

UNCONSTITUTIONAL POWER AND THE SECURITY DILEMMA OF GOVERNANCE: REGIME PRESERVATION, POLITICAL INSTABILITY, AND THE CRISIS OF PEACEBUILDING IN AFRICA

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Abstract

Across many African states, recurring insecurity, democratic fragility, economic inequality, inefficient development and stalled peace processes reveal a deeper structural crisis embedded within governance systems. This work interrogates how unconstitutional configurations of power generate a governance-based peace and security dilemma in which political elites prioritise regime preservation over and above the collective welfare of citizens, thereby reinforcing cycles of instability. Conceptually grounded in political sociology and normative theories of authority, the study defines illegitimate power as the erosion of consent, accountability, and moral justification in public rule, when authority loses its ethical foundation, state institutions increasingly rely on coercion, patronage, and exclusionary practices to maintain control, weakening institutional credibility and intensifying societal grievances. Using a qualitative comparative design supported by documentary analysis and selected African case illustrations, the article demonstrates that the persistence of political instability is not merely the product of limited state capacity but of fractured legitimacy and distorted state–society relations. The analysis shows how distrust in governance institutions fuels protest movements, electoral disputes, elite fragmentation, and, in some cases, violent contestation. These dynamics undermine long-term peacebuilding initiatives by reproducing insecurity from within the political system itself. The study concludes that sustainable peace in Africa requires reconstructing authority around ethical accountability, participatory inclusion, and renewed social compacts, rather than relying on securitised governance frameworks that treat instability as a threat to be suppressed rather than a symptom to be resolved.

Keywords: Social Contract Renewal; Regime Consolidation Strategies; Institutional Credibility; Coercive Statecraft; Democratic Fragility

Introduction

The persistence of insecurity, driven by political instability across parts of Africa, has generated intense scholarly and policy debates on the relationship among governance, peace, and security. At the same time, conventional explanations often emphasise weak institutions, economic underdevelopment, ethnic fragmentation, or external interference. A deeper, insufficiently theorised problem lies at the heart of many governance crises: the erosion of legitimacy in the exercise of power. Across several African states, political authority is formally established but widely contested in practice. Although governments continue to function institutionally, their legitimacy and public acceptance often remain fragile. This

condition creates what this study described as a governance security dilemma. Faced with uncertainty over popular consent, political elites increasingly depend on coercive mechanisms to preserve authority and maintain order. However, such strategies frequently deepen political distrust, intensify instability, and reinforce the very insecurity the state seeks to contain. The concept of legitimacy has long occupied a central place in political thought, from classical social contract theorists to modern sociological analyses of authority. Legitimacy is not merely the legal possession of office but the recognition by citizens that such authority is justified, accountable, and oriented toward collective welfare. Where this recognition weakens, governance shifts from a system of consent to one of survival; this gap between procedural legality and ethical authority creates a climate in which rulers govern defensively, and citizens respond with distrust, resistance, or withdrawal from civic life.

The security dilemma traditionally describes a situation in international relations in which measures taken by one state to enhance its security provoke countermeasures from others, thereby escalating tensions; when applied internally to governance, the dilemma acquires a different character. Leaders who perceive threats to their political survival, whether through opposition movements, civil society mobilisation, or electoral competition, often expand surveillance, restrict civic space, militarise public order management, or manipulate institutional rules. These actions, intended to stabilise unearned authority, frequently undermine public trust and reinforce perceptions of illegitimacy. As a result, insecurity is reproduced not primarily through external aggression but through the recursive interaction between state coercion and societal alienation. In this framework, illegitimate power refers not simply to unconstitutional rules but to authority that lacks substantive consent and ethical grounding. It may manifest in electoral manipulation, exclusionary governance, elite capture of public resources, or the instrumentalisation of security forces for partisan ends; such configurations of power distort the social contract, weakening the normative bond between state and citizen. In societies where historical grievances, socio-economic inequalities, and identity-based cleavages are already pronounced, the erosion of legitimacy intensifies perceptions of injustice and marginalisation, and political instability then emerges less as a spontaneous eruption and more as the predictable outcome of strained state–society relations.

This dynamic has profound implications for peacebuilding across the continent. Since the end of the Cold War, African states have witnessed numerous transitions from authoritarian rule, civil wars, and protracted conflicts into periods of negotiated settlement or democratisation. However, peacebuilding initiatives often prioritise institutional reconstruction, security sector reform, or electoral processes without adequately confronting the ethical foundations of authority. When governance reforms are implemented in environments where power remains concentrated, accountability mechanisms are weak, and citizens perceive limited voice in public affairs, peace becomes procedural rather than transformative, resulting in a cycle in which post-conflict societies relapse into instability or experience persistent low-intensity tensions. Ethical authority entails more than compliance with legal norms; it demands transparency, responsiveness, distributive fairness, and respect for human dignity, in contexts where state institutions are perceived as instruments of patronage or repression. Citizens may turn to alternative sources of authority, ethnic leaders, religious movements, or armed groups, thereby fragmenting the political order.

Literature Review:

Dahl (1991) emphasises that political legitimacy hinges on the consent of the governed, and where this is absent, authority is inherently vulnerable to resistance, which makes it unstable.

Nigeria's experience with illegitimate power spans from military dictatorships to flawed democratic transitions. The 1999 return to democratic rule has not insulated the country from governance crises, as successive governments continue to suffer from perceived corruption, poor service delivery, and limited accountability (Aliu, 2019). The crisis is evident in public apathy, recurring protests, secessionist agitations, and regional insecurity. These issues are more pronounced in the Northeast (Boko Haram insurgency), Southeast (secessionist and IPOB), and the Niger Delta (militancy and oil theft). The disconnection between authority and ethical legitimacy generates insecurity, undermines state capacity, and engenders violent resistance in various forms, from insurgency to civic unrest. Nigeria, as a focal point of this study, represents a mosaic of governance challenges. Despite over two decades of uninterrupted democracy, legitimacy crises persist across its geopolitical zones; electoral manipulation, elite impunity, and the militarisation of civil spaces continue to undermine public trust in the state (Agbibo, 2013; Omotola, 2010).

Weber (1947) identifies three types of authority: traditional, charismatic, and legal-rational. Legitimacy is central to social order. Locke (1980) emphasised the role of consent in establishing political authority and argued that elections are meant to operationalise this consent. However, as Okereke (2018) notes, electoral malpractices and vote rigging in Nigeria frequently subvert public will. Studies by Ikelegbe (2005) and Olorunmola (2016) highlight the ethical failures of governance, identifying corruption, weak institutions, and marginalisation as root causes of violence. They explain how armed non-state actors fill power vacuums left by delegitimised state institutions (Walker, 2012). In these regions, the failure of state institutions to secure trust and establish moral authority fuels public dissent and withdrawal from formal political processes. Rotberg (2004) argues that the legitimacy of governance structures is critical for maintaining order and delivering public goods. In contrast, illegitimate regimes are often predatory and prioritise self-preservation over national interest. This leads to widespread grievances and structural violence, which manifest in instability.

The ethics of authority revolves around the just use of power, which must be anchored on popular consent, respect for human dignity, and the rule of law. Political philosophers such as John Locke and Jean-Jacques Rousseau argue that authority is legitimate only when derived from the social contract, a mutual agreement among citizens to establish government for the common good (Locke 1689; Rousseau, 1762). In the Nigerian context, this normative standard is frequently violated. Nigeria's political landscape reveals a persistent disconnect between authority and consent, electoral fraud, vote-buying, and the imposition of candidates, all of which undermine the people's ability to choose their leaders. The 2007, 2019 and 2023 general elections, for instance, were criticised by both local and international observers for lacking transparency and credibility (Oyewole, 2023). This erosion of consent delegitimises state power and feeds citizen disengagement. Furthermore, the ethical failures of public office holders in Nigeria, ranging from massive corruption scandals to impunity, undermine moral authority. Ezeoha and Uche (2017) observe that political elites have manipulated Nigeria's oil subsidy regime to enrich themselves while depriving the masses of economic justice. These ethical breaches violate the principle of distributive justice, a key component of political consent.

The Security Implications of Illegitimate Power

The nexus between illegitimate power and human security risks as conceptualized by the UNDP (1994), prioritizes the safety and well-being of individuals over territorial

integrity, when power is illegitimate, the state becomes a source of insecurity rather than a protector of citizens, in most states of Africa including Nigeria, illegitimate leadership has been linked to the proliferation of non-state armed groups, criminal gangs, and ethnic militias. In North-East Nigeria, the state's failure to protect citizens and provide justice created fertile ground for Boko Haram's rise; similar dynamics exist in the North-West with banditry and in the South-East with IPOB's militant wing (Ugwu et al., 2023). Mamdani (1996) explains that postcolonial states in Africa often inherit authoritarian structures that lack legitimacy, which they try to enforce through violence. This worsens insecurity, as communities resort to self-help and vigilante justice. In Nigeria's case, the securitisation of dissent has further alienated citizens and escalated violence. Illegitimate power undermines the state's capacity to manage diversity, address grievances, and enforce the law equitably.

Aliu (2019) examined the effects of political corruption on government legitimacy and democratic consolidation in Nigeria between 1999 and 2015, using qualitative documentary analysis guided by elite theory, the study revealed that high-level corruption and state capture by political elites eroded public trust in the state, the absence of service delivery, justice, and accountability contributed to legitimacy crises, this loss of legitimacy weakened state authority and increased citizen cynicism toward democracy. Nyiayaana (2023) explored the relationship between legitimacy and recurring identity-based conflicts in Nigeria. He posits that ethnic and religious conflicts in Nigeria are exacerbated by the failure of the state to provide inclusive governance and recognise diverse cultural identities. The deployment of repressive responses to grievances further alienates marginalised groups, thus diminishing trust in the state and intensifying national disunity.

Ugwu, Ohabuenyi, and Nnamani (2023) assessed the limitations of state-centric security approaches in Nigeria and advocated for a shift to human-centric security policies. Their findings suggest that the continued reliance on militarised responses to insecurity, without addressing underlying socio-economic grievances, deepens instability. They insist that participatory governance and inclusive development are the pathways to legitimacy and peace.

Nkwota and Matthew (2024) studied how the politicisation of traditional institutions contributes to insecurity in Nigeria, using structural functionalism theory and qualitative data. They argue that the manipulation of traditional authorities for partisan purposes erodes their neutrality and legitimacy in governance. This political interference undermines local conflict resolution capacities and contributes to rising insecurity, particularly in rural areas. Oyekanmi and Rosenje (2023) investigated the interplay between security threats, legitimacy, and democratic consolidation in Nigeria, applying the failed states theory, the study identified insurgency, banditry, secessionist agitation, and electoral malpractices as key challenges, these threats are linked to governance failures, corruption, and weak institutions, the authors propose reforms in the national security architecture and civic education to rebuild legitimacy and trust. Oyewole (2023) employed quantitative methods to examine the causes of legitimacy crises in Nigeria's Fourth Republic. He found that governance characterised by elite dominance, non-transparency, and a lack of sincere public accountability leads to alienation and political apathy among citizens and concludes that legitimacy cannot be sustained without ethical governance and citizen inclusion in decision-making. While existing studies have contributed significantly to the understanding of governance and legitimacy in Nigeria, several critical gaps persist. This article fills the gap by linking ethical authority and consent to security threats across the country's regional diversities.

Theoretical Framework

This work is guided by legitimate authority classical theories of Weber (1978) and Locke (1689), and employs the contemporary framework developed to understand governance in volatile political environments. It integrates the normative dimensions of authority with the practical realities of state functionality in developing democracies. The theory posits that legitimate power in the 21st century must simultaneously fulfil three interdependent pillars of ethical credibility, participatory consent, and institutional integrity. These pillars, when undermined, lead to unstable governance and insecurity, which manifest as civil unrest, insurgency, and the erosion of state authority (Chabal & Daloz, 1999; Rotberg, 2004). Ethical credibility refers to the moral conduct of leadership. Leaders are expected to act justly, fairly, and transparently. In Nigeria, recurring scandals involving political elites have resulted in widespread public disillusionment. For example, the exposure of budget-padding scandals and the misuse of security votes undermines the ethical foundations of leadership, thereby creating moral illegitimacy (Ibeanu, 2007; Human Rights Watch, 2007). Furthermore, the failure of any one pillar increases the risk that power becomes illegitimate. However, when all three collapse, such a society transitions from fragile legitimacy to full-blown insecurity. The theory highlights Nigeria's condition as a case of "multi-pillar failure," in which ethical breaches (corruption), absence of consent (electoral apathy), and institutional breakdown (police brutality and judicial compromise) converge to delegitimise state authority (Ajayi, 2020).

Methodology

This study adopts a qualitative, comparative case study design. The qualitative approach is appropriate because the phenomenon under investigation (unconstitutional power) is deeply embedded in historical, political, institutional, and socio-cultural contexts that require interpretive and contextual analysis rather than statistical generalisation. The study draws on a multiple-case comparative framework to examine selected African states in which governance crises reflect tensions among authority, legitimacy, and security. Comparative qualitative analysis allows for the identification of recurring patterns, divergences, and structural drivers across cases while maintaining contextual sensitivity, recognising that legitimacy, consent, and authority are socially constructed and negotiated within specific political and historical settings. The methodological approach is therefore explanatory and analytical rather than merely descriptive. The study focuses on four African countries selected through purposive sampling based on theoretical relevance and variation in governance-security dynamics: Nigeria, the Democratic Republic of Congo, Niger, and South Sudan. These cases were selected using the most similar systems design (MSSD) approach, while sharing a common outcome variable: persistent instability linked to contested legitimacy. The selection criteria include: History of contested or unconstitutional political transitions; Recurring security crises linked to governance deficits; Weak institutional consolidation; Presence of peacebuilding interventions (local, regional, or international); Evidence of civil-military tensions and legitimacy crises.

Qualitative data were collected through three primary techniques. A comprehensive documentary analysis was performed, utilising a range of sources including constitutional documents, electoral commission reports, court rulings on disputed elections, policy papers, peace agreements, and reports from regional organisations such as the African Union. Additionally, security and peacebuilding reports from the United Nations and documentation from the International Crisis Group were examined. This process facilitates the triangulation

of elite narratives, institutional frameworks, and indicators of governance performance. Historical archives and reputable media sources were examined and trace patterns of unconstitutional power acquisition, military coups, electoral disputes, protest movements, peace process breakdowns, while media framing analysis helps us assess legitimacy narratives and state-society contestations. Lastly, elite discourse analysis allows us to collect political speeches, presidential addresses, and military statements and analyse them using critical discourse analysis (CDA) to uncover justifications for retaining power, the framing of security threats, the construction of the “national interest”, and the delegitimisation of opposition actors. This approach reveals how authority attempts to manufacture consent or securitise dissent.

Data Analysis Strategy

The study employs thematic analysis, process tracing, and comparative analysis. Data were coded using inductive and deductive coding strategies. Pre-established codes include: Coercive governance; Electoral illegitimacy; Institutional capture; Militarisation of politics; Public resistance; Peacebuilding failure and external intervention. Emergent codes were also incorporated during iterative analysis. Process tracing identifies causal sequences linking illegitimate power to security deterioration, for example, contested elections lead to Protest suppression, headed to militarisation, to Insurgency growth, to Peacebuilding intervention, to Institutional relapse. This technique strengthens causal inference in qualitative research. A cross-case comparative analysis framework was used; each case was analysed using identical guiding questions: How was power acquired or retained? Was consent institutionally validated? How do governance choices affect security? What peacebuilding mechanisms are attempted? Pattern matching across cases allows identification of recurring structural drivers of instability.

Findings

The comparative analysis across Nigeria, the Democratic Republic of Congo, Niger, and South Sudan reveals consistent patterns linking the acquisition of illegitimate power to governance insecurity and recurrent peacebuilding failures. Evidence from documentary sources, historical records, and elite discourse demonstrates that contested authority often emerges from disputed elections, military coups, constitutional manipulation, or elite political settlements that lack broad public consent. Across the four cases, the absence of institutional legitimacy generated persistent tension between state authority and societal expectations of democratic governance. First, findings indicate that electoral legitimacy deficits represent a central trigger of governance instability in Nigeria and the Democratic Republic of Congo. Contested electoral outcomes generated widespread public distrust toward electoral institutions, judicial arbitration processes, and executive authority. Documentary evidence from electoral reports and court rulings demonstrates recurring allegations of vote manipulation, institutional capture, and elite interference in democratic processes. Legitimacy crises produced protest movements, opposition mobilisation, and heightened political polarisation.

Second, the analysis reveals that militarisation of political authority frequently emerges as a governance response to legitimacy deficits. In Niger and South Sudan, power transitions were strongly influenced by military interventions or armed political factions. Historical archives indicate that when civilian authority fails to maintain legitimacy, security institutions increasingly become decisive actors in political leadership transitions. This pattern resulted in

fragile governance arrangements in which state authority relied heavily on coercive force rather than institutional consent. Third, the findings demonstrate that public resistance and civil contestation constitute a recurring feature of illegitimate governance. Across the cases studied, protest movements, civil society mobilisation, and opposition coalitions emerged as mechanisms through which citizens challenged perceived illegitimate authority. Media discourse analysis reveals that governments frequently framed such mobilisation as security threats, leading to suppression strategies that intensified political grievances.

Fourth, peacebuilding interventions, particularly those facilitated by regional and international actors such as the African Union and the United Nations' peacekeeping missions, played important roles in mediating political crises. The findings show that peace agreements and transitional arrangements often failed to produce sustainable stability because they focused primarily on elite power-sharing rather than institutional reform and citizen legitimacy. Finally, process tracing across cases demonstrates a recurring causal sequence. This cycle illustrates how illegitimate power structures reproduce insecurity and undermine long-term peacebuilding efforts. The findings, therefore, suggest that governance legitimacy, rather than coercive stability, remains the central determinant of sustainable peace and security in contemporary African political systems.

Discussion of Findings

The discussion in this study reinforces longstanding scholarly arguments that the legitimacy of political authority is central to the stability and security of states in Nigeria, the Democratic Republic of Congo, Niger, and South Sudan. The analysis demonstrates that the contested political authority often produces governance crises that evolve into broader security dilemmas. These empirical findings align closely with the classical sociological and political theory of legitimacy articulated by Max Weber, who argued that political authority becomes stable only when citizens believe it to be legitimate. Weber famously noted that "the legitimacy of domination depends upon the belief in its legality or moral justification" (Weber, 1978). Where such a belief collapses, authority becomes dependent on coercion rather than consent; the cases analysed illustrate precisely this dynamic. In contexts where elections are disputed, constitutions are manipulated, or leadership transitions occur through military intervention, the normative foundations of authority become weakened, and erosion of legitimacy leads to increased public resistance, protest movements, and challenges to state authority. This pattern corresponds with the argument of Robert I. Rotberg, who maintains that "states fail when they lose legitimacy in the eyes of their citizens and can no longer provide political goods such as security and justice" (Rotberg, 2004). The recurring cycles of political contestation observed in Nigeria and the Democratic Republic of Congo, therefore, reflect deeper structural crises of legitimacy rather than merely episodic political disputes. Another significant insight from the findings concerns the militarisation of political authority in contexts of weakened institutional legitimacy. In Niger and South Sudan, governance crises created conditions that enabled military actors or armed factions to intervene in political leadership transitions. This phenomenon is widely documented in comparative political studies of fragile states, where political instability often arises when political institutions fail to manage social mobilisation and elite competition effectively (Huntington, 1968).

The findings further reveal the limitations of externally mediated peacebuilding interventions in resolving legitimacy crises. International organisations such as the African Union and the United Nations have played important roles in mediating political conflicts and facilitating

transitional agreements across Africa. However, the empirical evidence suggests that many peace agreements prioritise elite political settlements rather than addressing structural governance deficits. This observation aligns with the critique advanced by Roland Paris, who argues that externally driven peacebuilding often emphasises rapid institutional reconstruction without adequately addressing the underlying political dynamics of legitimacy and authority. Paris (2004) notes that peacebuilding efforts have consistently prioritised institutional stability yet have neglected deeper political challenges of consent and legitimacy. Moreover, the study highlights the central role of societal resistance and civic mobilisation in contesting illegitimate authority. Across all four cases, civil society organisations, protest movements, consistent legal challenges and opposition groups emerged as key actors challenging political regimes perceived as lacking legitimacy. This view resonates with the broader literature on state–society relations, which emphasises that legitimacy is not static but continuously negotiated between governing institutions and citizens. According to Fukuyama (2014), effective governance requires both state capacity and legitimacy; without legitimacy, state authority becomes fragile regardless of its coercive capabilities. He argues that the ultimate order of political stability depends on the interaction among state capacity, the rule of law, and democratic accountability.

Recommendations

Based on the findings of this study, the following five policy recommendations are proposed to address the governance-security dilemma associated with illegitimate political authority in Africa.

- Strengthen institutions such as the judiciary, anti-corruption agencies, and electoral bodies to restore public trust and ensure justice and accountability.
- Embed leadership ethics and civic responsibility in governance training, focusing on transparency, accountability, and service.
- Promote mechanisms for inclusive participation at all levels, especially for marginalised groups, to foster legitimacy and reduce alienation.
- Encourage widespread civic education to build awareness of citizens' rights and responsibilities, enhancing demand for legitimate governance.
- Reform the security sector to prioritise human security and community engagement over coercion.

Contribution to Knowledge

This study contributes to knowledge by advancing an integrated framework that links illegitimate political authority to governance insecurity and peacebuilding failure in Africa, drawing on comparative evidence from Nigeria, the Democratic Republic of the Congo, Niger, and South Sudan. The research demonstrates that deficits in legitimacy, consent, and ethical authority are critical drivers of political instability. By extending Max Weber's legitimacy theory to contemporary African governance contexts, the study provides empirical insights that deepen scholarly understanding of the relationship among authority, security, and sustainable peacebuilding.

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