justified on the grounds that states were sovereign equals, an explicit non-interventionist policy made it impossible for the organization to credibly threaten or effectively punish coup-born regimes. Second, decisions had to be unanimous. This made it difficult to erect a unified voice of condemnation, and nearly impossible to enforce sanctions against those that violated constitutional integrity.

After decades of failure, steps were taken to toward an anti-coup framework. First, the Lomé Declaration of July 2000 urged any coup to be immediately condemned and the perpetrators were given a period of six months “to restore constitutional order.” Further, sanctions should be placed on the perpetrators while significant “moral pressure” is exerted.<sup>2</sup> Second, the AU’s founding charter broke from the constraints faced by OAU leadership. The Constitutive Act grants authority to publically condemn and immediately suspend member states that undergo unconstitutional transfers. Third, the African Charter on Democracy, Elections and Governance reiterates the sentiment of the Lomé Declaration and gives clear guidance on what can be done in the event of a coup, including immediate suspension from the rights and activities of the AU. Perpetrators are banned from entering subsequent restorative elections, and may “be tried before the competent court of the Union.” Economic sanctions also await violators and “any Member State that is proved to have instigated or supported [the action].”

## EFFECTIVENESS OF SANCTIONS

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<sup>2</sup> In 2003, the principles of the Lomé Declaration were reiterated in the *Protocol Relating to the Establishment of the Peace and Security Council of the African Union*. While it is not knowable if the Lomé Declaration could have successfully worked within the OAU apparatus to bring about changes in coup activity, it was one of the first clear signs that the regional organization was serious about curbing the practice.

We adhere to a dominant paradigm in the civil conflict literature that considers rebels as rational actors who calculate the expected utility of rebellion by weighing gains of success against the costs of failure (e.g. Lichbach 1995). Prior to the AU, costs were mostly domestic, such as the penalties associated with a failed coup (e.g., prison, exile, execution). International actors were known to get involved, French intervention following the 1964 coup against the Mba regime in Gabon or the ECOMOG intervention in 1997 Sierra Leone for example. Such penalties, however, were rare and often unpredictable.<sup>3</sup> In contrast, the penalties advertised by the AU have dramatically lowered the expected utility of a coup.

Belief in effectiveness relies on an assumption that international condemnation is costly, a claim that some have found to be dubious. Pape (1997), for example, claims that very few cases of “successful” sanctions withstand empirical scrutiny. While Nooruddin (2002) notes that by looking only at cases where sanctions were applied scholars miss a pool of potential targets that altered their behavior before application was necessary. Regimes that are hit with arms or trade embargoes, for example, no doubt received signals that sanctions were eminent. Targets that are vulnerable to these penalties will acquiesce before implementation, while those most immune to sanctions are ultimately targeted. In short, sanctions are implemented in the most difficult cases. In the current context, the anti-coup framework of the AU may be inefficient at restoring fallen leaders. Such coup leaders were aware of the consequences and have only acted when they felt they could withstand the penalties. The leaders of the 2009 coup in Honduras, for example, calculated that they could withstand international isolation until already-scheduled elections could take place. However, such a trend ignores the unseen cases in which would-be plotters, aware of these penalties, resigned themselves to the barracks.

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<sup>3</sup> The French intervention of Gabon, for example, was permitted through a secret treaty with the Mba government (see David 1987, 120-122).

We expect regional IOs to be better sanctions enforcers than others for three reasons. First, they can more easily address problems that are common to a specific region (Karns and Mingst 2004). For example, though coups have been a recurring problem in Africa, they might not be a UN priority due to their relative rarity elsewhere in the world. Second, multilateral sanctions can be hampered by a number of enforcement difficulties (Drezner 2000). Sanctions busters, for example, can defect and reap the rewards of non-cooperation by trading with the target state. The smaller membership of regional IOs makes the monitoring process easier. Finally, there are a number of strong economic and political motivations for maintaining good-standing in the organization (Ravenhill 2005).<sup>4</sup> Regional IOs offer protection to certain sectors that may not survive global competition, while benefiting from larger market share. At the same time, they may better satisfy domestic constituencies that fear global IOs such as the IMF and World Bank. Regional IOs such as the AU are thus more likely to deter transgressions through their ability to bring about high ongoing costs to deviance.

## DEVELOPMENT OF A NORM

States that abrogate agreements can suffer reputational setbacks in future interactions with members (Mansfield and Pevehouse 2008). Treaties, even those lacking enforcement mechanisms, can alter state behavior through the social pressure that serves as a means of enforcement in their own right (Avdeyeva 2007; Keohane 1984: 106). While academics generally focus on state compliance to treaties, the same logic can be extended to nonstate actors that are also aware of international norms of accepted behavior (Simmons 2010).

While there is general acceptance that international norms matter, there is disagreement over how they operate (Checkel 1997). Constructivists propose an elite-learning model, whereby

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<sup>4</sup> Ravenhill compares regional trade agreements from global.

norms are internalized by decision-makers (Finnemore 1993, Soysal 1994, Katzenstein 1996). A second approach focuses on how elite behavior is constrained by norm-empowered civil society groups (Lascelles 1995). Checkel (1997) proposes that these mechanisms are not mutually exclusive and depend on the type of domestic political institution. Scholars tend to focus on state-actors as the primary movers of policy, though non-state actors are also subject to norms of accepted behavior (Wapner 1995). Rebel movements such as the Ogoni in Nigeria, for example, have altered their strategies to make their movement more appealing to the international community (Bob 2005). Likewise, Dallaire (2003) recalled how the tepid international response to events in Somalia emboldened the perpetrators of the Rwandan genocide (240).

While the OAU did not impose long-term reputational costs on transgressors, the position of the AU is one with considerable will. Even where sanctions have been inconsistently applied, the label of deviant, reserved for illegitimately conceived regimes, is a strong deterrent. Would-be coup plotters operate in a context of clear signals from the AU, one of drastic material, political, and social consequences to unconstitutional transfers of power. The rational response is to refrain from such behavior.

Hypothesis: Fewer coups will be attempted after the adoption of anti-coup provisions, than before such provisions were included.

## ANALYSIS

We now hope to empirically demonstrate the success of the AU through a systematic analysis of coup activity. We make a strong effort to incorporate data with as wide a temporal scope as possible. Bivariate tests investigate the continent's coup activity from 1950-2010, while multivariate analyses cover the years 1960-2009. While the number of coups has clearly declined since the 1960s, recent coups in places as diverse as Madagascar (2009), Niger (2010), and Egypt (2011) suggest they remain a very real threat. *Coup attempt* follows the definition of

Powell and Thyne (2011): “attempts by the military or other elites within the state apparatus to unseat the sitting head of government using unconstitutional means.”

The independent variable of interest is the existence of a *provision* that guarantees constitutional changes of government. Presence—and a clear mandate to punish transgressions—should deter potential coup plotters. To be clear, an international norm is neither created overnight nor even in a single year as it is treated in the current analysis. In line with Lebow and Stein’s belief that deterrence will be present when an entity takes steps to “*define* the behavior that is unacceptable [and] *publicize* the commitment to punish or restrain transgressors” (our emphasis), we use the year of provision ratification. States are coded as “0” during OAU years and “1” after the launching of the AU. Non-member states are still coded 0, because they are not subjected to the same costs (i.e. suspension). Morocco, for example, voluntarily left the OAU following the Sahwari incident in 1984. We also code states as 0 if they are suspended. At the time of this writing, for example, Niger is suspended from the AU and is thus already incurring the costs that should deter a coup from occurring.

### *Bivariate Assessment*

We begin by considering the bivariate relationship between anti-coup provisions and coup activity. The results can be seen in Table 1. Before the AU’s launch (1950-2001), African states faced coup challenges in 7.7% of their country-years. This frequency dropped to 2.7% after the creation of the AU, a 65.5% decline that is a statistically significant ( $X^2 < .023$ ).

[Table 1 about here]

Given increased emphasis on democratization after the Cold War, some could suggest that the decline in coup activity is simply a product of the end of the American-Soviet rivalry.

During the Cold War (1950-1991), for example, Africa's coup rate was 8.3%, a number that has dropped to 4.4% in the post-Cold War era (1992-2010). This 46.9% decline is statistically significant ( $X^2 < .000$ ), but not as substantively strong as the decline since the AU's launch. We can refine this relationship and consider the Cold War independently by dropping the AU years. In the post-Cold War era before the AU (1992-2001), Africa's coup rate was 5.9%. This 29.6% decline from the Cold War period is not statistically significant ( $X^2 < .067$ ) and suggests that most of the apparent post-Cold War gains against coups are attributable to the success of the African Union.

This is further born out when censoring the Cold War years from the sample. Here we can see the launch of the AU (1992-2010) caused a statistically significant decline of 54.2% ( $X^2 < .015$ ) during the AU years. Based on our analysis, the effect of the AU appears strong, while the Cold War was not a significant predictor of coup activity. The Cold War was certainly influential in other ways, such as affecting democratization and economic development. In the next section, we control for these additional factors.

### *Multivariate Assessment*

Descriptive statistics and bivariate relationships provide a terrific overview of the basic relationship between two measures, but the omission of any potentially confounding factors could lead to doubts over the reliability of the findings. We thus incorporate a number of controls that are commonly attested to contribute to coup likelihood. We include *GDP per capita* and year-to-year *economic growth*, with data from the World Bank's *World Development Indicators*. As a control for regime strength, we utilize *Polity* and *Polity squared*. While *Polity* plots a state's level of democratization on a 21-point scale (-10 to 10), *Polity squared* possesses a

range of 0 to 100 in which lower values reflect a variety of “mixed regimes,” states that share some democratic and authoritarian traits. We expect Polity and Polity-squared are negatively related to coup activity. Finally, we incorporate *years since coup* and associated cubic splines to control for having a legacy of coups as well as temporal dependence, at the suggestion of Beck, Katz, and Tucker (1998).

We present the results of two multivariate logistic regressions to explore the impact of anti-coup provisions in Table 2. First, we explore the hypothesis with a sample of African states, and the provisions surrounding the formation of the AU in 2002. As a cross-regional comparison, we also briefly explore the adoption of anti-coup language in the Organization of American States (OAS). The record for the OAS in defending against coups after the passage of Resolution 1080 in 1991 has been well-documented (e.g., Boniface 2002).

Both models support the hypothesis. Analyzing the Africa sample, Model 1 reveals the existence of anti-coup provisions having a negative and statistically significant effect on coup activity. The likelihood of a coup attempt is lower with the provisions of the AU, all else being equal. To move beyond a basic determination of statistical significance toward a more substantive interpretation of the AU’s impact, we use CLARIFY to estimate the probability of an attempted coup (Tomz, King and Wittenberg 2003) under the OAU and AU. Holding control variables constant at their means, the typical African state saw the likelihood of a coup in a given year drop from .052 to .026 after the launching of the AU, an impressive drop of 50%. GDP per capita, growth rates, and coup legacy were also important influences on coup activity in Africa. From our analysis, rather than a failure of the African Union to combat unconstitutional transfers, additional factors like economic performance contribute to the long struggle to

maintain constitutional authority. Given the prevalence of coups in poverty-stricken West Africa, this trend seems to be reflected in the contemporary politics of the region.

The results in model 2 are substantively similar to those observed in the Africa sample. In the Americas, the adoption of an anti-coup provision by the OAS reduced the likelihood of a coup by .01 (.021 to .011), a drop of 48.5%. This suggests that the impact of the AU is substantively on par with—if not slightly better than—the well-advertized successes of the OAS. These results are telling in another respect. Simply passing the resolution did not lead to an immediate cessation of coup activity. On the contrary, Haiti witnessed the overthrow of Jean-Bertrand Aristide just after the passage of Resolution 1080. The Haiti case was important in that it demonstrated the resolve and ability of the organization to impose considerable costs upon the new regime headed by General Cedras, who eventually agreed to step down. The first years of the AU were similarly challenged. For example, following the 2003 coup in the Central African Republic, South African President and former AU Chair Thabo Mbeki lamented that “Although the AU had condemned the coup, it nevertheless had to deal with the political realities of that country” (Xinhua 2003)

This lackluster response by the young organization was soon reversed. The response to the Togolese putsch of February 2005 illustrated a commitment to take appropriate steps. Following the military’s backing of Faure Eyadema to as president after his father’s death, the AU took “an unusually hard line from the start” (Gelfand 2005). Nigerian President and then-AU Chairman Olusegun Obasanjo vowed the maneuver would not be tolerated. Sanctions were quickly levied and Togo was suspended from the AU while Obasanjo urged ECOWAS and other relevant parties to isolate Togo. The plea resulted in continent-wide sanctions, and the coup was successfully reversed without military force.

This response is important not only because it can help further or maintain efforts at democratization in the afflicted country. Rather, such signals directed toward a single coup in a single country provide an important message for other would-be coup leaders elsewhere on the continent. The establishment of the AU's anti-coup framework, and particularly its demonstrated willingness to enforce it, has provided a major tool in combating one of the most serious challenges of African politics.

## DISCUSSION

We have demonstrated the commendable efforts by the AU to combat the crisis of unconstitutional transfers of power. It is worth noting that this success may be understated. Exploring recent events suggests Africa has largely been devoid of classic seizures of power. In the AU-era, the coups in Togo (2005) and Guinea (2008), for example, were undertaken during a leadership void following the deaths of their respective long-serving presidents. In fact, since the AU demonstrated an "unusually hard line" response to the Togolese coup of 2005, only three countries have witnessed successful coup efforts against a sitting leader (Mauritania, Madagascar, and Niger). The circumstances behind each are revealing. The Mauritanian efforts (2005, 2008) acted to first rid of a long-serving military ruler, then later to "abort" a democratization effort that was receiving wide international acclaim (N'Diaye 2009). After 2005, the military had demonstrated its ability to bear the costs associated with international condemnation and sanctions. As a consequence, a second coup was not something viewed by the military as excessively costly. The Malagasy military long avoided interfering in the Ravalomanana-Rajoelina feud until widespread protests crippled the economy and the military was ordered to gun down protestors in the capital. Any costs related to sanctions may have been seen as secondary to the economic chaos being wrought upon the country by the political

turmoil. Finally, at the time of the coup, Niger was already subject to sanctions because of Tandja's efforts to consolidate power. The coup-plotters had little reason to fear new international sanctions. They may also have hoped to be granted informal pardons because of their target. Essentially, they risked international condemnation to end the international condemnation wrought by Tandja's authoritarian efforts.

The evidence explored here supports the theory that anti-coup provisions and social pressure can deter coup activity. Regional organizations can strongly influence domestic politics of member states by creating an environment of high formal and informal costs. Not only are elites subject to international signals, but non-state actors are part of an invisible audience that should be considered when determining responses to high profile actions. Even when sanctions "fail" or ousted regimes are not returned, steadfast commitment to legal alternation of power is still influential.

Regional organizations exhibit considerable variation in their ability to meet member states' expectations. ASEAN and the Arab League have consistently failed to meet their goals, while the European Union serves as a model for what can be accomplished. Karns and Mingst (2004: 147) suggest looking at the record of problems solved when evaluating IO performance. The AU emerged from a malaise of frustration following decades of a failure to deliver on the tenets of the OAU. The moral imperative was present, but institutional mechanisms and legitimized authority were weak. Through its first decade of existence, the AU has proven capable of confronting the formidable problem of unconstitutional transfers of power. As it continues its commitment for constitutional order and response mechanisms continue to be refined, we expect the once ubiquitous African coup d'état to continue its decline.

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Figure 1: Total Coup Attempts in Africa, 1960-2010

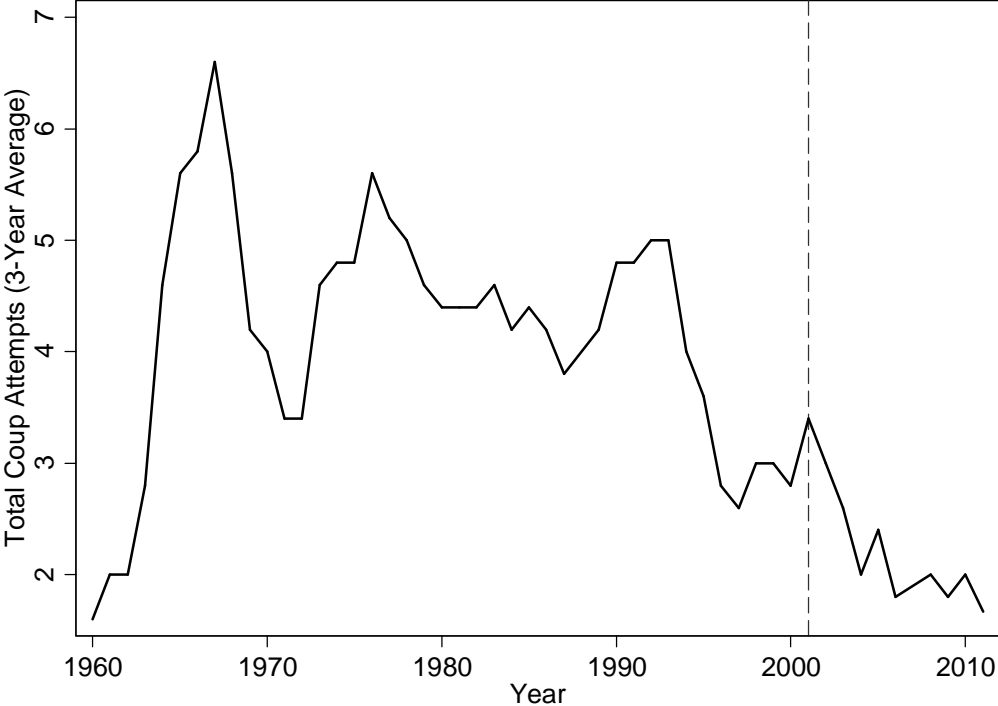


Table 1: International Norms and Coup Frequency in Africa, 1950-2010

	Pre-Norm	Post-Norm	%Change	Chi-2	Notes
AU	157/2042 (7.7%)	13/477 (2.7%)	-65.5%	15.14 p<.000	1950-2010 Norm=post-2001
Cold War	126/1513 (8.3%)	44/1006 (4.4%)	-47.5%	15.01 p<.000	1950-2010 Norm=post-1991
Cold War (Pre-AU)	126/1513 (8.3%)	31/529 (5.9%)	-29.6%	3.36 p<.067	1950-2001 Norm=post-1991
AU (Post-CW)	31/529 (5.9%)	13/477 (2.7%)	-53.5%	5.89 p<.015	1992-2010 Norm=Post-2001

Table 2: The Impact of Anti-Coup Provisions, 1960-2009

	Model 1	Model 2
	<u>Africa</u>	<u>Americas</u>
African Union	-0.748* (0.414)	
Res. 1080		-0.718* (0.382)
GDP per cap	-0.416*** (0.152)	0.147 (0.238)
Growth	-6.383*** (1.539)	-10.989*** (1.589)
Polity	0.012 (0.016)	-0.019 (0.018)
Polity <sup>2</sup>	-0.004 (0.004)	-0.019*** (0.005)
Yrs since Coup	-0.317*** (0.088)	-0.245** (0.105)
Constant	1.229 (0.751)	-1.402 (1.635)
Observations	1,870	1,107
Wald	115.0***	149.4***
Pseudo-R2	0.11	0.24
Log Pseudo	417.3	193.3

Notes: \*\*\*p<.001; \*\*p<.01; \*p<.05 (one-tailed)  
 Robust standards errors in parentheses, clustered by country.