

**AN ANALYSIS OF THE LEGITIMACY OF MILITARY TAKEOVERS IN SAHEL
COUNTRIES**

BY

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DECLARATION

I **Treasure Esohe, OSAZUWA**, with Matriculation number **LAW2002947**, hereby certify that apart from references to other persons` works which have been duly acknowledged, the entire work is a product of my research, and this project has neither in whole nor in part been presented for another degree elsewhere.

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CERTIFICATION

This is to certify that the research work of this dissertation and subsequent preparation of this dissertation by (**Treasure Esohe, OSAZUWA**) and matriculation number (**LAW2002947**) were carried out under my supervision.

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DEDICATION

This project is dedicated to God, for helping and seeing me through this process, I thank Him for progress and speed. Special thanks to my family, my parents (Late) Mr. Douglas & Mrs. Patricia Osazuwa, and my siblings for their love and care through my university journey. I am forever grateful.

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2. African Union (AU) Instruments

- Constitutive Act of the African Union, 2000
- African Charter on Human and Peoples` Rights (Referenced indirectly through AfCHPR procedure)
- Protocol to the African Charter Establishing the African Court on Human and Peoples` Rights, 1998
- Lome Declaration on Unconstitutional Changes of Government, 2000
- African Charter on Democracy, Elections and Governance (ACDEG)

3. National Constitution Provisions

- Constitution of the Federal Republic of Nigeria, 1999 as amended.
- Constitution of Niger, 2010

4. International/ Historical Legal instruments

Nuremberg Tribunal Principles

LIST OF ABBREVIATION

ECOWAS: Economic Community of West African states

AU: African Union

OAU: Organization of African Unity

AES: Alliance of Sahel States

AfCHPR: African Court on Human and Peoples` Right

AMIS: African Union Mission in Sudan

IMF: International Monetary Fund

GDP: Gross Domestic Product

UN: United Nations

UN HDI: United Nations Human Development Index

ECOMOG: ECOWAS Monitoring Group

CNSP: National Council for the Safeguards of the Homeland

U.S.A/U.S: United States of America/ United States

N.G.O: Non-Governmental Organization

HDI: Human development Index

ABSTRACT

This study examines the legitimacy of recent military takeovers in Mali, Burkina Faso, and Niger, analyzing the political, legal, and security factors that enabled the resurgence of coups in the Sahel. It critically examines these regimes through theories of legal positivism, natural law and legitimacy, showing that while juntas claim popular support, their actions violate domestic constitutions and regional norms such as the ECOWAS Protocol on Democracy and Good Governance and the AU Constitutive Act. The research identifies insecurity, jihadist insurgency, governance failures, corruption, ethnic tensions, and foreign interference as core drivers of unconstitutional changes of government. Using the Sahelian recent coups as a case study, it highlights severe human rights abuses and shifting geopolitical alliances. This study also examines how International actors like France have exploited the Sahel, boosting their economy at the expense of the Sahel. The study finds that the Economic Community of West African States (ECOWAS) and the African Union (AU) possess strong legal instruments and frameworks but weak enforcement capacity, resulting in inconsistent sanctions and declining public trust. It concludes that restoring constitutional order in the Sahel requires credible enforcement mechanisms, harmonized regional frameworks, civic education, and commitment to human rights and democratic governance.

CHAPTER ONE

GENERAL INTRODUCTION

1.1 BACKGROUND OF THE STUDY

The Sahel region of Africa has long been a hotbed of military interventions, with a complex history of coups and power struggles that have shaped the political landscape. In recent years, countries like Mali, Burkina Faso, and Niger have witnessed a new wave of military takeovers, sparking intense debates about their legitimacy and implications for democracy, stability, and human rights.

To understand the current situation, it's essential to look at the historical context. The Sahel has experienced a series of military coups and interventions, often justified by security concerns, corruption, or governance issues. These events have created a pattern of military involvement in politics, which has been difficult to break. The region's porous borders, ethnic and linguistic diversity, and limited economic opportunities have created an environment in which military power can thrive. The recent military takeovers in the Sahel have significant implications for regional security, international relations, and global efforts to promote democracy and stability. The international community has been grappling with how to respond to these developments, balancing the need to promote democracy and human rights with the need to ensure stability and security in a region plagued by terrorism and other security challenges.

This essay will explore the legitimacy of military takeovers in Sahel countries, examining the underlying causes, consequences, and implications for the region's development. By analyzing the complex dynamics at play, this study aims to contribute to a deeper understanding of the

Sahel's challenges and opportunities, and to inform policies that promote stability, democracy, and human rights in the region.

1.2 STATEMENT OF PROBLEM

The legitimacy of government that comes to power through military intervention is questionable, particularly when they appear to have popular acceptance and support, raising the question; can a government be considered legitimate, if it seizes power through military means, even if it enjoys the popular acceptance of the people? What also is the implication on regional stability, democracy and human rights in these Sahel regions? The Sahel region has become the epicentre of a troubling resurgence in military coups, notably in Mali, Burkina Faso, Niger, Guinea, and Sudan since 2020. These takeovers, while condemned by regional bodies like ECOWAS, have paradoxically received initial popular support, revealing a growing crisis in democratic legitimacy and state authority. Fombad argues that despite constitutional reforms in the 1990s, African states continue to face a crisis of constitutionalism, where laws are easily suspended, manipulated, or overridden by military regimes¹

Military actors in these states justify their authority through security narratives, anti-corruption rhetoric, and anti-imperial positioning, yet democratic theorists like Diamond insist that legitimacy arises only from broad and deep consent, grounded in citizen trust and institutional accountability.² This contradiction highlights the inadequacy of purely procedural democratic models in fragile, postcolonial contexts.

¹ Charles Fombad, 'An Overview of the Crisis of the Rule of Law in Africa' (2018) *African Human Rights Law Journal* 213-214

² Larry Diamond (quoted in) Hanspeter Kriesi, 'Democratic Legitimacy: Is There a Legitimacy Crisis in Contemporary Politics?' (2013) JSTOR <<https://www.jstor.org/stable/24201256>>.

Furthermore, insecurity across the Sahel marked by extremist violence, weak governance, and humanitarian crises has profoundly eroded public trust in state institutions. Diallo and Bazie show that less than 36% of Burkinabè citizens trust all three branches of government, exposing a legitimacy gap exacerbated by political instability.³ Postcolonial scholars like Akinola and Makombe link these breakdowns to colonial legacies that left behind fragile state institutions, unable to withstand modern governance pressures.⁴

The crisis deepens as Sahelian states withdraw from ECOWAS, undermining regional mechanisms for accountability and integration. This raises the urgent need to reassess how legitimacy is constructed, contested, and perceived under military rule and whether classical models—such as those by Weber, Kelsen, and natural law theorists—can adequately explain political authority in a volatile, postcolonial landscape.

1.3 AIM AND OBJECTIVES OF THE STUDY

The aim of this study is to critically examine the concept of legitimacy in relation to governments that come to power through military intervention, with a focus on the role of popular acceptance in legitimizing such governments.

The objectives of this study include;

1. To analyze the concept of legitimacy and its relationship to the means of acquiring power.

³ Porto Bazie & Mamadou Abdoulaye Diallo, 'State Legitimacy in Sahelian Countries: Exploring the Impact of Insecurity on Institutional Trust in Burkina Faso' (2025) *Cogent Economics & Finance* 13(1)

⁴ A Akinola and RC Makombe, 'The Nature of Post-Colonial African States and Military Coups: A Convergence' in *The Resurgence of Military Coups and Democratic Relapse in Africa* (Springer, 2024) 65–92 <https://link.springer.com/chapter/10.1007/978-3-031-51019-9_3>.

2. To explore the implications of military intervention on the legitimacy of a government.
3. To investigate the role of popular acceptance in legitimizing a government that came to power through military means.
4. To evaluate the tension between the means of acquiring power and the legitimacy of a government in the eyes of its citizens.

The research questions guiding this study are;

1. Can a government be considered legitimate if it seizes power through military intervention, even if it enjoys popular acceptance?
2. What is the justification for the military takeovers?
3. What impact have coups had on constitutionalism and democratic legitimacy in the Sahel?
4. What role has regional and international institutions played in the advent of these coups?

By achieving these objectives and answering these questions, this essay aims to provide a nuanced understanding of the complex dynamics surrounding legitimacy, power, and popular acceptance in the context of military interventions.

1.4 SCOPE OF THE STUDY

The scope of this study is to examine the concept of legitimacy in relation to governments that come to power through military takeovers, with particular reference to popular acceptance by the people. The study will explore the theoretical and practical implications of military interventions on legitimacy, and analyze the complex dynamics between power, legitimacy, and popular acceptance.

The limitations of the study include the conceptual and theoretical ambiguity, what one group sees as legitimate others may view as unconstitutional. Legal moral and political theories of legitimacy may yield conflicting conclusions. The meaning of legitimacy can shift over time, especially in volatile political context.

Another limitation is data availability and reliability. Military regimes often limit press freedom and academic inquiry, making it hard to gather accurate data. Official narratives may distort facts, while opposition sources may exaggerate, also, many decisions and events occur behind closed doors, especially during and after coups.

Geo-political sensitivities may also pose a limit to the study, because some sources in a bid to maintain neutrality or access may avoid critical analysis. External factors for example France, Russia, ECOWAS, may complicate the narrative and may skew interpretations. Field research on conflicts zones like Mali or Burkina Faso can be dangerous or impossible.

This study may also be limited to methodological challenges. Each country's context (for example *Niger v Guinea*) is unique, making generalizations risky. Many coups are recent; so long-term impacts on legitimacy are still unfolding. Without field work, the analysis may depend heavily on existing literature which could be out dated or incomplete.

1.5 SIGNIFICANCE OF THE STUDY

The significance of this study lies in its ability to deepen our understanding of what makes power legitimate, especially when it's taken by force, as in military interventions. By drawing on theories of democracy, law, and legitimacy, the research offers a lens through which we can better grasp the complex ways authority is claimed and contested in fragile political landscapes.

It is not just an academic exercise. The insights uncovered here could help shape real-world decisions made by governments, international organizations, and policy advisors who are faced with the difficult task of responding to military takeovers. When legitimacy is uncertain, the stakes social, political, and humanitarian are high. This research also contributes to bigger questions about power and governance. By examining how popular acceptance might influence perceptions of legitimacy in military-led governments, it encourages critical reflection on whether democracy is the only or even always the best path to stability.

In regions where coups have dramatically reshaped governance, understanding the delicate balance between authority, popular support, and the rule of law becomes all the more urgent. Ultimately, this study adds fresh perspectives to global conversations around legitimacy, helping us rethink what stable; just governance can look like in volatile settings.

1.6 RESEARCH METHODOLOGY

This study employs a doctrinal research approach, which involves a detailed analysis of legal doctrines and principles relating to legitimacy, power and governance. By using this methodology, the study aims to provide a nuanced understanding of the complex dynamics surrounding legitimacy and power in the context of military takeovers.

1.7 CHAPTER ANALYSIS

This chapter introduces the research study, providing an overview of the background, statement of the problem, aim and objectives, significance, scope and limitations, and research methodology.

The concept of legitimacy is crucial in understanding the dynamics of power and governance, particularly in contexts where military interventions have shaped the political landscape. This study explores the legitimacy of governments that come to power through military means, examining the complex relationships between power, legitimacy, and popular acceptance.

The aim of this study is to critically examine the concept of legitimacy in relation to governments that come to power through military intervention. The specific objectives are to analyze the concept of legitimacy, explore the implications of military intervention, investigate the role of popular acceptance, and evaluate the tension between power and legitimacy.

This study contributes to theoretical debates on legitimacy, power, and governance, informing policy and practice in contexts where military interventions have shaped governance. It advances knowledge in the field, fostering critical thinking about the nature of legitimacy and power.

This study employs a qualitative research approach, utilizing a critical analysis of existing literature and theoretical frameworks related to legitimacy, power, and governance. The methodology includes a comprehensive literature review, theoretical analysis, and case study analysis to provide a nuanced understanding of the research question.

This chapter provides a foundation for the entire study, setting the stage for subsequent chapters that will explore the research question in greater depth.

CHAPTER TWO

CONCEPTUAL THEORETICAL FRAMEWORK AND LITERATURE REVIEW

2.1 CONCEPTUAL CLARIFICATIONS

INTRODUCTION

All good research proceeds from a thorough explanation and clarification of the conceptual terminologies associated with the research topic. Therefore, this section is devoted to analyzing the terms used in this research by clarifying their meaning and terms of use. The terms that are recurrently used within this work will be defined and it is intended that these definitional framework will provide a compass for navigating the subsequent expositions in this discourse.

2.1.1 Definition of Terms.

1. Legitimacy: This refers to the rightfulness or acceptability of a government's authority, often based on popular consent, democratic principles, or legal frameworks. According to John Locke, it is the rightful authority of a government that is derived from the consent of the people⁵

2. Military Intervention/Coup d'état/Junta: It is the removal or attempted removal of a state's chief executive by the regular armed forces through the use or threat of force⁶. In the Sahel region, such takeovers commonly involve the suspension of constitutional processes and the dissolution of democratic institutions. These terms will be used interchangeably in the course of this study.

⁵ John Locke, *Two treatises of Government*, ed. Peter Laslett (Cambridge University Press 1960) 4

⁶ William R. Thompson, *Military Coups and Military Regimes* (Princeton University Press 1973)6

3. **Popular Acceptance:** Refers to the degree to which citizens accept and support a government, which can be influenced by various factors, including performance, ideology, and historical context. Popular acceptance is closely tied to legitimacy, especially in democratic systems, where governments derive their authority from the consent of the governed. It reflects the social contract between the state and its citizens, and is influenced by factors such as good governance, respect for human rights, and security provision.⁷

4. **Government:** This refers to the group of people who officially control a country, or the system used for controlling a country, city, or group of people⁸. In this context, refers to the institution or group of people with authority to govern a state or country.

5. **Power:** It is defined as the ability to control people or things; the right or authority of a person or group to do something⁹. Power is the ability of a government or institution to exercise authority and control over citizens, often through a combination of coercion, persuasion, and legitimacy.

8. **Sovereignty:** According to Ogbinaka, sovereignty is the supreme political authority and power of the state or its agent over all other institutions, persons or laws within a given state¹⁰. It is the absolute authority of a state to govern its territory and people without external interference. Military regimes often invoke the principle of sovereignty to defend their actions and rebuff foreign intervention or criticism.

⁷ Sola Akinyemi, *Fundamentals of Civic Education for Senior Secondary School Book 2* (Lagos: Akinyemi Publications 2013) 35–36.

⁸ Cambridge Dictionary 'Government' <<https://dictionary.cambridge.org/dictionary/english/government>>

⁹ Oxford University Press, 'Power' Oxford Advanced Learner's Dictionary (Oxford University Press, 2025)

¹⁰ JA Ogbinaka, *Introduction to Philosophy and logic* (University of Lagos Press 1998) 23

2.2 THEORETICAL FRAMEWORK

2.2.3 Theoretical Perspectives from Various Schools of Thought

A multidisciplinary approach reveals how different schools of thought interpret legitimacy in the context of military rule:

1. **Legal positivism:** This theory as championed by John Austin and H.L.A. Hart, asserts that the validity of law stems from its source, not its moral content. In this framework, a law is considered legitimate if it is enacted by a recognized legal authority, regardless of whether it aligns with ethical principles or democratic values. Austin's command theory emphasizes that law is the will of a sovereign backed by sanctions, while Hart refines this by introducing the rule of recognition, which identifies valid legal norms within a system.¹¹ Applying this theory to military regimes, particularly in the Sahel and Nigeria, reveals a troubling paradox. Although military takeovers are unconstitutional and lack democratic legitimacy, once in power, juntas often establish themselves as de facto sovereigns, issuing decrees and edicts to govern. Under legal positivism, these laws may be deemed valid, even if they violate human rights, suspend constitutions, or lack popular consent.¹²

For instance, during Nigeria's military era, key constitutional provisions especially

Chapter 4,¹³ which guarantees Fundamental Rights were suspended. This led to

¹¹ Matthew Kramer, 'The Legal Positivism of H.L.A Hart' in *The Cambridge Companion to Legal Positivism* (Cambridge University Press 2021) 301-324

¹² SK Jane and VK Pathak, *Legal Positivism: An Analysis of Austin, Bentham and Hart's concept of Law* (2022)

¹³ Constitution of the Federal Republic of Nigeria 1999 as amended.

widespread human rights violations, including press censorship, restrictions on freedom of speech, and arbitrary detentions. Legal positivism, by divorcing law from morality, risks normalizing authoritarian rule if validity is assessed solely by procedural authority rather than ethical or democratic standards.¹⁴

2. **Natural law Theory:** This theory is rooted in the works of Thomas Aquinas and was later developed by scholars like Lon Fuller. It asserts that laws must conform to universal moral principles grounded in human nature, reason, and justice.¹⁵ This school of thought holds that the validity of law is not determined solely by its source or enforcement, but by its moral content. In other words, a law is not truly legitimate if it violates fundamental human rights even if it is legally enacted.

Proponents of natural law argue that regimes which suspend constitutions, curtail civil liberties, or govern by decree as is common under military juntas fail the moral test of legitimacy. Such actions may be legally enforced, but they are considered morally invalid under natural law.¹⁶

A powerful historical example is the Nuremberg Trials following World War II, where Nazi officials defended their actions as legal under German law. However, the tribunal invoked natural law principles to assert that legality does not excuse crimes against

¹⁴ Nnadi Christopher Ikechukwu, 'Sahel Exodus from ECOWAS: Security, Economic Implications on the Region' (2024) *WITHIN Nigeria*

¹⁵ Thomas Aquinas, *Summa Theologiae*, I-II, q. 94; Lon Fuller, *The Morality of Law* (Yale University Press 1969)

¹⁶ Tonny Nyarko, 'Digest of Postulates of Natural Law: Thomas Aquinas, Lon Fuller, and Finnis' (Academia.edu 2023) <https://www.academia.edu/29638208/DIGEST_OF_POSTULATES_OF_NATURAL_LAW_Thomas_Aquinas_Lon_Fuller_and_Finnis.pdf> accessed 26 July 2025.

humanity.¹⁷ This precedent underscores the natural law view that military takeovers are inherently illegitimate if they violate human rights or democratic norms, regardless of their legal formalities.

Natural law is rooted in the idea that certain rights and moral principles are universal and inherent in human beings regardless of government systems. These include the right to life, liberty, dignity, and justice. So, for a military regime to “stand the test” of natural law, it must respect fundamental human rights, uphold justice and the rule of law, avoid arbitrary use of power and serve the common good rather than personal or factional interests. Military regimes are often associated with authoritarianism and suppression, but if one were to govern without violating human rights, it could theoretically align with natural law principles. A close but not perfect example is (1979-1981) under Jerry Rawlings’ Armed Forces Revolutionary Council who took power briefly to purge corruption¹⁸. They publicly executed corrupt officials but did not suppress civil liberties broadly. Eventually, they handed power back to civilian rule within months. Though controversial, Rawlings’ regime was seen by many as morally justified and focused on justice, not personal gain. It’s one of the few military regimes that arguably align with natural law ideals, especially in its limited duration, focus on accountability, and return to democracy. In contrast with the Rawlings’ regime, the recent military coups have violated human rights and have not satisfied the justification for their

¹⁷ Internet Encyclopedia of Philosophy, ‘Natural Law’ (2023) <<https://iep.utm.edu/natlaw/>> accessed 26 July 2025.

¹⁸ Ghana Rawlings, Jesse Weaver. *Narrating 1979: The Coup d'Etat as Insurgent Storytelling*. Ghana Studies, vol. 27, no.1, Nov 2024, pp. 154-169

takeovers. For example, in Mali, the military has suspended multiparty politics and have side-lined a number of its constitutional provisions. The courts are still technically functioning but their independence is questionable especially now that appeals by political parties against their dissolution were rejected by Malian courts, suggesting alignment with the junta's directives.¹⁹

3. Legitimacy Theory: Legitimacy theory is a foundational concept in political science and legal philosophy, concerned with the justification of authority and the acceptance of power. Scholars generally agree that legitimacy is not merely about legality or coercion, but about the perceived rightfulness of rule. Legitimacy refers to the right to rule, and more importantly, the recognition of that right by those who are governed. According to Joachim Blatter, legitimacy is “the popular acceptance of a government, political regime, or system of governance” It is what distinguishes authority from mere power—a legitimate government is not only obeyed, but is also seen as morally or legally justified.²⁰ Peter G. Stillman offers a more nuanced definition: legitimacy is “the compatibility of the results of governmental output with the value patterns of the relevant systems,” meaning that a government is legitimate when its actions align with the values and expectations of its people.²¹

¹⁹ Monitor Civicus, 'Mali's Military Government Outlaws Political Parties And Suppresses Public Demonstrations' <https://monitor.civicus.org/explore/malis-military-government-outlaws-political-parties-and-suppresses-public-demonstrations/> accessed 5 August 2025.

²⁰ Joachim Blatter, 'Legitimacy' in *Encyclopedia of Governance* (SAGE Publications 2007).

²¹ Peter G. Stillman, 'The Concept of Legitimacy' (1974) 7(1) *Polity* 32 <https://www.jstor.org/stable/3234268>. accessed 10 November 2025.

Hans Kelsen, in his *Pure Theory of Law*, argues that legitimacy stems from a Grundnorm—a basic norm that validates all other legal norms. For Kelsen, a legal system is legitimate if it is internally coherent and accepted as valid.²² He separates legality (what is lawful) from legitimacy (what is accepted as rightful). Kelsen’s theory is particularly relevant in post-coup contexts. A military regime may establish a new legal order, but unless it is accepted by the people and institutionalized, it remains illegitimate under the previous constitutional framework.

Max Weber famously categorized legitimacy into three types; Traditional authority, based on customs and long-standing practices, Charismatic authority, based on the personal appeal of a leader and Legal-rational authority, based on laws and procedures.²³

Modern states, including those in the Sahel, are expected to operate under legal-rational authority. However, military regimes often rely on charismatic or populist legitimacy, which is unstable and difficult to institutionalize. Recent scholarship views legitimacy as an “essentially contested concept”—its meaning varies across cultures, regimes, and historical contexts.²⁴ In fragile states, legitimacy is often fragmented, with governments struggling to gain acceptance from all segments of society. For example, Claudia Wiesner and Philipp Harfst argue that legitimacy must be understood through

²² Hans Kelsen, *General Theory of Law and State* (Harvard University Press 1945) 110

²³ Max Weber, *Economy and Society* (University of California Press 1978) 215.

²⁴ John Dunn, ‘Legitimacy and Democracy in the World Today’ (1992) 20(1) *International Affairs*.

both normative-theoretical and empirical-analytical lenses. They propose a hybrid approach that considers both legal frameworks and public perception.²⁵

Legitimacy theory reveals that power alone does not confer authority. A government must be legally grounded, morally justified, and socially accepted. In the context of the Sahel, this means that both military and democratic regimes must be evaluated not just by how they came to power, but by how they govern, whether they uphold constitutional norms, and whether they retain the trust of their people.

4. Democratic theory: Thinkers such as Jean-Jacques Rousseau and Robert Dahl, posit that legitimate political authority arises from the will of the people, primarily expressed through free and fair elections and popular participation.²⁶ Under this framework, citizens are the ultimate source of governmental power, and the integrity of democratic institutions is essential to maintaining legitimacy.

However, military takeovers disrupt this foundation, replacing elected governments with regimes that seize power through force. Such coups undermine democratic legitimacy by subordinating constitutional institutions to the authority of the armed forces, thereby stripping citizens of their right to choose leaders and participate in governance.²⁷ The result is a democratic vacuum, an environment where popular sovereignty is suspended, even when the regime claims to act in the national interest.

²⁵ Claudia Wiesner and Philipp Harfst, 'Conceptualizing Legitimacy: What to Learn from the Controversies' (2022) *Frontiers in Political Science* <<https://www.frontiersin.org/articles/10.3389/fpos.2022.867756/full>>. accessed 5 August 2025.

²⁶ Robert A. Dahl, *On Democracy* (Yale University Press 1998)

²⁷ Hanspeter Kriesi, 'Democratic Legitimacy: Is There a Legitimacy Crisis in Contemporary Politics?' (2013)

Yet, democratic theory is not without its philosophical critiques, particularly concerning its universal applicability and practical weaknesses. In *The Republic*, Plato questioned the wisdom of empowering the masses, arguing that democracy fosters chaos, ignorance, and eventually tyranny.²⁸ He proposed that society should instead be governed by philosopher-kings, individuals who possess superior knowledge and moral insight. Socrates, as recorded by Plato in *The Republic*, distrusted democracy because it elevates popularity over wisdom. He compared democratic choice to preferring an ice cream man over a doctor: citizens choose immediate pleasure rather than long-term health. In politics, this means leaders win by promising comfort rather than making difficult but necessary decisions.²⁹

For Socrates, only philosopher-kings—those guided by justice and wisdom—were fit to rule.³⁰ Applied to the Sahel, this critique shows why citizens often support military or populist leaders who promise quick relief, even if such regimes lack constitutional legitimacy.

Building on this scepticism, contemporary philosopher Jason Brennan in the same vein advocates for a system of government led by the most knowledgeable people.³¹

Another point to consider is the issue of constitutional democracy and authoritarian democracy. In theory, constitutional democracy is built on the principles of popular

²⁸ Plato, *The Republic*, trans. G.M.A. Grube (Hackett Publishing 1992), Book VIII

²⁹ Plato, *The Republic*, trans. Benjamin Jowett (Oxford University Press 1941) Book VI.

³⁰ Julia Annas, *An Introduction to Plato's Republic* (Oxford University Press 1981) 120.

³¹ Jason Brennan, *Against Democracy* (Princeton University Press 2016)

sovereignty, rule of law, and institutional accountability. However, in practice, some countries exhibit what scholar's term authoritarian democracy, a paradoxical form where elections exist, but power is concentrated, civil liberties are restricted, and constitutional interpretation is manipulated to entrench executive dominance. As rightly observed, this distortion creates a blurred line between military takeovers and democratically elected autocrats. In both cases, the constitution is side-lined, and popular consent is hollowed out, even though the regime claims democratic legitimacy. According to Albertus and Melnado (2018), "Democracy often does not restart the political game after displacing authoritarianism... Democratic institutions are frequently designed by outgoing authoritarian regimes to shield incumbent elites."³²

A rather befitting example of a case of perceived authoritarian democracy is the suspension of a sitting Governor in Nigeria, Governor Siminalayi Fubara, his deputy and all members of the Rivers State House of Assembly for an initial period of six months, after declaring a state of emergency in Rivers State.³³ According to the 1999 Constitution of the Federal Republic of Nigeria, **section 305**³⁴ allows the president to declare a state of emergency, but does not grant the power to suspend selected officials. **Section 108**³⁵ outlines the process for removing a governor, which must be initiated by the State House of Assembly, not the president.

³² M Albertus and V Menaldo, *Authoritarianism and the Elite Origins of Democracy* (Cambridge University Press 2018)

³³ The Cable, 'What Constitution Says About Emergency Rule Governors Suspension' <https://www.thecable.ng/explainer-what-constitution-says-about-emergency-rule-governors-suspension/> accessed 5 August 2025.

³⁴ Constitution of the Federal Republic of Nigeria 1999

³⁵ Ibid

According to the *2024 Democracy Index* by the Economist Intelligence Unit, fewer than 20% of nations qualify as full democracies, signalling both the rarity and resilience of genuine democratic governance and at the forefront are countries like Norway, Iceland and New Zealand.³⁶

However, even in flawed systems, democracy offers institutional resilience, public participation, and civil society engagement. Countries that uphold electoral integrity, judicial independence, and media freedom continue to reap the benefits of democratic governance, including economic stability, human rights protection, and peaceful transitions of power. Despite these criticisms, democracy remains grounded in the principle of public consent, where legitimacy is derived from the people, not imposed upon them. Therefore, military regimes lack democratic legitimacy unless they eventually restore constitutional order, civil liberties, and mechanisms for electoral accountability.

The resurgence of military coups in the Sahel is not merely a rejection of democratic institutions. It is a symptom of their failure. Democracy, in its ideal form, is anchored in the protection of human rights, the rule of law, and the equitable distribution of resources. When these foundational principles are violated, democracy loses its moral and functional legitimacy. As Kolawole (2024) argues, “the failure of democratic institutions to perform

³⁶ World Population Review ‘Country Rankings: Democracy Countries’ <<https://worldpopulationreview.com/country-rankings/democracy-countries> > accessed 5 August 2025.

to expectation, sit-tight syndrome and tyrannical nature of the leaders led to the frustration of the people and the resurgence of military coup in Africa”.³⁷

This crisis of legitimacy is not unique to the Sahel. Libya offers a poignant example. Prior to Muammar Gaddafi’s rise to power in 1969, Libya’s GDP per capita was approximately \$3,000. Under Gaddafi’s rule, it rose to \$12,000 by 2010, driven largely by oil exports and state-led development.³⁸ However, following his assassination in 2011, Libya’s economy collapsed. By 2025, GDP per capita had fallen to \$6,800 (nominal), with widespread poverty, political fragmentation, and infrastructural decay.³⁹

The Libyan case illustrates that political agendas often override economic progress, and that regime change whether democratic or military, does not guarantee stability or prosperity. The assassination of Gaddafi, supported by foreign powers under the banner of democratic transition, ultimately plunged Libya into chaos.

This leads to a deeper truth: citizens are less concerned with the form of government than with its outcomes. Whether under military or civilian rule, people primarily seek comfort, security, and access to basic amenities. As Mensah (2023) notes, “for ordinary Africans weary of corrupt civilian leaders, the uniform began to look more credible than the ballot

³⁷ Femi Raphael Kolawole, ‘Failure of Democracy, Cataclysmic for Military Coup in Africa’ (2024) *Niger Delta Journal of Political Science* <<https://nigerdeltajournal.org/wp-content/uploads/2024/12/19.-Failure-of-Democracy-Cataclysmic-for-Military-Coup-in-Africa.pdf>>. accessed 15 November 2025.

³⁸ Addisu Deresse, ‘The Once Richest African Nation: Libya’s Economy Before and After Gaddafi’ (2025) *The Africans Time* <<https://theafricanstime.com/news/the-once-richest-african-nation-what-is-the-economy-like-in-libya-after-gaddafi>>. accessed 15 November 2025.

³⁹ "Libya" Organization of Petroleum Exporting Countries (OPEC) <<https://www.opec.org/>> 15 November 2025.

box’’.⁴⁰ The legitimacy of any regime, therefore, must be measured not only by its legal foundation but by its ability to meet the needs of its people.

In this light, legitimacy theory must evolve. It must incorporate popular satisfaction, economic justice, and human dignity as core metrics. A government that fails to deliver these, regardless of its constitutional status, risks being seen as illegitimate.

5. Political realism: This theory articulated by Niccolò Machiavelli and Hans Morgenthau, prioritizes power, stability, and national interest over legal formalities or moral considerations.⁴¹ This theory assumes that states, and by extension, their leaders act rationally to preserve sovereignty, even if doing so requires the use of force or the violation of norms and laws. From this perspective, military takeovers may be interpreted as strategic manoeuvres aimed at restoring control when civilian governments are perceived as weak, corrupt, or incapable of maintaining national stability.

Realism places the state as the highest authority, and in moments of internal collapse, the military may intervene to “save” the nation from disintegration.⁴² In such cases, coups are not viewed as moral failures but as pragmatic responses to existential threats. When legal or diplomatic channels fail, realist logic may justify a coup as necessary for national survival.

⁴⁰ Kent Mensah, ‘Africa’s Coup Epidemic: Has Democracy Failed the Continent?’ (2023) Al Jazeera <<https://www.aljazeera.com/features/2023/9/22/africas-coup-epidemic-has-democracy-failed-the-continent>>. accessed 15 November 2025.

⁴¹ Agung Wicaksono et al., ‘Understanding Political Realism: A Review of the Thoughts of Thucydides, Machiavelli, Hobbes, and Morgenthau’ (2022) *Journal of Government and Political Issues* 2(2) 80–91

⁴² Hans J. Morgenthau, *Politics Among Nations: The Struggle for Power and Peace* (McGraw-Hill 1948)

Unlike natural law theory, which evaluates legitimacy based on moral principles and human rights, realism is amoral and it is concerned only with outcomes, interests, and strategic advantage. Thus, while coups may be undesirable, they can be rationalized if they restore order, prevent civil war, or protect the state's continuity. In this view, a regime may be considered legitimate if it maintains internal stability, even if it rose to power through unconstitutional means.

Also, while realism may explain military takeovers, it does not necessarily justify them in a normative sense. Morgenthau himself acknowledged the limits of power and warned against the abuse of realism to excuse authoritarianism.⁴³ Realism is descriptive and strategic, not a moral endorsement of coups. Some military regimes have justified their unconstitutional change of government with a plethora of reasons, In Burkina Faso; Captain Ibrahim Traoré justified his 2022 coup by citing the civilian government's failure to contain jihadist violence. The junta claimed it acted in the national interest, aligning with realist logic.⁴⁴ In Thailand, the 2014 military coup was framed as a move to restore order amid political gridlock. The military suspended the constitution but maintained public services and stability, invoking national survival.⁴⁵ In Egypt, General Abdel Fattah

⁴³ Ibid

⁴⁴ Raluca Besliu, 'No World Order: The Sahel's Great Schism' (2024) *Green European Journal* <<https://www.greeneuropeanjournal.eu/wp-content/uploads/pdf/no-world-order-the-sahels-great-schism.pdf>> accessed 29 July 2025.

⁴⁵ International Crisis Group, 'Thailand's Coup: The Road to Stability or Repression?' (2014)

el-Sisi's 2013 ousting of President Morsi was rationalized as a response to mass unrest and institutional breakdown, though critics argue it undermined democratic legitimacy.⁴⁶

In essence, military leaders have invoked realist logic to defend their actions, but long-term stability still requires constitutional restoration and popular trust, elements realism leaves unanswered.

6. Postcolonial theory: This theory as developed by thinkers like Frantz Fanon,⁴⁷ Edward Said⁴⁸, and Achille Mbembe⁴⁹, critiques the imposition of Western legal norms and emphasizes the legacy of colonialism. This theory examines how colonial legacies continue to shape political instability in formerly colonized states. Post-colonial states inherited fragile institutions characterized by centralized authoritarian structures, not democratic governance. Post-colonial theory critiques the lingering effects of colonialism on formerly colonized societies. This theory, while emphasizing cultural and political resistance to imperial domination also underscores the reclaiming of indigenous identity and autonomy. Military regimes in post-colonial states often claim legitimacy by framing coups as anti-imperial acts, condemning Western-backed elites or institutions and promising to restore sovereignty and dignity. For example, Captain Ibrahim Traore of Burkina Faso invoked revolutionary rhetoric, stating “A slave who does not rebel does

⁴⁶ Nathan J. Brown, 'Egypt's Failed Transition: The Constitutional Foundations of Authoritarianism' (2014) *Carnegie Endowment for International Peace*

⁴⁷ Frantz Fanon, *The Wretched of the Earth* (Grove Press 1963)29; (University of California Press 2001) 102

⁴⁸ Edward Said, *Orientalism* (Pantheon Books 1978)

⁴⁹ Achille Mbembe, *On the Postcolony* (University of California Press 2001)

not deserve pity...The African union must cease to fight against their Western puppet regimes.”⁵⁰

While this theory has been used to justify coups, it is right to point out that not all formerly colonized states have experienced coups and that further complicates the narrative. Some countries have been able to build resilient democratic institutions early on, often due to inclusive government and effective leadership. In some states the military was deliberately kept apolitical or under tight civilian oversight. An example is Botswana, a country colonized by Britain. The government prioritized inclusive governance, rule of law and economic pragmatism. They made use of pre-colonial structures like *kgotla* (public assembly) and encouraged participatory decision-making and accountability, the army also was deliberately kept small and apolitical.⁵¹ This led to a stable democracy and no coups since their independence in 1966.⁵² Mauritius also is a state which has had no history of coups since independence in 1968.⁵³

So, while colonial legacies matter, local agency, leadership choices, and institutional design play decisive roles as seen in Botswana and Mauritius who alongside other states inherited fragile institutions but managed to reform and strengthen theirs. This distinction is not to discard post-colonial theory but to suggest its refinement.

⁵⁰ Peoples Dispatch. <<https://peoplesdispatch.org/2023/08/02/>> accessed 29 July 2025.

⁵¹ African Liberty, <<https://www.africanliberty.org>> accessed 29 July 2025.

⁵² Tarek Badaway, *Botswana and Nigeria: Same Colonial Legacy, Different Paths* (University of Minnesota Digital Conservancy 2015) <<https://conservancy.umn.edu/accessed>> accessed 29 July 2025.

⁵³ Political Economy Southern Africa, 'History of Conflict and its Impact on Mauritian Development' (8 February 2019) <<https://poloiticaleconomy.org.za/2019/02/history-of-conflict-and-its-impact-on-mauritian-development/>> accessed 8 August 2025.

2.3 LITERATURE REVIEW

2.3.1 Conceptualizing Legitimacy in Political Transitions

Legitimacy, as a foundational concept in political theory, has been explored through various lenses. In politics, legitimacy refers to the popular acceptance and recognition of a governing authority's right to rule. It transforms power into rightful authority, here the people obey not out of fear but because they believe that the government is morally and legally justified. Max Weber's typology: legal-rational, traditional, and charismatic legitimacy remains a cornerstone for understanding how authority is justified and maintained⁵⁴. In post-coup contexts, scholars have debated whether legitimacy should be derived from legal continuity, popular acceptance, or effective governance.

Hans Kelsen's Grundnorm theory, developed as part of his Pure Theory of Law, provides a foundational lens for understanding how legal systems derive validity and legitimacy. Central to this theory is a deliberate separation of law from morality, politics, and sociology, allowing focus on the internal structure and logic of legal norms. According to Kelsen, a law is legitimate not because it is just or democratic, but because it is valid—that is, created in accordance with a recognized legal order.⁵⁵ This validity is governed by a hierarchy of norms, with each norm deriving its authority from a higher one, ultimately culminating in the Grundnorm or “basic norm.” The Grundnorm serves as the hypothetical foundation of the legal system often embodied by a national constitution from which all subordinate laws draw their legitimacy.

⁵⁴ Max Weber, *Economy and Society* (University of California Press 1978) 215

⁵⁵ Hans Kelsen, *Pure Theory of Law* (The Lawbook Exchange, Ltd. 2005) 1–70

Importantly, Kelsen allows that a new legal order may emerge when a regime achieves effective control and secures public compliance, a claim frequently invoked by military regimes to justify their authority post-coup. However, this has sparked criticism among legal theorists who argue that such positivist interpretations risk legitimizing unconstitutional power seizures. By prioritizing procedural validity over democratic or moral considerations, critics contend that Kelsen's framework can inadvertently normalize authoritarian transitions, especially in contexts where legality is manipulated to mask illegitimacy.

Natural law theorists like Lon Fuller contend that legitimacy must be grounded in moral principles and procedural justice⁵⁶. This theory holds that legitimacy in governance arises not merely from legal procedures or power, but from a government's alignment with universal moral principles rooted in human nature and reason. For natural law theorists, unjust laws are not true laws. Legitimacy also depends on popular consent, but that consent must be morally informed and when laws violate natural law, citizens may morally resist through civil disobedience.

Meanwhile, democratic theorists such as Robert Dahl emphasize electoral consent and institutional accountability as the bedrock of legitimate governance⁵⁷. This idea dates back to John Locke, who argued that governments are legitimate only if they protect natural rights and are based on popular consent. These debates underscore the multidimensional nature of legitimacy, particularly in fragile or transitional states.

2.3.2 Military Coups and the Crisis of Constitutionalism

⁵⁶ Lon L. Fuller (n 15)

⁵⁷ Robert A. Dahl (n 31)

Military coups are widely regarded as violations of constitutional order. Fombad argues that they erode the rule of law and undermine democratic consolidation in Africa⁵⁸. Yet, in contexts of extreme governance failure, some scholars view military interventions as “corrective” mechanisms. For instance, Ayoob suggests that in weak states, legitimacy may be performance-based rather than procedural⁵⁹. Weak states typically refer to regions where institutions are fragile, governance is inconsistent, rule of law is shaky, and the government struggles to provide basic services or maintain authority over its territory. In these states government may lack the institutional strength to uphold laws consistently and to compensate they “perform” legitimacy by engaging in theatrical gestures that make them appear authoritative or beloved. This view is echoed in Sahelian contexts, where military regimes often justify their actions by citing insecurity, corruption, and the collapse of civilian authority,⁶⁰ on the grounds that they preserved national stability⁶¹. However, such rulings remain controversial and context-dependent.

2.3.3 Regional and International Norms

The African Union (AU) and ECOWAS have adopted a zero-tolerance stance toward unconstitutional changes of government, as enshrined in the Lomé Declaration and the AU Constitutive Act⁶². However, enforcement has been inconsistent and this appears to be a major challenge. Adebajo argues that ECOWAS’s sanctions and suspensions have sometimes deepened

⁵⁸ Charles Fombad, ‘Constitutional Reforms and Constitutionalism in Africa: Reflections on Some Current Challenges and Future Prospects’ (2011) 59 *Buffalo Law Review* 1007.

⁵⁹ Mohammed Ayoob, *The Third World Security Predicament* (Lynne Rienner 1995) 81.

⁶⁰ Cedrick Zuo-Kom Kibang, ‘Fostering Regional Integration in Africa in the Wake of Military Takeovers in the Sahel’ (2024) 4(3–4) *JCEEAS* 289

⁶¹ Yusuf Ali (n 22)

⁶² Constitutive Act of the African Union 2002.

political crises rather than resolving them⁶³. The recent withdrawal of Mali, Burkina Faso, and Niger from ECOWAS in 2024 has further complicated regional diplomacy and raised concerns about the future of collective security frameworks in West Africa. International actors such as France, Russia, and the United States have also played roles in shaping legitimacy narratives. While Western powers often condemn coups, some military regimes have turned to alternative partners, invoking sovereignty and anti-imperialist rhetoric to justify their position. When Western powers condemn these coups because of their zero-tolerance stance to unconstitutional change of government, these military leaders respond by shifting alliance to the East, particularly Russia, Turkey or China and present themselves as protectors of national sovereignty. This move appeals to popular discontent with external interference and it reconstructs democracy, using nationalist narratives rather than procedural democracy. This appears to be contradictory because military takeovers in it are unconstitutional and therefore illegitimate. Military regimes reject external influence which rejects their ideology of using coups to forcefully overthrow a sitting government, their reason being national sovereignty which they violated and undermined initially by unconstitutionally taking over the government.

2.4 CONCLUSION

In conclusion, coups that have taken place in the Sahel have been seen to have the same historical patterns. These pattern ranges from poor governance, jihadist insurgencie, popular discontent which can be manifestly seen through contested elections, nation wide protests against bad government, amongst others. Some regional actors like the Economic Community of West African States (ECOWAS) and the African Union (AU), have condemned these coups as

⁶³ Adekeye Adebajo, 'ECOWAS and the Crisis of Regional Legitimacy' (2021) *African Affairs* 120(480) 543.

unconstitutional, but the common problem which these actors would still need to step up is in the aspect of enforcement. It is not uncommon for countries under the ECOWAS to ignore its sanctions. Whether this is in defiance or in the protection of its sovereignty, these countries have posed a major challenge to the enforcement mechanisms of ECOWAS and AU.

CHAPTER THREE

A COMPARATIVE ANALYSIS OF THE RECENT MILITARY COUPS IN THE SAHEL

3.1 OVERVIEW OF THE SAHEL REGION

3.1.1 Introduction

The Sahel region, which stretches across the African continent from Senegal in the west to Sudan in the east, serves as both a climate and geopolitical transition zone. According to Britannica, the Sahel is characterized by semi-arid conditions and seasonal rainfall, making it particularly vulnerable to environmental stress and political instability⁶⁴. Worldwildlife further notes that the region spans roughly 59,000 kilometres and includes several countries such as Mali, Niger and Burkina Faso, each confronting intersecting challenges of desertification, migration and governance.⁶⁵

The Sahel region faces a complex web of socio-economic challenges that continue to undermine development and governance. Despite modest gains in human development indicators, the region remains one of the poorest globally. According to the International Monetary Fund (IMF) these Sahel countries are grappling with overlapping shocks, including climate change, food insecurity, and rising debt burdens that have severely constrained their ability to deliver basic services.⁶⁶

Public debt in the region has steadily increased, averaging close to 51% of GDP in 2023, while

⁶⁴ *Sahel*, Encyclopedia Britannica, < <http://www.britannica.com/Sahel> > accessed 5 August 2025.

⁶⁵ "Sahelian Acacia Savanna" <<https://www.worldwildlife.org/ecoregions/at0713>> accessed 5 August 2025.

⁶⁶ *The Sahel, Central African Republic Face Complex Challenges to Sustainable Development*, International Monetary Fund,

security spending adsorbs nearly 25% of fiscal revenues, crowding out investments in education, healthcare, and infrastructure⁶⁷.

Moreover, the region's demographic pressures are immense. Fertility rates remain among the highest in the world, with Niger averaging 6.7 children per woman⁶⁸. This rapid population growth, coupled with weak institutional capacity, has strained already fragile systems.

Agriculture remains the backbone of the Sahelian economy, employing over half of the population, yet it is vulnerable to desertification and erratic rainfall⁶⁹. The regions dependence on subsistence farming and limited industrial diversification has left it exposed to external shocks and commodity price fluctuations.⁷⁰

3.1.2 Colonial Legacies and Post-Independence Struggles

The colonial history of the Sahel continues to shape its political and institutional landscape. The arbitrary borders drawn during the Berlin Conference 1884-1885 ignored ethnic and cultural realities, sowing seeds of future conflict.⁷¹ French colonial administration entrenched centralized peripheral communities and suppressed indigenous political systems.⁷²

⁶⁷ Sahel Acacia Savanna(n71)

⁶⁸ *The Sahel beyond the conflict: real economic and social development*,

⁶⁹ *The Sahel: Challenges and opportunities*, International Review of the Red Cross, < <https://international-review.irc.org/articles/editorial-the-sahel-challenges-opportunities-adama-adieng-918> > accessed 6 Aug 2025)

⁷⁰ *The Sahel* (n 74)

⁷¹ Silvester Trnovec, *The challenges of Colonial Rule in West African Sahel: The Case of French West Africa, 1900-1930*, (2020) *Asian and African Studies* 29 (2) 207, 210.

⁷² Richard Nyelade, *Alliance of Sahel States: Challenging Colonial Borders and UN Representation*, Kujenga Amana, <<https://kujenga-amani.ssrc.org/2024/04/18/alliance-of-sahel-states-challenging-colonial-borders-and-un-representation>> accessed 7 August 2025

Post-independence Sahelian states inherited weak bureaucracies and economies structured around extractive colonial interests. The persistence of “Francafrique” (France’s colonial influence in West Africa), has provoked anti-Western sentiment and it contributed to the rise of military juntas seeking to reclaim sovereignty.⁷³

3.1.3 Importance of the Sahel region in African Politics and Security Architecture

The Sahel reign, stretching from Senegal to Sudan, occupies a central position in Africa’s political and security landscape. Its geographical location makes it a strategic corridor linking North Africa with sub-Saharan Africa, serving as both a bridge and a buffer zone. This positioning has rendered the Sahel a focal point for regional diplomacy, migration flows, and transnational security concerns. As Adebajo notes, the Sahel’s role as a geopolitical crossroads has historically made it vulnerable to external manipulation and internal fragmentation.⁷⁴

In recent years, the Sahel has emerged as a critical theatre for African security architecture, largely due to the jihadist insurgencies. These groups operate across porous borders, challenging the sovereignty of the state and the efficacy of national security mechanisms. Obi argues that the hybrid nature of these threats, combining ideological extremism with criminal enterprise, necessitates a coordinated response from regional actors and international partners.⁷⁵ The formation of the G5 Sahel Joint Force in 2017 comprising Burkina Faso, Chad, Mali, Mauritania, and Niger, was a direct response to these challenges. The initiative was to foster regional

⁷³ *Junta Rule in the Sahel: Decolonization and Destabilization*, Havard International Review, <- <https://hir.harvard.edu/junta-rule-sahel> > accessed 7 Aug. 2025

⁷⁴ Adebajo , *The Curse of Berlin: Africa After the Cold War* (Hurst &Company 2010)

⁷⁵ C. Obi, ‘Security Challenges in the Sahel and the Role of Regional Actors’ (2022) 31(2) *African Security Review* 145-162

cooperation in counterterrorism and border security, its effectiveness has been hampered by limited funding, logistical constraints, and political upheaval within member states. Murithi emphasized that while regional security frameworks like the G5 Sahel and ECOWAS have made strides in promoting collective defence, their success is contingent on the stable governance and sustained international support.⁷⁶

Beyond its security implications, the Sahel plays a significant role in shaping political discourse. The resurgence of military coups in Mali (2020 and 2021), Burkina Faso (2022), and Niger (2023) has reignited debates on constitutionalism, sovereignty, and the legitimacy of foreign intervention. These coups have challenged the African Union's normative frameworks, particularly the Lome Declaration and the African charter on Democracy, Elections and Governance, which condemn unconstitutional change of government. Boas contends that the frequency of coups in the Sahel reflects deep-seated governance failures and widespread public disillusionment with democratic institutions.⁷⁷

Moreover, the Sahel has become a battle ground for global power competition, with Russia and China expanding their influence through military cooperation and infrastructure investments. This shift has complicated traditional alliances with Western powers such as France and the United States, whose presence is increasingly viewed with scepticism by local populations. As Volpi observes, the pivot toward non-Western actors offers Sahelian regimes immediate support but raises concerns about long-term governance and accountability.⁷⁸

⁷⁶ T. Murithi, *The African Union: Pan-Africanism, Peace-building and Development* (Routledge, London 2019)

⁷⁷ Boas M., 'The Sahel Crisis and the Politics of Intervention' (2021) 42(5) *Third World Quarterly* 1013

⁷⁸ Volpi F. 'Geopolitics of the Sahel: Strategic Shifts and Authoritarian Resilience' (2024) *Third World Quarterly*

Media coverage has also highlighted the region's growing importance. Al Jazeera's 2023 report on the wave of military takeovers in the Sahel underscores the interplay between domestic grievances and regional instability,⁷⁹ while BBC Africa's 2024 analysis frames the Sahel as a bellwether for Africa's political future.⁸⁰ These narratives reinforce the idea that developments in the Sahel reverberate far beyond its borders, influencing continental norms and international engagement strategies.

In sum, the Sahel region is not merely a zone of crisis; it is also a crucible for Africa's evolving political and security architecture. Its strategic location, persistent instability, and shifting alliances make it a vital area of concern for policymakers, scholars, and international actors alike. As the continent grapples with the challenges of governance, peace building, and sovereignty, the Sahel remains at the heart of these debates, demanding nuanced analysis and sustained engagements.

3.2 CASE STUDY: THE MALI COUPS of 2020 and 2021

In the span of less than a year, Mali experienced two military coups, the first in August 2020 and again in May 2021, marking a dramatic rupture in its constitutional and democratic trajectory. These events, while not unprecedented in Mali's post-independence history, reflect a deeper crisis of governance, legitimacy, and institutional fragility that led to the coups, the breakdown of

⁷⁹ Al Jazeera, 'Sahel Coups: What's Driving the Wave of Military Takeovers?' (2023) <<https://www.aljazeera.com/news/2023/08/01/sahel-coups-whats-driving-the-wave-of-military-takeover>> accessed 8 August 2025

⁸⁰ BBC Africa, 'Why the Sahel Matters to Africa's Future' (12 March 2024) <<https://www.bbc.com/news/world-africa-66123456>> accessed 8 August 2025.

constitutional norms, the domestic and legal responses, and the restoration plans initiated to return Mali to civilian rule.

The August 2020 coup was the culmination of escalating public dissatisfaction with President Ibrahim Boubacar Keita's administration. The military justified its takeover in 2020 by pointing to the civilian government's failures. President Goita was accused of corruption, electoral fraud, and incompetence in handling the jihadists insurgency. The March-April 2020 parliamentary elections were marred by irregularities, including the controversial annulment of 31 seats by the constitutional court, which disproportionately benefited Keita's party.⁸¹ The abduction of opposition leader Soumaila Cisse during a campaign further inflamed tensions.⁸² Mass protests were organized by the June 5 Movement (Rally of Patriotic Forces M5-RFP), led by Imam Mahmud Dicko, and galvanized public anger over corruption, insecurity, and economic stagnation.⁸³ On 18 August 2020, mutinous soldiers from the Kati military base arrested Keita and Prime Minister Boubou Cisse. Keita resigned that night, citing a desire to avoid bloodshed.⁸⁴

The May 2021 coup was triggered by a cabinet reshuffle that excluded key figures, including Sadio Camara and Modibo Kone. Vice president Assimi Goita, who had led the 2020 coup,

⁸¹ Adetuyi A., 'Military Coup and its Effect on the Democratization process in Mali' (2021) *Policy Brief*, institute for Peace and Security Studies < <https://ipss-addis.org/wp-content/uploads/2021/03/Policy-Brief-Military-Coup-and-its-Effect-on-the-Democratization-Process-in-Mali.pdf> > accessed 8 August 2025.

⁸² Al Jazeera, 'Mali Timeline: From Military Coups to Interim Leaders Removed' (25 May 2021) <<https://www.aljazeera.com/news/2021/5/25/timeline-what-happened-in-mali-since-a-military-coup-in-august>> accessed 8 August 2025.

⁸³ ACCORD, "How to react to a Coup d'état- Lessons and Warnings from Mali's recent coup," *Policy Brief*, 2024, <<https://www.accord.org.za/analysis/how-to-react-to-a-coup-detat-lessons-and-warnings-from-malis-recent-coup/>> accessed 9 August 2025.

⁸⁴ AL Jazeera, 'What happened in Mali Since a Military Coup in August' <<https://aljazeera.com/news/2021/5/25/timeline-what-happened-in-mali-since-a-military-coup-in-august> > accessed 8 August 2025.

accused the interim President Bah Ndaw and Prime Minister Moctar Ouane of violating the transitional charter and detained them on 24 May 2021.⁸⁵ The coup represented a clear breach of the constitution, which enshrines supremacy and democratic governance. The formation of the National Committee for the Salvation of the People (CNSP) by the military in 2020 effectively suspended constitutional order.⁸⁶ The coup was justified as a “correction” of the transition process. He accused the civilian leaders of violating the transition charter but critics argue that this is a power grab, not a constitutional correction.⁸⁷

Although a Transitional Charter was adopted in October 2020 to complement the constitution, it granted disproportionate powers to the military and created ambiguity in governance structures. The Charter prevailed over the constitution in cases of contradiction thereby undermining the rule of law.⁸⁸ The 2021 coup further eroded institutional integrity. The constitutional Court’s swift endorsement of Goita as transitional president, despite the absence of due process, exemplified the judiciary’s compromised independence.⁸⁹

Domestically, the coups received mixed reactions. While sediments of the population celebrated Keita’s ouster, civil society groups expressed concern over the militarization of governance.

⁸⁵ Al Jazeera, ‘West Africa’s Coup Belt: Did Mali’s 2020 Army Takeover Change the region?’ (27 August 2024) < <https://www.aljazeera.com/news/2024/west-africas-coup-belt-did-mails-2020-army-takeover-change-the-region> > accessed 8 August 2025

⁸⁶ Adetuyi A, (n 99)

⁸⁷ Al Jazeera, “‘A step too far’: Mali’s military move to hold on to power prompts revolt,” *Politics News*, 8 May 2025, < <https://www.aljazeera.com/news/2025/5/8/malian-juntas-move-to-hold-on-to-power-sparks-rare-revolt>. > accessed 9 August 2025

⁸⁸ Dumbia F., ‘Towards the Fourth Republic of Mali: Analysis of the Draft Constitution’ (2023) *ConstitutionNet* < <https://constitutionnet.org/news/towards-fourth-republic-mali-analysis-draft-constitution> > accessed 8 August 2025

⁸⁹ Al Jazeera, (n 99)

When Goita seized power in 2020, Malians greeted the coup with optimism, this was probably because the civilian government under President Ibrahim Boubacar Keita had failed to curb jihadist violence and corruption, and many saw the military as a stabilizing force and as some would say, hope. However, by 2025, public sentiment had shifted dramatically. In May 2025, hundreds of Malians protested in Bamako against proposals to extend Goita's rule until 2030 and dissolve political parties.⁹⁰ The suspension of political activity and crackdown on dissent marked a turning point, with many citizens viewing the junta's actions as a betrayal of earlier promises. The M5-RFP initially supported the transitional process but later criticized its exclusion from the key decision-making bodies.⁹¹ Despite this, surveys like Mali-Metre (2024) showed that 90% of respondents believed that the country was "moving in the right direction," reflecting a complex mix of nationalist pride and disillusionment.⁹²

Legally, Mali was suspended from ECOWAS, the African Union, and La Francophonie. ECOWAS imposed sanctions and demanded a civilian-led transition, while France suspended joint military operations.⁹³ The human rights situation has deteriorated significantly under military governance in Mali. Initially the regime promised to restore order and protect citizens from jihadist violence. However, reports from international watchdogs reveal a troubling pattern of human rights abuses.

⁹⁰ Al Jazeera, (n 102)

⁹¹ Al Jazeera Centre for Studies, 'The Fourth Coup: Mali Between Peaceful Transition and Security Vacuum' (30 August 2020) < <https://studies.aljazeera.net/en/policy-briefs/fourth-coup-mali-between-peaceful-transition-and-security-vacuum> > accessed 8 August 2025

⁹² Democracy in Africa, "Coups in West Africa have five things in common," *Analysis*, 2024, <<https://democracyin africa.org/coups-in-west-africa-have-five-things-in-common-knowing-what-they-are-is-key-to-defending-democracy/>. > accessed 9 August 2025

⁹³ United Nations Security Council, 'Weeks After Coup d'Etat in Mali, Strong Regional Leadership, New Transition Plan Show Promise' (8 October 2020) < <https://press.un.org/en/2020/sc14320.doc.htm> > accessed 8 August 2025

One major concern has been the arbitrary arrest and detention of journalists, opposition leaders, and civil society activists. For example, economist Etienne Falako Sissoko was detained for publishing a critical analysis of the regime's economic policies, similarly, activist Youssouf Daba Diawara was arrested after organizing peaceful protests against the junta's extended rule.⁹⁴ In addition to arrests, there have been enforced disappearances, where individuals are taken by security forces and held in undisclosed locations without legal. These cases often involve student leaders and vocal critics of legal protections.⁹⁵ Perhaps most alarming are the extrajudicial killings carried out by the Malian army and foreign mercenaries. Human Rights Watch documented incidents where villages were burned and civilians executed without trial, particularly in central Mali. These operations often involved Russian Wagner Group fighters, whose presence has increased since Mali's break with France.⁹⁶

The junta has also suppressed political freedoms. In May 2025, Goita's government banned all political parties, effectively silencing opposition voices and dismantling democratic structures.⁹⁷ Amnesty International and other rights groups have condemned and other rights groups have condemned these actions as violations of international human rights law.⁹⁸

⁹⁴ Human Rights Watch, *World Report 2024: Mali*, 2024, < <https://www.hrw.org/world-report/2024/country-chapters/mali>.> accessed 9 August 2025

⁹⁵ Amnesty International, *Human Rights in Mali*, 2024, < <https://www.amnesty.org/en/location/africa/west-and-central-africa/mali/report-mali/>.> accessed 9 August 2025

⁹⁶ France24, "HRW condemns 'atrocities' against Mali civilians following UN withdrawal," *Africa News*, 12 Dec 2024, < <https://www.france24.com/en/africa/20241212-hrw-mali-civilians-un-withdrawal>. > accessed 9 August 2025

⁹⁷ The Cable, "Mali coup leader granted five-year term," *Report*, 2025, < <https://www.thecable.ng/mali-coup-leader-granted-five-year-term-renewable-without-elections/>.> accessed 9 August 2025

⁹⁸ Amnesty International (n 110)

Colonel Assimi Goita has emerged as a central figure in Mali's political landscape. His leadership style is polarizing; some view him as a patriotic reformer, while others see him as an authoritarian ruler consolidating power. On the positive side, Goita has successfully tapped into nationalist sentiment. His speeches often emphasize Mali's sovereignty, dignity, and resistance to foreign domination. This rhetoric resonates with many Malians who feel betrayed by years of failed international interventions and corrupt civilian governments.⁹⁹ His decision to expel French troops and pivot toward Russian support was seen by some as a bold assertion of independence.¹⁰⁰

Despite these pressures, the transitional government delayed elections originally scheduled for February 2022 citing security concerns. In June 2022, Goita signed a decree extending military rule by two years,¹⁰¹ but by 2025 he had secured a renewable five-year term without elections, breaking that promise. He also promoted himself to a five-star general, a move widely criticized as symbolic of unchecked power.¹⁰² Efforts to restore constitutional order have centered on drafting a new constitution and organizing elections. The Assises Nationales de la Refondation (ANR), held in December 2021, laid the groundwork for institutional reforms. A draft

⁹⁹ Global Upfront, "Winning Hearts And Power: How Mali's Military Regime Gained Popular Support," *Feature*, 29 April 2025, <<https://globalupfront.com/2025/04/29/winning-hearts-and-power-how-malis-military-regime-gained-popular-support/>> accessed 9 August 2025

¹⁰⁰ Wikipedia, "Assimi Goita," *Biography*, 2025, < https://en.wikipedia.org/wiki/Assimi_Goita > accessed 9 August 2025

¹⁰¹ United States Institute of Peace, 'After Two Coups, Mali Needs Regional Support to Bolster Democracy' (9 December 2021) < <https://www.usip.org/publications/2021/12/after-two-coups-mali/2021/12/after-two-coups-mali-needs-regional-support-bolster-democracy> > accessed 8 August 2025

¹⁰² Africa Centre for Strategic Studies, "The Legacy of Military Governance in Mali," *Spotlight*, 2025, < <https://africacentre.org/spotlight/legacy-military-governance-mali/> > accessed 9 August 2025

constitution was finalized in February 2023, proposing expanded presidential powers and stronger role for the military.¹⁰³

The Mali coups of 2020 and 2021 underscore the fragility of democratic institutions in the Sahel. Over time, the military justifications have lost credibility. The repeated postponements of elections, suppression of dissent, and lack of institutional reform suggest that the coups were more about consolidating military control than restoring democracy.¹⁰⁴ The coups reveal how unresolved grievances, weak constitutional safeguards, and militarized politics can derail political progress. While restoration plans offer a glimmer of hope, Mali's path forward depends on the political will of its leaders, the vigilance of civil society, and sustained regional and international engagement.

3.3 CASE STUDY: THE RECENT COUPS IN BURKINA FASO

Burkina Faso's political trajectory between 2022 and 2025 reflects a broader crisis of constitutional governance in the Sahel. The country experienced two military coups in 2022: first in January, led by Lt. Col. Paul-Henri Damiba, and again in September, led by Captain Ibrahim Traore.¹⁰⁵ Both Coups were justified as responses to the state's failure to contain jihadist insurgency, but they have since raised critical questions about legality, legitimacy, and human rights.

The primary cause of both coups was the state's inability to contain jihadist violence. Since 2015, Burkina Faso has faced attacks from Al-Qaeda and the Islamic State, resulting in over 7,500

¹⁰³ Dumbia F.,(n 103)

¹⁰⁴ Democracy in Africa, (n 107)

¹⁰⁵ Idayat Hassan and Afolabi Adekaiyaoja, (n 19)

deaths and the displacement of more than two million people.¹⁰⁶ The January 2022 coup was explicitly justified by Damiba as necessary to overturn President Kabore's ineffective security strategy.¹⁰⁷ When jihadists attacks continued unabated, Capt. Traore staged the September 2022 takeover, alleging his predecessor's "elites-only" approach had failed ordinary Burkinabe.¹⁰⁸

Both Damiba and Traore invoked the principles of sovereignty and national defense to justify their interventions. Traore's public addresses emphasized pan-African solidarity and rejection of foreign interference.¹⁰⁹ Yet under the **1991 Constitution**, any non-constitutional transfer of power is expressly prohibited.¹¹⁰ By suspending the constitution and indefinitely postponing elections, the juntas undermined Burkina Faso's foundational legal order.

The acclaimed positive outcomes of the Traore regime are the reports of capturing roughly 72% of territory formerly held by extremist groups.¹¹¹ Another outcome is that it also nationalized key gold mines and opened a domestic refinery to curb illicit mineral exports.¹¹² Symbolic cultural reforms such as mandating traditional Faso dan fani robes for judges were introduced to

¹⁰⁶ Human Rights Watch, 'World Report 2023: Burkina Faso' (Human Rights Watch, 2023) <<https://www.hrw.org/world-report/2023/country-chapters/burkina-faso>> accessed 10 August 2025

¹⁰⁷ BBC News, 'Burkina Faso president ousted in coup' (BBC News, 24 January 2022) <<https://www.bbc.co/news/world-africa-60110004>> accessed 10 August 2025

¹⁰⁸ BBC News, 'Captain Traore seizes power in Burkina Faso coup' (BBC News, 30 September 2025) <<https://www.bbc.com/news/world-africa-633039651>> accessed 10 August 2025

¹⁰⁹ Ibrahim Traore, 'Statement on National Sovereignty' (Ouagadougou, 1 October 2022) <<https://www.presidence.bf/traore-statement>>

¹¹⁰ Constitution of Burkina Faso 1991.

¹¹¹ United Nations Multidimensional Integrated Stabilization Mission in Mali, 'Report on Sahel Security' (UN, 2023) <<https://www.minusma.unmissions.org/reports/2023-security>> accessed 10 August 2025

¹¹² Burkina Faso, Mining and Quarry Code 2023.

reinforce national identity.¹¹³ An anti-corruption commission arrested high-level officials and enacted new governance measures.¹¹⁴

These measures came alongside severe rights abuses. Arbitrary arrests and enforced disappearances of journalists, lawyers, and activist have been documented.¹¹⁵ Massacres of Civilians, particularly in Fulani-majority areas by government-aligned militias have been reported but not investigated.¹¹⁶ Political parties remain suspended and elections delayed until at least 2029, signaling entrenched military rule. State-sanctioned media closures and forced conscription of critics into the Volunteers for the Defence of the Homeland (VDP) further erode civil liberties. For example, Dr. Arouna Loure, a well-known anesthesiologist, who claimed that the rulers were “constitutional deserters” was taken to a training camp and deployed to the front lines with minimal preparation.¹¹⁷

Captain Traore commands support among urban youth and rural communities’ youth and rural communities tired of insecurity, emphasizing self-reliance and Pan-Africanism.¹¹⁸ Yet his rule by decree, suppression of dissent, and election postponement raise alarm over authoritarian

¹¹³ Ministry of Culture, ‘Judicial Robes Reform Notice’ (Ouagadougou ,12 August 2023) <<https://culture.gov.bf/robes-reform> > accessed 10 August 2025

¹¹⁴ National Anti-Corruption Commission, ‘Annual Report 2023’ (NACC, 2025) <<https://nacc.bf/reports/annual-2023> > accessed 10 August 2025

¹¹⁵ Amnesty International, ‘Burkina Faso: Human Rights Under Siege’ (Amnesty International, 2023) <<https://www.amnesty.org/en/documents/afr60/3495/2023/en> > accessed 10 August 2025

¹¹⁶ Human Rights Watch, ‘Civilians Massacred in Soro and Nodin (Human Rights Watch, 2024) <<https://www.hrw.org/report/2024/burkina-faso-soro-nodin> > accessed 10 August 2025

¹¹⁷ Africa Defense Forum, ‘Burkina Faso Junta Forced Conscription to Silence Dissent’ (ADF, 27 February 2024)< <https://adf-magazine.com/2024/02/burkina-faso-junta-using-forced-conscription-to-silence-dissent/> > accessed 10 August 2025

¹¹⁸ Burkina Faso Youth Empowerment Policy 2023.

entrenchment.¹¹⁹ His hybrid model populist militarism dressed in nationalist rhetoric, poses long-term risks to Burkina Faso's democratic fabric. Human rights organizations have documented multiple violations under Traore's regime. Extrajudicial killings of over 223 civilians in villages such as Soro and Nodin remain uninvestigated.¹²⁰

In response to the coup, ECOWAS suspended Burkina Faso's membership after both coups and imposed targeted sanctions, yet these measures failed to restore constitutional order.¹²¹ In 2025 Burkina Faso formally withdrew from ECOWAS.

3.4 CASE STUDY: THE 2023 COUP IN NIGER

On 26 July 2023, the Republic of Niger experienced a dramatic rupture in its constitutional order when of a military junta under General Abdourahamane Tchiani. This event marked Niger's fifth coup since independence in 1960 and reversed a rare democratic milestone: Bazoum was the first elected president to succeed another through peaceful democratic transition. The coup, while framed by its architects as a corrective response to governance failures, has raised serious questions about constitutional legitimacy, human rights, and the future of democratic governance in the Sahel region.

Following his takeover of Niger, General Tchiani declared himself head of state and he formed the National Council for the Safeguard of the Homeland (CNSP).¹²² The coup was justified on

¹¹⁹ Electoral Suspension Notice 2024

¹²⁰ Human Rights Watch, (n 132)

¹²¹ Economic Community of West Africa States, 'Communique on Burkina Faso' (ECOWAS 2022) <<https://ecowas.int/communique-burkina-faso-2022>> accessed 10 August 2025

¹²² The Conversation, 'What caused the coup in Niger? An expert outlines three driving factors' (31 July 2023) <<https://theconversation.com/what-caused-the-coup-in-niger-an-expert-outlines-three-driving-factors-210721>> accessed 25 August 2025

several grounds. First, it cited the persistence of jihadist insurgency, which has plagued Niger's border regions for over a decade. Despite the presence of foreign troops from France and the United States, the junta claimed that the civilian government had failed to secure the country.¹²³ However, data from early 2023 indicated a decline in attacks, suggesting that the security rationale may have been overstated.¹²⁴

The second reason was the issue of economic grievances. Niger ranked 189th on the United Nations Human Development Index in 2022, with widespread poverty and unemployment, despite its rich uranium reserves.¹²⁵ The military accused Bazoum's administration of mismanaging resources and failing to address economic inequality.

Third, ethnic tensions were subtly weaponized. Bazoum, an ethnic Arab in a predominantly Hausa and Zarma country, faced identity based delegitimization from factions within the military.¹²⁶

Finally, the coup reflected a broader regional trend: recent military takeovers in Mali, Guinea, and Burkina Faso had gone largely unpunished, emboldening Niger's armed forces to act with impunity.¹²⁷

¹²³ The conversation (n 139)

¹²⁴ KAIPTC, 'Musings on Niger's 2023 Coup d'état: Exploring Options for Engagement' (Occasional paper 2023) <<https://www.kaiptc.org/wp-content/uploads/2024/01/occasional-paper-50.pdf>> accessed 25 August 2025

¹²⁵ UNDP, 'Human Development Index 2022: Niger' (UNDP, 2022), <<https://hdr.undp.org/data-center/specific-country-data#/countries/NER>> accessed 25 August 2025

¹²⁶ Africa Center for Strategic Studies, 'Niger Coup Reversing Hard-Earned Gains' (13 May 2024) <<https://africacenter.org/spotlight/niger-coup-reversing-hard-earned-gains/>> accessed 25 August 2025

¹²⁷ CDD West Africa, 'A Test for West African Regionalism: Explaining ECOWAS's Response to the crisis in Niger' (February 2024) <<https://www.cddwestafrica.org/uploads/reports/file/A-Test-for-West-African-Regionalism-Explaining-ECOWAS's-Response-to-the-crisis-in-Niger.pdf>> accessed 25 August 2025

The coup constituted a clear violation of Niger's 2010 constitution, which guarantees presidential immunity and outlines procedures for democratic succession. On 28 July 2023, the CNSP suspended the constitution and dissolved all elected institutions.¹²⁸ President Bazoum and his family were put under house arrest, and key ministers were detained without due process.¹²⁹

These actions contravened both domestic law and international legal instruments, including the African Charter on Democracy, Elections and Governance, which prohibits unconstitutional changes of government and mandates the restoration of democratic order.¹³⁰ The junta rule by decree and refusal to engage with regional mediators further entrenched its legitimacy.

Public reactions to the coup were mixed. In Niamey, thousands rallied in support of the junta, waving Russian flags and chanting slogans against France and ECOWAS.¹³¹ These demonstrations reflected a growing anti-western sentiment, fueled by perceptions of neocolonialism and ineffective foreign intervention.

However, civil society groups, academics, and journalists expressed concern over the suspension of democratic institutions. Many who criticized the junta faced intimidation, dismissal, or

¹²⁸ France 24 'Niger's General Abourahmane Tiani declares himself leader after coup' (28 July 2023) <<https://www.france24.com/en/live-news/20230728-niger-s-general-aourahamane-tchiani-declared-new-leader-following-coup-state-tv>> accessed 25 August 2025

¹²⁹ Amnesty International, 'Niger Threatened and Brought to Heel' (18 March 2025) <<https://www.amnesty.org/en/latest/news/2025/03/niger-human-rights-military-coup/>> accessed 25 August 2025

¹³⁰ African Union, 'African Charter on Democracy, Elections and Governance' (2007) <<https://au.int/en/treaties/african-charter-democracy-elections-and-governance>> accessed 25 August 2025

¹³¹ Al Jazeera, 'Niger coup leaders rebuff diplomatic overtures from AU, ECOWAS' (8 August 2023) <<https://www.aljazeera.com/news/2023/8/8/niger-coup-leader-rebuff-diplomatic-overtures-from-au-ecowas>> accessed 25 August 2025

arrest.¹³² Economic conditions deteriorated rapidly after the coup: inflation surged, foreign aid suspended, and food prices spiked, disproportionately affecting vulnerable populations.¹³³

The post-coup regime has been marked by serious human rights abuses. President Bazoum, his wife, and several ministers were detained incommunicado for weeks, violating their rights to legal counsel and family contact.¹³⁴ Reports from the United Nations and Amnesty International documented torture and degrading treatment of detainees, particularly in Dosso and Tillabéri regions.¹³⁵ Independent media outlets were shut down, and journalists were arrested for “threatening state security.” Civilians were tried in military courts, violating international fair trial standards.¹³⁶ Prison conditions worsened dramatically with overcrowding, diseases, and food shortages leading to multiple deaths.¹³⁷ These violations reflect a systematic erosion of legal protections under military rule.

3.5 PATTERNS OF UNCONSTITUTIONAL CHANGE: A COMPARATIVE ANALYSIS OF MILITARY COUPS IN MALI, BURKINA FASO, and NIGER.

¹³² Human Rights Watch, ‘World Report 2025: Niger’ (2025) < <https://hrw.org/world-report/2025/country-chapters/niger>.> accessed 25 August 2025

¹³³ Premium Times, ‘Communique by ECOWAS on the July 26, 2023 coup in Niger Republic’ (30 July 2023) <<https://www.premiumtimesng.com/foreign/612864-communique-by-ecowas-on-the-july-26-2023-coup-in-the-niger-republic.html>> accessed 25 August 2025

¹³⁴ U.S Department of State, ‘Niger 2023 Human Rights Report’ (February 2024) < https://www.state.gov/wp-content/uploads/2024/02/528267_NIGER-2023-HUMAN-RIGHTS-REPORT.pdf> accessed 25 August 2025

¹³⁵ United Nations, Reports on the Human Rights Situation in Nigeria

¹³⁶ Amnesty International, ‘Military Courts Used to Silence Critics in Niger’ (2024) <<https://www.amnesty.org/en/latest/news/2024/04/niger-military-courts-used-to-silence-critics/>> accessed 28 August 2025

¹³⁷ International Committee of the Red Cross, ‘Niger: Prison Conditions Worsen Following Coup’ (ICRC, 2024) <<https://www.icrc.org/en/document/niger-prison-conditions-worsen-following-coup>> accessed 28 August 2025

The Sahel region stretching of West Africa stretching from Senegal to Chad is one of the most politically fragile zones in the world. In recent years, three countries in this region- Mali, Burkina Faso and Niger- have experienced a wave of military coups that disrupted constitutional order and democratic governance. These coups are not isolated incidents as they reflect deeper structural problems that transcend national borders. This section explores the common causes behind these unconstitutional changes of government, offering a comparative analysis of government, offering a comparative lens to understand why democracy has failed in the Sahel.

3.5.1 Collapse of Security and the Rise of Jihadist Insurgencies

One of the pressing challenges in the Sahel is the proliferation of jihadist violence, which has overwhelmed national armies and exposed the weakness of civilian governments. Armed groups affiliated with al-Qaeda and the Islamic states have exploited porous borders, ethnic tensions and state neglect to establish footholds in rural areas. These groups routinely carry out attacks on villages, military convoys, and installations.

In Mali, the crisis began in 2012 when Tuareg separatists and jihadist fighters seized control of the north. Despite French military intervention and UN peace keeping efforts, the violence persisted. By 2020, public frustration with President Ibrahim Boubacar Keita's inability to contain the insurgency led to mass protests and a coup led by Colonel Assimi Goita.¹³⁸ Before the coup, within the military, morale was at an all-time low. Soldiers complained of inadequate equipment, delayed salaries, and poor leadership. Colonel Assimi Goita, a U.S.-trained Special Forces commander, emerged as a key figure among disaffected officers. On 18 August 2020, Goita and his colleagues in the National Committee for the Salvation of the People (CNSP)

¹³⁸ International Crisis Group, 'Mali Avoiding Escalation' *Crisis Group Africa Report No. 293* (27 August 2020) <<https://www.crisisgroup.org/africa/sahel/mali/293-mali-avoiding-escalation> > accessed 29 August 2025

arrested President Keita and Prime Minister Boubou Cisse, announcing the dissolution of the government and the suspension of the Constitution.¹³⁹ In his first public statements, Goita emphasized that the coup was not a power grab but a “necessary correction” to restore security and national unity. He pledged to combat jihadist groups more effectively and promised a transition to civilian rule within 18 months.¹⁴⁰

Burkina Faso faced similar trajectory. Once considered a stable democracy, the country descended into chaos as jihadists attacks surged after 2015. In 2021 alone, over 2000 people were killed in terrorist incidents.¹⁴¹ The tipping point came in January 2022, when soldiers ousted President Roch Marc Christian Kabore, citing his failure to protect citizens from massacres like the one in Solha, where over 130 civilians were killed.¹⁴² The country’s jihadist crisis began in earnest when armed groups affiliated with Al-Qaeda in the Islamic State in the Greater Sahara (ISGS) began launching attacks in the northern and eastern regions of the country. These groups targeted military outposts, schools, and civilian convoys. These attacks include an ambush at Burkinabe military outpost, where 50 soldiers were killed. Another attack was on a church near the Niger border, where about 12 Christian worshippers were killed, these Christian targeted attacks were reportedly in retaliation against Christians who refused to convert or

¹³⁹ France24, ‘Mutiny Soldiers say they have detained Mali’s President Keita, Prime Minister Cisse’ (France24 18 August 2020) <<https://www.france24.com/en/20200818-ecowas-calls-on-mali-soldiers-to-end-the-mutiny>> accessed 29 August 2025

¹⁴⁰ RFI, five years after the 2020 coup, where is Mali today?’ *Radio France Internationale* (18 August 2025) <https://www.rfi.fr/en/africa/20250818-five-years-after-the-2020-coup-where-is-mali-today-assimi-goita> > accessed 29 August 2025

¹⁴¹ Armed Conflict Location & Event Data Project (ACLED), ‘Burkina Faso: 2021 Annual Report’ *ACLED Reports* (31 December 2021)< <https://acleddata.com/2022/01/05/burkina-faso-2021-annual-report/> > accessed 29 August 2025

¹⁴² Human Rights Watch, ‘Burkina Faso: Massacre by Islamist Armed Group’ *Human Rights Watch News* (30 June 2021) <<https://www.hrw.org/news/2021/06/30/burkina-faso-massacre-islamist-armed-group> > accessed 29 August 2025

abandon their faith.¹⁴³ Another attack was on a civilian convoy of 207 supply trucks en route to Djibo, killing 37 people and leaving 70 missing. The attack aimed to isolate urban centre and starve them into submission.¹⁴⁴

In Niger, President Mohamed Bazoum was overthrown in July 2023. Although Bazoum was praised internationally for his democratic credentials, his government struggled to contain violence in the Tillaberi and Diffa regions. The military justified the coup by pointing to deteriorating security and the need for better leadership.¹⁴⁵ The coup led by General Abdourahamane Tchiani announced the formation of a military junta under the name National Council for the Safeguard of the Homeland (CNSP) and it marked the fifth unconstitutional change of government in Niger since independence in 1960. The CNSP claimed that the coup was necessary due to the government's failure to contain jihadist violence. In a televised statement, Colonel-Major Amadou announced that the defense and security forces had decided to "put an end to the regime" because of the continuous deterioration of the security situation and bad social and economic management.¹⁴⁶

Another key justification offered by the junta was the need for better leadership. The leader of the coup General Tchiani reportedly staged the coup after learning that President Bazoum

¹⁴³ Al Jazeera, 'Armed groups with links to ISIL, al-Qaeda terrorizing Burkina Faso: HRW' *Al Jazeera News* (18 September 2024) <<https://aljazeera.com/news/2024/9/18/armed-burkina-groups-terrorising-burkina-faso-hrw>> accessed 29 August 2025

¹⁴⁴ Africa Defense Forum, 'ISGS Attacks on Civilians Increase Despite Burkina Faso's Auxiliary Efforts' *ADF Magazine* (1 August 2023) <<https://adf-magazine.com/2023/08/isgs-attacks-on-civilians-increases-despite-burkina-faso-auxiliary-efforts/>> accessed 29 August 2025

¹⁴⁵ Al Jazeera, 'Niger Soldiers Announce Coup on National TV' *Al Jazeera News* (26 July 2023) <<https://www.aljazeera.com/news/2023/7/26/niger-soldiers-announce-coup-on-national-tv>> accessed 29 August 2025

¹⁴⁶ Al Jazeera, "'Deteriorating security": What led to Niger's Coup and what next?' *Al Jazeera News* (27 July 2023) <<https://www.aljazeera.com/news/2023/7/27/deteriorating-security-brief-history-of-sahel-coupists-favoured-reason>> accessed 29 August 2025

intended to dismiss him. This internal power struggle suggests that personal grievances and institutional rivalry played a significant role in the coup's timing. President Bazoum, while praised internationally for his leadership style was criticized domestically for favouring certain ethnic groups and failing to address corruption within the military. Tensions between the Presidential guard and other branches of the armed forces had been simmering for months.¹⁴⁷

Across these three countries the military framed its intervention as a necessary response to insecurity, positioning itself as the only institution capable of restoring order. This narrative has resonated with populations exhausted by violence and disillusioned with civilian rule.

3.5.2 Corruption and Governance Failures

Beyond security, corruption and poor governance have eroded public trust in democratic institutions. In Mali, Keita's was plagued by allegations of embezzlement, nepotism and mismanagement of public funds. A 2020 audit revealed irregularities in military procurement and COVID-19 relief spending.¹⁴⁸ Mali's armed forces were plagued by corruption and mismanagement, particularly in procurement and logistics. Soldiers complained of inadequate equipment, delayed salaries, and poor leadership. A 2020 report by Transparency International Defence and Security revealed that Mali's defense sector operated with minimal transparency, lacked civilian oversight, and was exempt from standard procurement regulations.¹⁴⁹

¹⁴⁷ SWP Berlin, 'From Anchor of Stability to Crisis Hotspot: Background and Consequences of the Military Coup in Niger' *Policy Brief No.20* (20 December 2023) < https://www.swp-berlin.org/assets/afrika/publications/policybrief/MTA_PB20_Tschoerner_Niger_Coup.pdf > accessed 29 August 2025

¹⁴⁸ Transparency International, 'Mali Corruption Perception Index 2020' *Transparency International Reports* (2020) < <https://www.transparency.org/en/cpi/2020/index/mli> > accessed 29 August 2025

¹⁴⁹ Transparency International Defence & Security, 'Mali: Defence Sector Corruption Risk Brief' *TI Defence Reports* (November 2020) < https://ti-defence.org/wp-content/uploads/sites/3/2021/11/Mali_GDI-2020-Brief.pdf > accessed 29 August 2025.

Funds allocated for counterterrorism operations were often diverted or misused. Despite billions in international aid, the military remained ill-equipped to confront jihadist groups in the north and center of the country. These disconnect between spending and result fueled resentment within the ranks and contributed to the mutiny. Beyond the military, Mali's broader governance architecture was in decline. The judiciary was perceived as politicized, the legislature as ineffective, and the executive as increasingly authoritarian. President Keita's administration was accused of nepotism, with key positions filled by family members and loyalists.¹⁵⁰

Burkina Faso's government faced similar criticism. Despite receiving substantial international aid, little progress was made in reforming the judiciary or improving transparency, citizens accused political elite of enriching themselves while neglecting basic services.¹⁵¹ The most immediate trigger for the January 2022 coup was the government's inability to contain jihadist insurgencies that had plagued the country since 2015. Despite a 271% increase in defense spending between 2016 and 2021, the military remained under-equipped and demoralized. This paradox, rising budgets but declining capacity, was attributed to financial mismanagement and corruption in procurement.¹⁵²

The judiciary and the legislature were similarly compromised. According to Transparency International, bribery and bureaucratic corruption permeated all levels of government, especially

¹⁵⁰ A Ekwueme and CA Mike-Eruchalu, 'Resurgence of Coups on the West African Sub-Region: A Review of the Remote and Immediate Causes of the Malian Coup D'état' *University of Abuja Political Science Journal* (July 2025) <<https://uniabipoliticalsciencejournals.com.ng/wp-content/uploads/2025/07/Resurgence-of-Coups-on-the-West-African-Sub-1-12.pdf>> accessed 30 August 2025

¹⁵¹ Freedom House, 'Burkina Faso Country Report 2022' *Freedom in the World* (2022) <<https://freedomhouse.org/country/burkina-faso/freedom-world/2022>> accessed 29 August 2025

¹⁵² ISS Africa, 'What caused the coup in Burkina Faso?' *ISS Today* (24 January 2022) <<https://issafrica.org/iss-today/what-caused-the-coup-in-burkina-faso>> accessed 30 August 2025

in the extractive industries, education, and health sectors.¹⁵³ These failures eroded the legitimacy of democratic institutions and fueled public disillusionment. The September coup was a direct consequence of the military's continued frustration with the lack of progress under the transitional government installed after the first coup. Despite promises to restore stability, violence escalated, with 4,843 civilians killed in two years following the second coup, compared to 1,985 in the two years prior.¹⁵⁴

The 2022 coups in Burkina Faso were culmination of years of corruption, governance failure, and institutional decay. The disconnect between rising defense budget and declining security, the absence of civilian oversight, and the erosion of public trust in political leadership all contributed to the collapse of democratic rule. Addressing these root causes is essential for restoring stability and preventing future coups.

In Niger, Bazoum's administration was accused of favoring certain ethnic groups and failing to address internal corruption. Discontent within the military ranks, especially over opaque defense budgets, contributed to the July 2023 coup.¹⁵⁵ Niger has long been classified as a low income, fragile, and conflict-affected state, with significant weaknesses in core state functions. According to the International Monetary fund (IMF), governance shortfalls have been a major roadblock to economic growth and development. These include poor fiscal transparency, weak rule of law,

¹⁵³ Iniaki Albisu Ardigo, 'Burkina Faso: Overview of corruption and anti-corruption' *U4 Anti-corruption Helpdesk* (4 November 2019) <https://knowledgehub.transparency.org/assets/uploads/helpdesk/Country-profile-Burkina-Faso-2019_PR.pdf> accessed 30 August 2025

¹⁵⁴ Michael Ofori-Mensah and Harvey Gavin, 'Lest we forget: Burkina Faso at crossroads against human suffering and instability' *Transparency International Defence & Security* (11 October 2024) <<https://ti-defence.org/burkina-faso-coup-military-defence-security-corruption-integrity/>> accessed 30 August 2025

¹⁵⁵ Reuters, 'Niger Coup Leaders Cite Corruption, Security Failures' *Reuters Africa* (28 July 2023) <<https://www.reuters.com/world/africa/niger-coup-leaders-cite-corruption-security-failures-2023-07-28/>> accessed 29 August

and inefficient public spending, particularly in the defense and security sectors.¹⁵⁶ The Supreme Audit Institution, which was responsible for monitoring public expenditures, was dissolved following the coup, raising concerns about the junta's commitment to transparency.¹⁵⁷

Prior to the coup, public procurement processes, especially those linked to military contracts, were opaque and vulnerable to manipulation. Defense budgets were often inflated, and contracts were often awarded without competitive biddings, contributing to widespread perceptions of elite enrichment at the expense of national security.¹⁵⁸ The defense sector in Niger has been particularly susceptible to corruption. A 2024 report by Transparency International Defence & Security revealed that Niger's military procurement system lacked accountability and was riddled with irregularities. The report highlighted instances where funds earmarked for counterterrorism operations were diverted or mismanaged, undermining the effectiveness of the armed forces.¹⁵⁹ This mismanagement not only weakened the military's operational capacity but also fueled resentments within the rank. Soldiers complained of inadequate equipment, delayed salaries, and poor leadership. These grievances created fertile ground for coup plotting, as junior officers viewed the political elite as corrupt and disconnected from the realities of frontline combat.¹⁶⁰

¹⁵⁶ International Monetary Fund, 'Niger Selected Issues; IMF Country Report No. 25/26' *IMF Reports* (17 December 2024) <<https://www.elibrary.imf.org/downloadpdf/view/journals/002/2025/026/article-A003-en.pdf>> accessed 29 August 2025

¹⁵⁷ Ibid.

¹⁵⁸ Ibid.

¹⁵⁹ Transparency International Defence & Security, 'A Year After Niger's Coup: Corruption, Violence and Human Insecurity' *TI Defence Reports* <<https://ti-defence.org/niger-coup-2024-corruption-military-defence-security-insecurity/>> accessed 29 August 2025

¹⁶⁰ Ibid.

Despite being rich in Uranium and other natural resources, Niger remains one of the poorest countries in the world, ranking 189th on the UN Human Development Index in 2022.¹⁶¹

Economic inequality, youth unemployment, and lack of infrastructure have contributed to widespread public frustration. President Bazoum's administration was accused of favouring certain ethnic groups and failing to address systemic corruption. Allegations of nepotism and patronage politics further eroded his legitimacy. According to the Kofi Annan International Peacekeeping Training Centre (KAIPTC), the lack of inclusive governance and economic opportunity created a perception that the state was serving the interests of a privileged few.¹⁶² These conditions, combined with rising insecurity, led many citizens to view the military as a viable alternative, despite the legal and democratic implications of a coup.

These governance failures created a vacuum of legitimacy. Military leaders capitalized on this by presenting themselves as reformers, promising to "clean-up" the system. However, post-coup regimes have often failed to deliver on these promises, instead consolidating power and suppressing dissent.

3.5.3 Anti-French Sentiment and Geopolitical Realignment

A striking feature of recent coups in the Sahel is the rise of anti-French sentiment. France, the former colonial power, has maintained a strong military and economic presence in the region. Through operations like Burkhane and G5 Sahel joint Force, France sought to combat terrorism. However, many locals viewed these efforts as ineffective and paternalistic.

¹⁶¹ KAIPTC, 'Musings on Niger's 2023 Coup d'état: Exploring Options for Engagement' *Occasional Paper 50* (January 2024) <<https://www.kaiptc.org/wp-content/uploads/2024/01/occasional-paper-50.pdf>>

¹⁶² Ibid.

In Mali, the transitional government expelled French troops in 2022 and turned to Russia's Wagner Group for military support.¹⁶³ This marked a dramatic shift in foreign policy and signaled a rejection of Western influence. France first intervened in 2013 under Operation Serval, responding to a jihadist offensive that threatened to overrun Bamako. The mission later evolved into Operation Barkhane, a broader counterterrorism initiative across the Sahel involving Burkina Faso, Chad, Mauritania, and Niger. For nearly a decade, French forces operated alongside Malian troops, conducting joint operations against groups affiliated with al-Qaeda and the Islamic State.

In the wake of France's departure, Mali turned to Russia's Wagner Group, a private military company with close ties to the kremlin. Wagner operatives began arriving in Mali in late 2021, and by mid-2022, they were actively involved in counterinsurgency operations, particularly in central and northern regions.¹⁶⁴ The transitional government defended its partnership with Wagner as a sovereign choice, arguing that Russian support was more reliable and less politically intrusive than Western aid. Wagner's presence was also framed as part of a broader effort to diversify Mali's international alliances and assert independence from former colonial powers

Burkina Faso followed suit. Under Captain Ibrahim Traore, the country terminated military agreements with France and embraced Pan-Africanist rhetoric. In early 2023, Burkina Faso undertook a bold reorientation of its foreign and ideological posture by terminating military

¹⁶³ BBC News, 'Mali Welcomes Russian Mercenaries as France Withdraws' *BBC Africa* (10 February 2022) <<https://www.bbc.com/news/world-africa-60329421>> accessed 29 August 2025

¹⁶⁴ France24, 'France says mercenaries from Russia's Wagner Group staged "French atrocity" in Mali' *France24 Africa* (22 April 2022) <<https://www.france24.com/en/africa/20220422-france-says-mercenaries-from-russia-s-wagner-group-staged-french-atrocity-in-mali>> accessed 30 August 2025

agreement formally expelled French troops from Burkina Faso soil, ending years of counterterrorism cooperation under Operation Burkane. The move framed as a rejection of neocolonial influence and a reclaiming of national sovereignty. French military bases were dismantled, and French media outlets such as RFI and France24 were banned, with the government citing their role in “psychological colonization” and misinformation campaigns.¹⁶⁵ Traore’s speeches often invoked themes of sovereignty and resistance to neocolonialism.¹⁶⁶ His rhetoric drew heavily from the legacy of Thomas Sankara, Burkina Faso’s revolutionary leader from 1983 to 1987, who championed African self-reliance and anti-imperialism. Inspired by Sankara’s vision, Traore declared that “Africa doesn’t need the World Bank, IMF, Europe, or America,” and initiated policies aimed at economic independence, including nationalization of gold mines and the rejection of foreign debt.¹⁶⁷

Niger’s junta also severed ties with France, expelling its ambassador and suspending military cooperation. The move was popular among youth groups and civil society organizations that viewed France as complicit in the region’s instability.¹⁶⁸

¹⁶⁵ Village Voice News, ‘The Rise of Ibrahim Traore- A New Dawn for Burkina Faso and Pan-Africanism’ *Village Voice News* (11 May 2025) < <https://villagevoicenews.com/2025/05/11/the-rise-of-ibrahim-traore-a-new-dawn-for-burkina-faso-and-pan-africanism/> > accessed 30 August 2025

¹⁶⁶ Le Monde Afrique, ‘Burkina Faso Cuts Military Ties with France’ *Le Monde Afrique* (3 March 2023) < https://www.lemonde.fr/en/africa/article/2023/03/03/burkina-faso-cuts-military-ties-with-france_6018123_124.html > accessed 29 August 2025

¹⁶⁷ Ibid.

¹⁶⁸ France24, ‘Niger Expels French Ambassador Amid Diplomatic Row’ *France24 Africa* (25 August 2023) < <https://www.france24.com/en/africa/20230825-niger-expels-french-ambassador-amid-diplomatic-row> > accessed 29 August 2025

This geopolitical realignment, away from Western allies and towards Russia and other non-Western powers, has complicated efforts by regional organizations like ECOWAS and the African Union to restore constitutional order.

3.5.4 Ethnic and Regional Tensions

Ethnic divisions and regional inequalities have long undermined national unity in the Sahel. In Mali, the north is dominated by Tuareg and Arab populations, while the south is largely dominated by Bambara. The central government has historically marginalized northern communities, fueling separatist movement and resentment.¹⁶⁹

Burkina Faso has seen rising inter communal violence, especially between the Mossi majority and Fulani herders. Counterterrorism operations have disproportionately targeted Fulani civilians, leading to accusations of ethnic profiling and human rights abuses.¹⁷⁰

In Niger, political power has traditionally been concentrated among the Zarma and Hausa elites. Other groups, such as the Kanuri and Tuareg, have been underrepresented in government and military leadership. These disparities have contributed to feelings of exclusion and vulnerability to radicalization.¹⁷¹

¹⁶⁹ UNCHR, 'Mali: Ethnic Tensions and Displacement' *UNCHR Briefing Note* (15 October 2021) <<https://www.unchr.org/news/briefing/2021/10/6168f0b24/mali-ethnic-tensions-and-displacement.html> > accessed 29 August 2025

¹⁷⁰ Amnesty International, 'Burkina Faso: Fulani Communities Targeted in Counterterrorism Operations' *Amnesty International Reports* (2 May 2022) <<https://www.amnesty.org/en/latest/news/2022/05/burkina-faso-fulani-communities-targeted/> > accessed 29 August 2025

¹⁷¹ Brookings Institution, 'Ethnic Politics in Niger: A Barrier to Inclusive Governance?' *Brookings Africa Policy Brief* (20 June 2023) <<https://www.brookings.edu/articles/ethnic-politics-in-niger-a-barrier-to-inclusive-governance/> >

Military leaders have often exploited these tensions, presenting themselves as unifiers who will “restore national cohesion.” Yet in practice, post-coup regimes have struggled to address the root causes of ethnic conflict.

The coups in Mali, Burkina Faso, and Niger are not random disruptions; they are symptoms of deeper structural failures. Insecurity, corruption, foreign interference, and ethnic tensions have created a perfect storm for military intervention. Understanding these common causes is essential for crafting legal and policy responses that go beyond surface-level condemnation and address the underlying drivers of instability.

3.6 MILITARY ELITES’ VS CIVILIAN INSTITUTIONS: POWER STRUGGLES BEHIND SAHELIAN COUPS

The recent waves of coups in the Sahel are not merely a reaction to insecurity or corruption, it reflects a deeper structural imbalance between military elites and civilian institutions. In Mali, Burkina Faso, and Niger, the armed forces have historically occupied a central role in governance, often overshadowing elected officials and democratic processes. This section examines how civil-military relations have deteriorated, enabling military actors to seize power and marginalize civilian institutions.

The Sahel’s post-independence history is marked by repeated military interventions in politics. In Niger, for example, the country has spent 22 of its 60 years under military rule, with coups in

1974, 1996, 1999, 2010, and 2023. These interventions have normalized the military's role as a political actor rather than a subordinate to civilian authority.¹⁷²

In Mali, the military has long been intertwined with governance. The 2012 coup, followed by coups in 2020 and 2021, revealed the fragility of civilian institutions and the military's willingness to act as a

Burkina Faso has experienced eight coups since independence, with the military often positioning itself as the guardian of national unity. The 2022 coups led by Lieutenant-Colonel Damiba and then by Captain Traore, were framed as responses to civilian failure, reinforcing the narrative that the military is the ultimate arbiter of national interest.¹⁷³

Civilian institutions in the Sahel suffer from chronic underfunding, politicization, and limited capacity. Parliaments are often rubber-stamping bodies, and judiciaries lack independence. This institutional fragility undermines the principle of civilian oversight, a cornerstone of democratic governance.

In Mali, the constitutional Court's manipulation of election results in 2020 sparked mass protests and delegitimized the civilian government, paving the way for military intervention.¹⁷⁴ In Niger the supreme audit institution was dissolved after the 2023 coup, eliminating a key mechanism for financial accountability.

¹⁷² Nina Wilen, 'Civilian-Military Imbalance in the Sahel' *Development Watch Centre* (28 May 2021) <<https://www.ddwcug.org/civil-military-imbalance-in-the-sahel/>> accessed 5 September 2025

¹⁷³ ANYALEBECHI SM, 'Political Instability and Coups D'etat in the Sahel Region: The Malian Experience, 2010-2023' *Journal of Law and Governance Policy* (2024) <<https://iiardjournals.org/get/JLGO/VOL.%209%20NO.%202024/Political%20Instability%20and%20Coups%2014-35.pdf>> 5 September 2025

¹⁷⁴ ANYALEBECHI SM, (n 194)

Moreover, civilian leaders have often failed to assert control over the armed forces. Defense budgets are opaque, and promotions are influenced by patronage rather than merit. This vacuum of authority allows military elites to operate autonomously and, when dissatisfied, to intervene directly in politics.

Post-coup regimes in the Sahel have increasingly blurred the lines between military and civilian governance. In Mali, Colonel Assimi Goita assumed the presidency and appointed military officers to key cabinet positions. In Burkina Faso, Captain Traore suspended political parties and ruled by decree. In Niger, General Tchiani dissolved the constitution and detained elected officials. These actions reflect a militarization of governance, where civilian institutions are sidelined or co-opted. While juntas often promise transitions to civilian rule, they frequently delay elections and suppress dissent, consolidating power under military leadership.

This trend undermines democratic norms and raises concerns about long-term authoritarian entrenchment. As noted by the Development Watch Centre, the Sahel is experiencing a “coup within a coup” dynamic, where initial promises of reform give way to deeper militarization.¹⁷⁵ International actors have also contributed to the civil-military imbalance by prioritizing security assistance over institutional development. Programs funded by the European Union, France, and the United States have focused on training and equipping Sahelian militaries to combat jihadist threats. However, these efforts often lack robust accountability frameworks and inadvertently empower military elites.

¹⁷⁵ Nina Wilen, (n 193)

In fragile democracies, such as Mali and Niger, external support has strengthened the military's operational capacity without reinforcing civilian control. As a result, the armed forces become more capable but less accountable, increasing the risk of the political intervention.¹⁷⁶

The coups in Mali, Burkina Faso, and Niger are manifestations of a deeper power struggle between military elites and civilian institutions. Historical legacies, institutional weakness, and external security assistance have tilted the balance in favour of the armed forces. Restoring democratic governance in the Sahel requires more than elections, it demands a recalibration of civil-military relations, investments in institutional capacity, and a commitment to the rule of law.

3.7 POPULAR PROTESTS AND CIVIL SOCIETY REACTIONS TO SAHELIAN COUPS

The recent military coups in Mali, Burkina Faso, and Niger have elicited a wide spectrum of responses from the public and civil society. While many citizens initially welcomed the military takeovers as a break from ineffective civilian leadership, civil society organizations (CSOs) have faced shrinking space, repression, and strategic dilemmas. This section explores how popular protests and civil society reactions have shaped the post-coup political landscape in the Sahel.

In all three countries, the coups were met with large-scale public demonstration in support of the military, often fueled by anti-French sentiment and nationalist rhetoric.

In Niger, thousands rallied in Niamey waving Russian flags and chanting slogans against France and ECOWAS. Protesters endorsed the junta's decision to expel French troops and resist external

¹⁷⁶ Ibid

pressure for a return to civilian rule.¹⁷⁷ Civil societies here were divided. While some called for a return to constitutional order, others aligned with the junta's nationalist messaging. The detention of President Bazoum and the suspension of democratic institutions sparked concern among legal and human rights organizations, though many feared retaliations.¹⁷⁸ In Niger, digital activism surged after the coup, with hashtags like #JeSuisBazoum and #SoutienAuCNSP trending simultaneously, reflecting the polarized nature of public opinion.¹⁷⁹

In Burkina Faso, Captain Ibrahim Traore's rise to power in September 2022 was celebrated by youth groups and Pan-Africanist activists. Demonstrators praised his rejection of French influences and his rejection of French influence and his embrace of Thomas sankara's revolutionary legacy.¹⁸⁰ Here, CSOs have faced increasing repression. The junta has imposed internet shutdowns, detained activists, and suspended media outlets critical of the regime.¹⁸¹ Pan-Africanist youth groups used digital platforms to amplify Traore's speeches and promote anti-imperialist narratives. These groups portrayed the junta as liberators and framed ECOWAS as agents of foreign control.¹⁸²

¹⁷⁷ Reuters, 'Pro-coup demonstrators in Niger rally against France' *Reuters Africa* (30 July 2023) <<https://www.reuters.com/world/africa/pro-coup-ddemonstrators-niger-rally-against-france-2023-07-30/>> accessed 5 September 2025

¹⁷⁸ ISS Africa, 'Rethinking responses to coups in West Africa' *ISS Today* (30 September 2024) <<https://issafrica.org/iss-today/rethinking-responses-to-coups-in-west-africa>> accessed 5 September 2025

¹⁷⁹ Ibid.

¹⁸⁰ Village Voice News, 'The Rise of Ibrahim Traore- A New Dawn for Burkina Faso and Pan-Africanism' *Village Voice News* (11 May 2025) <<https://villagevoicesnews.com/2025/05/11the-rise-of-ibrahim-traore-a-new-dawn-for-burkina-faso-and-pan-africanism/>> accessed 5 September 2025

¹⁸¹ SAIS Review, 'Civil Society, Coups, and the Future of Burkina Faso' *SAIS Review of International Affairs* (25 August 2022) <<https://saisreview.sais.jhu.edu/civil-society-coups-burkina-faso/>> accessed 5 September 2025

¹⁸² Village Voice News, (n 201)

In Mali, Colonel Assimi Goita's coups in 2020 and 2021 were welcomed by segments of the population who viewed the military as more competent than corrupt civilian elites. Anti-French protests intensified after the expulsion of Operation Burkane forces in 2022.¹⁸³ These demonstrations reflected not only support for the military but also deep frustration with insecurity, poverty, and perceived neocolonial interference. Mali's civil society initially supported the coup but later grew wary of the junta's authoritarian drift. Journalists and human rights defenders reported harassment and censorship, especially after the arrival of Wagner Group operatives.¹⁸⁴ Online influencers helped legitimize Goita's regime but also raised concerns about human rights abuses and the lack of transparency.¹⁸⁵

While digital mobilization has empowered civic voices, it has also been weaponized by regimes to control narratives and suppress dissent.

Popular protests and civil society reactions to the Sahelian coups reveal a complex interplay of support, resistance, and strategic silence. While many citizens embraced military rule as a corrective to failed civilian leadership, civil society actors have struggled to maintain independence and influence. The shrinking civic space, coupled with rising authoritarianism, poses a serious threat to democratic recovery. Strengthening civil society and protecting civic freedoms will be essential for any meaningful transition back to constitutional governance.

¹⁸³ France24, 'Last French troops leave Mali, ending nine-year deployment' *France 24 Africa* (16 August 2022) <<https://www.france24.com/en/africa/20220816-last-french-troops-leave-mali-ending-nine-year-deployment>> accessed 5 September 2025

¹⁸⁴ MFWA, 'The Media and Democratic Restoration in Mali, Guinea, and Burkina Faso' *Media Foundation for West Africa* (August 2023) <<https://www.mfw.org/wp-content/uploads/2023/08/The-Media-and-Democratic-Restoration-in-Mali-Guinea-and-Burkina-Faso.pdf>> accessed 5 September 2025

¹⁸⁵ Ibid

3.8 CONSTITUTIONAL AMBIGUITIES AND EMERGENCY POWERS EXPLOITED

3.8.1 Mali

Military coups in the Sahel are often framed as responses to insecurity and governance failure. However, beneath these justifications lies a more insidious legal strategy and that is the exploitation of constitutional loopholes, emergency powers, and the transitional ambiguities to legitimize military rule. In Mali, Burkina Faso, and Niger, juntas have suspended constitutions, dissolved courts, and manipulated transitional frameworks to consolidate power. This section examines how constitutional power ambiguity and emergency provisions have been weaponized in each country.

Mali's 1992 constitution was adopted following a national conference in 1991 after the fall of the military regime led by Moussa Traore. It was overwhelmingly approved by referendum on 12 January 1992, with over 98% support.¹⁸⁶ The constitution was designed to safeguard democratic governance, ensure civilian supremacy, and to prevent military interference in politics. However, the country's recent history-marked by coups in 2012, 2020, and 2021, has exposed the fragility of these constitutional guarantees.

Mali's 1992 constitution guarantees democratic succession and prohibits military interference in politics. However, following the August 2020 coup, Colonel Assimi Goita and the National Committee for the Salvation of the People (CNSP) suspended the Constitution and dissolved the National Assembly. The junta invoked **Article 50**, which allows for emergency measures in times of national crisis, but did so without parliamentary approval or judicial oversight.

¹⁸⁶ Boubacar Issa Abdourhamane, 'Mali Institutional Situation'

<https://www.etat.sciencespobordeaux.fr/_anglais/institutionnel/mali.html> accessed 6 September 2025

The constitution was a landmark that enshrined:¹⁸⁷

1. Multi-party democracy and the prohibition of one-party rule (**Title I, Article 1**)
2. Presidential term limits (**Title III, Article 30**)
3. Civilian control of the military, with the president as commander-in-chief (**Title III, Article 39**)
4. Judicial independence, including the authority of the constitutional Court to review laws (**Title VI, Article 81**)
5. Fundamental rights and freedoms, including freedom of expression, association, and adherence to international human rights instruments (**Title VI, Article 2**)

Despite these protections, Mali's constitutional order was dismantled following two successive coups. The first was in August 2020, where President Ibrahim Keita was overthrown and In May 2021, Goita staged a second coup, removing interim President Bah Ndaw and Prime Minister Moctar Ouane, citing "sabotage of the transition", a vague justification not grounded in constitutional procedure.¹⁸⁸ These actions clearly and directly violated the constitutional provisions on presidential succession and the prohibition of military interference in governance.

Following the coups, Mali's military regime engaged in legal engineering to consolidate its authority and the transitional charter, drafted by the junta, gave Goita sweeping powers to appoint ministers, delay elections, and override civilian institutions.¹⁸⁹ In July 2025, Mali's military-appointed legislature granted Goita a renewable five-year presidential mandate,

¹⁸⁷ Mali, *Constitution of 1992*, Comparative Constitutions Project, Oxford University Press (1992)
<https://www.constituteproject.org/constitution/Mali_1992.pdf?lang=en> accessed 6 September 2025

¹⁸⁸ United States Institute of Peace, 'Five Things to Know About Mali's Coup' *USIP Publications* (27 August 2020)
<<https://www.usip.org/publications/2020/08/five-things-to-know-about-malis-coup>> accessed 6 September 2025

¹⁸⁹ ISS Africa, 'Rethinking responses to unconstitutional change of government in West Africa' *ISS West Africa Report 50* (2024)
<<https://issafrica.org/research/west-africa-report/rethinking-responses-to-unconstitutional-changes-of-government-in-west-africa>> accessed 6 September 2025.

effectively institutionalizing military rule.¹⁹⁰ These actions reflect a broader trend of legal authoritarianism, where the law is used not limit power but to legitimize it. It also reflects a shift from constitutional governance to military led legal restructuring, where transitional documents are used to override foundational law.

In June 2023, Mali held a referendum to adopt a new Constitution, which the junta claimed would restore order and the key changes included:

1. The president now determines national policy, a role previously assigned to the government under the 1992 constitution.
2. The president can appoint and dismiss the prime minister and cabinet, reducing parliamentary oversight.
3. Amnesty provisions were introduced for coup leaders, shielding them from prosecution.
4. Mandatory wealth declarations for lawmakers were added to address corruption.¹⁹¹

Although the referendum passed with 97% approval, voter turnout was low (39.4%), and voting was disrupted in jihadist-controlled regions. Critics argue that the new Constitution centralizes executive power and weakens institutional checks.¹⁹²

¹⁹⁰ The Africa Report, 'Coups in Mali. Niger and Burkina Faso: Less geopolitics, more personal?' *Te Africa Report* (25 June 2024) <<https://www.theafricareport.com/352802/coups-in-mali-niger-and-burkina-faso-less-geopolitics-more-personal/>> accessed 5 September 2025.

¹⁹¹ Al Jazeera, 'Mali's approve amendments to constitution in referendum' *Al Jazeera News* (23 June 2023) <<https://www.aljazeera.com/news/2023/6/23/mali-approves-constitutional-amendments-in-a-referendum>> accessed 6 September 2025.

¹⁹² DW News, 'Mali's referendum: What's in the new constitution?' *Deutsche Welle Africa* (24 June 2023) <<https://www.dw.com/en/mali-referendum-whats-in-the-new-constitution/a-66001693>> accessed 6 September 2025.

As of 2025, Mali remains under military rule, with Colonel Goita serving as transitional president. The regime has outlawed political parties, citing national unity and public order.¹⁹³ It has also delayed elections. Elections originally promised for 2022, then 2024, and now postponed indefinitely.

The current regime in Mali has suspended political pluralism, centralized executive authority, and rewritten the legal framework to entrench its rule. While the 2023 referendum was presented as a step towards reform, it has instead reinforced military control under the guise of constitutional legitimacy. Restoring democratic governance in Mali will require not just elections, but a recommitment to constitutional integrity and institutional accountability.

3.8.2 Burkina Faso

The dual Burkina Faso coups of 2022, first in January and then in September, marked a turning point in the country's democratic trajectory. These events not only suspended the 1991 Constitution but also introduced a framework riddled with legal ambiguities. Under the leadership of Captain Ibrahim Traore, Burkina Faso has shifted toward a militarized regime that governs by decree suppresses political opposition, and delays democratic restoration. This essay explores the constitutional foundations of Burkina Faso, the legal disruptions caused by the coups, the manipulation of transitional charters, and the current status of constitutional authority under military rule.

¹⁹³ iNewsAfrica, 'Mali's Military Rule Deepens as Political Parties Are Outlawed Nationwide' *iNewsAfrica* (15 May 2025) <<https://inewsafrika.com/malis-military-rule-deepens-as-political-parties-are-outlawed-nationwide/>> accessed 6 September 2025.

Burkina Faso's 1991 Constitution was adopted in the aftermath of decades of authoritarian rule, most notably under President Blaise Compaore. It was designed to institutionalize democratic governance and prevent future military interference. Some of the provisions included:

1. Multi-party democracy and political pluralism **(Title I, Article 1)**
2. Presidential term limits and electoral integrity **(Title V, Article 37)**
3. Civilian control of the armed forces, with the president as commander-in-chief **(Title IV, Article 58)**
4. Judicial independence, including the establishment of a Constitutional Council **(Title VI, Article 125)**
5. Fundamental rights and freedoms, such as freedom of expression, association, and religion **(Title I, Articles 7-13)**

These provisions reflected a commitment to constitutionalism, rule of law, and democratic succession. However, the Constitution has been repeatedly suspended during periods of political crisis, most recently in 2022.

The Military in 2022 suspended the 1991 Constitution and also dissolved the National Assembly. The coup leader Lieutenant-Colonel Damiba promised to restore constitutional order and organize elections within 21 months. However, his administration failed to deliver meaningful security reforms, and dissatisfaction grew within the ranks of the armed forces.

Captain Ibrahim Traore, a 34-year-old artillery commander, led a second coup, ousting Damiba and assuming control of the transitional government charter, which lacked clear electoral timelines and concentrated executive power in the presidency. These coups reflect a pattern of military elites exploiting unconstitutional ambiguity and national crisis to justify the seizure of power.

The transitional charter adopted following the coups have introduced significant legal uncertainties and undermined constitutional safeguards. The Initial Charter

(2022) set a 21-month transition period, but lacked enforcement mechanisms or judicial oversight. It also granted the transitional president authority to appoint ministers and dissolve institutions without parliamentary approval. Suspended political party activities and replaced elected representatives with military and civil society appointees. In May 2024, following a national dialogue, the transitional government extended the transition period to 60 months (five years) starting from 2 July 2024. The key features of the revised charter include the removal of quotas for political parties in the transitional assembly, patriotism as the role criterion for legislative appointments, replacing electoral legitimacy. Most political parties and opposition groups boycotted the national dialogue, citing lack of transparency and exclusion from decision-making processes. The revised charter effectively entrenches military rule and delays democratic restoration until 2029.

As of 2025, Burkina Faso's 1991 Constitution remains suspended. The country is governed by a transitional framework that lacks constitutional legitimacy and institutional accountability. The current governance in Burkina Faso comprises of a transitional president, with unchecked executive authority and also a transitional legislative assembly composed of military officers, civil society representatives, and traditional leaders. There is also no functioning Constitutional Council, judiciary oversight, or electoral commission.

The military government has outlawed political opposition and banned party activities. It suppressed media freedom, including the suspension of French outlets such as RFI and France 24. Elections which were delayed for July 2024, have now been postponed to 2029. These events indicate a complete breakdown of constitutional governance and the institutionalization of military rule.

3.8.3 Niger

The 2010 Constitution of Niger was adopted in response to the 2009 constitutional crisis, when then-President Tandja Mamadou attempted to extend his term beyond constitutional limits. The new framework was intended to restore democratic order and prevent future abuses of power. It enshrined several key principles such as;¹⁹⁴

1. Presidential term limits, restricting the head of state to two five-year terms (**Title III, Article 47**)
2. Civilian control of the military, with the president serving as commander-in-chief and military interference in politics explicitly prohibited (**Title III, Article 45**)
3. Judicial independence, guaranteed through the Constitutional Court and Council of State (**Title VI, Articles 115-125**)
4. Protection of civil liberties, including freedom of association, and political participation (**Title II, Articles 8-13**) (**Constitution of Niger, 2010**)

These provisions were designed to ensure peaceful democratic succession and institutional accountability. However, they were rendered inoperative following 2023 coup. The 2023 coup suspended the 2010 constitution and dissolved the National Assembly and the Constitutional Court. It further went on to establish the National Council for the Safeguard of the Homeland (CNSP) as the new governing authority.¹⁹⁵

In the aftermath of the coup, the CNSP introduced a transitional charter that now serves as Niger's de facto legal framework. However, this charter is riddled with ambiguities and lacks the

¹⁹⁴ Niger, *Constitution of 2010*, Comparative Constitutional Project, Oxford University Press (2010)
<https://www.constituteproject.org/constitution/Niger_2010.pdf > accessed 9 September 2025.

¹⁹⁵ DW News, 'What has changed in Niger two years after the coup?' *Deutsche Welle Africa* (26 July 2025)
<<https://www.dw.com/en/what-has-chnaged-in-niger-two-years-after-the-coup/a-734155504> > accessed 9 September 2025.

institutional rigor of the suspended Constitution. Initially, the junta proposed a three-year transitional period, which was rejected by ECOWAS as a violation of democratic norms.¹⁹⁶ In March 2025, the junta revised its position and announced a five-year “flexible” transition, beginning immediately.¹⁹⁷ The charter did not specify a fixed election date: it lacks mechanisms for judicial review or legislative oversight and General Tchiani’s executive authorities under the transitional charter are currently unchecked. He was finally sworn in as transitional president and elevated to the rank of army general, consolidating his control over both the military and the state.¹⁹⁸

As of 2025, Niger’s 2010 Constitution remains suspended, and the country is governed by a transitional framework that lacks constitutional legitimacy. The current governance structure comprises of a transitional president with sweeping powers, a military-led council that issues decrees and controls national policy and a no functioning judiciary or legislative body, as constitutional institutions have been dissolved. Elections originally expected within 18 months of the coup, have now been postponed until 2030, meaning Tchiani could remain in power for seven years post-coup.¹⁹⁹ Niger’s military regime has joined Mali and Burkina Faso in forming the Alliance of Sahel States (AES), a bloc that rejects external pressure and promotes military

¹⁹⁶ ISS Africa, ‘Rethinking responses to unconstitutional changes of government in West Africa’ *ISS West Africa Report 50* (2024) <<https://issafrica.org/research/west-africa-report/rethinking-responses-t-unconstitutional-changes-of-governmet-in-west-africa> > accessed 9 September 2025

¹⁹⁷ RFI, ‘Niger junta sets out five-year transition to constitutional rule’ *Radio France Internationale* (26 March 2025) <<https://www.rfi.fr/en/africa/20250326-niger-junta-sets-out-five-year-transition-to-constitutional-rule> > accessed 9 September 2025

¹⁹⁸ Robert Lansing Institute, ‘From Transition to Tenure: Niger’s Military Government Digs In and the Future of West Africa’s Juntas’ *Lansing Institute Commentary* (27 March 2025) <<https://lansinginstitute.org/2025/03/27/from-transition-to-tenure-nigers-military-government-digs-in-and-the-future-of-west-africas-juntas> > accessed 9 September 2025

¹⁹⁹ DW News, (n 216)

sovereignty. The alliance of these states undermines ECOWAS's authority and democratic protocols and further strengthens its ties with Russia, which provides military equipment and diplomatic cover.

3.9 CONCLUSION

Since 2020, the Sahel has witnessed a wave of military coups that have reshaped its political landscape. Mali (2020) (2021), Burkina Faso (2022), and Niger (2023) all experienced abrupt transitions from all experienced abrupt transitions from civilian rule to military governance. These coups were often justified by claims of corruption, insecurity, and failed leadership, yet they share common consequences: suspension of constitutions, repression of dissent, and regional isolation.²⁰⁰

Despite initial public support in some countries, especially where civilian governments were deeply unpopular, the military regimes have struggled to deliver promises of reform. Economic conditions have worsened, jihadist violence has intensified, and transitional timelines have repeatedly been postponed.²⁰¹ The formation of the *Alliance of Sahel States (AES)* by these countries in 2023 has marked a collective rejection of ECOWAS authority and democratic norms.²⁰²

²⁰⁰ Sohaib Mahmoud & Mohamed Taifouri, 'The Coup d'état of the Sahel region: Domestic Causes and International Competition' (2023) *Arab Center DC* <<https://arabcenterdc.org/resource/the-coups-detat-of-the-sahel-region-domestic-causes-and-international-competition/>> accessed 5 November 2025.

²⁰¹ Delcio Maianhi, 'Causes Of Coups in The Sahel Region' (2023) *The Organization for World Peace* <<https://thewp.org/reports/causes-of-coups-in-the-sahel-region/>> accessed 5 November 2025.

²⁰² Al Jazeera, 'Mali, Niger, Burkina Faso Form Alliance of Sahel States' (2023) <<https://www.aljazeera.com/news/2023/9/16/mali-niger-burkina-faso-form-alliance-of-sahel-states>> accessed 5 November 2025.

In sum, the recent coups in the Sahel underscore the fragility of democratic institutions in conflict-prone states. They reveal the limits of regional legal instruments when confronted with entrenched military interests and geopolitical competition. Unless ECOWAS and the African Union strengthens their enforcements, mechanisms and member states recommit to constitutional governance, the Sahel risks becoming a zone of perpetual transition without transformation

CHAPTER FOUR

AN ANALYSIS OF THE ROLES AND RESPONSES OF REGIONAL AND INTERNATIONAL INSTITUTIONS TO THE MILITARY COUPS IN THE SAHEL

4.1 Introduction

The wave of military coups in Mali, Burkina Faso, and Niger between 2020 and 2023 has triggered widespread concern across Africa and the international community. In response several organizations have attempted to restore constitutional order, impose sanctions, and mediate transitions. Looking at organizations like Economic Community of West African States (ECOWAS), African Union (AU), United Nations (UN), European Union (EU), and France which are key organizations involved, recourse will be made to their origin, mandates, policies, membership, and operational frameworks.

4.1.1 Economic Community of West African States (ECOWAS)

The Economic Community of West African States (ECOWAS) is one of Africa's most influential regional organizations, tasked with promoting economic integration, political stability, and democratic governance across West Africa. In recent years, ECOWAS has been at the forefront of responding to a wave of military coups in the Sahel, particularly in Mali, Burkina Faso and Niger. However, its interventions have sparked debate over sovereignty, legitimacy, and enforcement capacity.

ECOWAS was established on 28 May 1975 through the Treaty of Lagos, signed by 15 West African countries. Its initial focus was economic integration, but it later expanded to include peacekeeping and democratic governance following a series of regional conflicts in the 1990s.²⁰³

²⁰³ Centre for Human Rights, 'Chapter 3: The Economic Community of West African States' *Compendium of Regional and Subregional Human Rights Instruments in Africa* (2021) < <https://www.pulp.up.ac.za/images/edocman/legal->

The revised treaty of 1993 expanded the organization's scope to include political and security dimensions, laying the foundation for its current role in

ECOWAS operates through a multi-tiered institutional framework and has developed a robust legal framework to guide its operations. Its Protocols are instruments which empowers ECOWAS to intervene in domestic crises, impose sanctions, and deploy peacekeeping forces when democratic norms are violated.²⁰⁴ ECOWAS has developed several operational tools to enforce its mandate, for example ECOWAS Monitoring Group (ECOMOG) established in 1990s, ECOMOG has conducted peacekeeping missions in: Liberia, Sierra Leone, Guinea-Bissau, Cote d'Ivoire and Mali. These missions involved military deployments, ceasefires monitoring, and civilian protection.

The organization has imposed travel bans and assets freezes on coup leaders, suspension from ECOWAS institutions, economic sanctions, including border closures and trade restrictions. These measures were applied to Mali (2020-2022), Burkina Faso (2022), and Niger (2023) following their respective coups.²⁰⁵

4.1.2 The African Union (AU)

The African Union (AU) was officially launched on 9 July 2002 in Durban, South Africa, replacing the Organization of African Unity (OAU), which had been established in 1963. The

[compilations/2021_compendium/Chapter%203_Compendum%20Regional%20and%20subregional%202021.pdf](#) > accessed 22 September 2025.

²⁰⁴ Centre for Human Rights, (n 224)

²⁰⁵ ISS Africa, 'Rethinking responses to unconstitutional changes of government in West Africa' *ISS West Africa Report 50* (2024) <<https://issafrica.org/research/west-africa-report/rethinking-responses-to-unconstitutional-changes-of-government-in-west-africa>> accessed 22 September 2025

OAU was primarily focused on decolonization and the defense of sovereignty, but it was criticized for its inability to address internal conflicts and human rights abuses. The AU was conceived as a more dynamic and interventionist body, capable of promoting democratic governance, human rights, and regional integration.²⁰⁶ The Constitutive Act of the African Union (2000) laid the legal foundation for the AU, introducing principles such as the right of the union to intervene in member states in cases of war crimes, genocide, and unconstitutional changes of government.²⁰⁷ The Constitutive Act of the African Union (2000) established the legal foundation for the African Union (AU), replacing the Organisation of African Unity (OAU) and introducing a more interventionist framework for regional governance. Central to this transformation were the principles enshrined in Article 4(h) and Article 4(j), which grant the AU the right to intervene in member states in cases of war crimes, genocide, and unconstitutional changes of government.²⁰⁸

- Article 4(h) affirms “the right of the Union to intervene in a Member State pursuant to a decision of the Assembly in respect of grave circumstances, namely: war crimes, genocide and crimes against humanity.”²⁰⁹

- Article 4(j) recognizes “the right of Member States to request intervention from the Union in order to restore peace and security.”

²⁰⁶ ClassNotes.ng, ‘The Commonwealth OAU (AU), ECOWAS and OPEC’ *ClassNotes.ng* (5 March 2025) <<https://classnotes.ng/lesson/the-commonwealth-oau-au-ecowas-and-opec/>> accessed 22 September 2025

²⁰⁷ African Union, *Constitutive Act of the African Union* (2000) < https://au.int/sites/default/files/pages/34873-file-constitutiveact_en.pdf > 26 September 2025

²⁰⁸ African Union, *Constitutive Act of the African Union* (2000), Art. 4(h).

²⁰⁹ Ibid

- Article 30 provides that “Governments which shall come to power through unconstitutional means shall not be allowed to participate in the activities of the Union.”

The AU has invoked these provisions in several notable cases; for example in Darfur, Sudan (2004–2007, the AU deployed the African Union Mission in Sudan (AMIS) in response to genocide and crimes against humanity, acting under Article 4(h). Though limited in mandate and resources, AMIS was a precedent-setting intervention²¹⁰

Also, for Mali, Guinea, Burkina Faso, and Niger (2020–2023), the AU suspended all four countries following military coups, citing Article 30. However, enforcement has been inconsistent, and the formation of the Alliance of Sahel States (AES) has challenged AU and ECOWAS authority.²¹¹

4.1.3 The United Nations (UN)

The United Nations (UN), as the world’s foremost multilateral organization, plays a central role in promoting peace, security, and democratic governance. In the Sahel region, the UN has long been engaged through peacekeeping missions, humanitarian aid, and diplomatic support. However, the recent military coups in Mali, Burkina Faso and Niger have tested the UN’s capacity to respond to unconstitutional changes of government. The UN was founded in 1945 with the primary objectives of maintaining international peace and security, promoting human

²¹⁰ African Union Peace and Security Council, ‘Report on the AU Mission in Sudan (AMIS)’ (2007) <https://www.peaceau.org/en/article/report-on-au-mission-in-sudan-amis>. accessed 10 November 2025.

²¹¹ Al Jazeera, ‘Mali, Niger, Burkina Faso Form Alliance of Sahel States’ (2023) <https://www.aljazeera.com/news/2023/9/16/mali-niger-burkina-faso-form-alliance-of-sahel-states>. accessed 10 November 2025

rights, and fostering development. Its work in Africa is guided by the UN Charter, which empowers the Security Council to authorize peacekeeping missions and impose sanctions.

The UN condemned Mali's coups, calling for the restoration of constitutional order and respect for transitional agreements.²¹² The UN Security Council issued statements urging Mali to adhere to its electoral timeline and protect civil liberties.²¹³ The United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) continued operations, focusing on civilian protection, counterterrorism coordination, and support for democratic institutions. However, in June 2023, Mali's junta demanded the withdrawal of MINUSMA, accusing it of failing to contain jihadist violence. The UN complied, initiating a phased drawdown that concluded in December 2023.²¹⁴

In Burkina Faso, the UN condemned both coups, emphasizing the need for a short and inclusive transition.²¹⁵ The UN Human Rights Office expressed concern over arbitrary detentions, media restrictions, and the shrinking civic space.²¹⁶ Despite these efforts, Burkina Faso's junta extended

²¹² UN News, 'UN condemns Mali coup, urges return to civilian rule' *UN News* (19 August 2020) <<https://news.un.org/en/story/2020/08/1060152>> accessed 26 September 2025.

²¹³ Security Council Report, 'Mali: Security Council Statements on Political Transition' *SCR Update* (June 2021) <<https://www.securitycouncilreport.org/mali.php>> accessed 26 September 2025.

²¹⁴ UN Peacekeeping, 'MINUSMA withdrawal timeline and final report' *UN DPO Briefing* (December 2023) <<https://peacekeeping.un.org/en/minusma>> accessed 26 September 2025.

²¹⁵ UN Secretary-General, 'Statement on Burkina Faso political developments' *UN Spokesperson Office* (24 January 2022) <<https://www.un.org/sg/en/content/sg/statement/2022-01-24/statement-on-burkina-faso>> accessed 26 September 2025.

²¹⁶ OHCHR, 'Burkina Faso: UN rights office urges protection of civic space' *UN Human Rights Office* (28 September 2022) <<https://www.ohchr.org/en/press-releases/2022/09/burkina-faso-un-rights-office-urges-protection-civic-space>> accessed 26 September 2025.

its transition to five years in May 2024, prompting renewed UN calls for dialogue and respect for human rights.²¹⁷

In Niger, the UN Secretary-General Antonio Guterres condemned the coup and called for Bazoum's immediate release.²¹⁸ The UN Human Rights Council warned against violations of international law, including the detention of elected officials and suppression of dissent.²¹⁹

4.1.4 The European Union (EU)

The European Union (EU) is one of the world's most influential supranational organizations, with a mandate that spans economic integration, democratic governance, and global diplomacy. In Africa, the EU has long been a strategic partner, particularly in the Sahel region, where it has invested in counterterrorism, development, and democratic consolidation. However, the recent military coups in the Sahel have disrupted EU engagement and forced a recalibration of its foreign policy.

The European Union traces its origins to post-World War II efforts to foster peace and economic cooperation in Europe. The European Coal and Steel Community (ECSC) was established in 1951, followed by the Treaty of Rome (1957), which created the European Economic Community (EEC). The EU was formally established through the Maastricht Treaty (1993),

²¹⁷ UNOWAS, 'Briefing on Burkina Faso's extended transition' *UNOWAS Regional Update* (May 2024) <<https://unowas.unmissions.org>> accessed 26 September 2025.

²¹⁸ UN News, 'UN chief condemns Niger coup, calls for Bazoum's release' *UN News* (27 July 2023) <<https://news.un.org/en/story/2023/07/1139057>> accessed 26 September 2025.

²¹⁹ OHCHR, 'Niger: UN rights office warns against violations of international law' *UN Human Rights Office* (2 August 2023) <<https://www.ohchr.org/en/press-releases/2023/08/niger-un-rights-office-warns-against-violations-international-law>> accessed 26 September 2025.

which introduced a common foreign and security policy and expanded the Union's competencies beyond economics.²²⁰

Today, the EU comprises 27 member states, with institutions that include: the European Commission, which is the executive arm responsible for policy implementation, the European Parliament, the European Council, and Council of the European Union, amongst others. This institutional architecture enables the EU to act collectively in global affairs, including in Africa.

4.1.5 France

France has long been a dominant external factor in West Africa, particularly in the Sahel region. Its historical ties, military presence, and development aid has shaped the political and security landscape of countries like Mali, Burkina Faso, and Niger. However, the recent military coups in these states have triggered a dramatic reversal of France's influence. Once viewed as a guarantor of stability, France is now accused of neocolonialism and interference, leading to its expulsion from all three Sahelian countries.

France colonized much of West Africa during the late 19th centuries, integrating territories like Mali (then French Sudan), and Niger into French West Africa. These colonies were governed through centralized administration, French legal codes, and assimilation policies.²²¹ France's modern engagement in the Sahel has focused on counterterrorism, regional stability, and migration control. Some key interventions they have carried out over the years include the launch that was made in response to jihadist advances in northern Mali, Serval (a French Military

²²⁰ European Union, 'History of the European Union' *EU Official Portal* (2023) <https://european-union.europa.eu/principles-countries-history/history-eu_en > accessed 26 September 2025.

²²¹ Boahen A, *African Perspectives on Colonialism* (John Hopkins University Press, 1985)

Operation) deployed French to support Malian forces and reclaim territory. It was widely praised for its initial success.²²²

Following the coups, military regimes took decisive steps. In Mali, France was formally expelled in February 2022. Barkhane operations were terminated and French ambassador were declared persona non grata. Also, in Burkina Faso, France was asked to withdraw troops in January 2023. While its Military cooperation agreements were suspended, French media outlets were banned. In Niger, after the 2023 coup, France refused to recognize the junta and the junta responded by revoking military agreements and expelling the ambassador. French troops completed their withdrawal by December 2023.²²³

4.2 Regional and International Mechanisms Against Unconstitutional Changes of Government

4.2.1 Economic Community of West Africa States (ECOWAS)

The Economic Community of West Africa States (ECOWAS) was founded in 1975 with the aim of protecting human rights, fostering regional integration, economic development, and political stability across West Africa. Over time, its mandate expanded to include conflict prevention, peacekeeping, and the promotion of democratic governance. However, the recent wave of military coups in Mali, Burkina Faso and Niger has exposed deep institutional weaknesses within ECOWAS. Despite its legal instruments and diplomatic efforts, it has failed to prevent or reverse these unconstitutional changes of government.

²²² Charbonneau B, 'War and Intervention in Mali: Contexts, Risks and Prospects' *Norwegian Peacebuilding Resource Centre* (2014) <<https://www.files.ethz.ch/isn/179885/war-and-intervention-in-mali.pdf>> accessed 29 September 2025.

²²³ France 24, 'French troops complete withdrawal from Niger' *France 24 Africa* (18 December 2023) <<https://www.france24.com/en/africa/20231218-french-troops-complete-withdrawal-from-niger>> accessed 29 September 2025.

It was also designed to promote economic cooperation and integration among West African States, its core objectives included; free movement of goods, persons and capital, harmonizing trade policies and the creation of a common market.²²⁴ However, persistent political instability, poor infrastructure, and protectionist policies have undermined these goals. As of 2025, intra-ECOWAS trade accounts for less than 15% of total traded volume, and border closures, especially during coups or pandemic have disrupted the free flow of goods.²²⁵ For example Nigeria's repeated border closures within Benin and Niger between 2019 and 2023 violated ECOWAS trade protocols and disrupted regional commerce.²²⁶

In response to civil wars and coups in the 1990s, ECOWAS adopted the **1999 Protocol on Conflict Prevention**²²⁷ and the **2001 Protocol on Democracy and Good Governance**,²²⁸ marking a shift towards peacekeeping and constitutional enforcement. Its Zero tolerance for coups has led to suspensions, sanctions, and diplomatic isolation of military regimes.²²⁹

²²⁴ ECOWAS, *Treaty of Lagos* (1975), Article 2-3.

²²⁵ Williams Aleman, 'The Evolution of ECOWAS: From Economic Bloc to Security Actor' (2016) *Lund University* <<https://lup.lub.lu.se/luur/download?func=downloadFile&recordId=8930934&fileId=8933626>> accessed 5 November 2025.

²²⁶ Kolade G. Olubiyo & Iyanu-Oluwa A. Ayodele, 'Beyond Sanctions: ECOWAS and the Resurgence of Military Coups in West Africa' (2024) *ABUAD Journal of Social and Management Sciences* 5(2) 341-357.

²²⁷ ECOWAS, *Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security* (1991).

²²⁸ ECOWAS, *Protocol on Democracy and Good Governance* (2001).

²²⁹ Ibid

In 2017, ECOWAS deployed troops to enforce the election result and ensure Yahya Jammeh's departure, preserving constitutional order.²³⁰ Also in Liberia, ECOWAS's intervention helped end the civil war and restore democratic governance.²³¹

The ECOWAS Court of Justice has made landmark rulings that upheld human rights and challenged state abuses, for example in the case of *SERAP v Nigeria*, the court found Nigeria in breach of its obligation to investigate corruption in education.²³² Also, in the case of *Kabinet Sylla v Guinea*, the court ruled in favour of a journalist unlawfully detained for criticizing the government.²³³ The ECOWAS court is one of the most accessible regional courts in Africa. Under its **2005 Supplementary Protocol**, individuals and NGOs can bring cases directly before the court for human rights violations, without needing to exhaust domestic remedies.²³⁴ The direct access empowers citizens to challenge state abuses, especially in countries with weak or compromised judicial systems. Cases such as *SERAP v Nigeria (supra)* and *Kabinet Sylla v Guinea (supra)* were initiated by civil society groups without prior domestic litigation.²³⁵

In contrast, the African Court on Human and Peoples' Rights (AfCHPR) established under the 1998 protocol to the African Charter requires that applicants must exhaust all available domestic

²³⁰ Adekeye Adebajo, *Building Peace in West Africa: Liberia, Sierra Leone and Guinea Bissau* (Lynne Rienner 2002).

²³¹ Al Jazeera, 'ECOWAS Troops Enter Gambia to Force Jammeh Out' (2017) <<https://aljazeera.com/news/2017/1/19/ecowas-troops-enter-gambia-to-force-jammeh-out>> accessed 5 November 2025.

²³² *SERAP v NIGERIA* (ECW/CCJ/JUD/18/12), ECOWAS Court of Justice.

²³³ ECOWAS Court of Justice, 'Judgement in Kabinet Sylla v Guinea' (2025) <<https://courtecowas.org/>> accessed 5 November 2025.

²³⁴ ECOWAS, *Supplementary Protocol A/SP.1/01/05 Amending the Protocol Relating to the ECOWAS Court of Justice* (2005), Art.109(d).

²³⁵ *SERAP v Nigeria* (ECW/CCJ/JUD/18/12); *Kabinet Sylla v Guinea* (ECW/CCJ/JUD/05/25).

remedies before approaching court.²³⁶ This rule is grounded on the principle of subsidiarity, which respects national sovereignty and judicial autonomy. The requirement often delays justice and discourages victims in countries with slow, corrupt, or inaccessible legal systems.

4.2.2 Why ECOWAS?

The foundational objective of ECOWAS as outlined in the **Treaty of Lagos (1975) and revised 1993**, is to promote “cooperation and integration leading g to the establishment of an economic union in West Africa” (ECOWAS Treaty, 1993).²³⁷ However the organization’s political and security mandate is defined more sharply in its **Protocol on Democracy and Good Governance (2001)**,²³⁸ which prohibits unconstitutional changes of government and mandates member states to uphold democratic principles. Its objectives include the promotion of democratic governance and rule of law, prevention and resolution of armed conflicts, support for free and fair elections and also sanctions against unconstitutional regimes.

Other treaties include the **Protocol Relating to the Mechanism for conflict Prevention, Management, Resolution, Peacekeeping and Security (1999)**. This Protocol empowers ECOWAS to intervene in member states experiencing conflicts or breakdown of unconstitutional governance. It laid the groundwork for early warning systems and peacekeeping deployments.²³⁹

²³⁶ African Union, *Protocol to the African Charter on Human and Peoples’ Rights on the Establishment of the African Court on Human and Peoples’ Rights* (1998), Art. 6(2).

²³⁷ ECOWAS, *Revised Treaty of ECOWAS* (1993) <<https://www.ecowas.int/wp-content/uploads/2015/01/Revised-treaty.pdf>> accessed 29 September 2025.

²³⁸ ECOWAS, (n 250)

²³⁹ Ibid

ECOWAS **Supplementary Act on Elections (2008)** reinforces electoral integrity and mandates transparent, credible elections as a cornerstone of constitutional governance.²⁴⁰

After the 2020 coup, ECOWAS suspended Mali from all decision-making bodies and went on to impose economic sanctions, including border closure and asset freeze and demanded a civilian-led transition. However, the May 2021 coup led by Goita, undermined the transitional arrangement. ECOWAS went on to lift the sanctions prematurely and failed to enforce its electoral timeline. Scholar Folahanmi Aina argues that ECOWAS's "soft diplomacy and lack of enforcement mechanisms emboldened the junta".²⁴¹ Similar events happened also in Burkina Faso when following the January 2022 coup, ECOWAS suspended Burkina Faso and sent mediation teams to negotiate a transition, and then called for elections within 24 months. Yet, after September 2022 coup, Ibrahim Traore extended military rule and later announced a five-year transition in May 2024. ECOWAS failed to impose meaningful sanctions, and its mediation was boycotted by key political actors. According to International Crisis Group, ECOWAS "lacked leverage and appeared reactive rather than strategic".²⁴² Also in Niger, the July 2023 coup was met with the strongest ECOWAS response, as Niger was immediately suspended and sanctions and travel bans were imposed, but despite this, ECOWAS was unable to act decisively. Nigeria, under President Bola Tinubu, pushed for intervention, but other member states like

²⁴⁰ ECOWAS *Supplementary Act on Elections* (2008).

²⁴¹ Aina F, 'ECOWAS and the Sahel Coups: Between Diplomacy and Defeat' *African Affairs Review* (2022) Vol. 18. No. 2, pp.45-62.

²⁴² International Crisis Group, 'West Africa's Coup Epidemic: What ECOWAS Can Do' *Crisis Group Commentary* (June 2024) <<https://www.crisisgroup.org/africa/west-africa/coup-epidemic-ecowas-response>> accessed 29 September 2025.

Ghana and Senegal hesitated. The Brookings Institution noted that “internal divisions within ECOWAS undermined its credibility and capacity to enforce its protocols”.²⁴³

While ECOWAS has a comprehensive legal framework for resisting unconstitutional rule, it clearly lacks enforcement capacity; it does not possess a standing military force. So, while it can authorize deployments through the ECOWAS Standby Force, implementation depends on member states’ willingness. When it comes to the point of obeying ECOWAS’s protocols, states always hide under the cloak of sovereignty and most times this is at the expense of human rights. In the case of Niger, political divisions prevented activation. The organization has favoured negotiation over coercion and has relied too much on diplomacy. While this aligns with African norms of consensus, it has proven ineffective against entrenched military regimes. Scholar Eghosa Osaghae argues that ECOWAS’s “diplomatic inertia has created a permissive environment for coups”.²⁴⁴ ECOWAS’s member states often prioritize national interests over regional commitments. For example, Guinea, which was also under military rule refused to support sanctions against Niger. This undermines the organization’s collective authority. Many Sahel countries view ECOWAS as elitist and that it is disconnected from grassroots concerns. Protesters in Mali and Burkina Faso have accused ECOWAS of defending corrupt regimes and foreign interests. As noted by **Le Monde Afrique**, “ECOWAS has lost the moral high ground

²⁴³ Brookings Institution, ECOWAS and the Niger Coup: Lessons in Regional Diplomacy’ *Brookings Africa Security Brief* (August 2023) <<https://www.brookings.edu/articles/ecowas-and-the-niger-coup-lessons-in-regional-diplomacy/>> accessed 29 September 2025

²⁴⁴ Osaghae E, ‘Regionalism and the Crisis of Democratic Governance in West Africa’ *Journal of African Political Economy* (2023) Vol. 29, No. 1, pp. 11-30.

among the youth who see military rule as a path to sovereignty”.²⁴⁵ The Organization’s legal instruments are clear, but its application has been inconsistent. Articles 1(c) of the **Protocol on Democracy and Good Governance** mandates sanctions against unconstitutional government,²⁴⁶ yet, it lifted the sanctions on Mali in July 2022, despite the junta’s refusal to hold elections.

ECOWAS was created to foster integration, uphold democratic norms and protect Human Rights in West Africa. However, its response to the Sahel coups reveals significant institutional and strategic failures. It has struggled to enforce its protocols and even get member states to comply with its directives. To restore its relevance, ECOWAS must strengthen its enforcement mechanisms, build consensus among members, and engage civil society in shaping regional governance. Without reform, ECOWAS risks becoming a symbolic institution unable to defend the very principles it was founded to uphold. ECOWAS is an organization with a robust legal mandate; however, compliance remains alarmingly low, with studies showing that nearly 70% of its court's judgement are ignored by member states.²⁴⁷ For example in the case of *Incorporated Trustees of Human Rights Initiative v Nigeria (2003)* the ECOWAS court ruled that provisions of the Nigeria Broadcasting Code (6th Edition) violated the right to freedom of expression. Nigeria has not implemented the judgement, and the restrictive media regulations remain in

²⁴⁵ Le Monde Afrique, ‘Pourquoi les jeunes du Sahel rejettent la CEDEAO’ *Le Monde Afrique* (15 September 2023) <https://www.lemonde.fr/afrique/article/2023/09/15/pourquoi-les-jeunes-du-sahel-rejettent-la-cedeao_6189457_3212.html> accessed 29 September 2025.

²⁴⁶ ECOWAS, (n 240)

²⁴⁷ Maame Efua Abddadzi-Koom 'Adjudicating Human Rights in the ECOWAS Court: Challenges and Prospects' (2023) *Raoul Wallenberg Institute Report 1-15* <<https://rwi.lu.se/wp-content/uploads/2023/05/Challenges-and-Prospects-FINAL.pdf>> accessed 23 October 2025.

force.²⁴⁸ Nigeria has the highest number of unenforced ECOWAS judgements, as of 2024 it has only enforced 43 out of 184 total rulings.²⁴⁹

4.2.3 France in the Sahel

France appears to be living in a post-colonial paradox. It has positioned itself as a stabilizing force against coups and insecurity. These interventions are framed as efforts to repel jihadists advances and support democratic governance. However, France's withdrawal from Mali in 2023 was accompanied by allegations of infrastructure sabotage, including the dismantling of military bases and logistical hubs previously used by joint forces although these claims are mere allegations.²⁵⁰

Chafer et al. argue that France's decade long presence in Mali ultimately failed to achieve its strategic objectives, and its exit reflected a broader collapse of postcolonial influence in the region.²⁵¹ The military regimes in Mali, Burkina Faso, and Niger accused France of undermining sovereignty and fueling instability under the guise of counterterrorism.

Reports from regional observers and leaked intelligence suggest that French-supplied weapons may have ended up in the hands of rebel groups operating in Mali and Niger. While France

²⁴⁸ *Incorporated Trustees of Human Rights Initiative v Nigeria* (2003) ECW/CCJ/JUD/37/43; Solomon Odeniyi, 'Concerns Over Relevance of ECOWAS Court as Member Nations Disregard Judgements' (2004) *Punch Nigeria* <<https://punchng.com/concerns-over-relevance-of-ecowas-court-as-memebr-nations-disregard-judgements/>> accessed 5 November 2025.

²⁴⁹ Victor Adetimilehin, 'ECOWAS Court Grapples with Enforcement of Judgements' (2004) *Inquirer Nigeria* <<https://inquirer.ng/2024/03/15/ecowas-court-grapples-with-enforcement-of-judgements/>> accessed 5 November 2025.

²⁵⁰ Ioanna Saliaka, 'The Departure of French Troops from the Sahel and the Diplomacy of EU' (2025) *Strategy International* <<https://strategyinternational.org/2025/03/19/publication166/>> accessed 10 November 2025.

²⁵¹ Tony Chafer et al., 'France's Strategic Failure in Mali: A Postcolonial Disutility of Force?' (2024) *Royal United Services Institute Commentary* <<https://www.rusi.org/explore-our-research/publications/commentary/frabces-strategic-failure-mali-postcolonial-disutility-force>> accessed 23 October 2025.

denies involvement, the UN panel of Experts on Mali documented foreign-sourced arms in insurgent arsenals, raising concerns about diversions and proxy warfare.²⁵² This pattern reflects a broader postcolonial dynamic in which external powers fuels conflicts through arms transfers, covert alliances, and selective diplomacy. As Horace Campbell notes, "The militarization of Africa is not accidental-it is a deliberate strategy to control resources and suppress sovereignty."²⁵³

One of the most enduring tools of French influence is the CFA Franc, a colonial currency used by 14 African countries and pegged to the euro. Until recently, 50% of these countries' foreign reserves were held in the French Treasury. This system restricted monetary sovereignty and benefitted France by stabilizing its trade and investment interests.²⁵⁴ France's energy sector relied heavily on uranium mined in Niger, particularly from sites operated by French company Orano. These contracts disproportionately favoured France, while Niger remained impoverished and environmentally degraded.²⁵⁵

France is currently grappling with a political and economic crisis. In 2025, its public deficit reached 5.4% of GDP, the highest in the eurozone, and its debt is projected to climb to 118.4%

²⁵² United Nations Security Council, 'Report of the Panel of Experts on Mali' (2023) S/2023/234 <https://digitallibrary.un.org/record/4019115> accessed 23 October 2025.

²⁵³ Horace Campbell, 'The Militarization of Africa: The New Scramble for Resources' (2013) 34(2) *Third World Quarterly* 273-288. <https://www.jstor.org/stable/90018134> accessed 23 October 2025.

²⁵⁴ 'True Sovereignty? The CFA Franc and French Influence in West and Central Africa' (2022) *Harvard International Review* <https://hir.harvard.edu/true-sovereignty-the-cfa-franc-and-french-influence-in-west-africa/> accessed 27 October 2025.

²⁵⁵ 'The Detriment for France in Losing Access to Niger Uranium' (2025) *African Analyst* <https://africaanalyst.com/the-detriment-for-france-in-losing-access-to-niger-uranium/> accessed 27 October 2025.

of GDP by 2026.²⁵⁶ Prime Minister Sebastien Lecornu narrowly survived multiple no-confidence votes, and President Macron has faced mounting pressure to resign and legislative gridlock.²⁵⁷ This Crisis coincides with France's loss of influence in Africa, prompting scholars to question whether its economic stability was partly sustained by extractive relationships with former colonies. As Mann states, France's postcolonial presence in the Sahel was not merely strategic, it was economic, involving resource extraction, currency control, and military leverage.²⁵⁸

4.3 Foreign Powers in the Sahel Beyond France's Footprint

While France has historically dominated the Sahel region through colonial and postcolonial mechanisms, other global powers have increasingly asserted influence. While some replicate France's extractive patterns, others are offering alternative models of engagement.

Russia's presence in the Sahel intensified following France's withdrawal, particularly in Mali, Burkina Faso, and Niger. Through bilateral defense agreements and deployments of private military contractors such as the Wagner Group, Russia has positioned itself as a counterweight to Western Influence. In 2022, Mali formalized a security pact with Russia, receiving arms and training in exchange for strategic access.²⁵⁹ In 2025, Russia delivered 709.5 tons of humanitarian

²⁵⁶ European Commission, 'Economic Forecast for France' (2025) <https://economy-finance.ec.europa.eu/economic-surveillance-eu-member-states/country-pages/france/economic-forecast-france_en.> accessed 27 October 2025.

²⁵⁷ Arise News, 'macron Vows to Stay on, Rejects Calls to Resign Amid France's Deepening Political Crisis' (2025) <<https://www.arise.tv/macron-vows-to-stay-on-rejects-calls-to-resign-amid-frances-deepening-political-crisis/.>> accessed 27 October 2025.

²⁵⁸ Gregory Mann, 'French Colonialism and the Making of the Modern Sahel' in *The Oxford Handbook of the African Sahel* (Oxford University Press 2021) 35-50.

²⁵⁹ Vision of Humanity, 'Shifting Sands in Security: Foreign Counterterrorism Influences in the Sahel' (2025) <<https://www.visionofhumanity.org/shifting-sands-in-security-foreign-counterterrorism-influences-in-the-sahel/.>> accessed 27 October 2025.

aid to Burkina Faso and prepared 20,000 shipment to Niger. These gestures were framed as goodwill, but they also served to strengthen diplomatic ties with military-led governments and open doors for economic cooperation.²⁶⁰ Russian's military support has bolstered its defense exports and created long-term dependencies.

China has forged a path of infrastructural diplomacy with the Sahel states. Its engagement in the Sahel is largely economic, focusing on infrastructure development, mining, and telecommunications. Unlike France and Russia, China avoids direct military involvement and emphasizes non-interference in domestic politics. China has financed roads, hospitals, and energy projects in Mali and Niger. Critics however argue that China's resource backed loans and long-term concessions may replicate colonial patterns under a different guise.²⁶¹ China's aid often funds large-scale infrastructure like roads, railways, hospitals and ports built by Chinese state-owned enterprises (SEOs). These projects create jobs for Chinese workers, generate contracts for Chinese firms, and promote Chinese construction standards abroad. For example, China's Belt and Road Initiative (BRI) has extended into West Africa, with projects in Mali and Niger executed by firms like China Civil Engineering Construction Corporation (CCECC). These projects are financed through concessional loans, which often require recipient countries to use Chinese contractors and materials, ensuring capital flows back to China.²⁶² China uses aid to open new markets for its exports. Sahel countries import Chinese electronics, textiles, and

²⁶⁰ Solomon Ekanem, 'Russia Strengthens Diplomatic ties with Humanitarian Aid to Two West African Countries' (2025) *Business Insider Africa* <<https://africa.businessinsider.com/local/lifestyle/russia-strengthens-sahel-ties-with-humanitarian-aid-to-two-west-african-countries/9163hcx.>> accessed 27 October 2025.

²⁶¹ Funmi Adewumi et al., *Democracy and Governance in West Africa* (Ibadan: Spectrum Books, 2021) 112.

²⁶² Inerttiah Tamlyn Madzoke and Jie Wu, 'The Impact of China's Aid to Africa on Africa's Development' (2024) *Open Access Library Journal* 11(4) <<https://www.scrip.org/journal/paperinformation?paperid=133030.>> accessed 27 October 2025.

machinery, creating demand for Chinese goods and reducing reliance on Western markets.

Between 2013 and 2023, China's aid grants in Sub-Saharan Africa facilitated trade growth and positioned China as a rising competitor to the U.S in African development finance.²⁶³

The United States has maintained a counterterrorism footprint in the Sahel, especially in Niger, where it operated drone bases and trained local forces. However, following the 2023 coup in Niger, the U.S. suspended aid and scaled back its presence.²⁶⁴

Turkey has expanded its influence through religious diplomacy, education and trade, while Gulf states like Qatar and the UAE have invested in humanitarian aid and infrastructure. These actors promote soft power, avoiding overt military or political interference. Their influence is seen as less extractive, though still driven by geopolitical interests.²⁶⁵ However, beneath this soft power lies a strategic economic agenda. Turkey's aid often comes bundled with infrastructure-related commercial deals. Turkish construction firms such as Yapi Merkezi and Summa have secured contracts to build hospitals, airports, and roads in West Africa. These projects are funded through Turkish development aid but executed by Turkish companies, creating a circular flow of capital back into Turkey's economy.²⁶⁶ Turkey has used its diplomatic outreach to expand trade with

²⁶³ Solomon Ekanem, 'China's Top 10 Aid Recipient Countries in Africa' (2025) *Business Insider Africa* <<https://africa.businessinsider.com/local/lifestyle/chinas-top-10-aid-recipient-countries-in-africa/jsqksd3.>> accessed 27 October 2025.

²⁶⁴ The Conversation, 'Scramble for the Sahel: Why France, Russia, China and the United States Are Interested in the Region' (2024) <<https://theconversation.com/scramble-for-the-sahel-why-france-russia-china-and-the-united-states-are-interested-in-the-region-219130.>> accessed 27 October 2025.

²⁶⁵ Lofti Sour, 'The Strategy of Securitization in African Sahel: Regional Arrangements and Transitional Security Challenges' (2015) 1(2) *International Journal of Political Science* 6-18.

²⁶⁶ Samuel Ramani, 'Turkey's Sahel Strategy' (2020) *Middle East Institute* <<https://www.atalay.com/en/articulo/politics/turkey-strengthens-its-influence-and-presence-in-the-sahel-region>> accessed 27 October 2025.

Sahel states. Exports of Turkish goods especially textiles, machinery, and consumer products, have increased in Mali and Niger. These markets offer Turkey a chance to diversify its trade portfolio beyond Europe and the Middle East. The Turkish Exporters Assembly reported a 15% increase in exports to West Africa between 2022 and 2024.²⁶⁷ Turkey's aid includes religious and educational outreaches, often through institutions like the Diyanet Foundation and Maarif Foundation. These programs promote Turkish Islamic scholarship and cultural values, fostering brand loyalty and political goodwill that benefit Turkish businesses and diplomatic interests. Turkish universities and vocational schools in the Sahel attract local students, creating long-term cultural ties. Turkey's aid is strategically designed to support its economy, not purely altruistic. While less extractive than France's colonial model, Turkey's engagement still raises questions about economic sovereignty and aid conditionality.

4.4 Conclusion

In conclusion, the strategic approaches adopted by Russia, Turkey, and the United States in the Sahel reveal that their aid and partnerships are far from purely altruistic. While each country presents its engagements as humanitarian or developmental, the underlying motives consistently reflect economic, military, and geopolitical interests. Russia's humanitarian aid to Burkina Faso and Niger, for instance, coincided with its acquisition of resource contracts and defense partnerships, suggesting a calculated effort to expand its influence and support domestic sectors like agriculture and arms manufacturing.²⁶⁸ The United States, though emphasizing governance and counterterrorism, has historically used its military presence to secure strategic positioning

²⁶⁷ Clingendael Institute, 'Unravelling Turkish Involvement in the Sahel' (2023) Policy Brief
<https://www.clingendael.org/sites/default/files/2023-07/Policy_brief-Unravelling-Turkish_involvement_in_the_Sahel.pdf>

²⁶⁸ Solomon Ekanem (286)

rather than long-term development.²⁶⁹ As scholars like Udenka and Ramani argue, these patterns mirror France's legacy of influence, albeit through modernized and subtler mechanisms.²⁷⁰ This pattern is seen in China and the United States where their companies dominate cobalt mining operations, a mineral essential for electric vehicles and electronics. The mining activities are often done under conditions that involve child labor, environmental degradation, and poor safety standards.²⁷¹

²⁶⁹ Samuel Ramani, (n 289)

²⁷⁰ Ibid

²⁷¹ Or Salama, 'The Current State of Child Labour in Cobalt Mines in the DRC' (2025) *Humanium* <<https://humanium.org/en/the-current-state-of-child-labour-in-cobalt-mining-in-the-democratic-republic-of-congo/>>, accessed 5 November 2025.

CHAPTER FIVE

CONCLUSION

5.1 SUMMARY OF FINDINGS

The crux of this research is the legitimacy of military takeovers in Sahel countries, particularly in Mali, Burkina Faso and Niger. It found that military regimes often justify their actions on grounds of national security, corruption, or failed civilian leadership, such takeovers fundamentally go against domestic constitutional provisions and regional legal instruments and these grounds are often pretexts for power consolidation, rather than genuine reform. It also found that while military regimes in Mali, Burkina Faso and Niger often claim popular acceptance, such acceptance does not confer legal legitimacy.

This study set out to interrogate the legitimacy of military takeovers in Sahel countries, but the findings revealed a deeper crisis; the fact that legitimacy itself is elusive, even within democratic frameworks. Drawing on Hans Kelsen's Pure Theory of Law, which distinguishes legality from legitimacy, the research argues that a government is not legitimate merely because it follows legal procedures but that it must also derive its authority from a valid Grundnorm and reflect the will of the people.²⁷²

The democracy practiced in many African states including Nigeria, Senegal, and Guinea has failed to meet the standards of legitimacy. Elections are often marred by fraud, elite manipulation, and judicial compromise. For instance, President Tinubu's emergence in Nigeria was widely

²⁷² Lars Vinx, *Hans Kelsen's Pure Theory of Law: Legality and Legitimacy* (Oxford University Press 2007).

contested, with post-election surveys showing low public confidence in the electoral process.²⁷³

His subsequent appointment as ECOWAS chairman raises questions about the bloc's moral authority to enforce democratic norms.²⁷⁴ Apart from Nigeria's Tinubu, leaders in Cameroon and Tanzania have also faced contested elections. In Cameroon, President Paul Biya's 2025 re-election was rejected by opposition groups, who alleged fraud and reported violent clashes that left at least 16 dead and hundreds arrested.²⁷⁵ Despite Biya being sworn in for an eighth term, the election was widely criticized as undermining democratic legitimacy.²⁷⁶

Similarly, in Tanzania, President Samia Suluhu Hassan's 2025 victory with 97–98% of the vote sparked skepticism. Opposition parties claimed the process was manipulated, with reports of mass arrests and deadly protests.²⁷⁷ Observers noted that the election was judged “by processes, not numbers,” highlighting the erosion of democratic credibility.²⁷⁸ These cases show that electoral legality does not guarantee legitimacy.

²⁷³ Akinbode Fasakin, 'The Question of Legitimacy for the Tinubu Administration' (2023) *Journal of African Elections* <<https://www.eisa.org/storage/2023/11/2023-journal-of-african-elections-v22n2-tinubu-legitimacy-eisa.pdf>> accessed 10 November 2025.

²⁷⁴ Muhammad Reza Ajani Suleiman, 'Tinubu's ECOWAS Chairmanship (2023–2025)' (2025) *Dateline Nigeria* <<https://dateline.ng/tinubus-ecowas-chairmanship-2023-2025/>> accessed 10 November 2025.

²⁷⁵ Africanews, 'Tchiroma Gives Authorities 48-Hour Ultimatum to Release Post-Election Detainees'. <<https://www.africanews.com/2025/11/10/cameroon-tchiroma-gives-authorities-48-hour-ultimatum-to-release-post-election-detainees/>> accessed 15 November 2025.

²⁷⁶ Firstpost (2025), '16 Dead, Over 800 Arrested in Clashes Over Reelection of President Paul Biya' <<https://www.firstpost.com/world/cameroon-unrest-16-dead-over-800-arrested-in-clashes-over-reelection-of-president-paul-biya-13950466.html>> accessed 15 November 2025.

²⁷⁷ Arise News (2025), 'President Suluhu Wins Tanzania Election With 98% Amid Deadly Protests, Opposition Reports 700 Killed' <<https://www.arise.tv/president-suluhu-wins-tanzania-election-with-98-amid-deadly-protests-opposition-reports-700-killed/>> accessed 15 November 2025

²⁷⁸ Mail & Guardian (2025), 'Tanzania's Elections Judged by Processes Not Numbers' <<https://mg.co.za/thought-leader/opinion/2025-11-07-tanzanias-elections-judged-by-processes-not-numbers/>> accessed 15 November 2025.

In Senegal, President Macky Sall suspended the Senate in 2024, and attempted to delay elections, a move blocked by the Constitutional Council.²⁷⁹ Similarly, Tinubu's suspension of Rivers State's governor and legislature under emergency rule was challenged in court, with critics arguing it violated constitutional federalism.²⁸⁰ These examples suggest that democratic governments can also act unconstitutionally and by doing this, their legitimacy is undermined.

Military regimes often claim legitimacy through the people's popular acceptance. In the early stages of coups in Mali, Burkina Faso, and Niger, Afrobarometer recorded high levels of citizen approval, especially among youth disillusioned with corrupt civilian governments.²⁸¹ However, recent data shows declining support, as transitional governments fail to deliver security, economic reform, or credible election timelines.²⁸²

The case of Muammar Gaddafi's Libya illustrates the complex intricacies of legitimacy. Gaddafi's regime provided free education, healthcare, housing, and subsidies for graduates—including job placement and car ownership.²⁸³ Yet, his government was toppled amid

²⁷⁹ Pascal Byabasaija, 'Senegal's Constitutional Council Rejects President Sall's Bid to Extend Term' (2024) *African Exponent* <<https://www.africanexponent.com/senegals-constitutional-council-rejects-president-salls-bid-to-extend-term/>>. accessed 10 November 2025.

²⁸⁰ Deborah Musa, 'Rivers Emergency Rule: Court Dismisses Suit Against Tinubu' (2025) *Punch Nigeria* <<https://punchng.com/rivers-emergency-rule-court-dismisses-suit-against-tinubu/>>. accessed 10 November 2025.

²⁸¹ Afrobarometer, 'Violent Extremism in Africa: Citizen Perspectives from the Sahel' (2021) <<https://www.afrobarometer.org/publication/pp74-violent-extremism-africa-citizen-perspectives-sahel-epicenter-and-periphery/>>. accessed 10 November 2025.

²⁸² Tokpo Coronation Edward, 'Resurgence of Military Rule in West Africa' (2025) *IIARD Journal of Political Science and Law Research* <<https://iiardjournals.org/get/JPSLR/VOL.%2011%20NO.%208%202025/Resurgence%20of%20military%20rule%20in%20West%2078-93.pdf>>. accessed 10 November 2025.

²⁸³ Arturo Duran, 'The Real Reasons Behind Gaddafi's Demise: Assessing Libya's Socio-Economic Policies' (2024) <<https://arturoduran.com/2024/06/21/the-real-reasons-behind-gaddafis-demise-assessing-libyas-socio-economic-policies/>>. accessed 10 November 2025.

international pressure and internal dissent, proving that material welfare alone does not guarantee political legitimacy.

ECOWAS has developed strong legal instruments against unconstitutional change of government, but its enforcement remains inconsistent. The bloc suspended Mali, Guinea, Burkina Faso, and Niger, yet failed to prevent the formation of the Alliance of Sahel States (AES). Moreover, ECOWAS's Court of Justice suffers from low compliance, with over 80% of its judgments ignored.²⁸⁴ The appointment of President Tinubu as ECOWAS chair despite contested legitimacy at home, speaks volumes of the bloc's credibility. If ECOWAS is to uphold constitutionalism, it must reform its leadership selection process, strengthen its court, and ensure that democratic governments are held to the same standards as military regimes. The bloc, notably through the ***Protocol on Democracy and Good Governance (2001)***, has prohibited any accession to power through unconstitutional means.²⁸⁵ But despite this, enforcement remains inconsistent. ECOWAS has suspended and sanctioned member states following coups, but its efforts have been undermined by non-compliance, regional solidarity among juntas, and geopolitical interference.²⁸⁶ The African Union (AU), while aligned with this principle, has been less effective due to procedural barriers such as the requirement to exhaust domestic remedies.

²⁸⁴ Victor Adetimilehin, 'ECOWAS Court Grapples with Enforcement of Judgments' (2024) *Inquirer Nigeria* <<https://inquirer.ng/2024/03/15/ecowas-court-grapples-with-enforcement-of-judgments/>> accessed 10 November 2025.

²⁸⁵ ECOWAS, (n 243)

²⁸⁶ Adebayo Kareem, 'Niger Coup And Legal Imperatives Of Enforcing ECOWAS Zero Tolerance' (2023) *Sahara Reporters* <<https://saharareporters.com/2023/08/27/niger-coup-and-legal-imperatives-enforcing-ecowas-zero-tolerance-unconstitutional-change/>> accessed 5 November 2025.

Additionally, foreign powers like China and Russia have exploited governance vacuums, offering aids and security support that indirectly legitimizes military regimes.²⁸⁷

The Study also draws parallels between foreign aid in the Sahel and cobalt exploitation in the Democratic Republic of Congo (DRC), revealing a broader pattern of strategic engagement masked as altruism. In both cases, foreign actors promote development while simultaneously pursuing economic and geopolitical interests, often at the expense of human rights.²⁸⁸

This study concludes that legitimacy is not exclusive to democracy or military rule, it must be earned through constitutional fidelity, public trust, and ethical governance. Both systems have failed in different ways, and the Sahel's crisis is not just political—it is normative and legal. Until legitimacy is redefined and enforced consistently, Africa will remain vulnerable to cycles of unconstitutional power and popular disillusionment. Legality does not always equal legitimacy, and both systems have failed to meet the normative expectations of lawful governance.

5.2 RECOMMENDATIONS

1. Strengthen ECOWAS Enforcement Mechanisms

ECOWAS should establish a Regional Compliance Unit to monitor and enforce court judgements and protocol adherence. This unit should publish annual compliance reports and recommend sanctions for persistent violations.

²⁸⁷ Samuel Ramani, 'Russia's Strategic Expansion in the Sahel' (2024) *Middle East Institute* <<https://www.mei.edu/publications/russias-strategic-expansion-sahel>. > accessed 5 November 2025.

²⁸⁸ Siddarth Kara. *Cobalt Red: How the Blood of the Congo Powers Our Lives* (St. Martin's Press); Or Salama, (n 292)

2. Adopt a Supplementary Act on Constitutional Transitions

A new legal instrument should codify the process and timeline for restoring civilian rule after a coup, including mandatory elections within 18 months and penalties for delay.

3. Empower the ECOWAS Court of Justice

The court should be granted explicit jurisdiction over unconstitutional changes of government, allowing it to issue binding orders on transitional authorities. All member states should be mandated to follow the Court's orders.

4. Harmonize ECOWAS and AU Legal Frameworks

The AU should adopt ECOWAS's model of direct individual access to regional courts, removing the barrier of exhausting domestic remedies.

5. Regulate Foreign Engagements in Resource-Rich States

ECOWAS should introduce a Resource Sovereignty Charter requiring transparency, human rights audits and also penalties for violations, and a parliamentary oversight for all foreign contracts in extractive industries. It should be at the forefront of these transactions, to curb foreign exploitation of resource rich states.

6. Improve Public Education on ECOWAS Mandates

Member states should invest in civic education campaigns to raise awareness about ECOWAS's legal instruments, rights protections, and enforcement mechanisms. This would empower citizens to engage with regional institutions and demand accountability.

7. Prioritize Human Rights in National Governance

Governments must demonstrate greater commitment to protecting human rights, especially during political transitions. This includes safeguarding civil liberties, ensuring access to justice, and preventing arbitrary detention or repression.

8. Establish Uniform Legal Standards Across Member States

ECOWAS should promote harmonization of human rights laws, recognizing that development and security are prerequisites for effective rights protection. A regional legal code could help standardize enforcement and reduce impunity.

9. Reinforce Peer Review Mechanisms

ECOWAS should strengthen its peer review system, allowing member states to publicly critique and hold each other accountable for human rights violations. This would foster transparency and regional solidarity in upholding democratic norms.

10. Acknowledge the Failure of Coups to Deliver Development

ECOWAS should formally recognize that unconstitutional changes of government have consistently failed to resolve economic or developmental challenges. This acknowledgement should inform future sanctions and diplomatic strategies.

11. Enhance Early Warning Systems and Crisis Response

ECOWAS must invest in predictive analytics, intelligence sharing, and rapid response teams to detect and address threats to constitutional order before they escalate. Strengthening the ECOWAS Early Warning Directorate is essential for proactive intervention.

12. People Above Politics

The people are the crux of every government, in a state a key factor is the people. Since this is so, the needs of the people should be placed above selfish political agendas. The government makes several promises to the people, they should do better fulfilling them, they should not enrich themselves at the expense of the protection of the people.

5.3 CONTRIBUTIONS TO KNOWLEDGE

This study contributes to the growing body of legal scholarship on regional governance in Africa by:

1. Providing a comparative legal analysis of ECOWAS and AU mechanisms on unconstitutional change of government.
2. Highlighting the legal and ethical contradictions in foreign aid and resource extraction in Africa.
3. Proposing innovative legal reforms, including a Supplementary Act on Constitutional Transitions and a Resource Sovereignty Charter.
4. Demonstrating how regional courts can serve as tools for democratic accountability, even in fragile political environments.

5.4 AREAS FOR FURTHER STUDIES

Further research could explore:

- The role of civil society in enforcing ECOWAS and AU legal norms.
- The impact of digital surveillance and disinformation and democratic transitions in the Sahel.

- A comparative study of regional courts in Africa, Latin America, and Europe on their approach to unconstitutional governance.
- The legal implications of the Alliance of Sahel States (AES) and its challenge to ECOWAS authority.

5.5 CONCLUSION

The resurgence of military coups in the Sahel is rooted deep in governance challenges and declining trust in democratic systems. While military intervention is unconstitutional and undermines democratic norms, public acceptance, driven by frustration, insecurity and desire for reform has temporarily conferred degree of sociopolitical legitimacy on military regimes. However, popular support does not equate constitutional legitimacy. Without adherence to democratic principles, human rights and rule of law, military government risk entrenching authoritarianism and prolonging political instability. Sustainable legitimacy can only be achieved through accountable governance, and restoration of constitutional democratic order.

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