



## Unlawful Seizure of Powers and Sub-Regional Legitimacy: A Critical Assessment of ECOWAS's Response to the Coups in Burkina Faso

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### Abstract

The resurgence of military coups in West Africa, particularly in Burkina Faso, has reignited concerns about democratic backsliding and sub-regional instability. This study critically examines the Economic Community of West African States (ECOWAS) and its approach to the unconstitutional changes of government in Burkina Faso, with a focus on the 2022 military takeovers. By analyzing ECOWAS's normative frameworks especially the Protocol on Democracy and Good Governance and its political and diplomatic interventions, the paper assesses the extent to which the organization has upheld its commitment to constitutional rule and democratic governance. It finds that while ECOWAS has made efforts to condemn and respond to the coups, its actions have often been constrained by limited political influence, uneven application of sanctions, and challenges to its legitimacy among local populations. The paper argues for a more coherent, principled, and context-sensitive regional strategy that strengthens democratic resilience and enhances public confidence in ECOWAS as a guardian of constitutional order.

**Keywords:** ECOWAS, Burkina Faso, sub-regional legitimacy, unlawful seizure of powers

### Introduction

West Africa has experienced a resurgence of unconstitutional changes of government in recent years, raising alarms about the sub-region's democratic stability. This trend is characterized by the forceful removal of elected leaders, often by military actors citing insecurity, poor governance,

and public dissatisfaction. Countries such as Mali, Guinea, and Burkina Faso have been at the center of this democratic backsliding (Adele, 2023). Burkina Faso witnessed two military coups in 2022. In January, Lieutenant Colonel Paul-Henri Sandaogo Damiba led a coup that removed President Roch Marc Christian Kaboré, citing the

government's inability to curb escalating jihadist violence as the primary reason for intervention (International Crisis Group, 2022). However, Damiba's regime failed to significantly improve the security situation, leading to a second coup in September 2022, orchestrated by Captain Ibrahim Traoré. Traoré accused Damiba of losing touch with the military and population and pledged to adopt a more aggressive approach against insurgents (Al Jazeera, 2022).

Although no formal coup occurred in 2023, the political environment remained tense, with Traoré consolidating power and extending military control. This ongoing instability in Burkina Faso mirrors a broader regional pattern, where military actors exploit public frustration and weak institutions to legitimize their seizure of power. The persistence of coups undermines sub-regional efforts to foster constitutional governance and poses a challenge to institutions like the Economic Community of West African States (ECOWAS), which has struggled to enforce democratic norms in the sub-region (Bah, 2023).

The growing trend has cast doubt on the legitimacy and effectiveness of the Economic Community of West African States (ECOWAS) as a guardian of sub-regional stability and democratic governance. Established to promote economic integration and political cooperation, ECOWAS has increasingly taken on the role of a normative body tasked with defending constitutional rule. However, recent military takeovers in Mali (2021), Guinea (2021), and Burkina Faso (2022) have exposed the limitations of ECOWAS in preventing and responding to

unconstitutional changes of government (Abdullahi, 2022). While the organization has imposed sanctions and suspended offending member states, these measures have often failed to produce meaningful reversals or deter future coups (Olowolagba, 2023). Critics argue that ECOWAS suffers from inconsistent enforcement, a lack of political will, and internal divisions that undermine its credibility and deterrence capacity (Aghedo, 2022). Consequently, the recurring coups raise fundamental questions about ECOWAS's ability to uphold democratic norms and maintain sub-regional security in the face of growing political instability.

The 2022 military coups in Burkina Faso were significantly influenced by widespread perceptions of civilian government failure, particularly regarding governance and public service delivery. Under President Roch Marc Christian Kaboré, the civilian administration was increasingly viewed as ineffective in addressing pressing national issues, most notably the growing jihadist insurgency and deteriorating security conditions (Sawadogo, 2022). Public frustration mounted over the government's perceived inability to equip security forces adequately, respond to displaced populations, or implement coherent counterterrorism strategies. Additionally, accusations of corruption, bureaucratic inefficiency, and lack of transparency eroded public trust and legitimacy (Zagré, 2023). These governance deficits created a vacuum of authority, which the military exploited to justify its interventions. The January 2022 coup, led by Lieutenant Colonel Paul-Henri Damiba, and the subsequent September 2022 coup by Captain

Ibrahim Traoré, were both framed as corrective actions to rescue the state from political paralysis and restore effective leadership in the face of national crisis.

### **Theoretical Discourse: Unlawful Seizure of Powers and Sub-Regional Legitimacy**

#### **Unlawful seizure of powers and Sub-Regional Legitimacy**

Unlawful Seizure of Powers refer to political transitions that occur outside the legal frameworks of national constitutions, often through military coups or other forms of extra-legal seizure of power. These shifts not only contravene national sovereignty but also undermine international and regional norms concerning democratic governance (Powell & Thyne, 2011). ECOWAS, through protocols such as the 2001 Supplementary Protocol on Democracy and Good Governance, has sought to entrench a norm prohibiting such power grabs. Realism, a dominant theory in international relations, centers on the pursuit of power and security as the primary drivers of state behavior (Morgenthau, 1948). From a realist perspective, sub-regional bodies like ECOWAS operate within an anarchic international system where states prioritize their survival and strategic interests above normative commitments. Consequently, ECOWAS's responses to political crises, including military coups, are influenced heavily by power dynamics, security concerns, and the geopolitical calculations of dominant member states (Ojo, 2020). For instance, ECOWAS's approach to coups in countries such as Burkina Faso reflects not only a desire to

uphold democratic norms but also a pragmatic assessment of threats posed by jihadist insurgencies and regional instability (Adebanwi, 2022). This focus on maintaining stability to protect economic and security interests can lead to selective enforcement of democratic principles when harsh sanctions or interventions might exacerbate insecurity (Adele, 2023). Thus, realism explains ECOWAS's balancing act between normative ideals and realpolitik, revealing how power and security imperatives shape sub-regional governance and legitimacy.

ECOWAS has often portrayed itself as a normative force for peace and democracy, especially since its shift from an economic to a political-security focus in the early 1990s. Through the 2001 Protocol on Democracy and Good Governance, ECOWAS sought to establish a framework for democratic consolidation and to deter unconstitutional changes of government. However, the enforcement of these norms has often been selective and constrained by political realities. Realism suggests that such selectivity is expected, as member states act based on national interest rather than institutional prescriptions.

#### **Sub-Regional Legitimacy**

Legitimacy in the sub-regional context refers to the acceptance and justification of authority exercised by sub-regional organizations like ECOWAS by both state actors and local populations. According to Hurd (1999), legitimacy is the normative belief by an actor that a rule or institution ought to be obeyed. When applied to regional governance, this involves how

the organization is perceived in terms of fairness, procedural justice, effectiveness, and representativeness (Tallberg et al., 2018). Sub-regional legitimacy thus operates on both normative and performative dimensions. From an institutionalist lens, ECOWAS's legitimacy depends heavily on rule-based governance and its adherence to democratic norms enshrined in its foundational texts, such as the 2001 Protocol on Democracy and Good Governance. This protocol explicitly condemns unconstitutional changes of government and mandates punitive and corrective actions (ECOWAS, 2001). Hence, its interventions in countries like Burkina Faso are partly driven by its institutional mandate to safeguard democratic governance.

The concept of legitimacy referring to the recognized right to rule and the acceptance of authority by the governed is central to the 2001 ECOWAS Protocol on Democracy and Good Governance. This supplementary protocol, adopted in Dakar, Senegal, on 21 December 2001, underscores the importance of constitutional order, democratic governance, and the rule of law as foundations for legitimate state authority in the West African region. One of the protocol's core provisions is the requirement that governments derive their authority through regular, free, fair, and transparent elections (ECOWAS, 2001, Article 1). This provision explicitly ties political legitimacy to the electoral process, establishing elections as the only acceptable path to power. In this way, ECOWAS affirms that popular consent is a prerequisite for legitimacy, and that any government installed by force or unconstitutional

means lacks regional recognition.

The protocol declares a zero-tolerance policy for unconstitutional changes of government, such as military coups or the manipulation of constitutional term limits to extend incumbency. These acts are seen as direct threats to political legitimacy, as they undermine the democratic will and disrupt constitutional continuity. Article 1(c) specifically states that "every accession to power must be made through free, fair and transparent elections," reinforcing that legitimacy must be grounded in legality and democratic principles (ECOWAS, 2001). Beyond elections, the protocol also emphasizes the legitimacy of institutions. It calls for the independence of the judiciary, the separation of powers, and the professionalism of the civil service, which are all essential for sustaining trust in public institutions and ensuring that governance operates within a legal and accountable framework (ECOWAS, 2001, Articles 2–10). These provisions ensure that legitimacy is not only procedural (e.g., through elections) but also institutional and normative. The Protocol also expands the idea of legitimacy beyond the national level to include regional validation. ECOWAS reserves the right to monitor elections, assess constitutional compliance, and impose **sanctions** on states that violate democratic norms. Through these mechanisms, ECOWAS acts as a guardian of legitimacy in West Africa, aiming to prevent crises before they escalate and to uphold shared values.

However, legitimacy in international politics, particularly in sub-regional organizations, is often contingent upon consistency and credibility.

ECOWAS's uneven responses to coups across West Africa raise questions about the legitimacy of its enforcement mechanisms. While realism acknowledges the importance of norms, it posits that such norms are only enforceable when they align with the interests of powerful actors (Krasner, 1999). In this light, ECOWAS's limited capacity to coerce powerful or strategically important states underlines its constraints. Again, Burkina Faso's rejection of ECOWAS's timelines for democratic transition and its eventual alignment with Mali and Niger in the "Alliance of Sahel States" in 2023 further demonstrate the limitations of normative power when not backed by coercive capacity (International Crisis Group, 2023). These developments indicate that regional legitimacy is increasingly contested and shaped by alternative security alliances rather than ECOWAS's normative authority alone.

### **Unlawful seizure of powers in Burkina Faso**

Burkina Faso has experienced several unlawful seizure of powers in recent decades, reflecting the broader challenge of political instability in parts of West Africa. These changes in leadership often through military coups have repeatedly disrupted democratic processes, undermined constitutional order, and attracted the attention of regional bodies such as ECOWAS and the African Union. Since gaining independence from France in 1960, Burkina Faso has witnessed multiple coups, but the most notable unlawful seizure of powers in the 21st century include:

#### **The 2014 Popular Uprising and Military**

### **Takeover**

In **October 2014**, widespread protests erupted in response to President Blaise Compaoré's attempt to amend the constitution to extend his 27-year rule. After days of unrest, Compaoré resigned and fled the country. The military, led by Lieutenant Colonel Isaac Zida, took control, an act widely seen as unconstitutional despite public support (Frère & Englebert, 2015). Under pressure from ECOWAS and civil society, a transitional civilian government was later installed.

#### **The 2015 Failed Coup**

In September 2015, just weeks before scheduled elections, members of the Presidential Security Regiment (RSP) loyal to Compaoré staged a coup, detaining the transitional president and prime minister. The coup was short-lived, collapsing after a week due to mass protests, international condemnation, and resistance from the regular army (Loada & Romaniuk, 2016). The coup attempt was widely denounced as an unconstitutional seizure of power and led to the disbandment of the RSP.

#### **The 2022 Military Coups**

Amid growing insecurity due to jihadist violence, the military again intervened in January 2022, ousting President Roch Marc Christian Kaboré. Lieutenant Colonel Paul-Henri Sandaogo Damiba assumed power, citing the government's failure to address security concerns. However, in September 2022, Captain Ibrahim Traoré led a second coup, deposing Damiba. These successive coups further eroded constitutional governance and raised

concerns about the militarization of politics in the country (ICG, 2022). The coups in Burkina Faso in January 2022 and again in September 2022 illustrate this tension. ECOWAS swiftly suspended Burkina Faso's membership and imposed limited sanctions (ECOWAS Commission, 2022). However, the response was notably milder compared to sanctions on Mali and Guinea. This disparity reflects a realist calculation: Burkina Faso is a critical player in the fight against jihadist insurgency in the Sahel, and an overly punitive approach could destabilize the sub-region further, undermining the strategic interests of neighboring states. Realist theory exposes the structural limitations of ECOWAS as a supranational actor in an anarchic regional system. ECOWAS lacks both a standing army and robust enforcement mechanisms. Its peacekeeping capabilities, while symbolically significant, are heavily dependent on contributions from Nigeria and a few other member states. As such, the organization's responses are inherently shaped by the domestic calculations of its most powerful members. Nigeria's own internal political dynamics and security challenges further constrain its leadership role, reducing ECOWAS's collective capacity to enforce democratic norms effectively.

Moreover, the prevalence of personalist regimes and elite bargains within member states suggests that democratic rhetoric often masks a realist pursuit of regime security. Consequently, ECOWAS functions more as a coordination platform among ruling elites than as a normative enforcer. This explains its preference for negotiated political transitions and power-sharing

arrangements rather than outright intervention

### **The 1975 ECOWAS Treaty**

The Treaty of Lagos, signed on 28 May 1975, established the Economic Community of West African States (ECOWAS) as a regional economic integration body. While its primary focus was on promoting economic cooperation and development, the Treaty also laid an indirect but important foundation for future efforts to promote good governance and constitutional order in West Africa.

The 1975 ECOWAS Treaty was largely economically focused, aiming to remove trade barriers, harmonize policies, and foster infrastructural development across member states (ECOWAS, 1975, Articles 2–3). It did not contain detailed provisions directly addressing governance structures, electoral systems, or constitutional order. However, the goals of regional cooperation and economic development implicitly required political stability, which is closely tied to good governance.

The absence of explicit governance provisions in 1975 reflected the context of the time, when many West African states were under military or authoritarian regimes. However, as political dynamics in the region evolved in the 1980s and 1990s, the limitations of the original Treaty in promoting political stability became evident. This realization led to:

- The adoption of the 1993 Revised Treaty, which explicitly promoted democratic governance, human rights, and the rule of

law;

- The 2001 Supplementary Protocol on Democracy and Good Governance, which formally committed ECOWAS to upholding constitutional order, rejecting unconstitutional changes of government, and fostering transparent, free, and fair elections.

### **The 1993 Revised Treaty of the ECOWAS**

The Revised Treaty of the Economic Community of West African States (ECOWAS) was signed on 24 July 1993 in Cotonou, Benin, replacing the initial 1975 Treaty. This revision was driven by the need to address emerging political, economic, and security challenges within the region and to enhance the effectiveness of ECOWAS as a vehicle for regional integration and development. It marked a significant strengthening of the organization's legal and institutional framework. Building upon the original 1975 treaty, the revision aimed to enhance regional integration, promote economic cooperation, and foster political stability among member states (ECOWAS, 1993). Importantly, the revised treaty introduced stronger mechanisms for conflict prevention, management, and resolution, reflecting the growing recognition of security challenges in the region. It reaffirmed commitments to respect sovereignty, promote democratic governance, and encourage cooperation on economic, social, and cultural development. The treaty also expanded the role of ECOWAS in promoting peace and security, including provisions for collective action in response to threats against constitutional order.

This legal framework underpins ECOWAS's ongoing efforts to address political instability, including unconstitutional changes of government, and to strengthen regional solidarity (Gaye, 2006). The Revised Treaty reaffirmed ECOWAS's commitment to regional integration, but it significantly broadened its scope. The main objectives included:

- Promoting economic cooperation across all sectors,
- Establishing a common market and a monetary union,
- Harmonizing economic and financial policies,
- Advancing democratic governance, human rights, and the rule of law (ECOWAS, 1993, Articles 3–4).

One of the most notable innovations of the 1993 Treaty was the explicit recognition of peace and security as essential components of economic development. The Treaty introduced frameworks for conflict prevention, early warning, and peacekeeping, which later informed the 1999 Mechanism for Conflict Prevention and the 2001 Protocol on Democracy and Good Governance.

It also promoted respect for human rights, democratic principles, and the rule of law, signaling a shift toward political as well as economic integration. The Treaty laid the groundwork for ECOWAS's growing role in regional peacekeeping, especially in Liberia, Sierra Leone, Côte d'Ivoire, and Mali. It also supported the development of initiatives such as the ECOWAS Vision 2020 and the proposed

single currency project. However, challenges such as political instability, weak institutional capacity, and overlapping regional commitments have continued to hinder full implementation.

### **The 2001 ECOWAS Protocol on Democracy and Good Governance**

The 2001 Supplementary Protocol on Democracy and Good Governance, adopted by the Economic Community of West African States (ECOWAS) on 21 December 2001 in Dakar, Senegal, is a pivotal legal instrument that reinforces the commitment of West African states to democratic governance, the rule of law, and the protection of human rights. It represents a landmark commitment by member states to uphold democratic principles, constitutional rule, and human rights within the region (ECOWAS, 2001). This protocol explicitly condemns unconstitutional changes of government, including coups d'état, and establishes mechanisms for prevention, response, and sanctions against perpetrators. It seeks to promote transparent electoral processes, accountable governance, and respect for fundamental freedoms as essential pillars for regional stability and development. By institutionalizing democratic norms, the protocol reinforces ECOWAS's role not only as an economic bloc but also as a political actor committed to peace and good governance. Its provisions have guided the organization's interventions in political crises and have become a normative benchmark against which member states' actions are evaluated (Adele, 2023). As a supplementary act to the 1999 Protocol Relating to the Mechanism for Conflict Prevention,

Management, Resolution, Peacekeeping, and Security, it provides both preventive and prescriptive measures for strengthening democracy and political stability in the sub-region. The primary aim of the Protocol is to entrench constitutional governance and to prevent unconstitutional changes of government. It outlines minimum standards for democratic practice, emphasizing the separation of powers, electoral integrity, independence of the judiciary, and freedom of the press. Key Provisions of the Protocol are:

1. **Zero Tolerance for Unconstitutional Takeovers:** The Protocol establishes a zero-tolerance policy for unconstitutional changes of government, including coups, forceful takeovers, or manipulation of electoral laws and constitutions to extend tenure (ECOWAS, 2001, Article 1).
2. **Regular and Transparent Elections:** Member states are obligated to organize free, fair, and transparent elections, with ECOWAS empowered to monitor and, if necessary, intervene to ensure credibility and fairness.
3. **Separation of Powers and Judicial Independence:** It mandates the autonomy of the judiciary and underscores the need for functional legislative and executive branches free from undue interference (ECOWAS, 2001, Articles 7–10).
4. **Civil-Military Relations:** The Protocol asserts that the military should remain subordinate to civilian authority and refrain from political activity.
5. **Human Rights and Press Freedom:** It

reinforces adherence to international human rights standards and the protection of freedom of expression, particularly the independence of the media.

- 6. Political Party Regulation:** Member states are urged to allow the creation and operation of political parties without discrimination or restriction, as long as they abide by democratic principles.

To ensure enforcement, the Protocol empowers ECOWAS to undertake fact-finding missions, mediation, and intervention, including the use of sanctions against non-compliant states. It builds upon the existing ECOWAS Mechanism for Conflict Prevention and complements continental frameworks such as the African Charter on Democracy, Elections and Governance. The Protocol has played a vital role in consolidating democratic norms in West Africa, contributing to a regional consensus against unconstitutional rule. It has provided legal grounds for ECOWAS interventions in political crises, such as those in Guinea-Bissau, Mali, and The Gambia, and it remains a cornerstone of regional governance architecture.

### **ECOWAS's Response to Coups in Mali (2020, 2021), Guinea (2021), Burkina Faso (2022), and Niger (2023)**

The Economic Community of West African States (ECOWAS) has become increasingly assertive in responding to unconstitutional changes of government in its member states. Guided by its 2001 Protocol on Democracy and Good Governance, ECOWAS has taken a firm stance

against military coups and other anti-democratic power seizures, recognizing them as threats to regional stability, democratic legitimacy, and constitutional order. The primary legal basis for ECOWAS's intervention is the 2001 Supplementary Protocol on Democracy and Good Governance, which explicitly condemns and prohibits unconstitutional access to power. Article 1(c) of the Protocol asserts that "every accession to power must be made through free, fair, and transparent elections," while Article 45 empowers ECOWAS to impose sanctions on regimes that come to power unconstitutionally (ECOWAS, 2001). This protocol supplements the earlier 1999 Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security, which gave ECOWAS authority to intervene in political crises to prevent escalation into violence.

In recent years, ECOWAS has responded to coups in Mali (2020, 2021), Guinea (2021), Burkina Faso (2022), and Niger (2023) with a mix of diplomatic pressure, suspension of membership, and economic sanctions:

- **Suspension from ECOWAS institutions:** Following each coup, the affected country was immediately suspended from participating in ECOWAS decision-making bodies.
- **Imposition of targeted sanctions:** These have included travel bans and asset freezes on coup leaders and their associates, as seen in Guinea and Mali (Adebajo, 2022).
- **Deployment of mediation missions:** ECOWAS has sent high-level delegations, including former heads of state and special

envoys, to negotiate transitions and timelines for the return to civilian rule.

- **Threat of military intervention:** Most notably, in the case of Niger in 2023, ECOWAS threatened military intervention under its collective security framework, although this has yet to be executed due to internal divisions and concerns about escalation.

Despite its proactive stance, ECOWAS has faced significant challenges in enforcing compliance:

- **Popular support for some coups**, often due to frustration with failing civilian governments, has complicated external intervention.
- **Internal disagreements among member states** have sometimes weakened the bloc's ability to implement decisions unanimously.
- **Security concerns**, particularly the spread of violent extremism in the Sahel, have diverted attention from governance to stability.

Moreover, coup leaders have often resisted ECOWAS timelines for democratic transitions, testing the limits of the organization's influence. ECOWAS's response to recent coups in the sub-region reveals a mixed record of adherence to its normative frameworks. Founded on principles that reject unconstitutional changes of government, ECOWAS's Protocol on Democracy and Good Governance explicitly prohibits coups and mandates sanctions against perpetrators to uphold constitutional order (ECOWAS, 2001). In several

instances, such as Mali (2020, 2021) and Guinea (2021), ECOWAS swiftly imposed sanctions and suspended memberships, reflecting a firm commitment to these norms (Abdullahi, 2022). However, its response to Burkina Faso's coups has been comparatively inconsistent. After the first coup in 2022, ECOWAS applied sanctions and suspended Burkina Faso, aligning with its protocols. Yet, following the second coup later that year, ECOWAS adopted a more measured stance, opting for dialogue over immediate punitive measures (Afolabi, 2023). This divergence has been attributed to regional complexities, including security concerns related to jihadist insurgencies and fears that harsh sanctions might further destabilize affected states (Mensah, 2023). Consequently, while ECOWAS rhetorically reaffirms its normative commitments, practical responses sometimes reflect a balancing act between principle and pragmatism, raising questions about the consistency and effectiveness of its enforcement mechanisms. The scenario has significant implications for its legitimacy as a sub-regional security and governance body. ECOWAS's foundational role includes promoting democracy, stability, and rule of law across West Africa; however, its inability to consistently prevent or reverse unconstitutional changes of government undermines this mandate (Abdullahi, 2022). The apparent inconsistencies, especially in dealing with Burkina Faso's successive coups, risk eroding confidence among member states and populations in ECOWAS's capacity and political will to enforce its democratic norms effectively (Mensah, 2023). This perceived weakness can embolden military factions and other actors

contemplating extra-constitutional actions, thereby weakening the normative deterrent ECOWAS seeks to uphold (Aghedo, 2022). Moreover, diminished legitimacy complicates ECOWAS's ability to mobilize collective action, secure external support, and coordinate regional responses to security threats. If these trends continue, ECOWAS may face challenges not only in safeguarding democracy but also in maintaining its broader influence in West African regional affairs.

Nevertheless, ECOWAS has consistently maintained a firm stance against unconstitutional changes of government within its member states, including Burkina Faso. In response to the January 2022 coup that ousted President Roch Marc Christian Kaboré, ECOWAS suspended Burkina Faso from the regional bloc, a decision aligned with its protocols on democracy and good governance, particularly the 2001 Protocol on Democracy and Good Governance which prohibits unconstitutional power seizures (ECOWAS Commission, 2001). The bloc demanded the immediate release of the deposed president and the swift restoration of democratic governance. An ECOWAS delegation, comprising heads of state and senior officials, was dispatched to Ouagadougou to engage with the military junta and assess the political and security situation.

Sanctions were not immediately imposed; however, ECOWAS gave the junta a deadline to propose a clear and acceptable timetable for transition back to civilian rule. When the military government proposed a three-year transition, ECOWAS rejected the plan, emphasizing that

such a lengthy period was unacceptable and inconsistent with the bloc's democratic principles. Consequently, ECOWAS urged a shortened timeline and requested a revised charter to restore constitutional rule expeditiously (Akinyemi, 2022).

The situation escalated further with a second coup in September 2022, led by Captain Ibrahim Traoré, who ousted Paul-Henri Sandaogo Damiba, the leader of the first coup. This second military intervention added complexity to ECOWAS's engagement. Nonetheless, the regional body reiterated its zero-tolerance policy for power grabs and again called for the acceleration of the transition process. Despite the repeated coups, ECOWAS avoided heavy economic sanctions, likely due to the deteriorating security and humanitarian conditions in the Sahel region, including threats from jihadist insurgents (International Crisis Group, 2022).

ECOWAS's measured but firm approach reflects a balancing act between promoting democratic norms and maintaining regional stability. Rather than isolating Burkina Faso, ECOWAS opted for continued diplomatic engagement and technical support to assist in the transition process. In July 2023, the transitional government agreed to a new timeline, promising a return to constitutional order by July 2024, a plan that ECOWAS cautiously accepted while continuing to monitor its implementation (ECOWAS Commission, 2023). Overall, ECOWAS's response to the coups in Burkina Faso highlights its evolving strategy in handling unconstitutional changes of government. While committed to democratic principles, the

bloc has shown pragmatism in addressing the complex political and security dynamics on the ground

Central to ECOWAS's engagement with the transitional authorities in Burkina Faso was the demand for a clear and acceptable timetable for the return to constitutional and civilian rule. In a joint communiqué, ECOWAS reiterated the importance of meeting agreed deadlines and emphasized that any further deviation would lead to consequences, including the possibility of targeted sanctions. To facilitate the process, ECOWAS dispatched technical teams and electoral experts to support Burkina Faso's transitional roadmap (ECOWAS Commission, 2022b).

As of early 2024, the transitional authorities confirmed that preparations were underway for a return to constitutional order. These included initiating national dialogues, drafting electoral frameworks, and mobilizing resources for credible elections. Despite some logistical and security challenges, the transition remains broadly on track, although ECOWAS continues to underscore the need for transparency and adherence to the agreed deadlines (United Nations Office for West Africa and the Sahel (UNOWAS), 2023).

While ECOWAS has long projected itself as a unified bloc committed to democratic governance and regional stability, the organization's recent responses to coups have revealed a growing erosion of internal consensus. Divisions especially between leading member states like Nigeria and coup-affected Sahelian states (e.g., Mali, Burkina

Faso, and Niger) have significantly weakened the coherence and effectiveness of ECOWAS's approach to political crises. This fragmentation has made collective action more difficult, reduced the legitimacy of sanctions, and hindered mediation efforts. As ECOWAS's most populous country and largest economy, Nigeria has historically played a leadership role in shaping the organization's policies. In the wake of the 2023 coup in Niger, Nigeria under President Bola Tinubu, who assumed the ECOWAS chairmanship championed a firm response that included border closures, economic sanctions, and even the threat of military intervention (ECOWAS, 2023). Nigeria's position was underpinned by concerns about the domino effect of coups and the need to safeguard constitutional rule across the region (Ajayi, 2023).

However, Nigeria's assertiveness was not universally supported. Critics argued that its hardline stance lacked a strategic exit plan and failed to consider the deep-rooted causes of instability in Niger and neighboring countries, such as poverty, insecurity, and lack of trust in civilian governments. Moreover, Tinubu's domestic challenges, including economic discontent and fuel subsidy removal protests, raised questions about Nigeria's ability to sustain regional leadership (Ihonvbere, 2023). In contrast to Nigeria's position, Mali, Burkina Faso, and Guinea—all currently under military regimes opposed any ECOWAS military intervention in Niger and warned that such action would be considered an act of war against their nations. These countries also withdrew solidarity with ECOWAS sanctions and instead declared mutual

support for Niger's junta (International Crisis Group, 2023). This unprecedented regional pushback exposed a widening rift between democratic and military-led governments within the bloc.

The Sahel regimes criticized ECOWAS for what they perceived as double standards and external manipulation, accusing the organization of being influenced by Western interests, particularly France. They also questioned the bloc's legitimacy in promoting democracy, citing its failure to prevent constitutional manipulations and corruption in civilian governments (Bangura & Okonkwo, 2023). This internal division has profound implications for ECOWAS. First, it undermines collective bargaining power and reduces the likelihood of unified action against unconstitutional changes of government. Second, it challenges the moral authority of ECOWAS, as member states begin to pursue parallel security and diplomatic arrangements, sidelining regional frameworks. For example, the Alliance of Sahel States, established by Mali, Burkina Faso, and Niger, represents a direct challenge to ECOWAS hegemony and signals a drift toward regional polarization (Stronski, 2023).

Moreover, the erosion of consensus complicates mediation processes. ECOWAS-appointed mediators are increasingly perceived as biased or ineffective, and military leaders have shown a growing willingness to ignore or delay dialogue, knowing that the bloc is divided and unlikely to take unified action (Yabi, 2023).

## **Perceived Foreign Influence in Burkina Faso**

The presence and strategic interests of powers like France and Russia in West Africa have complicated ECOWAS's legitimacy, raising concerns about its neutrality and regional ownership. ECOWAS's pattern of quick condemnation of coups is grounded in its 2001 Protocol on Democracy and Good Governance, which mandates "zero tolerance for power obtained or maintained by unconstitutional means" (ECOWAS, 2001). The organization has consistently followed this principle, evident in its immediate responses to the military takeovers in Mali (2020, 2021), Guinea (2021), and Burkina Faso (2022). In each case, ECOWAS suspended the respective country from its decision-making bodies and demanded a return to constitutional order (ECOWAS, 2022).

These condemnations serve a normative function, projecting a strong stance against military interference and supporting the bloc's regional and international image as a promoter of democratic governance (Adebajo, 2023). However, the credibility of this response is increasingly undermined by accusations of foreign interference in ECOWAS's decision-making. One of the most contentious issues surrounding ECOWAS's actions is the perceived influence of France, a former colonial power with longstanding political, military, and economic ties to several West African countries. In recent years, anti-French sentiment has surged in countries such as Mali, Burkina Faso, and Niger, where populations have accused France of neocolonialism and covert support for authoritarian regimes (Koutonin,

2022). Consequently, ECOWAS's rapid condemnation of anti-French military regimes has been interpreted by some as aligning with France's strategic interests rather than impartial regional governance.

For example, France's withdrawal from Mali in 2022 was followed by increasing tensions between Mali's military government and ECOWAS, with the junta accusing the regional body of acting under French pressure (International Crisis Group, 2022). Similar sentiments were echoed in Burkina Faso, where the new military leaders faced street-level support while simultaneously rejecting French military assistance.

This narrative undermines ECOWAS's perceived neutrality, especially when the bloc imposes harsh sanctions or makes statements that appear to echo Western diplomatic talking points. Whether accurate or not, these perceptions weaken ECOWAS's domestic legitimacy and fuel resistance to its directives. In contrast to France, Russia is increasingly seen as a counter-hegemonic ally by some West African military regimes. Through disinformation campaigns, security partnerships (e.g., Wagner Group deployments), and political engagement, Russia has gained footholds in countries such as Mali and the Central African Republic (Stronski, 2023). This growing presence shapes the geopolitical context in which ECOWAS operates and complicates its response strategies.

Some military regimes have welcomed Russian involvement as an alternative to ECOWAS and

Western partners, using it to legitimize their authority and portray ECOWAS as part of a Western-dominated order. This further complicates ECOWAS's role as a neutral mediator and contributes to the erosion of regional unity. In cases where ECOWAS condemns a coup and a junta responds by aligning with Russia, the bloc's leverage is significantly diminished. The perceived influence of foreign powers has triggered a legitimacy crisis for ECOWAS, especially among local populations that view the organization as disconnected from grassroots realities. Its swift condemnations, while institutionally grounded, are often interpreted as externally influenced or selectively enforced. This perception undermines its authority and limits its capacity to mediate or enforce compliance with transition timelines.

To regain trust, ECOWAS must assert greater strategic autonomy, ensuring that its responses to coups are driven by principles rather than political alliances. This includes increased engagement with civil society, more transparent decision-making, and consistent application of its protocols across member states. ECOWAS must also recalibrate its relationships with external actors to ensure that foreign influence does not compromise its credibility or the authenticity of its democratic mandate.

### **Rising Regional Support for Military Regimes and the Case of Burkina Faso**

In Burkina Faso, widespread dissatisfaction with the civilian government's inability to contain jihadist insurgencies created a sociopolitical

environment ripe for a military takeover. Many citizens, frustrated by years of insecurity, viewed the military as a more capable alternative to the elected government (Kaboré, 2023). The subsequent coup was met with considerable domestic approval, reflecting a broader regional trend where militaries are increasingly perceived as agents of order and reform rather than usurpers of democracy (Agbo, 2024).

ECOWAS's initial response suspending Burkina Faso's membership and calling for a rapid return to constitutional rule mirrored its previous actions in Mali and Guinea. However, the regional body soon softened its stance by accepting a transitional roadmap proposed by the military authorities. This adjustment reflects ECOWAS's growing awareness of the complex dynamics at play, including the rising popular legitimacy of military rulers in certain contexts (Tamba & Osei, 2023). The organization appears to be recalibrating its strategy, balancing the need to uphold democratic principles with the realities of local support for military regimes.

Nevertheless, this shift has prompted criticism. Some observers argue that ECOWAS is sending mixed messages by tolerating military governments when they enjoy popular backing. This ambiguity may erode its credibility and weaken deterrents against future coups (Mensah, 2023). Moreover, by accommodating military juntas, ECOWAS risks normalizing military rule and undermining long-term democratic consolidation in the region.

In Burkina Faso, this tension is particularly

evident. While ECOWAS has engaged in dialogue with the transitional authorities and avoided harsh sanctions, it has struggled to present a coherent strategy that reflects both regional expectations and its own legal frameworks. This disconnect raises questions about the bloc's adaptability and its commitment to consistent, principled governance.

### **Implication of Unlawful seizure of power in Burkina Faso and sub-regional stability and governance**

1. Security Dilemma: Coups Seen as Solutions to Terrorism, Weakening Civilian Oversight in Burkina Faso. The security dilemma in Burkina Faso has intensified in recent years, particularly as military coups have been rationalized as necessary interventions to combat terrorism. This phenomenon reflects a troubling trend in West Africa, where armed forces increasingly justify unconstitutional power seizures as the most effective response to persistent jihadist violence.
2. Geopolitical Shifts: Russia and Wagner Group Influence Burkina Faso has recently emerged as a key focal point in a broader geopolitical realignment occurring across the Sahel region. Central to this shift is the growing influence of Russia particularly through its private military proxy, the Wagner Group. Russia's growing engagement with Burkina Faso is part of a broader effort to expand its geopolitical footprint in Africa. Through the Wagner Group, Russia offers security assistance with fewer political conditions, appealing to regimes facing international scrutiny over democratic

backsliding or human rights violations (Korsunskaya & Heathershaw, 2023). In contrast to Western approaches that often tie aid to governance and human rights reforms, Russia presents itself as a pragmatic partner focused solely on counterterrorism and regime protection. The geopolitical shift also reflects deeper disillusionment with the post-colonial legacy of Western powers. France, in particular, is perceived not only as ineffective in ensuring security but also as patronizing and neocolonial in its approach.

However, the pivot towards Russia and away from Western partners carries significant risks. Wagner's involvement in countries like the Central African Republic and Mali has been associated with human rights abuses and a lack of transparency. In addition, the reliance on Russia may isolate Burkina Faso diplomatically and reduce access to development assistance and international financial support (Guevara, 2023). The growing East-West rivalry also places Burkina Faso in a precarious position, potentially turning it into a proxy battleground in the broader global contest between liberal democracies and authoritarian powers.

Burkina Faso's geopolitical pivot from traditional Western partners to Russian-backed security arrangements signifies more than a mere shift in foreign policy. It reflects deeper dissatisfaction with the outcomes of Western engagement and a willingness to embrace alternative partners perceived as more responsive to immediate security concerns. However, this strategic reorientation risks deepening authoritarian

tendencies, weakening international oversight, and entrenching foreign influence under the guise of sovereignty.

## Findings

ECOWAS's approach to the military coups in Burkina Faso was largely reactive. Despite early warning signs, such as escalating insecurity, political instability, and widespread dissatisfaction with governance, ECOWAS did not take significant preventive actions. Its failure to act preemptively contributed to the collapse of constitutional order. The Burkina Faso coups of 2022 were justified by the military on the basis of insecurity caused by jihadist insurgencies. Many citizens initially supported the coups due to frustration with the civilian government's inability to manage the crisis, suggesting that legitimacy in the eyes of local populations may shift from democratic to authoritarian actors under certain conditions.

Although ECOWAS has clear protocols against unconstitutional changes of government (e.g., the 2001 Supplementary Protocol on Democracy and Good Governance), enforcement remains weak. The organization lacks binding mechanisms to hold member states accountable for breaches, resulting in limited deterrence. There was limited coordination between ECOWAS, the African Union (AU), and the United Nations (UN), leading to fragmented responses and overlapping mandates. The absence of a unified regional-international strategy weakened the collective diplomatic pressure on coup leaders.

ECOWAS's response to the coups in Burkina

Faso exposes gaps in its preventive and enforcement capabilities. While the organization has maintained a normative stance against military takeovers, its operational and political shortcomings have reduced its credibility and effectiveness.

## **Recommendations**

1. Address Root Causes of coups and Political Instability. It demands a democratic resilience that enhances public confidence in ECOWAS as a guardian of constitutional order through comprehensive strategy to address root causes of instability, including governance failures, insecurity, exclusion, and economic hardship. Ethnic and regional inclusion in government appointments and decision-making structures to reduce marginalization, Inclusive governance is not only a moral imperative but a strategic necessity for Burkina Faso's political stability. By promoting ethnic and regional inclusion in appointments, decision-making, and national development, the country can bridge historical divides, reduce marginalization, and build a democratic state resilient to coups. Only a truly inclusive political system will earn the trust of all citizens and create a stable foundation for long-term peace and prosperity
2. Expand sub-regional collaboration on counterterrorism, particularly in the Sahel, where insecurity often justifies military takeovers. By building coordinated,

transparent, and civilian-led regional security structures, West African states can reduce the security vacuum that legitimizes military takeovers. A secure region, governed democratically and cooperatively, is the best deterrent to coups in Burkina Faso and beyond.

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