The 2001 ECOWAS Supplementary Protocol on Democracy in Light of Recent Developments in the Sub-Region of Africa

Adeniyi S. Basiru

Mashud L.A. Salawu

Adewale Adepoju

The 2001 ECOWAS Supplementary Protocol on Democracy in Light of Recent Developments in the Sub-Region of Africa

Cover Page Footnote

Adeniyi S. Basiru is an independent researcher and an adjunct lecturer in the Department of Political Science, Christopher University, Mowe, Ogun State, Nigeria. Mashud L.A. Salawu is a lecturer in the Department of International Relations, Southwestern University Nigeria, Okun-Owa, Ogun State, Nigeria. Adewale Adepoju teaches in the Department of History and Diplomatic Studies, Tai Solarin University of Education, Ijagun, Ogun State, Nigeria.

The 2001 ECOWAS Supplementary Protocol on Democracy in Light of Recent Developments in the Sub-Region of Africa

The democracy-peace building nexus, beyond its traditional foothold in the liberal theory of International Relations, is a two-sided theoretical equation, resting on two plausible arguments.[1] Developed by Immanuel Kant in the nineteenth century and subsequently popularized in the twentieth century by Woodrow Wilson and his heir, Michael Doyle, on one side of the equation is the traditional Kantian thesis that democracies do not go to war with one another, suggesting that, the wider the democratic space within a subordinate state system, the greater the prospect for peace.[2] On the other side is a contemporary variant, which gained ascendancy and popularity immediately after the Cold War and conceptualized by the former United Nations Secretary General, Boutros Boutros Ghali,[3] which contends not only that democracies do not go to war but democracies, because of inbuilt institutional mechanisms[4] embedded in them, do equally widen the zones of peace within states.[5]

Either way, in our contemporary global system, the issue is no longer whether democracy and its institutional appurtenances have the capacity to incubate and nurture peaceful co-existence within and among nations but what would become of them should democracy go on retreat.[6] In the words of Sisk, "of the range of tools available to conflict resolution practitioners to manage intractable conflicts, none of them is arguably more durable over the long term…than the creation and nurturing of democracy."[7] Retrospectively, this seemingly immutable ethos may have driven Western European statesmen and diplomats to weave their continent's security and peace-building architectures not only around supra-nationality but also on building democracies within and between countries after the Second World War.[8]

By the late 1970s—courtesy of democratic third waves—the Western European initiative began to spread into other regions of the world. In sub-Sahara Africa, civil organizations began to frame the continent's development, peace, and security agendas around nurturing democratic governance in member-states. For instance, the Kampala Document (a proceeding from the 1991 conference in Kampala, Uganda, organized by the African Leadership Forum (ALF) with support from UNECA) anchors peace and security within African nations on the security of individual citizen to live in peace and to satisfy basic needs while being able to participate fully in societal affairs and enjoying freedoms and fundamental human rights.'[9]

African leaders soon began to pontificate about democratic governance, albeit, caring less about institutional development or the quality of elections.[10] In West Africa, the crises in Liberia and Sierra Leone gave impetus to quest for the institutionalization of democratic norms and values among countries of the sub-region. These two crises pulled into the spotlight the security dilemma often associated with undemocratic tyrannical regimes and the threats posed by such regimes, not only to their countries but the sub-region as a whole. Between 1991 and 2001, statesmen, diplomats, and technocrats in the sub-region, under the auspices of the Economic Community of West African States (ECOWAS), developed and adopted three major democracy *cum* governance frameworks—the 1991 Declaration on Political Objectives, the 1999 Mechanisms for the Prevention, Management and Resolution of Conflicts, and the 2001 Supplementary Protocol on Democracy and Good Governance—as grand strategies for dealing with governance and security issues.

Against this background and in the light of contemporary happenings in the sub-region, it is imperative to examine West Africa's post-Cold War attempts at institutionalizing democracy cum governance frameworks at the level of member states. This article, sourcing data from documentary sources and adopting descriptive, historical, and analytical methods of data

analysis, outlines the major provisions of the 2001 Supplementary Protocol on Democracy and Good Governance[11] and assesses member states' performance with regard to the outlined provisions, in the light contemporary realities.

In term of organization, this article is structured into five broad parts, starting with an introduction pointing to the article's background, purpose, and organization. The second part conceptualizes and contextualizes the key concepts that are germane to our discourse. This is followed by the discussion of theoretical framework that informed the study. Part four undertakes two tasks. First, it highlights and examines the governance cum democracy provisions in the 2001 Supplementary Protocol. Second, it assesses the performances of state parties with regard to its key provisions. The fifth part concludes the paper.

Defining Democracy and Peace

In a study of this nature, it is apposite to conceptualize and contextualize the concepts of democracy and peace. This is especially true with social inquiry, in which concepts often assume different meanings and interpretations. In the words of Rubin and Babbie "we specify what we mean when we use particular terms for the purpose of facilitating their contextual operationalization and comprehension."[12] With regard to the concept of democracy, aside from being nebulously contested, it is also ideologically loaded and as such not amenable to universal definition.[13] What have therefore resulted are divergent perspectives and variants to the definition of the concept. According to Przeworski et al, "Almost all normatively desirable aspects of political life, and sometime even of social and economic life, are credited as definition features of democracy: representation, accountability, equality participation, dignity, rationality, security, freedom-the list goes on—indeed, according to many definitions, the set of true democracy is an empty set."[14]

It is not within the purview of the paper to resolve the controversies over the meaning of democracy, but it is essential to conceptualize and operationalize democracy in a broader context. According to Weale, "Looking at literature on democracy, we read of pluralist democracy, radical democracy, liberal democracy, socialist democracy, one-party democracy, deliberative democracy, polyarchy, elitist democracy, equilibrium democracy and so on."[15] Notwithstanding all these, broadly speaking, there are three schools of thought to the definition of what democracy means. The first, drawing from the Athenian model,[16] views democracy in a deliberative form. It argues that ordinary citizens are the objects of political participation and that no attempt should be made to limit their participation in the political process. Rousseau, the French philosopher remarked in 1762, "Citizens are rational and politically conscious entities that are inclined to participation."[17] Central to his conception is the idea that citizens' direct participation gave meaning to democracy. In fact he expressed his anti-representation bias thus: "Citizens assemble together and decided on the content of law and public policy without the mediation of political representatives. In their decision, each seeks the common good or the general will."[18]

Re-echoing Rousseau, contemporary proponents of this school insist that instead of rationalizing citizens' inactiveness, emphasis should be placed on transforming the apathetic citizens into democratic citizens. For example, Habermas suggests that democracy should be viewed as a method of communication in which rational citizens deliberate in a context of openness and equality.[19] Joining issues with Habermas, Cohen posits that "policy outcome are democratically legitimate if and only if they could be the direct object of a free and reason argument among equals."[20] Budge[21] notes that it is possible to imagine a form of direct democracy that took to their limits participatory devices like referendum or citizens' initiatives

that currently exist only in restricted form in representative democracies. Indeed, he proposes a conception of democracy where information and communication technologies could make possible, extensive citizen involvement in the making of public policies. In their contribution to the school, Guttmann and Thompson see it as, "a form of government in which free and equal citizens (and their representative), justify decisions in a process in which they give one another reasons that are mutually acceptable and generally accessible, with the aim of reaching conclusions that are binding in the present all citizens but open challenge in the future."[22]

Counterpoised to the citizen conception of democracy is the elite variant which conceives democracy in elitist terms. Whether in its representational or pluralist variant, it equates the *demos* with the elites in the society. Specifically, this perspective asserts that democracy is a method of making decisions which ensures efficiency in administration and policy making and yet requires some measures of responsiveness to popular opinion on the part of the ruling elites.[23] The central contention of this perspective is that since it is impossible for the average citizen to know enough to participate intelligently in decision-making, democracy should be about the few intelligent and rational ones taking decisions on behalf of others. In this view, the only role expected of the generality of the citizen is to check on the political elites.

Lending credence to this view, Schumpeter[24] contends that mass participation must be limited to voting and should exclude such issues as letter writing or the petitioning of representatives. These political activities, according to him, amounted to mounting pressure on the representatives before the expiration of their tenure. As he puts it: "Democracy does not mean and cannot mean that the people actually rule in any real sense of the term, 'people' and 'rule.' Democracy means only that the people have the opportunity of accepting or refusing the men who are to rule over them."[25]

Schumpeter's point is that the only right the people have is throwing out the "rascals" periodically. Arguing within the Schumpeterian orbit, Dahl,[26] O'Gorman,[27] and Wolfe[28] equally posit that democracy entails citizens casting their votes for competing elites in elections. Still further, Schmiltter and Karl consider democracy as a system of government in which the rulers are held accountable for their actions in the public realm by citizens acting indirectly through competition.[29]

The third perspective—the most popular since the end of the Cold War—the liberal variant seeks to integrate the authority of governments with simultaneous limits on their scope. In the words of Hague and Harrop, "liberal democracy is limited government. The goal is to secure individual liberty, including freedom from unwarranted demands by government."[30] Liberal democracy (this perspective further contends) balances the demands of individual rights and collective politics. As Weale describes liberal democracy,

> On the one hand, it provides the means by which the people govern, or at least elect their representatives who govern. On the other hand, it contains constitutional device, like separation of power or a system of checks and balances that limit the scope and application of the principle of majority rule[31]
> In clear terms, what this conception of democracy implies is that without liberties as guaranteed by the constitution, there can be no democracy.[32]

In other words, democracy only has meaning if defined in the context of freedoms—free elections, free speech, free movement, free press, etc.—as enshrined in the constitution as fundamental human rights.[33] Danjibo[34] itemizes these rights as: i) the right to life; ii) the right to human dignity; iii) the right to participate in decision making; iv) respect for the rule of law; v) security of life and property; vi) the right to vote and be voted for; vii) freedom of speech; viii) freedom of association; ix) freedom of the press; and x) freedom to live freely everywhere.

Given the divergent perspectives about the meaning of democracy as discussed above, how is it conceptualized for the purpose of this article? It is conceptualized as a political order that ideally purport to give power to the majority but in reality empowers the minority to run the society based on its definition of the common good.

On Peace

Like democracy, justice, freedom, happiness, and other human value related concepts, peace is difficult to define. What have thus emerged in literature are different approaches for conceptualizing peace.[35] It has to be stressed that, traditionally, peace has always been denoted as the converse of war.[36] Writing in this tradition, Wright[37] remarks that war is not sharply distinguished from peace." Aron[38] sees peace as a condition of more or less lasting suspension of rivalry between political units. However, in recent times, this orthodox view has been called into question by perspective that insists that peace does not suggests only the absence of war but also the establishment of positive, life-enhancing values. For example, Ibeanu[39] contends that conceiving peace as the converse of conflict—though attractive—is inadequate for understanding the ontology of peace.

It was in view of this reality that Galtung,[40]—a pioneer peace researcher—broadened the definition of peace and proposed a distinction between "positive" and "negative" peace. The former, according to him, denotes the simultaneous presence of many desirable states of mind and society, such as harmony, justice, equity, and so on. The latter denotes the "absence of war" and other forms of large-scale violent human conflict. With regard to the former, he adds, "it refers to a social condition in which exploitation is minimized or eliminated and in which there is neither overt violence nor the more subtle phenomenon of underlying structural violence."[41] The

concept of peace has divergent interpretations but for the purpose of this study it is operationalized as the absence of condition that could threaten society's orderly existence.

Democracy and Peace: A Theoretical Exploration

Emanating from an attempt to construct zones of "stable peace,"[42] the democratic peace paradigm is based on the assumption that democratic states do not wage war on each other.[43] However, that does not mean that democracies do not wage wars at all or that they are less warlike in their relations with non-democracies, only that democracies tend not to fight each other.[44] Here, it has to be emphasized that proponents of this theory often present two viewpoints to justify this theoretical contention: the structural and normative perspectives.[45] The first explains the theory by pointing to the institutional constraints place on decision makers in democracies. Put differently, legislatures, rule of law, the electorates, as well as international liberal norms that states subscribe to tend to mitigate against rash decisions to go to war.[46] This paper's second focus is on the ideas and norms underlying liberal democracy. As Owen puts it, "democrac[ies] practise compromise in their internal politics, believe that it is imprudent to fight each other and confer legitimacy upon other states believed to be democratic, making it unjust to wage wars upon those states."[47] Either way, both views mirror the conception of global politics in the post-Cold War World. They could also have influenced the drafters of most international conventions on democracy, human rights, and good governance, especially in the post-Westphalia era, in which states internal political organization take precedence over sovereignty. In this wise, the drafters of the 2001 Supplementary Protocol could equally have been attracted by the beauty of this paradigm.

It has to stressed that the democratic peace paradigm, in design and orientation, was traditionally cut for explaining inter-state relations but in recent times, its jurisdiction has been

transformed not less by changing nature of conflicts.[48] In the words of Kaldor, "In new wars the traditional distinctions between war (violence between states or organized political groups for political motives), organizes crime (violence by private associations, usually for financial gains), and large scale violation of human rights (violence by states or private groups against individuals, mainly civilians) become increasingly blurred."[49]

In the post-Cold War era, there were increased incidences of intra-state conflicts than inter-state conflicts. With reference to Africa, Tekena opines, "the end of the cold war has witnessed an upsurge in intra- state conflicts in Africa with very low incidence of inter-state conflicts."[50] Consequently, the empirical domain of the democratic peace theory shifted into domestic environment of states and found adherents in statesmen and scholars who began to apply it to happenings within states. For example, Olu-Adeyemi, applying it to the study of the impact of political liberalization and democratization on ethnic conflict in Nigeria, posits, "I strongly felt that the theory (democratic peace theory) can still be reasonably applied to the internal workings of democratic states. For instance, a state's inward dispositions will definitely reflect on its outward behaviour; thus, if it democratic by content and character, the democratic peace theory should be adequate to capture the relationships within its borders."[51]

The 2001 Supplementary Protocol on Democracy and Good Governance in the Shadow of Democratic Peace Paradigm

The process leading to the signing of the Supplementary Protocol on Democracy and Good Governance by West African leaders under the auspices of ECOWAS, in Dakar, Senegal, on 21 December, 2001, could, in its remote origin, be traced to the late 1980s and early 1990s, when the fear of state implosion, following years of genocidal conflicts, in the Mano region, gripped the governments of the sub-region. It would be recalled that when the sub-regional

outfit, which later became the vanguard of peace-keeping, was established in Lagos, in May, 1975, its mandate and objective, as stipulated in Article 2 (1) of the treaty establishing it was to,

> promote co-operation and development in all fields of economic activity particularly in the fields of industry, transport, telecommunication, energy, agriculture, natural resources, commerce, monetary and financial questions and in social and cultural matters for the purpose of raising the standard of living of its peoples, of increasing and maintaining economic stability, of fostering closer relations among its members and of contributing to the progress and development of the African continent.[52]

Aside from this core mandate and other technical issues defined in the treaty, there is no section of the treaty where peace-keeping was mentioned. Put differently, ECOWAS was purely a regional integrative framework not cut for peace-keeping. As rightly remarks by Frempong, "none of the sixty-five articles of the 1975 ECOWAS treaty signed in Lagos contained any provisions of issues related to security or democratic governance."[53] Even the two regional collective security frameworks— the Protocol on Non-Aggression and Assistance in Defence (ANAD) adopted in 1979 and 1981, respectively—only took into consideration the likelihood of external aggression against member states.[54] They never envisaged the magnitude of violence that befell Liberia and Sierra Leone, in the 1990s. Indeed, a body of rich literature already exist on the wars in the two countries as such does not warrant exclusive details here.[55]

The quest for durable peace in the sub-region as well as the imperatives of preventing states that had the prospects of following the Liberian and Sierra Leonean routes, from descending into crisis, appeared to have driven the passions of the sub-region's leaders into the emerging global discourse on peace and security. Anchored on the popular aphorism "prevention is better than cure," the new paradigm, it must be stressed, erected on democratic theoretical platform, was viewed as a pre-condition for peaceful co-existence among groups within nations. Interestingly,

this new thinking set the stage for the emergence of the issues of democracy, human rights and governance, at the core of regional discourse.

Specifically, as remarked earlier, it prepared ground for the emergence of the Declaration of Political Principles, signed by the sub-region's leaders, on July 6, 1991, at the fourteenth Session of the Authority of Heads of State and Government, in Abuja, Nigeria.[56] In the preamble to the Protocol, ECOWAS leaders pledged to ensure a stable and secure political environment for the people to live in freedom under law.[57] They also promised to pool together their efforts to promote democracy in the region on the basis of political pluralism and respect for the fundamental human rights.[58] Further, they promised to respect human rights and freedoms in all their plenitude.[59]

Interestingly, similar trajectories were followed in subsequent Protocols—the 1999 Mechanisms for the Prevention, Management and Resolution of Conflicts and the 2001 Supplementary Protocol on Democracy and Good Governance. Here, it has to be stated that the 1999 Mechanisms, adopted and signed in Lome, Togo, on December 1999, was first major attempt at institutionalizing the sub-region's peace and security architecture. Beyond this, leaders re-affirmed their commitment to the 1991 Principles and also pledged their commitments to the promotion and consolidation of a democratic government and institutions in each Member State.[60] Innovatively, Article 25 (b) empowered ECOWAS leaders to apply the Mechanism in the event of the overthrow or attempted overthrow of a democratically elected government.[61]

The 2001 Supplementary Protocol on Democracy and Good Governance (A/SP1/12/01)[62] adopted and signed on 21 December, 2010, in Dakar, Senegal, in term of scope, is perhaps, the sub-region's most comprehensive democracy cum governance related instruments. The Protocol, it is believed, if domesticated and implemented by the member states, would not only lay the

foundation for a democratic sub-region but would contribute to achieving sustainable peace and development. Specifically, it has three Chapters and fifty Articles. Chapter One deals with the general principles, elections, elections monitoring, the role of Armed Forces, Police, and other security forces in democracy, poverty alleviation and promotion of social dialogue, education, culture and religion, rule of law, human rights, and good governance. Chapter Two of the Protocol dwells on modalities for implementation and sanction. The third Chapter focuses on other relevant clauses like amendments, withdrawal, ratification, and entry into force of the Protocol.

The principles outlined in the Protocol, given the continent's developmental challenges, are ambitious. These include values bordering on separation of power, free elections, constitutionalism, civil control of the military, and administrative decentralization, among others.[63] To be sure, the provisions of the protocol were expected having been domesticated and operationalized by state parties, to be the spring board for institutionalizing liberal peace within states. At this juncture, a question is apt: how far have these states journeyed in this project? Before answering, it is imperative to put the political of the sub-region in perspective. It is worthy note that prior to the arrival of the 1999 Mechanism, the regime political landscape of the sub-region, like other parts of the continent, for decades, was in a bad shape, characterized by all genres of political instabilities, arising from authoritarian exercise of power.[64]

It will be recalled that, in 1960, a new chapter was opened in Africa's political history as seventeen countries, majority of which were in West Africa, were ushered into multi-party democracies, as independent entities, via electoral processes supervised by the departing colonial regimes.[65] With the new order, there was much optimism that the new political order would incubate a culture of peaceful and democratic change of government. By the time the first set of elections were held in these countries, people's expectations of democratic deepening were dashed

as some of the tendencies that had long been suppressed by the colonial masters, while they reigned, resurfaced.[66] What emerged, in these countries, during this time was an illiberal electoral environment in which the incumbent regimes, manipulated the electoral processes, by deploying states' institutions and other resources, to remain in power at all cost.

This democratic aberration, however, generated counter measures as the opposition groups, in almost equal measures, equally deployed the resources at their disposal to wrestle power from the incumbent regimes. Consequently, elections, the periodic festivals of democracy, at all levels of the polities assumed the character of warfare in which all instruments were fair.[67] Interestingly, the evolving environment appeared to have given the incumbent regimes, whose powers were under threats by the oppositions, limitless opportunities, under the guise of promoting national integration and curtailing the divisiveness that multi-party electoral competition has wrought on their countries, to guillotine the oppositions and institutionalize one-party regimes. Thus, across the post-colonial divides, West African leaders and their counterparts in other parts of the continent, that had been popularly elected through multi-party political frameworks, assumed the coronation robe of Louis XIV and personified their states, all in the name of nation-building.

Even where the oppositions could not be completely subdued by the incumbents, as were cases in Ghana, Nigeria, Benin, and Togo, the electoral "warfare" became so intense that the specialists in the management of violence—the military—had to step in to save these nations from slipping into political implosion.[68] Consequently, military coups and counter-coups became recurring phenomena in the sub region and thus, for three decades, except in Senegal, the vast swaths of the sub region's governance spaces were ruled by one forms of military regime or the other. Although, these coups cut across all regions, they were of greater percentage in the West African sub-region. Indeed, as noted by Edi, "in 1985, 11 of the 16 West African countries had

military regimes."[69] While such regimes lasted, democracy and other appurtenances associated with it were tactically in retreat and in abeyance.

However, by the late 1980s, the divine right and other forms of undemocratic legitimization that had been deployed for almost two decades to rationalize authoritarianism came under severe attacks from pro-democracy movements that demanded the democratization of the political and governance spaces.[70] These developments generated significant pressures on these authoritarian regimes and pushed them on the path of reforms that culminated in different forms of liberal democratic transitions.[71] Benin (formerly Dahomey) led the way in the emerging order, when the strong man, Mathieu Kerekou, a long-serving military dictator, conceded to multi-party electoral process and subsequently lost.[72] Similar transitions from one-man autocracy to constitutional democracy—though not in nearly as dramatic or as quick a fashion as Benin's— took place across Africa over the course of the 1990s.[73]

Contradictorily, this wind of change only succeeded in producing civilianized presidents, in the sub-region, in which long standing military rulers, under controversial circumstances, won elections that they supervised.[74] Interestingly, during this period, while second elections were held in Ghana, Benin, and Mali, there were military putsches in Nigeria (1993), Gambia (1994), Niger (1996), Sierra Leone (1996,1997), and Cote d'Ivorie (1999), all which reversed the modest gains achieved few years earlier following the adoption of the Political Principle in 1991.[75]

Instructively, the military putsch in Cote D' Ivorie in December 1999 seemed to have marked a turning point in the sub-region's efforts at stemming unconstitutional change of government. Indeed, the coup in Cote D' Ivorie provided an opportunity for ECOWAS hierarchy to test Article 25 (b) of the 1999 Mechanism. Unfortunately, an opportunity of making an example of Cote D' Ivorie was lost as ECOWAS through its Mediation and Security Council

(MSC) rather than invoking the expulsion provision in the Mechanism only condemned the coup and consequently accepted the development as a silent revolution in Cote D' Ivorie.[76]

Paradoxically, as Cote D' Ivorie descended into chaos following a poorly managed transition by the beneficiary of the coup, Ghana and Senegal were making democratic gains, as power alternated from one democratic regime to the other. These two events appeared to have given impetus to the process that spurred the arrival of the Supplementary Protocol.

It has to be stressed that, in addressing the violation of some of the provisions of the 2001 Supplementary Protocol, ECOWAS institutions, like under the previous order, still adopted diplomatic means. For example, in Guinea Bissau and Togo respectively, when there were clear violations of the two countries' constitutions by the military, ECOWAS, rather than adopting coercive diplomacy, adopted mediation mechanism to settle the constitutional crisis. In the former, it negotiated a safe exit for President Kumba Yula with the support of the junta to institute an interim national government. In the Togolese case, it persuaded the military to respect the constitutional provisions regarding the succession to the country's presidency.[77] It would be recalled that upon the death of President Gnassingbe Eyadema, in January 2005, the military rather than allowing the Speaker of the Parliament, to emerge as the acting President for sixty days, in order to conduct fresh election, in line with the country's constitution, installed Faure Eyadema, the son of the late president as the new Speaker. Not only that, the same institution pressured the Parliament to amend the constitution in order to pave way for the new Speaker, to the complete the unfinished tenure of the late President.[78]

If the ECOWAS institutions may have partially succeeded, at least, marginally, in managing crisis within member states, even though, not in full compliance with the texts of the Protocol, what about state parties in their internal political practices? Although, it might be unfair

to make a sweeping generalization about countries in the sub-region with regard to their internal democratic practice, as a relative minority among them, relatively, might have made significant progress in deepening democracy and by extension, nurturing stability[79] but generally, the practices of democracy, symbolize illiberalism. It then thus implies that their declarations at the Lome Summit, where the Protocol was adopted was a mere rhetoric borne out of calculated design to impress the donor community.[80] To stress this point, it took over three years for these countries, except for Ghana, Guinea, and Mali, to ratify the Protocol.[81] Beyond this, there have been in these countries, though in different degrees, documented cases of infractions—human rights abuses, executive lawlessness, press censorships, electoral manipulation, and exclusionary practices; all of which tend to threaten peace not only within the countries concerned but the entire sub region.[82] For example, tenure elongation of incumbent presidents beyond constitutional mandated two terms, that started in 2001, when the Guinean President, Lansana Conte, stage-managed a referendum that extended his tenure beyond two terms, has spread to other countries[83]—Togo (2002), Burkina Faso (2008), and Gambia (2009). Its spread continues, as the 2013 and 2015 episodes in Senegal and Togo clearly suggest.

Notwithstanding all these, one sector in which the antithesis in the practice of liberal democracy has been more manifest, in the sub-region, is in the electoral processes. Indeed, the situation appeared so grave that many observers of contemporary African politics, even doubt, if elections could, ever, be mechanism for power transitions in West Africa and beyond.[84] Every stage of the electoral cycle, especially when the incumbent President is an interested party, as was the case in the early period of independence, is usually characterized by electoral fraud and massive violence perpetuated by the incumbents against the oppositions. Most times, such state of affairs often threatens the positive peace of the countries concerned. For example, the violence

that characterized the 2010 presidential election in Cote D' Ivorie was so massive that the international community has to intervene to save the country from implosion.

Even, where the pre-election process was not marked by violence, there were still, given the illiberal environments in which elections are held in Africa, high expectations of monumental violence that may arise from incumbents' manipulations of the electoral process in order to hang on to power. An ECA report in 2009 notes that, "the quality of elections remains suspect in manycountries. Often they are less a peaceful means of transferring power than a trigger of conflict."[85] In the run to the 2015 presidential election in Nigeria, the two leading contestants for the presidency, the incumbent, Dr. Goodluck Jonathan and Alhaji Muhammadu Buhari, had to be persuaded by international peace-builders to sign undertaken committing themselves to peaceful elections.[86]

The point is that, even though, these countries might have been influenced by the aspect of liberal democratic discourse that relates to multi-partyism, free, fair, and competitive elections, based on universal adult suffrage and basic civil and political freedoms but its electoral maps, contours and directions are, in reality, are still reflective of the illiberal democracies.[87] To be sure, electoral processes, in many of the countries, rather than moving in progressive directions, still mimic the authoritarian practices of the past. In a greater percentage of them, incumbent regimes, deploying states' resources, do not only still harass, torment, intimidate perceived or real opposition elements but manipulate the electoral processes to secure strategic advantages at the expense of democratic consolidation.[88]

From the foregoing discussion, it might be posited that the region is struggling on the path of democratization. According to Mimiko, democratization is a dynamic in the political system that is moving the institutional and procedural features of such system closer to the

condition of democracy.[89] In real terms, what seem to have been entrenched institutionally in the sub-region are illiberal regimes of all genres. According to Hague and Harrop,

> Illiberal democracy is based on powerful leader rather than strong institutions. In this respect, the format resembles authoritarian rule more than liberal democracy. Rather than serving as a representative agent, the president-or, less often, prime minister-plays the part of personal ruler, taking care of people's needs and claiming their respect, deference and support in exchange. Having elected a saviour, the voters are expected to cheer from the stands, only entering the political field at their own risk.[90]

Reinforcing the above contention with reference to sub-Sahara Africa, Herbst is of the view that, "it is wrong to conclude that African states are travelling between democracy and authoritarianism simply because majority of them belong to neither category. Rather the current condition of African states could well prevail for decades."[91] Seen in these contexts, democratization might be posited to be in abeyance in the sub region.[92] Suttner has posited that, "whether democracy is consolidated depends also on the extension and deepening of democracy, the involvement of people in politics during and between elections, the viability of participatory democracy and the existence of autonomous organizations of civil society, organs of direct democracy."[93]

What could clearly be gleaned from the foregoing is that liberal democracy imposed on Africa countries, ECOWAS countries inclusive, in decades of practice, generated its own antithesis. It has produced an outcome that is neither, as Herbst described it, neither democratic nor authoritarian. Specifically, liberal democracy, in badly divided societies, because of its inadaptability, has generated much antimony that has even threatened to bring some countries down. This model of democracy, according to Ake, offers African rights they cannot exercise, voting that never amounts to choosing, freedom which is patently spurious, and political equality

which distinguishes highly unequal power relations.[94]Ironically, this framework was accepted by West African governments and has been replicated in Protocols.

Conclusion

There is no doubt that democracy, in its classical, deliberative and popular sense is a *sine qua non* for peaceful co-existence among individuals and groups within and between communities. However, unfortunately, this is not the model of democracy that has been globalized to the Third World countries. Incidentally, it was this model of democracy—the liberal Schumpeterian variant that was favoured and adopted by West African statesmen, through the 2001 Supplementary Protocol on Democracy. As revealed in this study, this model of democracy, codified in majority of provisions of the Supplementary Protocol, rather than deepening democracy and by implication, nurtures peaceful co-existence among citizens, has incubated illiberalism and other antinomies that have worked to subvert the integrity of states in the sub-region. The conclusion is that beyond West Africa's leaders' rhetoric and predilection with liberal democracy to satisfy their patrons, what the sub-region and its people need is a model of democracy that guarantees inclusiveness and popular participation in development.

ENDNOTES

Immanuel Kant, *Perpetual Peace,* New York, Liberal Art Press 1957; Michael Doyle, 'Kant, Liberal Legacies and Foreign affairs' *Philosophy and Public affairs,*1983, 12(3).

[2] See Rudolf Rummel, 'Libertarian Proposition on Violence between and within Nations' *Journal of Conflict Resolution*, 29, September, 1985, 419-455.

[3] Boutros, Boutros-Ghali, *An Agenda for Peace*, New York: UN Department of Public Information, 1992.

[4] Boutros, Boutros-Ghali, *Supplement to an Agenda for Peace*, UN Department of Public Information, 1992.

[5] See Candice Moore, *Democratic Governance and Peace: Two Sides of the Same Coin?* CPS Policy Brief, Centre for Policy Studies, Johannesburg, South Africa, 2003.

[6] Thomas Carothers, *Aiding Democracy Abroad: The Learning to Curve*, New York, Carnegie Endowment for   International Peace, 1999.

[7] Timothy Sisk 'Democracy and Conflict Management' in G Burgess and H. Burgess (eds) *Beyond Intractability,* Colorado, Conflict Research Consortium, 2003.

[8] On the European experience, see John Pinder, *European Community: The Building of a Union,* New York, Oxford University Press, 1986.

[9] Kampala Document, http://www.africaleadership.org/rc/the%20kampala%20document.pdf.

[10] Alexander Frempong, *Monitoring Democratic Governance within ECOWAS: The Theory and Practice*, 2009, pp. 124-5.

[1] The 2001 Protocol or Dakar Protocol-A/SP1/12/01- as its title suggests is a supplement to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security signed in Lome on 10 December 1999.

[2] A. Rubin, and E. Babbie, 1989,   *Research Methods for Social Works*, Belmont California, Wadsworth, 1989, p.12

[3] Nathaniel Danjibo, 'Can Federal Democracy Manage Identity Conflicts in Nigeria' in I. O Albert and I.O. Oloyede (eds) *Dynamics of Peace Processes,* Ibadan/Ilorin:John Archers/CPSS, 2010, p.52.

[4] Adams Przeworski, et al, *Democracy and Development: Political Institutions and Well Being in the World,* 1950-1990, Cambridge: Cambridge University Press, 2000.

[5] A. Weale, Democracy, London, Macmillan, 1999, p.19.

[16] In the Athenian model, all was to rule each and each in his turn over others. See Samuel Finer, *The History of Government from the earliest Times*, Oxford and New York, Oxford University Press, p.371.

[7] Quoted in Weale, p.24.

[8] Ibid, p.25.

[19] Jorgen Habermas, *Légitimation Crisis*, Boston, MA: Beacon, 1975.

[20] J. Cohen 'Deliberation and Democratic Legitimacy' in J. Bohman and W. Rehg eds, *Deliberative Democracy: Essays on Reason and Politics,* Cambridge: MA: MIT Press.

[21] I. Budge, *The New Challenge of Direct Democracy*, Cambridge: Polity Press, 1996.

[22] Amy Guttmann and Dennis Thompson,   *Why deliberative democracy?* Princeton, NY: Princeton University, 2004, p.7.

[23] Jack Walker, 'A Critique of The Elite Theory of Democracy', *American Political Science Review*, 60, June 1966, p.286.

[24] Joseph Schumpeter, *Capitalism, Socialism and Democracy*, London: Allen & Unwin, 1952.

[25] Ibid.

[26] Robert Dahl, *Preface to Democratic Theory*, Chicago: Phoenix, 1963.

[27] F. O'Gorman, *Edmund Burke: His Philosophy*, Bloomington/ London, Indiana University Press, 1973.

[28] J.D Wolfe, 'A Defence of Participatory Democracy', *The Review of Politics,* Vol. 47, 1971.

[29] P. Schmiltter and T. Karl, 'What liberal democracy is and not? *Journal of Democracy*, Vol. 2, 1986.

[30] R. Hague and M. Harrop, *Comparative Government and Politics: An Introduction*, New York: Palgrave Macmillan, 2007, p.49.

[31] Weale, op cit, p.167.

[32] See D. Beetham, 'Freedom as the Foundation' *Journal of Democracy*, 15, 2004, p.61-65.

[33] David Held, *Models of Democracy,* Cambridge, Polity, 2006.

[34] Danjibo, op cit, p. 52.

[35] O. Richmond, *The Transformation of Peace*, New York, Palgrave Macmillan, p.183.

[36] Raymond Aron, *Peace and War*, New York: Doubleday, 1966.

[37] Quincy Wright, *A Study of War*, Chicago: University of Chicago Press,1964.

[38] Raymond Aron, op cit.

[39] O. Ibeanu, ' Conceptualizing Peace' in S.G Best ed, *Introduction to Peace and Conflict Studies in West Africa,* Ibadan, Spectrum Books,2005.

[40] Johan Galtung, 'Twenty-Five Years of Peace Research: Ten Challenges and Responses." *Journal of Peace Research,* 1985, 22: 141–158.

[41] Ibid.

[42] This concept is attributed to Kenneth Boulding; See his *Stable Peace*, Austin: University of Texas Press, 1978.

[43] See Michael Doyle, 'Kant, Liberal Legacies and Foreign Affairs' *op cit;* Michael Doyle, 'Liberalism and World Politics', in Charles Kegley Jr. ed., *Controversies In International Relations Theory: Realism and The Neoliberal Challenge,* New York Martins, 1995; J.S Levy, Domestic Politics and War' *Journal of Interdisciplinary History*, 1988,18(4).

[44] On this point see, Bertrand Russet, *Grasping the Democratic Peace: Principles for a Post-Cold War World,* Princeton, Princeton University Press, 1993.

[45] Alex Bellamy, Paul Williams & Stuart Griffin, *Understanding Peacekeeping,* Cambridge, Polity Press, 2008, pp.30-32.

[46] J.M Owen, How Liberalism Produces Democratic Peace? *International Security,* 1994, 19(2), p.90.

[47] Ibid.

[48] See M. Kaldor and B. Vasher, eds, *Restructuring the Global Military Sector, Vol 1, New Wars,* London: Pinter, 1996; Also Kalyvas, S.N, " 'New' and 'Old' Civil War: A Valid Distinction", *World Politics*, 2001 54 (1), 1997.

[49] M. Kaldor, *New and Old Wars: Organized Violence n a Globalized Era,* Cambridge: Polity, 1999.

[50] T. Tekena, *Peace and Violence in Nigeria,* Ibadan: History Project, 1991, p.10.

[51] Lanre Olu-Adeyemi, op cit, p.505.

[52] Article 2, Treaty Establishing The Economic Community of West African States, Lagos, 1975

[53] Alexander Frempong, op cit, p.123.

54 Joseph Golwa, 'ECOWAS and Conflict Management in West Africa' in U. J Ogwu and W.O Alli, eds, *ECOWAS Milestones in Regional Integration*, Lagos: NIIA, 2008, p.278.

55 See among others Osisoma Nwolise, 'ECOMOG Peacekeeping Operation In Liberia: Efforts On Political Stability In West African Sub- Region', *Africa Review*, 1, 1 April, 1997; Festus Aboagye, *ECOMOG: A Sub Regional Experience in Conflict Resolution, Management and Peacekeeping in Liberia*, Accra: Sedco Enterprises, 1999; Maduabuchi Okeke, *ECOMOG and Conflict Resolution in West Africa: A Study of the Linkage between Economic Integration and Regional Security,* Unpublished PhD Thesis, Department of Political Science, University of Lagos, Lagos, 2008.

56 Declaration A/DCL.1/7/91 of Political Principles of the Economic Community of West African States, http://www.eods.eu/library/ECOWAS_Declaration%20of%20Political%20Principles%20of%20the%20Economic%20Community%20of%20West%20African%20States_1991_EN.pdf/.

57 Preamble, Ibid.

58 Article 4.

59 Ibid.

60 Article2,http://www.zifberlin.org/fileadmin/uploads/analyse/dokumente/ECOWAS_Protocol_ConflictPrevention.pdf/sed.

61 Article 25, Ibid.

62 The Protocol was really a supplement to the 1999 Mechanism for conflict prevention especially Chapter V. As stated in paragraph 12 of the 2001 Protocol, "HAVING OBSERVED that to become really effective, the Protocol of 10 December 1999 needs to be complemented through the incorporation of provisions concerning issues such as prevention of internal crises, democracy and good governance, the rule of law, and human rights (emphasis original)."

63 Supplementary Protocol on Democracy and Good Governance (A/SP1/12/01)

64 Ibid.

65 Ibid.

66 Ibid.

67 Martin Kilson, 'Authoritarian and Single-Party Tendencies in African Politics*', World Politics*, 1963, 15, p. 262.

68 Claude, Ake, *The Feasibility of Democracy in Africa,* Dakar: CODESRIA, 2000, p.6.

69 Eric, Edi, 'Pan-West Africanism and Political Instability in West Africa: Perspectives and Reflections', *Journal of Pan African Studies,* 2006, 1(3):7–37.

70 Victor Adetula, "Measuring Democracy and 'Good Governance' in Africa: A critique of assumptions and methods" in K. Kondlo & C. Ejiogu, eds, *Governance in the 21st Century: Africa in Focus* (South Africa: Human Sciences Research Council, HSRC, 2011, p.10.

71 See Michael Bratton and Nicholas van de Walle, *Democratic Experiments in Africa: Regime Transition in Comparative Perspective*, Cambridge: Cambridge University Press, 1997; Larry Diamond, *Developing Democracy towards Consolidation*, Baltimore, Johns Hopkins, 1999.

[72] B.A Magnusson, 'Testing Democracy in Benin: Experiments in Institutional Reform', in Richard Joseph Ed. *State, Conflict, and Democracy,* Trenton, African World Press, 1999, p.217.

[73] See K. Prempeh, 'Presidential Power in Comparative Perspective: The Puzzling Persistence of Imperial Presidency in Post-Authoritarian Africa', *Hastings Constitutional Law Quarterly, 2008* 35(4): 761-834.[74] D. N. Posner & D. J. Young '*The Institutionalization of Political Power in Africa'* Journal of Democracy, 2007, p. 131.

[75] Goran, Hyden, *African Politics in Comparative Perspective,* Cambridge and New York, Cambridge University Press, 2006, p.20.

[76] Freempong, op cit, p.132.

[77] Ibid.

[78] Ibid.

[79] Ghana and Benin appear to fall in this category.

[80] Hague and Harrop, op cit, p.52.

[81] Freempong, op cit, p.137.

[82] The illiberal rule perpetuated by Lansana Conteh before his death in December 2008 was generally believed to have incubated the succession crisis following his death. As Captain Dadis Mousa Camara, the leader of the junta that seized power, following Conteh's death, remarks in an interview, "the past 24 years of Conte's rule were characterized by scandalous practices and as a patriot, I could not stand to see my country continue to slide into hell." See Issaka Souare, "Explaining the December 2008 Coup D'état in Guinea," *Conflict Trends,* Issue 1, 2009, p.31.

[83] There were failed attempts in Nigeria in 2006 when the national legislature vetoed the proposal initiated by President Olusegun Obasanjo. In Niger, President Momodou Tandja, in 2009, equally attempted it but failed. This prompted him to dissolve the country's parliament on 29 May 2009.

[84] A. Agbaje, and S. Adejumobi, "Do Votes Count? The Travails of Electoral Politics in Nigeria," *Africa Development*, 2006, XXXI, no. 3, p.32.

[85] Economic Commission for Africa, *African Governance Report (AGR) II*. New York: Oxford University, 2009, p.3.

[86] Punch Newspaper, Lagos, January, 15, 2015.

[87] Freedom House, Freedom in the World, 2009, http://www.freedomhouse.org/uploads/fiw09/FIW09_OverviewEssay_Final.pdf.

[88] On illiberal democracy, see Fareed Zakaria, *The Future of Freedom: Illiberal Democracy at home and Abroad,* New York: Norton, 2003.

[89] Femi Mimiko, Crisis *and Contradictions in Nigeria's Democratization Programme*, 1986-1993, Akure: Stebak Printer, 1996, p.12.

[90] R. Hague and M. Harrop, op cit, p. 50-51.

[91] Jeffrey Herbst, 'Political Liberalization in Africa after Ten Years, *Comparative Politics,* 33, 2001, p.359.

[92] See *Neither Consolidation nor Fully Democratic: The Evolution of African Political Regimes, 1999–2008*, Afrobarometer Briefing Paper No. 67, May Afrobarometer Network, 2009, p.1.

[93] R. Suttner, 'Democratic transition and consolidation in the Republic of South Africa: Advice of the 'experts,' *Current Sociology* 52, September, 2004, p.769.

[94] C. Ake *Is Africa Democratizing?* Centre for Advanced Social Science, CASS, Monograph No. 5. Lagos: Malthouse Press, 1996, p.6.