GUEST RESEARCH BRIEF

Out with the liberal, in with the local

What African treaties, constitutions and public opinion tell us about democracy

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International IDEA

JULY 2026

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Paradigm shift

After a decade or more of consistent declines in global measures of democracy, we may be ready for a paradigm shift in our understanding of what democracy means and requires. Liberal democracy appears to be on its way out, and there is space for something new to replace it. This could be an opportunity to give more prominence to other models that are more aligned with the preferences of both political elites and voters. There is also a possibility that the known inter-regional variation in democratic preferences can be better reflected in the models of democracy that donors and development actors pursue.

As in other regions that were subjected to colonialism and which then regained freedom and autonomy in the mid-late 20th century, many African countries inherited institutions of government that resembled the European liberal model. For example, almost all the countries across the continent have parliaments, and in those parliaments we often find parties that understand their roles to be variously to govern and to be in opposition to the government. Yet, we know that those institutions never functioned perfectly in the European contexts in which they have their origin, and they have often functioned worse in environments to which they were foreign. But those institutions and that model are of course not the total democratic experience of any post-colonial state. The people to whom democracy belongs have other ideas about how their rule should be effected.

We therefore propose the following research question: What are the characteristics of contemporary African model(s) of democracy? Where can we find data that describe these characteristics? In a recently published research article, we started with an answer to the second question, seeking to find an answer to the first. We analysed the four kinds of evidence: models of democracy that emerge from (1) African treaties and covenants that address democracy, (2) the rulings of international courts on related issues, (3) the preambles to the national constitutions of African countries, and (4) the views of the people as identified in public opinion surveys. In this way we found an answer to the first question: Yes, there are distinctly African models of democracy. As one would expect from such a large and diverse continent, there are many models. However, the data highlight three key principles of democracy that have wide resonance across the continent: participation, consensus, and contextual grounding.

Participation

The first principle we identified is participation. This emerges from the normative instruments that guide continental institutions such as the African Union (AU) and the African Court on Human and Peoples' Rights (AfCHPR). In particular, the African Charter on Democracy, Elections and Governance (ACDEG) makes it clear that electoral participation (voting in elections) is a foundational principle for African democracies. In its interpretations of the ACDEG, the AfCHPR has often defended the fundamental right to vote against legislation in member states that imposes restrictions on the exercise of this right.

We also find strong support for voting in elections in our analysis of public preferences about governance on the continent as measured in Afrobarometer Round 9 data. In our analysis of these data, we develop a

model that clustered responses across 19 questions that address democracy, in this way mapping the diverse views of democracy represented across the continent (see Figure 1). For each of the 19 questions, we re-coded responses to be positive or negative in relation to democracy as it is commonly described in the academic literature. (For example, opposing military rule as positive, accepting military rule as negative.) In this simplified model, all but two of the clusters showed support for elections as a mechanism for selecting political leaders.

Moreover, the vision of participation in the continental norms and the jurisprudence of the AfCHPR is an inclusive one. This is well demonstrated in the provisions in the ACDEG (Articles 8, 29, and 31) that emphasize the role of women in strengthening democracy and require State Parties to 'promote participation of social groups with special needs.'

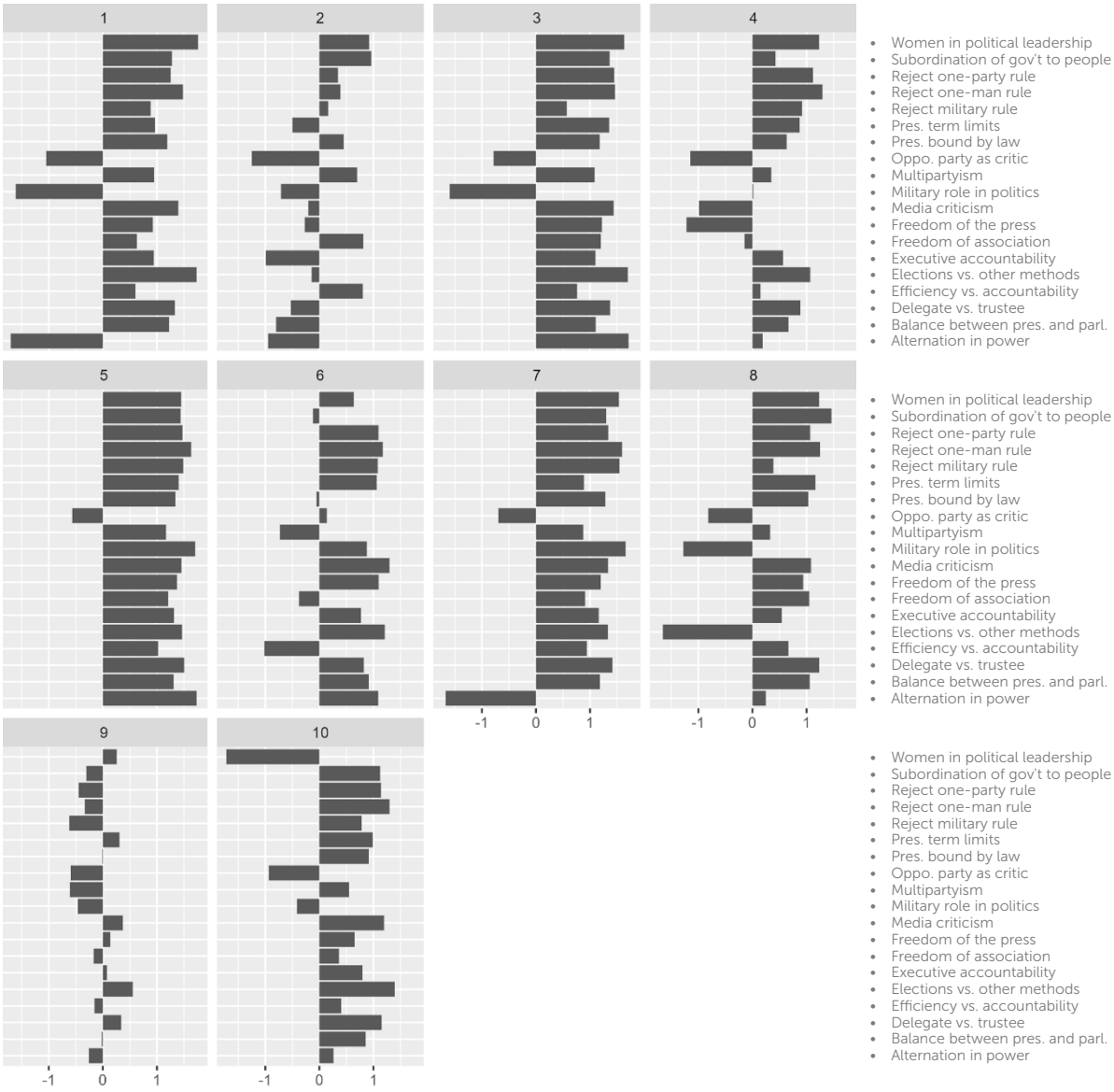

Figure 1: Clusters of democratic preferences

Consensus

The second principle we identified is consensus. While not unknown to models of democracy in other contexts, our research on both norms and public opinions highlighted this, and its importance in African models of democracy is likely higher than what we see in other regions. As an example, in ACDEG's treatment of constitutional reform processes it requires that such a process 'reposes on national consensus'. ACDEG also includes consensus as one of the values that State Parties should promote, alongside respect, compromise, and tolerance (Article 39).

The value of consensus becomes even more interesting when we look at the data on public preferences about democracy. In the cluster with the highest overall scores toward democracy (as widely understood in the political science literature), there was a clear preference for a relationship between government and opposition that differs from the liberal model (particularly as found in Westminster style parliaments). One of the Afrobarometer questions asks if respondents would prefer that opposition parties 'monitor and criticise the government' or 'accept defeat and cooperate with government.' Respondents in the most pro-democracy cluster prefer the latter, indicating a preference for consensual politics over the possible contributions toward accountability that an adversarial parliamentary opposition might provide. This same orientation was found across the majority of the clusters, confirming that most African models of democracy likely prioritize the principle of consensus.

Contextual grounding

A third principle is contextual grounding, or if you prefer, valuing place and history. This emerges primarily from our analysis of constitutional preambles. We found that many of the preambles situate goals for democracy within the country's geographical and historical context. As a general principle, this is not unique to African constitutions, as many constitutions begin with references to national history and ambitions. However, in some African constitutions this recitation of history includes the liberation struggles that created the context in which a constitution that seeks to build national sovereignty and popular self-determination could be possible. For example, the preamble to the constitution of Sao Tome and Principle states that 'During five centuries the Sao Tomean People were locked in a hard and heroic struggle against colonial domination for the liberty of their occupied Country, for the conquest of Sovereignty and National Independence, for the restoration of their usurped rights and for the reaffirmation of their human dignity and African character' (Preamble).

Linking to our discussion of continental norms above, 19 African constitutions either make explicit reference to the African Charter on Human and Peoples' Rights or reflect a similar list of rights. Beyond these references, some of the preambles make intentional connections between themselves and the continent more broadly. For example, the constitution of Angola commits the state to 'strive to reinforce African identity and strengthen the work of the African states in enhancing the cultural heritage of the African peoples' (Article 12). While Cameroon invokes both history and place in a statement that the country is 'convinced that the salvation of Africa lies in forging ever-growing bonds of solidarity among African Peoples, affirm our desire to contribute to the advent of a united and free Africa' (Preamble). Many others make references to the goal of achieving African unity in the preamble.

Back to the big picture

Our research identified both commonalities across constitutions and public preferences, but also the level of diversity that one would expect from a continent with 54 countries and as many as 3,000 languages. When we look at the distribution of the clusters of preferences of democracy across countries (see Figure 2), we observe both international and intranational variation. Some countries (such as Senegal and Namibia) have a relatively even distribution across the clusters, while others (such as Kenya, Mauritius, Seychelles, Tunisia, and Uganda) have more people following two leading clusters. Each cluster represents a bundle of commitments and preferences about democracy. Sometimes these clusters include things that at first glance appear to be contradictory, but if we dig deeper, we can see how principles like participation and consensus are being translated into concrete preferences for governance.

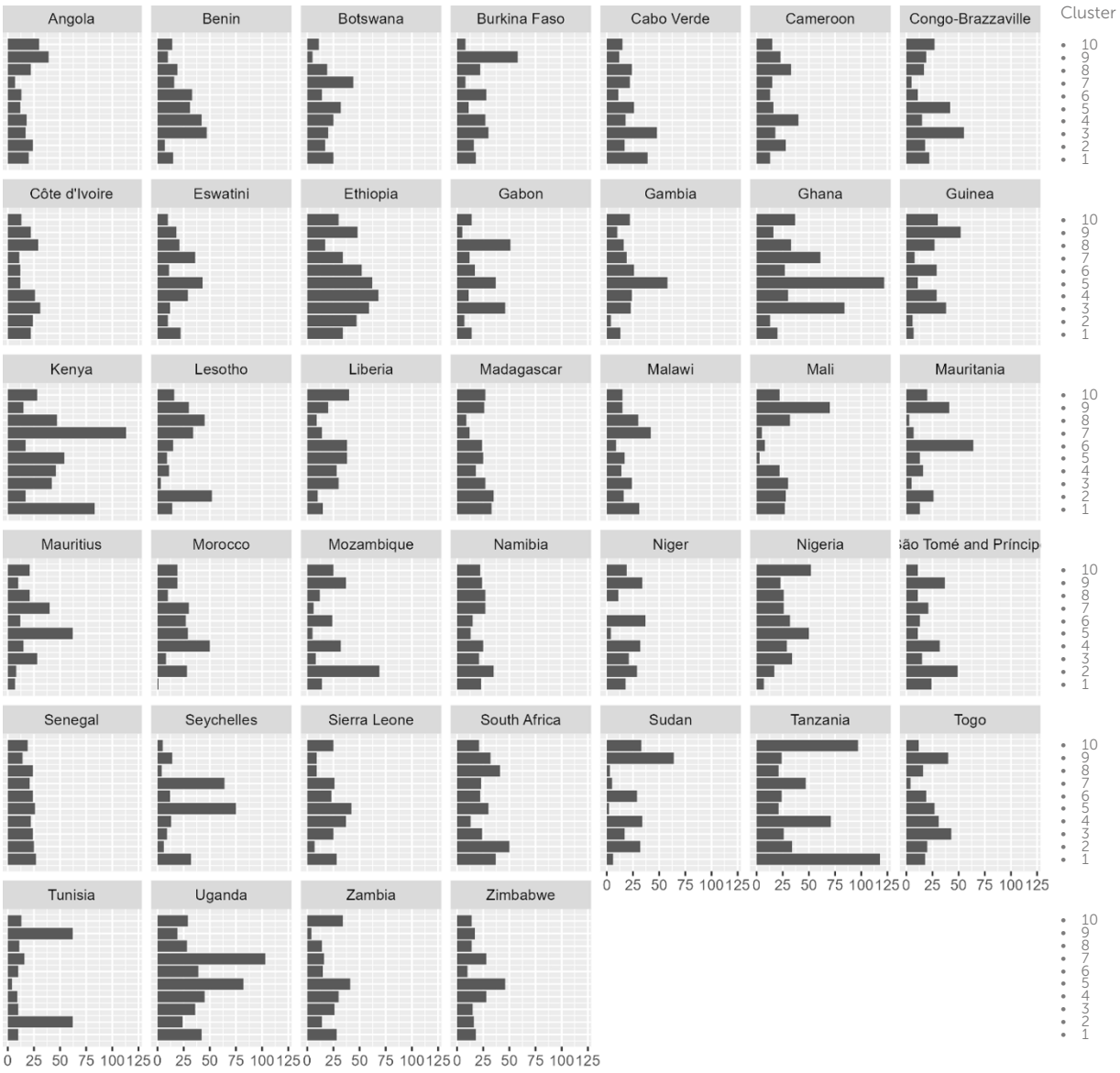

Figure 2: Distribution of clusters of democratic preferences across countries

Our research therefore does not point toward a singular African model of democracy, but does highlight these underlying principles that may be common to many models that may develop across the continent. The implication is that actors who seek to support strengthening democracy across the continent may need to be a bit more open-minded about the end-state that interventions are meant to produce. More creativity in matching means and ends may be required. As an example, we are used to thinking about the autonomy of opposition parties in the legislature and the investigating role of parliaments as critical contributors to democratic accountability for governments. If that is not something that African models of democracy would include, what other mechanisms of accountability are envisaged? We need to do more work to identify these alternative institutions and understand how they can be supported.

A full version of this paper was published in World Comparative Law (2025), available here: https://www.inlibra.com/de/document/view/pdf/uuid/d8df96d4-abd3-3a46-971a-2a5ccea0a378

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