

LAW, GOVERNANCE AND SECURITY IN AFRICA'S ERA OF COUP RESURGENCE: A REVIEW

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Abstract

The resurgence of military coups in Africa raises profound questions about the interplay between law, governance, and security, and their broader implications for human rights and regional stability. This article examines the legal frameworks, governance structures, and security dynamics shaping the causes and consequences of coup activity in twenty-first-century Africa. Adopting a qualitative review of recent coup episodes and regional responses in the Sahel and beyond, it identifies a "crisis of legality" in which existing frameworks fail to protect vulnerable populations or deliver the democratic dividend. The findings reveal that coups stem from institutional fragility, constitutional manipulation, governance deficits, and socio-economic exclusion. The article argues that current legal safeguards are reactive rather than preventive, failing to address the structural drivers of instability. It recommends stronger legal mechanisms that prioritise grassroots democracy, inclusive governance, and proactive security strategies to safeguard civil liberties, strengthen accountability, and promote long-term stability across Africa.

Keywords: Military Coups, Rule of Law, Democratic Governance, Security Challenges, Africa, Regional Organisations

1. INTRODUCTION

The post–Cold War era in Africa was characterised by a normative shift towards constitutionalism, civilian rule, and democratic

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governance. By the early 2000s, military coups, once a recurring feature of African politics, had declined, replaced by multiparty elections and regional commitments to democratic norms. However, the past decade has witnessed a troubling resurgence of military coups and other unconstitutional changes of government, particularly in the Sahel and West Africa. This renewed pattern of military intervention reflects persistent governance failures,¹ characterised by weak and increasingly personalised state institutions, endemic corruption, unresolved security challenges, and declining public confidence in democratic governance. The perceived failure of civilian governments to deliver democratic dividends, accountable leadership, and meaningful socio-economic development has led segments of the population to tolerate, and at times actively support, military intervention as an immediate corrective measure. Accordingly, the renewed wave of coups represents not merely a return to the military adventurism of the 1960s but a manifestation of deeper crises of governance, security, and constitutional legitimacy.²

Although, contemporary coup leaders frequently justify military intervention on grounds of constitutional breakdown, democratic backsliding, corruption, insecurity, and civilian incapacity to govern, military takeovers often further undermine constitutional order, human rights, and the rule of law. By suspending constitutions, marginalising judicial institutions, and weakening democratic institutions, coup regimes diminish the capacity of regional organisations, particularly the African Union (AU) and the Economic Community of West

¹Jude Odigbo, Kinsley Chukwudubem Ezekwelu and Remi Chukwudi Okeke, 'Democracy's Discontent and the Resurgence of Military Coups in Africa' (2023) 4(1) *Journal of Contemporary International Relations and Diplomacy* 644

²Paul T Shipale, 'Africa's Governance Crisis: The Coups Contagion as Mirror' (*Windhoek Observer*, 24 October 2025) <<https://www.Observer24.Com.Na/Africas-Governance-Crisis-The-Coups-Contagion-As-Mirror/>> Accessed 10 February 2026.

African States (ECOWAS), to respond effectively to unconstitutional changes of government. Moreover, while regional and continental organisations have adopted robust legal instruments³ prohibiting unconstitutional changes of government, their effective implementation and enforcement remain inconsistent. Against this backdrop, this article critically examines the resurgence of military coups in Africa through the interconnected lenses of law, governance, and security. It evaluates the adequacy of domestic constitutional frameworks, the effectiveness of regional legal mechanisms, and the governance and security conditions that both precipitate and sustain military regimes.

2. CONCEPTUALISING MILITARY COUPS: MEANING AND CAUSES

A military coup d'état refers to the sudden, often violent, and unlawful seizure of government power by a small group of military officers, police personnel, or other security forces.⁴ It is also defined as the sudden and unconstitutional removal from power of an existing government by the military, typically through forcible or violent means.⁵ Military coups may target either a civilian-led government or

³*Constitutional Act of The African Union*, Adopted On 11 July 2000 in Lomé, Togo; Ahg/Decl.5 (Xxxvi), *Declaration on The Framework for An Oau Response to Unconstitutional Changes of Government*, July 2000.

⁴ Habila Ben Barka And Mthuli Ncube, 'Political Fragility In Africa: Are Military Coups D'état A Never-Ending Phenomenon? (Economic Brief, *African Development Bank Group*, September 2012) <https://www.afdb.org/sites/default/files/documents/publications/economic_brief_-_political_fragility_in_africa_are_military_coups_detat_a_never_ending_phenomenon.pdf> Accessed 11 February 2026.

⁵Orkuma Anyoko-Shaba, 'The Resurgence Of Military Coups D'état In African Politics And The Reversal Of Democracy' (2022) 12(1) *University Of Nigeria Journal Of Political Economy* 124, 126.

an incumbent military regime, regardless of the formal character of the governing order.⁶ It is characterised by the abrupt removal of existing political leaders and the establishment of a new regime, often justified as a temporary measure to correct perceived or actual political, economic, or governance failures. The growing inability of several African states to deliver democratic dividends and respond to the needs of their citizens has often rendered them vulnerable to military interventions, as military leaders capitalise on such conditions while professing a special ability to implement reforms and stimulate economic development.

Military coups, whether violent or non-violent,⁷ constitute a critical disruption of the established political order through the forcible removal of incumbent leaders. While the means of execution often involve coercion or violence, coups are not uniform in nature; they may target civilian-led governments or existing military regimes, and their duration and impact on constitutional order can vary widely. Successful coups typically result in the establishment of a military regime, in which the armed forces assume direct control over the administration of the state.⁸ During military regimes, the armed forces

⁶The Burkina Faso Military Coup Of 30 September 2022 Was Carried Out Against The Paul-Henri Damiba-Led Military Government

⁷Okpanachi Aluda And Amana I. 'Military Coups In West Africa And Insecurity In Nigeria: An Overview' (2024) 2(2) *West African Journal Of Interdisciplinary Research* 86

⁸Ruvimbo Hazel Shayamunda And Johannes Bhanye, 'From Ballots To Bullets: Exploring The Rise Of Military Regimes In Africa' (*African Network Of Constitutional Lawyers*, 27 November 2023) <<https://Ancl-Radc.Org.Za/Blog/From-Ballots-To-Bullets-Exploring-The-Rise-Of-Military-Regimes-In-Africa#:~:Text=Triggers%20for%20military%20coups%20can%20vary%20widely%2c,Culminate%20in%20a%20swift%20and%20forceful%20takeover.>> Accessed 16 February 2026

exercise executive, legislative,⁹ and sometimes judicial powers, a concentration of authority that is fundamentally inimical to democratic principles. Conceptually, understanding military coups requires situating them within both domestic legal frameworks and broader institutional and security contexts, as their occurrence reflects structural vulnerabilities in governance, law enforcement, and political accountability. Rather than isolated acts of rebellion, coups frequently emerge from a security quagmire in which the military intervenes due to the failure of civilian leadership to address, or in some cases its complicity in exacerbating, structural challenges such as economic crises, insecurity, maladministration, democratic backsliding, and poor civil-military relations.¹⁰ These failures and complicity create conditions conducive to military takeover, ushering in military rule with profound and cyclical consequences for governance, security, and the rule of law.

2.1 Drivers of Contemporary Coup Cycles

The causes of military coups are complex and multi-faceted, often arising from the interplay of political, economic, social, and security factors. Weak, compromised, or personalised democratic institutions; the erosion of constitutional rule; governmental insensitivity to citizens' needs; corruption; insecurity; and broader governance failures, sometimes compounded by external influence, create

⁹Yusuf O Ali, 'Separation Of Powers Under The 1999 Constitution Of The Federal Republic Of Nigeria: A Critical Review' (2022) 1(2) *Ilorin Bar Journal* <https://Yusufali.Net/Article/Separation_Of_Powers_Under_1999_Constitution.Pdf> Accessed 16 February 2026

¹⁰Kelechi Johnmary Ani And Olawale Yemisi, 'Military Coups And Governance Crises In West African States' (2025) 2(1) *Journal Of Terrorism And Defence Studies* 20

conditions conducive to military intervention, particularly in Africa.¹¹ The military often capitalises on such deteriorating conditions to present itself as a saviour or corrective force capable of restoring order and implementing developmental reforms. Military coups are rarely precipitated by a single event or occur spontaneously from within military barracks.¹²

Military coups in Africa are complex events orchestrated/driven by a range of interrelated factors, including insecurity, governance deficits, ethnic tensions, economic crises, and political instability.¹³ Although the specific causes may vary from one coup to another, recent coups, particularly those in the Sahel and West Africa since 2020, share several common structural and proximate drivers, both internal and external. A recent UNDP report analysed the factors contributing to this renewed wave of coups, identifying the underlying structural and institutional conditions, as well as immediate triggers that can precipitate military interventions. In addressing this question, these factors can be broadly classified into two main categories

i. Internal Drivers and Causes

Several domestic factors contribute to the recurrence of military coups in contemporary Africa, most especially *governance failures* and *weak democratic institutions*. These shortcomings often manifest in endemic

¹¹Adebukola Olubunmi Ayoola, Solomon Ayantayo Ojo, And Oluwaseun Kugbayi, 'The Fragility Of Democracy In Africa: Are Military Coups D'état A Never-Ending Issue?' (2024) 5(2) *Panafrican Journal Of Governance And Development* 80

¹²Tafi Mhaka, 'Benin's Real Coup Already Happened Under President Talon' (*Al Jazeera*, 9 December 2025) <<https://www.aljazeera.com/opinions/2025/12/9/Benins-Real-Coup-Already-Happened-Under-President-Talon>> Accessed 17 February 2026

¹³Mohammad Abu Gbazele and Reem Mohsen Ai Kindi, 'Coups In Africa: History, Driving Forces And Contagion' (*Trends Research And Advisory*, 25 September 2023) <<https://trendsresearch.Org/Insight/Coups-In-Africa-History-Driving-Forces-And-Contagion/>> Accessed 17 February 2026

corruption, a lack of accountability, limited responsiveness to citizens' needs, and the inability of governments to deliver the dividends of democracy, effectively manage economic crises, and improve socio-economic conditions. Where such conditions persist, public confidence in democratic governance may gradually erode, leading sections of the population to view military intervention as a viable alternative.¹⁴

Economic crises, characterized by inflation, high unemployment, poverty, and widening inequality, further intensify public frustration and disillusionment. These conditions may motivate segments of the population either to support or acquiesce to military coups in the hope of improved economic management and stability.¹⁵ *Political instability* also constitutes a significant driver of coups. This instability often results from weak or compromised institutions, pervasive corruption, disputed elections, and the emergence of unpopular or politically illegitimate leaders. The situation is further exacerbated when civilian leaders are unable to address public grievances or maintain law and order, thereby creating opportunities for military intervention. For instance, the Malian Armed Forces cited political instability and deteriorating security conditions as primary justifications for the coups in Mali.¹⁶

Military discontent is another critical internal factor precipitating coups in Africa. Dissatisfaction within the armed forces may stem

¹⁴Carlos Garcia Rivero, 'Civilian Support For Military Coups Is Rising In Parts Of Africa: Why The Reasons Matter' (*The Conversation*, 20 August 2023) <<https://theconversation.com/civilian-support-for-military-coups-is-rising-in-parts-of-africa-why-the-reasons-matter-185448>> Accessed 17 February 2026

¹⁵M A Gbazleh And R M Ai Kindi (N 13)

¹⁶Rama Yade And Hussein Ba, 'Mali Has Not Just Plunged Into Crisis. It Has Been Unravelling For Years' (*Atlantic Council*, 31 October 2025). <<https://www.atlanticcouncil.org/blogs/africasource/mali-has-not-just-plunged-into-crisis-it-has-been-unraveling-for-years/>> Accessed 17 February 2026

from poor remuneration, unfavourable working conditions, perceptions of corruption within military leadership, inadequate equipment, or strained civil–military relations. The 2020 coup in Mali, for instance, has been attributed in part to frustration among junior officers over the government's failure to address the country's persistent security challenges.¹⁷

Electoral Challenges equally play a significant role. Flawed electoral processes, electoral fraud, and the absence of free, fair, and credible elections can produce leaders whose legitimacy is widely contested. Such electoral crises may undermine democratic legitimacy and create conditions that invite or facilitate military intervention, as observed in Gabon's 2023 coup.¹⁸ Furthermore, *ethnic, tribal or communal tensions* constitute an additional internal driver. Ethnic rivalries and identity-based political divisions, particularly when intertwined with political and economic grievances, can be exploited by coup plotters to mobilise support within the military and among segments of the civilian population.¹⁹

ii. External Influence and Factors

Foreign influence can directly or indirectly shape the incentives for military coups in Africa. When such influence is direct and active, it is often intended to advance specific strategic, political, or economic interests. External powers may seek to preserve geopolitical influence, secure access to natural resources, or maintain favourable political

¹⁷Emily Fornof And Emily Cole, 'Five Things To Know About Mali's Coup' (*United States Institute Of Peace*, 14 August 2020) <<https://allafrica.com/stories/202008271037.html>> Accessed 17 February 2026

¹⁸Gerauds Wilfred Obangome, 'Gabon Officers Declare Military Coup, President Ali Bongo Detained' (*Reuters*, 30 August 2023) <<https://www.reuters.com/world/africa/gabonese-military-officers-announce-they-have-seized-power-2023-08-30/>> Accessed 17 February 2026

¹⁹M A Gbazleh And R M Ai Kindi, (N16).

relationships with ruling elites. For example, France and other Western powers have often been named as supporting, influencing, or masterminding political transitions, including coups, in parts of Africa to protect their political and economic interests.²⁰

Moreover, the perceived democratic backsliding within the international system is shaping and influencing the incentives and dispositions of military actors in Africa towards what was once a widely abhorred act - military coups. The growing influence of Russia and China in Africa has been perceived as providing an alternative external anchor for military actors, offering prospects of diplomatic protection, political recognition, and regime legitimacy following unconstitutional seizures of power. This development has emboldened military actors and may have contributed, at least in part, to the resurgence of military coups in parts of the continent.²¹

3. HISTORICAL CONTEXT OF MILITARY COUPS IN AFRICA

Africa has a complex post-colonial history marked by struggles for power that frequently culminate in military intervention. Many African states experienced internal political rivalries and power struggles following independence, which often precipitated military coups. For instance, *Ghana*, one of the first African states to gain independence in 1957, experienced multiple military coups in the decades following its

²⁰Nana Amoateng, 'Military Coups In Africa: A continuation of Politics by other Means?' (*Accord*, 19 August 2022) <<https://www.accord.org.za/conflict-trends/military-coups-in-africa-a-continuation-of-politics-by-other-means/>> Accessed 17 February 2026

²¹ Elian Peltier, 'A Leader of Niger's Coup Visits Mali, Raising Fears of a Wagner Alliance' (*The New York Times*, 2 August 2023) <<https://www.nytimes.com/2023/08/02/world/africa/niger-coup-mali-wagner.html>> Accessed 22 July 2026

political emancipation.²² The first successful coup in Sub-Saharan Africa occurred in 1963, when President Sylvanus Olympio of Togo was overthrown and killed in Lome, the nation's capital, by returning French-trained soldiers.²³ In 1966, another coup led to the overthrow of Kwame Nkrumah's administration,²⁴ and the following year, an unsuccessful coup attempt by junior army officers. These events set a precedent for military intervention in politics across the continent.²⁵

Since 1950, Africa has witnessed over 100 successful military coups, the highest number globally,²⁶ with a concentration in the post-independence 1960s–70s and a recent resurgence in the 2020s, particularly among the Sahel States, often referred to as the 'coup belt'.²⁷ In recent years, countries such as *The Gambia*, *Guinea-Bissau*, *Niger*, *Burkina Faso*, and *Gabon* have all witnessed coups or attempted coups. The trend persisted into late 2025 when the Benin Republic experienced a failed coup in December. In October 2025, Nigeria abruptly cancelled its traditional, annual Independence Day parade on October 1, due to fears of a coup.²⁸

²²Shayamunda and Bhanye (N 8)

²³Francis Tazoacha, 'On The Resurgence Of Military Coups D'états In Africa' (*Nkafu Policy Institute*, 19 May 2022) <<https://Nkafu.Org/On-The-Resurgence-Of-Military-Coups-Detats-In-Africa/>> Accessed 18 February 2026

²⁴'The Overthrow Of Kwame Nkrumah: Ghana's 1966 Military Coup' (Undated, *Ghanaremembers*) <<https://Ghanaremembers.Com/Stories/History/The-Overthrow-Of-Kwame-Nkrumah-Ghanas-1966-Military-Coup.Html>> Accessed 18 February 2026

²⁵Shayamunda And Bhanye (N 23)

²⁶*Ibid*

²⁷Ajilabs, 'Mapping Africa's Coups D'etat Across The Years' (*Al Jazeera*, 30 August 2023) <<https://Www.Aljazeera.Com/News/2023/8/30/Mapping-Africas-Coups-Detat-Across-The-Years>> accessed 18 February 2026

²⁸Yakubu Mohammed, 'Nigerian Military Finally Confirms Coup Plot To Overthrow Tinubu's Government' (*Premium Times*, 26 January 2026)

The resurgence of military coups and the consequent reassertion of military regimes in parts of Africa is not only detrimental but also poses a serious threat to ever-cherished democratic governance, constitutionalism, and the protection of human rights across the continent.

4. RECENT CASES OF MILITARY COUPS IN AFRICA

Africa has entered a renewed era of military coups since 2020, particularly across the Sahel and West African sub-regions. Unlike post-independence coups, which were largely motivated by military adventurism and elite power struggles, recent coups have often been precipitated by a complex interplay of factors, including worsening insecurity, corruption, and poor governance.

i. The 2020 Military Coup in Mali

Following weeks of mass protests against President *Ibrahim Boubacar Keita*, fuelled by allegations of corruption and the inability of his administration to address the worsening insecurity in the country's north, a group of Malian soldiers staged a coup in August 2020. The coup plotters initially stormed a military base in *Kati*, near the capital *Bamako*, arrested most senior military officers, and seized weapons from the armoury. Shortly thereafter, they advanced into *Bamako* in trucks, arrested President *Keita* and forced his resignation, prompting scenes of public jubilation in parts of the country.²⁹

<<https://www.premiumtimesng.com/news/headlines/852204-nigerian-military-finally-confirms-coup-plot-to-overthrow-tinubu-government.html>> Accessed 18 February 2026

²⁹Shola Lawal, 'West Africa's 'Coup Belt': Did Mali's 2020 Army Takeover Change The Region?' (*Al Jazeera*, 27 August 2024) <<https://www.aljazeera.com/news/2024/8/27/west-africas-coup-belt-did-malis-2020-army-takeover-change-the-region>> Accessed 18 February 2026

Following the successful coup, Colonel *Assimi Goita*, its leader, was appointed Vice-President while *Bah Ndaw* was installed as president of a transitional government. However, in May 2021, a second coup occurred, resulting in the overthrow of the *Bah Ndaw*-led transitional administration amid power struggles and political tensions between the military leadership and civilian members of the interim government.³⁰

ii. The 2021 Military Coup in Chad

After the death of President *Idriss Déby* on the battlefield in April 2021, the military bypassed the constitutional succession process by dissolving the government and the National Assembly and installing his son, Gen. *Mahamat Idriss Déby*, as the head of state. This action qualifies as a military coup because the armed forces ignored Chad's constitutional provisions, particularly Article 81 governing succession. Instead of adhering to this constitutional requirement, the military seized power directly and established a Transitional Military Council.

iii. The 2021 Military Coup in Guinea

In September 2021, a military coup occurred in *Guinea* when Special forces led by Col. *Mamady Doumbouya* overthrew President *Alpha Condé* and seized power. The coup followed widespread political tensions arising from constitutional amendments introduced in 2020, which enabled *Condé* to secure a controversial third term in office. These constitutional amendments generated deep resentment and were strongly contested by opposition groups and civil society actors, who viewed them as attempts to undermine democratic norms and establish

³⁰Ferdinand Onwe Agama, Chinyere Adeline Obiaraeri, And Ahmad Hudu, 'Democracy, Constitutional Integrity, And Resurgence Of Military Coups In Africa: Implications for Human Rights and Legal Institutions' (2026) 5(2) *African Journal of Law and Justice System* 29

a personalised political dynasty.³¹ The military justified its intervention by citing governance failures, political repression, and the erosion of constitutional order.

iv. The 2021 Military Coup in Sudan

In October 2021, the military, led by Gen. *Abdel Fattah al-Burhan*, dissolved Sudan's civilian-military transitional government and seized full control of the state.³² The coup disrupted the fragile power-sharing arrangement established following the 2019 overthrow of former President *Omar al-Bashir*, which was intended to guide the country toward democratic civilian rule. The military justified its intervention as necessary to restore stability amid escalating political tensions and institutional deadlock. Although the coup attracted widespread international condemnation as a major setback to Sudan's democratic transition, regional responses were more ambiguous, reactionary, and in some cases, tacitly supportive of the coup.³³ These divergent responses highlight the geopolitical and strategic complexities surrounding the Sudanese coup and expose the challenges of enforcing democratic norms in the region.

v. The 2022 Military Coup in Burkina Faso

³¹'The Putsch That Toppled Alpha Condé In Guinea' (*Africa Practice*, 8 September 2021) <<https://Africappractice.Com/Insights/The-Putsch-That-Toppled-Alpha-Conde-In-Guinea/>> Accessed 19 February 2026

³²Yezid Sayigh 'The Military Has Taken Power In Sudan And Dissolved Its Transitional Government' (*Carnegie Endowment For International Peace*, 26 October 2021) <<https://Carnegieendowment.Org/Middle-East/Diwan/2021/10/The-Military-Has-Taken-Power-In-Sudan-And-Dissolved-Its-Transitional-Government>> Accessed 25 May 2026

³³Khalil Al-Anani, 'Sudan Coup: The Regional Interference Behind A Faltering Transition' (*Arab Centre*, 11 December 2021) <<https://Arabcenterdc.Org/Resource/Sudan-Coup-The-Regional-Interference-Behind-A-Faltering-Transition/>> Accessed 19 February 2026

In January 2022, President Roch Marc Christian Kaboré was deposed by a group of soldiers led by Lieutenant Colonel Paul-Henri Sandaogo Damiba, who subsequently assumed power as head of a military junta. The military justified the coup on the grounds of the civilian government's inability to address the worsening security crisis in Burkina Faso. However, in September of the same year, a second military coup took place when a group of soldiers led by Capt. Ibrahim Traoré overthrew Damiba because of his inability to restore security.³⁴

vi. The 2023 Military Coups in Niger and Gabon

In July 2023, members of the presidential guard, led by Gen. *Abdourahamane Tchiani* staged a military coup that ousted President *Mohamed Bazoum*, abruptly ending his administration. The military justified the coup on the grounds of deteriorating security conditions, misgovernance, and alleged general failures of the civilian leadership. The takeover attracted widespread international condemnation, particularly from regional bodies.³⁵

Likewise, in August 2023, a group of soldiers overthrew President *Ali Bongo Ondimba* shortly after he was declared the winner of a disputed presidential election, thereby ending more than five decades of political dominance by the *Bongo* family.³⁶

³⁴'Burkina Faso: Military Officers Remove President Damiba In A Coup' (*Al Jazeera*, 30 September 2022) <<https://www.aljazeera.com/news/2022/9/30/Burkina-Faso-Military-Leader-Damiba-Deposed-Coup-Army>> Accessed 19 February 2026

³⁵Mike Kebonkwu, 'Making Example Of Niger Republic' (*The Nation*, 19 August 2023) <<https://thenationonline.net/making-example-of-niger-republic/>> Accessed 19 February 2026

³⁶Isaac Kaledzi, 'Gabon: Coup Ousting President Ali Bongo Wasn't A Surprise' (*Deutsche Welle*, 31 August 2023) <https://www.dw.com/en/Gabon-Coup-Ousting-President-Ali-Bongo-Wasnt-A-Suprise/A->

vii. The 2025 Military Coup in Madagascar

In October 2025, an elite unit of Malagasy armed forces staged a military coup, ousting President Andry Rajoelina following weeks of youth-led "Gen Z" anti-government protests triggered by economic hardship, corruption, poor governance, and widespread discontent with his administration.³⁷ The military takeover was swiftly condemned by both international and regional bodies, including the United Nations and the African Union, which called for a return to civilian rule.³⁸

viii. The 2025 Military Coup in Guinea-Bissau

In late 2025, soldiers in Guinea-Bissau seized power following a disputed presidential election, reflecting the resurgence, increasing frequency, and persistence of military interventions and unconstitutional changes of government in African politics.

4.1. Distinguishing ‘Popular Coups’ from Traditional Military Coups in Africa

A ‘popular coup’ is a form of military intervention aimed at overthrowing an incumbent government that receives significant and widespread public support, often emerging in the aftermath of mass protests against the existing leadership. So-called ‘popular coups’ in Africa, particularly those occurring between 2020 and 2025 in the ‘coup belt’ (including *Mali, Guinea, Burkina Faso, Niger*, and

66683264#:~:Text=After%2056%20years%20at%20the%20helm%20of,Told%20dw
%20(%20deutsche%20welle%20)%20 Accessed 19 February 2026

³⁷Lovaso Rabary, Tim Cocks And Ciulia Paravicini, ‘Madagascar's Military Takes Power, Fleeing President Impeached’ (*Reuters*, 14 October 2025) <https://www.reuters.com/world/asia-pacific/madagascars-president-dissolves-national-assembly-escalating-crisis-2025-10-14/> Accessed 20 February 2026

³⁸Louis Oelofse, ‘Madagascar's Coup Leader Sworn In As President’ (*Deutsche Welle*, 17 October 2025). <https://www.dw.com/en/madagascars-coup-leader-sworn-in-as-president/a-74395321> Accessed 20 February 2026

Gabon), differ from traditional military coups in several important respects. These include the enjoyment of substantial public support, relatively low levels of violence, shifting foreign alliances, and the strategic use of populist narratives to legitimise the overthrow of unpopular regimes.³⁹

Unlike traditional coups of the immediate post-independence era, which were often characterised by violent seizures of power orchestrated by small groups of senior military officers, these contemporary coups tend to be more calculated and less overtly violent. They are frequently led by younger officers or elite presidential guards who capitalise on public frustration arising from insecurity, corruption, democratic erosion, and economic stagnation.⁴⁰ Many coups that occurred between 2021 and 2025, including those in Mali, Guinea, Burkina Faso, Niger, Gabon, and Madagascar, appear to follow this pattern of a 'popular coup.'⁴¹ Indeed, the conventional understanding of military coups appears to have been distorted by the frequent occurrence and trivialisation of such coups in Africa. For example, the purported military coup in Guinea-Bissau in late 2025 was controversially reported to have been politically orchestrated to

³⁹Melvis Ndiloseh And Alexander Hudson, 'The New Model Of Coups D'état In Africa: Younger, Less Violent, More Popular' (*International Idea*, 19 December 2022) <<https://www.idea.int/blog/new-model-coups-detat-africa-younger-less-violent-more-popular>> Accessed 24 February 2026

⁴⁰Simbarashe Tembo And Laura-Stella Enonchong 'Popular Coups D'état In Africa' (*Accord*, 26 October 2025) <https://www.accord.org.za/conflict-trends/popular-coups-detat-in-africa/>> Accessed 24 February 2026

⁴¹Mwita Chacha, 'The Scourge Of Popular Coups In Africa' (*Dia*, 2022) <<https://democracyinafrica.org/the-scourge-of-popular-coups-in-africa/>> Accessed 24 February 2026

serve incumbent interests.⁴² However, these changing characteristics do not suggest that military coups have gained acceptance under international law or regional norms. Both regional and international organisations have consistently condemned unconstitutional changes of government and called for the restoration of constitutional order.

5. NEXUS BETWEEN LAW, GOVERNANCE AND MILITARY COUP IN AFRICA.

Law, governance, and security are inextricably interwoven with military coups, as exemplified in the African political context, with experience showing that weaknesses in one dimension can affect the others. The nexus between law, governance, and military coups in Africa reflects a cause-and-effect and cyclical relationship, in which weak or uneven enforcement and implementation of the law, coupled with poor governance, often concealed through ‘constitutional coups’, triggers military intervention.⁴³ Failures in democratic governance and the rule of law lead to resentment, discontent, and widespread aversion to democratic leadership, once celebrated as the most preferred form of government, ultimately creating conducive conditions to military intervention.⁴⁴ Such interventions frequently result in the suspension of constitutional order, even though coup leaders often justify their actions as necessary measures to restore stability, security, and economic development.⁴⁵ Recent trends in Africa indicate that

⁴²Paul Njie, ‘Guinea-Bissau Coup Was A Sham, West African Political Figures Say’ (*Bbc News*, 28 November 2025) <https://www.bbc.com/news/articles/Cz0nlxlr87go> Accessed On 24 February 2026

⁴³Ishmael D Norman, ‘Coup D’états in Africa: A Cure or Prophylactic for Good Governance?’ (2024) 5(1) *International Journal Of Arts And Humanities* 227

⁴⁴John A Adams And Others, ‘Resurgence Of Military Coups In Africa: Implications For Democratic Governance’ (2025) 8(1) *African Journal Of Social Issues* 300

⁴⁵Robert Ngesu, ‘Unpacking the Interplay of Military Interests and Regional Instability in Africa’ (2025) 9(7) *International Journal of Research and Innovation in Social Science* 5905

military takeovers are increasingly justified by the failure of civilian governments to address insecurity, corruption, mismanagement of public resources, lack of credible elections, and the manipulation of legal and constitutional frameworks to extend tenure, retain political power, or impose preferred successors.⁴⁶

Governance failures result in constitutional fragility, violations of constitutional order, security vacuums, economic mismanagement, and deepening inequalities.⁴⁷ Where political systems and governance structures permit elected leaders to manipulate legal frameworks, suppress dissent, and engage in corruption, as is replete in African politics, the likelihood of military interference in governance increases significantly. These situations are a critical precursor to military intervention, as demonstrated by the recent coups across Africa.⁴⁸

5.1 Impact of Military Coups on Human Rights and Access to Justice

Military coups in contemporary Africa have significant consequences for human rights protection and access to justice, as they often undermine constitutional governance, weaken democratic institutions, and disrupt the rule of law. By suspending constitutions and dissolving

⁴⁶Yach J Garang, 'The Decline of Democracy and The Rise of Coup D'états in Sub-Saharan Africa: Reflections and Lessons' (*Africlaw*, 25 February 2022) <https://Africlaw.Com/2022/02/25/The-Decline-Of-Democracy-And-The-Rise-Of-Coup-Detats-In-Sub-Saharan-Africa-Reflections-And-Lessons/> Accessed 20 February 2026

⁴⁷Thankgod F Lilli-Inia and Chimezie Chukwuemeka Eze, 'Political Instability and Military Coups in The Sahel Region' (2025) 11(10) *Journal of Political Science and Leadership Research* 42

⁴⁸'Why Burkina Faso and Mali Face the Dual Risk of Jihadist Insurgency and Coup' (*Horn International Institute for Strategic Studies*, 30 October 2025) <https://Horninstitute.Org/Why-Burkina-Faso-And-Mali-Face-The-Dual-Risk-Of-Jihadist-Insurgency-And-Coup/> Accessed 23 February 2026

civilian authorities, military regimes establish authoritarian controls that severely restrict civil liberties and weaken legal safeguards.⁴⁹ Military coups persistently lead to the erosion of fundamental human rights, including freedom of expression, association, and peaceful assembly.⁵⁰ In countries like Sudan, junta forces have repeatedly utilised excessive force to violently suppress civilian demonstrations against military rule, resulting in numerous deaths and injuries.⁵¹ Furthermore, military regimes frequently subject political opponents, journalists, and civil society leaders to arbitrary arrests and detentions, creating an environment of fear and impunity. Press freedom is also significantly restricted as military authorities often target independent media organisations that criticise their rule, as observed in Niger.

Access to justice is similarly undermined, as the consolidation of military power often compromises judicial independence and weakens accountability mechanisms. By suspending constitutional institutions and limiting the authority of courts, military regimes restrict citizens' ability to seek legal redress for state-sponsored abuses, leaving individuals vulnerable to unchecked state power. Rather than resolving the socioeconomic and political grievances that initially spurred the takeovers, military governments often deepen existing crises by shrinking civic space and creating systematic barriers to achieving

⁴⁹Nana Amoteng (N 20)

⁵⁰Tiseke Kasambala, 'Surge of Military Coups in Africa: A Threat To Human Rights and the Rule of Law' (*Cdd West Africa*, 7 October 2023) <https://www.cddwestafrica.org/blog/surge-of-military-coups-in-africa-a-threat-to-human-rights-and-the-rule-of-law/> Accessed 22 July 2026.

⁵¹Mohamed Osman, 'Sudan's Military Is Brutally Suppressing Protests' *The Guardian* (23 March 2022) <https://www.hrw.org/news/2022/03/23/sudans-military-brutally-suppressing-protests> Accessed 20 July 2026

justice, thereby undermining socio-economic rights and the overall well-being of the general population.⁵²

The nexus underscores a military-coup symbiosis, wherein poor governance and the corruption of legal and democratic processes by civilian authorities create the very conditions that facilitate their overthrow.⁵³ Paradoxically, rather than remedying these governance failures, military regimes often exacerbate them.

6. LEGAL SAFEGUARDS AGAINST MILITARY COUPS IN AFRICA

Legal safeguards against military coups in Africa are primarily designed to uphold constitutional order, promote good governance, and enforce democratic norms through continental and regional frameworks. These legal mechanisms have evolved from the traditional principle of non-interference to a more proactive, interventionist approach, anchored in the doctrine that democratic governance constitutes the only legitimate basis for political authority on the continent.⁵⁴ African Union (AU), for instance, has adopted several instruments aimed at preventing and responding to unconstitutional changes of government. These include the AU Constitutive Act⁵⁵ and the *Lomé Declaration*,⁵⁶ both of which

⁵²Ritu S Moriya and Deepak Kumar, 'Analysing the Role of Political Corruption in Economic Inequality' (2021) 4(3) *International Journal of Advanced Research in Science, Communication and Technology* 561

⁵³Suares Clovis Outouomi Noutchie, 'Constitutional Coups And Military Interventions: Reassessing Extended Presidential Tenure And Its Impact On Governance In Africa' (2025) 14(4) *International Journal Of Research In Business And Social Science* 2147

⁵⁴Fredrick Cowell, 'Preventing Coups In Africa: Attempts At The Protection Of Human Rights And Constitution' (2011) 15(5) *International Journal Of Human Rights* 749

⁵⁵Constitutive Act Of The African Union, 2000

condemn military coups and other unconstitutional changes of government and establish a framework for suspending erring member states.⁵⁷ Similarly, the AU Summit Decisions⁵⁸ reinforce the Union's commitment to democratic governance and unequivocally condemn unconstitutional processes, including coups.⁵⁹ Furthermore, the African Charter on Democracy, Elections, and Governance provides for sanctions against unconstitutional changes of government, thereby strengthening the AU's normative and enforcement framework. These instruments collectively serve as legal safeguards designed to protect constitutional governance and deter military intervention in African politics.⁶⁰ Notably, *Article 4(p)* of the AU Constitutive Act expressly condemns and rejects all forms of unconstitutional changes of government.

Subregional organisations have also adopted complementary legal frameworks. The Economic Community of West African States (ECOWAS), for example, adopted the Protocol on Democracy and Good Governance in 2001, which provides mechanisms to address military coups, promote democratic governance, ensure credible elections, and safeguard judicial independence.⁶¹ The Protocol further authorises measures such as the imposition of sanctions, suspension of

⁵⁶Declaration On The Framework For An Oau Response To Unconstitutional Changes Of Government, (Ahg/Decl.5 (Xxxvi), July 2000

⁵⁷Christopher Nyinevi And R Fosu, 'The African Union's Prohibition Of Unconstitutional Changes Of Government: An Uneasy Choice Between Fidelity To Principle And Pragmatism' (2023) 16(1) *African Security* 95, 102.

⁵⁸*Decision On The Prevention Of Unconstitutional Changes Of Government In Africa*, Assembly/Au/4(Xvi), Adopted At The 16th Ordinary Session (Xvi) Of The Assembly

⁵⁹Articles 23 (1), 25 (4) And (5)

⁶⁰Tembo And Enonchong, (N 47)

⁶¹Ecawas Protocol On Democracy And Good Governance 2001, Arts. 1- 2

erring states, and severance of diplomatic relations as enforcement tools.⁶²

Notwithstanding the creation of these legal safeguards, their effectiveness has been constrained by two major challenges. The first factor concerns the lack of consistent and uniform implementation by regional authorities, largely due to insufficient political will and institutional capacity. The AU's approach and response to unconstitutional changes of government have, at times, appeared uneven and controversial.⁶³ For example, while the AU appeared to tolerate or implicitly recognise the military intervention in *Zimbabwe* in 2017,⁶⁴ citing its popular support, it strongly condemned the coup in *Burkina Faso*, suspended the country, and threatened sanctions against the perpetrators.⁶⁵ Such inconsistencies undermine the credibility and deterrent effect of the AU's anti-coup legal regime.

The second challenge arises from the structural composition of the AU as an organisation composed primarily of incumbent governments, which may be reluctant to hold one another accountable, particularly in cases involving electoral manipulation, constitutional coups,

⁶² *Ibid.* Art. 45; Chika Francis Chigozie And Peter Thankgod Oyinmiebi, 'Resurgence Of Military Coups In West Africa: Implications For Ecowas', (2022) 5(2) *African Journal Of Social Sciences And Humanities Research* 53

⁶³Seun Bamidele, 'Regional Approaches To Crisis Response, The African Union (Au) Intervention In African States: How Viable Is It?' (2017) 73(1) *India Quarterly* 116

⁶⁴Philip Roessler, 'How The African Union Got It Wrong On Zimbabwe' (*Aljazeera*, 5 December 2017) <<https://www.aljazeera.com/opinions/2017/12/5/how-the-african-union-got-it-wrong-on-zimbabwe>> Accessed 25 February 2026

⁶⁵Ramontja Naledi, 'The Resurgence Of Coups D'états In Africa And The Role Of The African Union And Civil Society Organisations', (2024) 13(1) *Journal Of African Union Studies* 67.

repression of opposition, or broader governance failures.⁶⁶ This concern was evident in Sudan, where critics accused the AU of failing to respond to repression by the government, but it was quick to condemn the military overthrow of President *Omar Al-Bashir*.⁶⁷ Accordingly, the effectiveness of legal safeguards against military coups depends not only on the existence of normative frameworks but also on their consistent, impartial, credible enforcement.

7. CONCLUSION

The resurgence of military coups in Africa reflects deep-seated structural and institutional weaknesses across the continent. Recent coups in the Sahel and West Africa demonstrate how governance failures, political corruption, security challenges, and external geopolitical influences converge to undermine democratic stability. Although continental and regional legal frameworks prohibit unconstitutional changes of government, their effectiveness ultimately depends on consistent, impartial, and credible enforcement. Strengthening democratic institutions, promoting accountable leadership, and addressing the root causes of governance failure are essential to reversing this trend. Accordingly, restoring public trust in democratic governance and ensuring strict adherence to the rule of law must remain central priorities for African states and regional organisations.

8. RECOMMENDATIONS

In light of the recurring military coups and the structural, institutional, and governance challenges highlighted in this study, it is evident that legal safeguards and democratic norms alone are insufficient to prevent unconstitutional interventions. Addressing these challenges

⁶⁶Tembo And Enonchong (N 66)

⁶⁷Ndubuisi Christian Ani, 'Coups Or Not Coups: The African Union And The Dilemma Of 'Popular Uprisings' In Africa', (2021) 17(3) *Democracy And Security* 259

requires the restoration and consolidation of democratic governance, robust enforcement mechanisms, institutional reforms, and proactive engagement with civil society and security institutions. Accordingly, this study proposes the following recommendations:

i. Strengthening Democratic Institutions

African governments should prioritise strengthening key democratic institutions, including legislative, judicial, and electoral management bodies, to ensure accountability, transparency, and the effective functioning of constitutional democracy. Strong and independent institutions are vital for preventing abuses of power and maintaining public confidence in democratic governance.

ii. Addressing the Root Causes of Governance Failure

Persistent corruption, constitutional manipulation, and godfatherism must be tackled through comprehensive anti-corruption policies, civic education, and institutional reforms. Promoting good governance, accountability, and respect for constitutional norms will reduce the structural conditions that often create opportunities for military intervention.

iii. Enhancing Security Sector Governance

Professionalisation and depoliticisation of the armed forces and other security institutions are essential to preventing military interference in political processes. This requires improved training, strengthened oversight mechanisms, and the reinforcement of clear constitutional boundaries between civilian authorities and the military.

iv. Strengthening Continental and Regional Legal Frameworks

The African Union (AU) and subregional organisations like ECOWAS should review and strengthen their legal instruments to ensure clear,

binding, and enforceable sanctions against unconstitutional changes of government. Mechanisms for early warning, rapid response, and sustained enforcement should be institutionalised. Additionally, regional bodies should develop mechanisms to monitor and collectively address governance anomalies, such as systemic corruption and constitutional manipulation, that undermine democratic order.

v. Ensuring Consistent and Impartial Enforcement of Anti-coup Norms

Continental and regional enforcement mechanisms must be applied consistently and impartially across all member states, irrespective of political alliances or external pressures. Consistent enforcement enhances credibility, strengthens deterrence, and reinforces the norm of constitutional governance.

vi. Monitoring and Mitigating External Geopolitical Influence

African states and regional organisations should develop coordinated strategies to manage external geopolitical influences that may exacerbate political instability. This includes strengthening diplomatic cooperation, promoting regional security frameworks, and safeguarding national sovereignty while upholding constitutionalism and democratic principles.