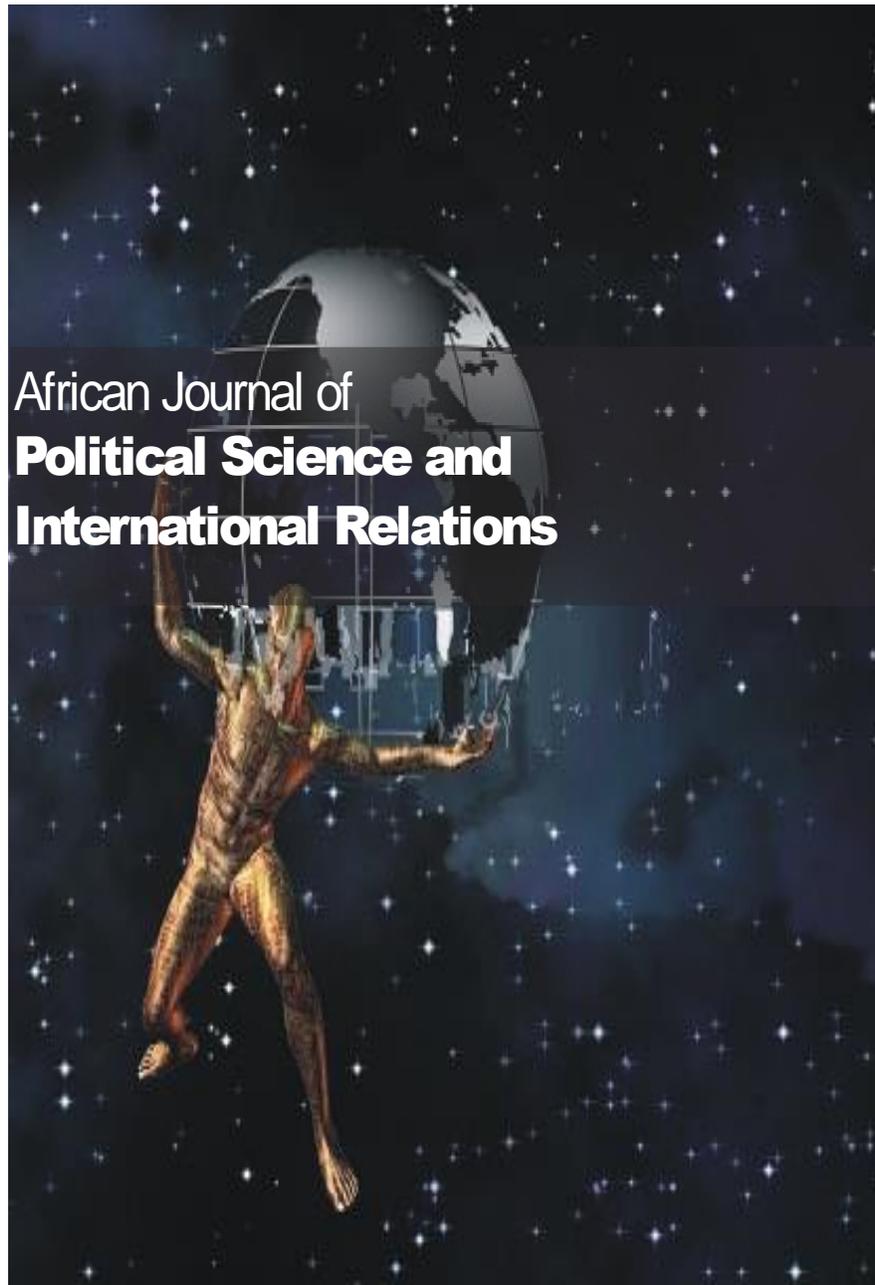


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*Full Length Research Paper*

# **The impact of China on the agency and negotiating power of African countries: Cases of Angola and Niger**

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**The recent surge in cooperation between China and African countries challenges the western aid model thus giving African countries a better leverage and negotiating power in their relation with the west. It is obvious that the Chinese presence in Africa is motivated by its economic and energy security agenda, which consist in securing natural resources to ensure security of supply and demand in its domestic market. This paper argues that the growing importance of China in Africa coupled with its unconventional aid model has increased its agency vis-à-vis western countries. The case study of Angola and Niger reveals that their bargaining power vis-à-vis the west has increased as a result of their relation with China. However, it is also important to point out that they do not have the same level of agency in regards to their relation with China: Angola derives a stronger bargaining power and is more assertive than Niger.**

**Key words:** African agency, Angola, Niger, China, Western countries, natural resources.

## **INTRODUCTION**

Many reasons drive African countries to engage with China. Chinese model of economic growth is one of these motives. As Moyo (2009) argues in *Dead Aid*, the presence of China can be perceived as a good asset for Africa's development. According to her, Africa should imitate Chinese model of economic development because it is pragmatic and growth oriented. Bräutigam (2010) argues that China bases its cooperation on infrastructure, productive activities and self-development whereas DAC members emphasized on social issues. This pragmatic relation with China could not only make African countries economic prosperous but will also more responsible as they are given agency over their own future development goals. As Fan Guijin, former Chinese

ambassador to Malawi argued, "no country in the world can develop itself through foreign aid ... To develop your economy is your job. You have to do it yourselves" (Masina, 2008). Former Senegalese president Abdoulaye Wade previously brought forth this point of view by stipulating "I've never seen a country develop itself through aid or credit. Countries that have developed — in Europe, America, Japan, Asian countries like Taiwan, Korea and Singapore — have all believed in free markets. There is no mystery there. Africa took the wrong road after independence" Onishi (2002).

Economic development being a major concern for the continent, many countries engage with China in order to learn from its model of economic development (Mehari,

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2019). Also, China's aid system which is pragmatic and based on commercial activities is what attracts African countries. Chinese aid takes the form of a FDI contrary to OECD/DAC countries' aid model, usually short of commercial loans and infrastructure projects. China offers package loans that include investment by Chinese companies, infrastructures building, concessional loans, debts reliefs, project investment, training and technical assistance (De Haan A., 2010). Political and Economic conditions experienced by African countries could also explain their move towards China. Indeed, the failure of the Structural Adjustment Policies designed by the IMF in the 1980s and 1990s, engendered a deleterious political and economic atmosphere in which many African politicians and leaders needed a new source of financial support. Therefore, China became popular because of its ability to negotiate quick transactions and it does not relinquish to offer aid to these countries considered corrupted and non-respectful or human right abuses (Mahoney, 2010). China's policy of non-interference and its emphasis on trade and economic relation is welcomed by African countries who see in him a partner engaged in a win-win relationship. Contrary to the west, China does not try to lecture African countries but rather consider them as partners engaged for mutual benefits. Also, due to its willingness to invest in the domestic economy of the recipient countries, China is preferred to western donors whose policies are based on promoting transparency, democracy, human rights, etc. In addition, these policies and institutions do not necessarily translate into economic growth. As former president of Africa Jacob Zuma argues, "as long as economic development on the continent doesn't improve, democracy cannot become well established. People who are hungry aren't interested in listening to fine speeches." (Vollgraaff, 2010). Many recipients prefer the Chinese model because it is pragmatic and helps to solve their imminent questions of economic growth (Moyo, 2009) and their need for basic infrastructures to sustain their development and pragmatic assistance. Last but not least, Chinese aid model has the propensity to go along the aspirations of these recipients and does not undermine their needs for sovereignty contrary to western aid which usually interferes in their domestic affairs (Dambisa Moyo, 2009). In this vein, China has succeeded in courting recipient African countries and is now considered a "recipient darling" in Africa. However, this relation is mostly oriented towards extractive industries leading many people to consider it non-sustainable. However, the extractive industry amounts only to 1/3 of Chinese total investment in Africa, and the remaining 2/3 being found in infrastructure, construction, electricity production, manufacturing and finance (Mehari, 2019). It is also interesting to point out that China's investment in the mining sector in Africa is lower than the United States and other developed countries (Mehari, 2019). Historically under the yoke of western colonialism and

imperialism by the end of the nineteenth century, the destiny of Africa has always been decided by external actors even after their independence in the 1960s. The influence of these external actors on the political economy of Africans countries has placed them in a weak position, leaving their destiny at the hands of these external actors.

Africa itself has always been described and analyzed from the viewpoint of these external actors with few or no accounts of its internal perspectives and its capacity to be an assertive partner. The narrative on Africa is usually that of a continent of chaos, along with the tropes of violence, underdevelopment, poverty, and dependence on external capitalism. In the international arena, Africa has always played the position of a passive agent, holding a weaker position in its relation with developed and much established powers. The continent has always been the passive subject of external actors, usually depending on their insights and conceptions of the world. During the 2000s, a decade after the end of the cold war, the world structure has shifted from unipolar after the end of cold war to multipolar, with the emergence of new economic powers in the peripheral world. The increased cooperation with these emerging powers such as China, India, and Brazil has led many African countries to economic prosperity and integration in the world economy. This cooperation also constituted an alternative partnership which could lead to the increased assertiveness of African countries vis-à-vis western powers.

This research explores agency in the domain of international relations from the perspectives of African countries. It goes along studies previously done by Clapham (1996), Bayart (1993), Brown and Harman (2013) on the assertiveness of countries in the developing world such as the African continent. Throughout this research our objective will be to see how this part of the world often called the periphery is being assertive in its engagement with both China and western countries.

## THEORETICAL ANALYSIS

The agent versus structure problem has always instigated lots of debates and disputes in the domain of social sciences. These debates have presented the two concepts in the dichotomous setting of "individual and society," "action and structure," "individualism and holism," "voluntarism and determinism", subjectivism and objectivism" (Carlsnaes, 1992). The central issue of the debate evolves around who has primacy over the other, in other words can activeness and free choice be purported to the agent or is it conditioned by the structure?

The first dimension of the agent-structure debate presents the agent as interpretative, purpose oriented, while the structure is described as enabling but also

constraining and regulating the scope of the agent (Alexander, 1988). The agent is seen as the primary source of social order, liberty of choice and considered as the ultimate determinant of the structure. As Karl Popper eloquently illustrates “all social phenomena, and especially the functioning of all social institutions, should always be understood as resulting from the decisions, actions, attitudes, etc. of human individuals. We should never be satisfied by an explanation in terms of so-called 'collectives'" (Popper, 1966). The second dimension of the debate perceives the structure as the primary source of social order and describes action as the objective pursuit of interests. The relationship between agency and structure is tendered in terms of some form of structural determination in which individual action is conceived as a function of social order. That is, the individual acts and behaves according to the norms prescribed by the structure, meaning that the structure defines the individual. From this perspective, the structure restricts the capability of the agent to freely act and purposefully project itself.

Perry Anderson, defines agency from the three dimensional perspectives of routine conduct, public initiatives and self-determination. The first type of agency can be defined by the ‘pursuit of private goals, cultivation of a plot, choice of a marriage, exercise of a skill, maintenance of a home, bestowal of a name’. The second form of agency is manifested through existing social relations such as ventures in public goals which include activities as ‘political struggles, military conflicts, diplomatic transactions, commercial explorations’. The third type of agency involves the collective pursuit of social transformation by agents. Examples of these social transformations could be the American and French revolutions.

In International politics, Agency is commonly defined as the ability for the agent to exert power over the structure (Buzan et al., 1993 cited in Wight 1999; Wight, 1999; Brown and Harman, 2013). It describes the ability for the agent to act independently of any external coercion, which brings to our mind the notions of free choice and free will (Barker, 2005). Agency relates to the ideas of power and assertiveness of the individual endowed with the ability to impose his/her will with regard to circumstances and situations affecting his/her own life (Cohen, 2017).

Negotiating power is defined as the ability to exert influence in a negotiation. It describes a person’s position in a particular negotiation as compared to his counterparts. The concept of negotiating power is assessed by how much it costs each party engaged in a negotiation to reach an agreement. These costs usually affect how each side negotiates, meaning that people are better and stronger negotiators when they are nothing to lose. The concept of negotiating is related to different concepts that include: Best alternative to a negotiated agreement, which relates to the alternative choices and opportunities beyond the negotiation. For instance, a

person that has more than one alternative in a negotiation has more negotiation power because he can choose the alternative that best suits his interests.

Bargaining leverage refers to the level of authority parties engaged in negotiation exert on each other. This authority is manifested through punishment or reward. In a negotiation context a person that enjoys more authority will have more leverage than the one with no formal authority.

Information asymmetry describes a situation where a person engaged in negotiation has better information than his counterpart. This creates an imbalance of power, whereby the party having better information increases his negotiation power over the one having less information. Negotiation in the African context is founded on the respect of kinship relations, elder roles, and the structure of local society. In many countries in Africa, people are organized in extended families, village, lineage, and lineage groups. Elders have a strong impact on people’s lives and maintain social norms, and by their presence make the need of formal laws minimal. They are usually seen as a source of wisdom and knowledge and can sometimes have a strong impact on negotiation and when they intervene in negotiation, their words are respected. The important place played by elders in negotiation is highlighted by Amadou Hampaté Bâ, who famously stated “in Africa when an old man dies, a library has burned.” (Evans and Montaner, 2012) For instance in Nigeria, people are organized in extended families (nnu’), village (idu’ or obio), lineage (’duk), and lineage groups (iman) (Offiong, 1997). Negotiations are done through social networks under already prescribed roles. In some societies negotiation has for objective to restore social cohesion and individual difference are sacrificed in the interest of the group. In Africa, negotiation always aims to reach a positive outcome without “ a residue of bitterness or resentment” (Offiong, 1997).

In China, Guanxi refers to the idea of “gate” and “connection”, which means that “one must pass the gate to get connected to networks” (Cheng, 2007). It also describes the relationships and social connections based on mutual interests and benefits (Yang, 1994). From these perspectives, we could stipulate the concept of “guanxi” presents some similarities with that of kinship in Africa. Both practices emphasize respect and obedience towards elders as basis for social attitudes. However, guanxi is more about building a network of relationship with people from whom we expect favor and services. Also, reciprocity in guanxi is very important given that the people who gave us favor expect to be given favor in return.

### **African Agency: Increased negotiating power in the international arena**

African agency prevails in multilateral meetings such as

inter-governmental negotiations of the World Trade Organization (Lee, 2011), and the United Nations system (Zondi, 2011)<sup>1</sup>. It is also apparent in the context of bilateral relations between aid recipients and donor countries, in which case recipient countries in Africa, engage donors individually with the aim of negotiating a better deal. Also, regionally, through intra-regional organizations such as the African Union (founded in 2001), Africa has gained a continental and international presence (Zondi, 2011; Tiekou, 2011). The African Union, contrary to its predecessor, the Organization of African Unity (OAU), is playing an important role in multilateral organizations, in humanitarian and security issues. It is also taking an active role in conflict resolution in the continent through military interventions.

The growing assertiveness of Africa on the international sphere mainly stems from the change in the configuration of the international system which has as a consequence, the emergence of a “uni-multipolar hybrid” system characterized by an increased role played by new (alternative) economic powers from the developing world (Huntington and Broomley, 2009; Zondi, 2011). The possibility to have alternative partners has driven many African states to display a high level of assertiveness and diplomacy in their relation with traditional partners, especially in issues related to climate change, trade, aid disbursement, and intervention norms in the continent (Brown and Harman, 2013). John Dramani Mahama, the former president of Ghana argues in this vein that the emergence of countries such as China, India, and Brazil constitutes an alternative source of much needed investment for Africa and developing countries, which will not have to accept the prescriptions of traditional aid institutions<sup>1</sup>. This emergence of new poles of influences has led to a shift of political and economic powers, giving African states the opportunity to engage with new and unconventional donors who do not necessarily subscribe to the social, political and economic ideals of the west as they do not attempt to interfere in their internal issues. For instance, the cooperation between African countries and China (the main representative of these emerging powers) has enabled many countries in the continent to claim ownership of the development policies or resist policy injunctions from international institutions or even negotiate to obtain a better deal. From a theoretical perspective, the study of African agency means shying away from the rhetoric of Africa being seen as a victim of exploitation by its partners<sup>2</sup>, but rather apprehending it as an assertive and active agent capable of taking initiatives in order to protect its interests (Alden, 2007; Brautigam,

2009; Zhu, 2010; Kalu, 2012; Corkin, 2013; Mohan and Lampert, 2013; Lampert and Mohan, 2015)<sup>3</sup>. With the growing presence of China in Africa, many countries have learned to be very pragmatic and tactically play the “China Card” in order to solicit renewed interest from western countries (Campos and Vines, 2007; Corkin, 2008b; Corkin, 2013), or sometimes play the two sides against each other (Struye de Swielande, 2009).

However, it would be relevant to ask how this agency is manifested and whether all the countries on the continent enjoy the same level of agency in regards to their engagement with China and western countries.

In their research on the agency of African states, Whitfield and Fraser (2010) contended that recipient countries are influenced by internal structural conditions (Economic, ideological, political and institutional conditions) which have an impact on their decision-making while engaged in negotiation<sup>4</sup>.

For them, these structural conditions have a strong impact on the negotiating capital of recipient countries<sup>5</sup>. Referred to as the ever-changing elements that influence the players in negotiation, these conditions help to guide and define the recipient's preferences and strategies in a negotiation. Their study mainly highlights the fact that some countries enjoyed a high level of bargaining power while others could not leverage the same level of bargain in their engagement with western donors. Other scholars have looked into the African agency in the context of the Sino African relations. For instance, Kalu (2012) in her study of Chinese engagement with Nigeria argues that Nigeria and Nigerians are very active in their engagement with China and should not be seen as pawns of China. Her study shows the active participation of Nigeria and the impact this relation has on Nigerians in terms of business opportunities, access to affordable goods, and so forth. Africa through its institutions and states actors are motivated to engage with China for the sake of their interest such as obtaining financial support and infrastructure projects development. In their investigation of Angola's relation with China, Mohan and Lampert (2013) and also Corkin (2013) highlight the Angolan agency in dealing with China's investment and aid. Corkin (2013) gives an account of how the Angolan

1. In the United Nations negotiations on climate change, countries like South Africa, Sudan and Ethiopia have risen to prominence by acting as a block in order to safeguard their common interests (Zondi 2011; Hoste 2011; Chevallier 2011).

2. Afrique Chine.Net (10 April,2012), L'Afrique se tourne vers la Chine pour son financement, retrieved from <http://www.afriquechine.net/fr/2012/1+afrique+se+tourne+vers+la+chine+pour+son+financement.php>

3. With the emergence of China as the new partner in Africa, studies and researches on Africa's relation with China usually emphasize on the continent being determined by Chinese imperialism and neo-colonialism.

4. These researches mainly focus on the assertiveness of Africa negotiating with China in order to get the best bargain in accordance with their interests. For more information on aid ownership and recipient authority over policies; see Van de Walle and Johnson (1996), Killick (1998), Karshenas, M. (2000), Booth (2003) and Koeberle et al. (2005), Easterly (2006), Booth, (2011). These Studies have focused on recipient ownership and encouraged Home grown policies in the detriment of externally imposed ones. We understand ownership as the authority recipient countries have on the implementation of their own policies without any foreign intervention.

5. Structural conditions are understood as the “ever changing global and national economic, political, ideological, and institutional contexts in which donors and recipients define their preferences and select their strategies” (Whitfield, L., & Fraser, A., 2010:346).

government manages Chinese credit lines and how it engages China to gain the most advantage in their partnership. Mohan and Lampert (2013), for their part, look at the strategies used by the Angolan state to negotiate Chinese investment projects and also how social actors in Ghana and Nigeria have managed to gain benefit from the presence of Chinese migrants. For Odoom (2013), Ghana's cooperation with China has helped to address its infrastructure needs and develop its infant industries, that is, the oil and gas sector which are less developed. This agency is not only visible at the state level, but it also manifests itself at the micro level where local social actors voice their disagreement against competition from Chinese traders and miners. Therefore, contrary to the opinion put forth by the mainstream literature on China-Africa relations, African countries are aware of their interests and very assertive in their engagement with China as shown in the examples of Ghana, Nigeria and many other countries.

However, how this agency is leveraged and whether all African countries have the same level of agency remain interesting questions to ask. In order to investigate these questions, we will look into the agency used by Angola and Niger in their relation with China and traditional donors. Through the case study of these two African countries, we will specifically investigate how they display their bargaining power against the backdrop of Chinese and western competition. The rationale behind our choice of these two countries stems from their geographical differences and also their difference in terms of natural resources endowment. Angola, a country in southern Africa, is rich in natural resources such as minerals and petroleum reserves, while Niger, a country in western Africa has fewer natural resources and is usually ranked among the poorest countries in Africa. The study of these two countries will give insight of how countries with differing resource wealth bargain with China and the west.

It is obvious that China's engagement within Africa is motivated by the need for natural resources and also to gain access to consumer markets in the continent. China's presence in Africa is portrayed as an exploitative and imperialist power who swindles African countries out of their natural resources to nurture its growing economy. Concurrently, African countries are usually described as helpless victims of Chinese imperialism and exploitation. China usually responds to these accusations by stressing out the positive aspects of cooperation with African countries.

As China's former ambassador to South Africa Liu Guijin stressed out, the exchanges between China and Africa are far from being idealistic as they are not with other partners such as the European Union and the United States<sup>6</sup>. Prior to his statement, then Chinese-

premier Wen Jia Bao stipulated that "China had selflessly assisted Africa when itself was the poorest. We did not exploit one single drop of oil or extract one single ton of minerals out of Africa.<sup>7</sup>". We suggest the multilateral cooperation or negotiation among African countries, the West and China is needed in the future.

## METHODOLOGY

We use a qualitative case study approach to analyze our data. This study is primarily based on the analysis and the interpretation of the content of these sources and documentations. Throughout this paper, we will make use of multiple sources of information involving the interpretation of both primary (documents, joint statements, contracts) and secondary sources (articles, working papers, books). Major sources for data collection will include newspapers, the publications of the FOCAC, Ministries of Foreign Affairs of China and different African recipients, Government Agencies, opinions of government officials, businessmen and politicians.

We use a case study method to answer to our research question and gain insight of the implications of Chinese foreign aid in Angola and Niger. Our choice of a case study based on the fact that it allows researchers to do an in-depth understanding of a particular phenomenon (Cresswell, 2007). This perspective of the case study is also shared by Bell who stipulated that "a case study approach is particularly appropriate for individual researchers because it gives an opportunity for one aspect of a problem to be studied in some depth within a limited time scale" (Bell, 1999). Therefore, through a case study, this research will look into the agency of Angola and Niger in their relation with China and the West. We chose these countries because they have different level of resource wealth. Angola is rich in natural resources, but Niger is relatively poor and is ranked as one of the poorest countries in Africa. In terms of natural resource endowment, Niger is rich in uranium, and recently oil has been discovered in south-central city of Zinder. Through these cases we will attempt to investigate Chinese relation within two countries different in many terms. Last but not least, our study will also examine the strategies adopted by these countries in their use of China as a bargaining power against traditional donors.

## Case studies of Angola and Niger

In terms of their similarities, Angola and Niger are both located in Sub-Saharan Africa, have experienced of western colonialization in the past, and have increased relation with China. As regards to their dissimilarities, Angola which is a former Portuguese colony is located in Southwestern Africa and bordered by the Atlantic Ocean, whereas Niger is a landlocked country located in western Africa, and a former French colony.

From a political economic perspective, Angola has endured a protracted civil war that lasted for 27 years whereas Niger has relatively been politically stable and has not any experienced civil war since its independence in 1960. From an economic perspective, Angola with its vast natural resources is one of the fastest growing economies in Africa while Niger is ranked among the

6. The term negotiating capital is defined as "the leverage that a negotiator is able to derive from these structural conditions" (Whitfield, L., & Fraser, A.; 2010:347).

7. Speech by Ambassador Liu Guijin at the seminar on China-Africa Relations held by ISS (2004, November 15). Retrieved from <https://www.fmprc.gov.cn/zflt/eng/zt/yhjl/t170116.htm>



Figure 1. Map of Angola.

poorest countries in the region. Niger does not possess as much natural resources as Angola (first supplier of oil to China) its political support for the 'One China' policy and its strategic support in global-level forums such as the United Nations, the World Trade Organization is of valuable importance for China. Add to that, Niger is rich in uranium and the recent discovery of oil in the country makes it a non-negligible partner for China. For both countries, China is an attractive source of investment, and as an alternative source of aid, it contributes to the increase of their bargaining power vis-à-vis western donors.

#### **Angolan agency: China as an alternative and bargaining partner**

Angola is a lusophone country located in southwestern Africa. It shares borders with Namibia to the south, the Democratic Republic of the Congo to the north, Zambia to the east, and the Atlantic Ocean to the west (Figure 1). With an area of 1.25 sq. km (481,354 sq. miles) Angola has a population of 29 million. In addition to Portuguese which is the official language, three other major languages are spoken: Umbundu, Kimbundu and Kikongo.

Despite its large oil reserve, Angola is still subject to

socioeconomic issues such as poverty, poor health care and illiteracy. It has been through 27 years of protracted civil war that left the country in ruins with a large number of displaced population. At the end of the war in 2002 there were hopes for a better and peaceful future and reconstructions based on economic development. The economy has improved since then and it is mainly based on the exploitation of natural resources such as petroleum and other commodities. However, in spite of the tremendous economic growth registered in the period following the end of the war, poverty is still rampant with more than 40% of the population living below the poverty line and a high unemployment rate especially among the young population.

China's relation with Angola is based on the provision of technical and financial supports (aid and loans) for infrastructure development. Chinese financial supports offer better options, have a lower interest rate, and longer payment term. Sino-Angolan relation occurs in a period where the country was having tense relation with western institutions. Relations between the southwestern African country and the Bretton woods institutions had been poor for years. Due to issues of endless episodes of hyperinflation and stabilization, there was no lasting agreement with the International Monetary Fund (IMF). The World Bank for its part only provides assistance in the domain of emergency and humanitarian assistance

projects since there was no agreed framework with IMF. At the end of the war in 2002, the IMF and many Western donors requested Angola to negotiate a staff-monitored program (SMP). Through this program, the country was supposed to display a positive performance for three trimesters before being able to receive any financial support. However, the Angolan government was reluctant to sign these demands they judged not respectful of their sovereignty, and eventually cancelled negotiations with the Bretton woods institutions. Talks between Angola and the IMF had collapsed several times before, and they usually occurred in period of high commodity prices. This is due to the fact that the bargaining power and assertiveness of commodity rich countries usually increases with the hike in commodity prices. This recantation of the Angolan government is consecutive to the loan agreement with no conditionality attached signed between Angola and China.

In its engagement with China, the Angolan has established a set of institutions which play the role of intermediary actors between its governmental institutions and China. These institutions are meant to convey the interest of Angola to China in order to ensure the projects and loans that are being negotiated go along the country's aspirations and development programs (Mohan and Lampert, 2013). The Angolan ministries identify projects considered important and then forward their proposals to a joint committee called the "Joint Work Program" (Grupo de Trabalho Conjunto) comprising the Angolan Ministry of Finance and China's Ministry of Commerce. The projects are then forwarded to a technical group called GAT (Technical Support Office for the Management of the Chinese Credit Line), which will be in charge of their practical implementations. These projects are realized in concert with China's Ministry of Commerce (MOFCOM), which for each project "proposes three to four Chinese companies, while sectorial ministries manage these public works and ensure that staffs are trained" (Mohan and Lampert, 2013).

From this perspective, it goes without saying that the Angolan government is keen on collaborating with China because it not only supports its needs for development but also respects its sovereignty. As an Angolan official puts it, Chinese aid has "no humiliating conditions"<sup>8</sup>. This means that China does not attempt to alter the choices and aspirations of Angola and above all, is respectful of its development model. As Taylor argues, Angolan elites are "deeply appreciative of China's non-interference stance".<sup>9</sup> China empowers the country's need for sovereignty and does not interfere in its internal management. In comparing western versus Chinese presence in Angola, an Angolan national argued, "They

are here for the oil. But why are you here? The American and French think they can give us lessons in ethics and transparency, but all you have done is sneak our oil out from underneath us for forty years. You corrupted everybody; you prolonged the war, especially the Americans... But the Chinese are disciplined. They are respectful and modest (Michel and Beuret, 2009).

For Angola, establishing strong relation with China can be interpreted as an expression of its assertiveness consisting in moving towards a donor, which treats him like a business partner and does not relinquish to invest huge amount of money to support its development programs. Just like Angola, many African countries has turned towards China, a donor that does not interfere in their internal affairs, and does not peremptorily require them to abide by the rule of law. The refusal of the Angolan government to abide by the injunctions of the international institutions and the move towards the Chinese aid model is not only a way for Angola to prevent western countries from interfering in its internal affairs but also a way to compel them to mitigate their critics, and adopt a more conciliatory attitude. Many countries in the continent also use this strategy against the west by undermining their interests through cancellation of resource exploitation rights granted to western multinationals to the benefit of Chinese companies. This strategy of giving resource exploitation contracts to Chinese companies to the detriment of western companies has led many western countries to soften their attitudes and critics towards Angola. Even the International Monetary Fund (IMF), which advocated transparency, accountability in the oil sector as precondition for its aid to Angola in 2002, disbursed \$1.4 billion dollar loan to the country in 2009 despite accusations of high level corruption, lack of transparency and democracy (Leigh et al., 2009).

Also, in 2012, despite discrepancies in the public accounts, the IMF has softened its attitude toward Angola and agreed to provide the remaining \$132.9 m of a package agreed upon in 2009<sup>10</sup>. The "Angolagate" is also an example of how Angola has been successful in using its cooperation with China to increase its bargaining power. The relations between France and Angola have deteriorated over a case of corruption and arm sales called "Angolagate"<sup>11</sup>. In response to the condemnation of a French national accused of arms trades to Angola, the Angolan government deprived Total, the French oil

8. Taylor, I. (2007). Unpacking China's resource diplomacy in Africa. *China in Africa*, 35(10), 1-34.

9. From 1993, China became a net importer of coal, and by 2000, it became the world's largest consumer of concrete, copper, aluminum, iron, steel and most other metals and minerals

10. Cultural Exchanges and Cooperation', China Africa Forum, 21 September 2006, [http://english.focacsummit.org/2006-09/21/content\\_899.htm](http://english.focacsummit.org/2006-09/21/content_899.htm)

11. Africa to Get US\$10 Billion in Loans from China (November 9, 2009), China Briefing retrieved from <http://www.china-briefing.com/news/2009/11/09/africa-to-get-us10-billion-in-loans-from-china.html>; China's loan to Africa focuses on balanced development and trade (China pledges \$20bn in credit for Africa at summit (19 July,2012), BBC News, retrieved from <http://www.bbc.com/news/world-asia-china-18897451>); on the blossoming of trade between Africa and China, see China's Africa Strategy Blossoms as Relationship Develops (June 8, 2009), China Briefing, retrieved from <http://www.china-briefing.com/news/2009/06/08/chinas-africa-strategy-blossoms-as-relationship-develops.html>

company of its exploitation rights. In 2004, the company was denied a renewal of its license for shallow-water block 3/80 to the detriment of Chinese oil companies, and in 2005, it was compelled to abandon the unexplored acreages in the prolific ultra-deep Block 17, where it had made its biggest discoveries<sup>12</sup>. In a bid to preserve its interest, France in return softened its attitude and tried to limit the damages through diplomatic offensives such as the high profile visit of then French president Nicolas Sarkozy in May 2008<sup>13</sup>. Threatened by the increased Chinese presence and in order to protect its interest in this oil rich country, France made a lot of compromises to the Angolan government<sup>14</sup>. The competition between China and western donors in Angola has given the country the opportunity to play them against each other and empowering itself with the choice of going towards the partner which gives it a better bargain and does not interfere in its internal affairs. As the French reporter Christophe Boisbouvier, argues: "A reconciliation with France will allow Angola to break the deadlock it is facing with China over the reconstruction market in the country. On the French side, Nicolas Sarkozy is of course delighted to open up the Angolan market to companies other than Total"<sup>15</sup>.

### **Niger agency: China as an alternative and bargaining partner**

Niger is a landlocked country in Western Africa, in the border between Sahara and sub-Saharan Africa. Its area covers 1.267 million square kilometers, meaning that it is slightly less than twice the size of France. It has a population of 17,138,707 people that mainly inhabits the fertile southern part of the country. Niger is bordered by Burkina Faso and Mali in its western part, Algeria and Libya in the north, Chad in the east, and Benin and Nigeria in the south (Figure 2: Map of Niger).

Contrary to Angola, Niger has limited natural resources and is usually subject to recurrent droughts resulting in famine throughout the country. Since its independence in 1960, Niger has gone through a series of political instabilities and climate constraints that have stymied its development. In the 1960s and 1970s, Hamani Diori, the country's first president put in place a one party system, which collapsed in 1974 following the 1970s drought.

12. "The Economist (November 19, 2008) Angola-gate: Relation between Angola and France remain troubled <http://www.economist.com/node/12630028>; also see Frynas, J. G., & Paulo, M. (2007). A new scramble for African oil? Historical, political, and business perspectives. *African Affairs*, 106(423).

13. Radio France International (May 23, 2008) France-Angola, Sarkozy in Luanda to repair relations retrieved from [http://www1.rfi.fr/actuen/articles/101/article\\_482.asp](http://www1.rfi.fr/actuen/articles/101/article_482.asp)

14. The Economist (November 19, 2008) Angola-gate: Relation between Angola and France remain troubled <http://www.economist.com/node/12630028>

15. Radio France International (May 23, 2008) France-Angola, Sarkozy in Luanda to repair relations retrieved from [http://www1.rfi.fr/actuen/articles/101/article\\_482.asp](http://www1.rfi.fr/actuen/articles/101/article_482.asp).

Then Seyni Kountché overthrew Hamani Diori after allegations of corruptions. However, the military state and the "one party system" of Kountché's government collapsed with his death in 1987. In the 1990s after the end of the cold war<sup>16</sup>, France and many western countries conditioned their aid to the adoption of democracy and the level of political openness in Africa. Therefore, in Niger a sovereign national conference was organized in 1991 and a democratic constitution was established paving the way to a multiparty political system. However, in 1996, a persistent political deadlock led to a military coup by Lieutenant Colonel Ibrahim Baré Maïnassara. A new constitution was adopted and Bare organized and won the elections, which were widely criticized as being not free and fair. As a result, the opposition parties boycotted his government and refused to participate in the county's institutions. In 1999, Ibrahim Baré Maïnassara was assassinated by his own personal guards, and his chief of staff, Daouda Malam Wanké who became the strong man of Niger. He organized democratic elections by the end of the year and Mamadou Tandja was elected president.

In 2010, in order to remain in power, Tandja organized a referendum to alter the constitution which limited presidential terms. He was subsequently deposed in a coup by a military junta led by Captain Salou Djibo. After a year of transition, a new constitution was drafted, presidential elections were held and Mahamadou Issoufou was elected as president of Niger.

Niger actively takes advantage of the opportunities that lie within its cooperation with China. It is in fact very assertive in this relation and perceives the opportunity that China represents as a provider of financial support, human resources and infrastructures development, as well as other domains. Niger is ranked at the bottom of Human Development Indices, and lacks basic infrastructures to sustain its economic development. The Chinese presence in the country could therefore contribute to the development of these infrastructures to boost Niger's development<sup>17</sup>. As mentioned earlier in the case of Angola, Niger also perceives the Chinese model of cooperation to be respectful of its sovereignty, given that China does not interfere in its domestic affairs unlike western countries whose policies are based on political interferences and conditionalities. For instance, when Niger's president Mamadou Tandja wanted to countercheck the dispositions of the country's constitution by extending his presidential mandate, China did not criticize its decision unlike western donors. China continued to invest in the oil sector and this gave Tandja the financial resources to resist the sanctions and

16. The end of cold war has led to a low demand of uranium production in the country which had a strong impact on the economic situation in the country. The end of cold war has also led to the end the concept of real politic whereby western countries supported their allies in the region with no consideration of their political practices.

17. Xinhua (2016), China offers aid to development projects in Niger, retrieved at [http://news.xinhuanet.com/english/2016-08/02/c\\_135558453.htm](http://news.xinhuanet.com/english/2016-08/02/c_135558453.htm)



Figure 2. Political Map of Niger.

criticism of western donors. A former Nigerien minister asserted in this respect that it was because of the Chinese financial support that president Tandja was able to resist the critics and sanctions of the Economic Community of West African States ECOWAS, the European Union and the United States.<sup>18</sup>

Moreover, the Chinese presence in the country has given the Nigerien government a better bargain in dealing with the French mining company, AREVA whose has been exploiting uranium since the country's accession to independence in 1960. In the year 2000, China's need for energy has led to competition with AREVA which exploitation rights of the Arlit and Akolan sites were about to end. With China as an alternative partner, the Nigerien government felt strong enough to ask for the increase in the price of uranium and also of the royalties given by AREVA<sup>19</sup>, things that would have been impossible in the past when the French giant had no competitor in the country<sup>20</sup>. In 2009, fearing competition from China,

18. Jeune Afrique (2010), Chine et France à fonds renversés, <http://www.afriquechine.net/2010/niger+uranium+chine+et+france+a+fronts+renverses.html>

19. The Guardian (2014), Niger fails to reach uranium mining deal with French nuclear firm Areva (<http://www.theguardian.com/global-development/2014/feb/28/niger-fails-uranium-mining-deal-french-firm-areva>)

20. Grégoire, E. (2011). Niger: un État à forte teneur en uranium. Hérodote, (3), 206-225. Also see Daniel Flynn and Geert De Clercq (2014), Special Report: Areva and Niger's uranium fight, <http://www.economista.es/empresas->

AREVA accepted to increase the price of uranium from US \$31 per kilogram to US \$94 per kilogram, which was higher than the international standard price of US \$65/kilogram. This price would be adjusted to international norms after the Fukushima disaster in 2011.

Not only did Niger's president use China's financial support in the oil sector as a bargaining power, he also used the Chinese increased interest in uranium to gain political support from France. In order to get the French government to support his political move in changing the constitution, Tandja played the "China card" by threatening to grant the exploitation rights of the Imouraren site to China. Tandja eventually won the support of France, with president Sarkozy stipulating that his move to alter the constitution was justified since it would lead to stability and democratic progress in the country (Grégoire, 2011)<sup>21</sup>. The French government support granted AREVA, the right to exploit the Imouraren site to the detriment of China. The conciliatory attitude of the French government to Tandja could be interpreted by its willingness to preserve its economic and energy interests as uranium is crucial to France's energy. In 2008, Nigerien uranium contributed 1/3 to

[finanzas/noticias/5516783/02/14/Special-Report-Areva-and-Nigers-uranium-fight.html](http://www.finanzas/noticias/5516783/02/14/Special-Report-Areva-and-Nigers-uranium-fight.html)

21. Radio France International (May 23, 2008) France-Angola, Sarkozy in Luanda to repair relations retrieved from [http://www1.rfi.fr/actuen/articles/101/article\\_482.asp](http://www1.rfi.fr/actuen/articles/101/article_482.asp).

France's nuclear facilities and was about 50% of France's supplies in 2015<sup>22</sup>.

Therefore, the growing presence of China in the Nigerien energy sector has increased its bargaining power against AREVA, the giant French mining company that has been extracting uranium in Niger for the last 40 years<sup>23</sup>. However, in the oil sector, the extreme dominance of China has a reverse effect on the assertiveness of the Nigerien government. Being the main exploiter of the Nigerien oil, China has full control of the flow of investment in this sector. Contrary to the uranium sector where Niger has a strong bargaining power, in the oil sector, it has a weaker position and is not able to dictate its will to China or even turn towards an alternative investor<sup>24</sup>. For instance, in August 2015 China shut down the Soraz refinery when a conflict of interest arose between Sonidep, the Nigerien state petroleum company and the China National Petroleum Corporation (Ibrahim, 2015)<sup>25</sup>. Soraz is the result of a joint venture between China and the Nigerien government. It is owned to 60% by China and 40% by the Nigerien government. This means that Soraz is fully managed by the CNPC, which also operates the wells and pipeline of the refinery. The Nigerien government has to purchase its oil from Soraz, which pays CNPC for the extraction. This situation of inter-dependence is in fact a way to smooth out the power imbalance between CNPC, the Chinese state company and Sonidep. However, due to mismanagement and corruption in this sector, Sonidep the Nigerien oil company owes \$68 million to Soraz, which in turns has a debt of \$100 million to the CNPC. Based on an arrangement between the Nigerien government and CNPC in 2012, the Nigerien government bought its oil at \$70 a barrel, a price lower than the international standards. This gave the Nigerien government the opportunity to have the cheapest petroleum in Western Africa. However, when the price of crude oil dropped to \$50 a barrel in 2015, CNPC was reluctant to lower its price and the Nigerien government had to pay its oil at a price higher than the price on the international market. Therefore, the refinery was shut down by the CNPC as a result of disagreement between China and Niger<sup>26</sup>. Meanwhile, it can also be said that

this is for China a way for to force its Nigerien counterpart to accept its conditions. This situation highlights the issue of a powerful state imposing itself to a weak and poor country, which lacks enough bargaining power to resist the overbearing stance of the stronger state. Add to that, the Nigerien Petroleum Ministry does not have any control over CNPC's management of the refinery. This shows the country's weakness in the management of its oil resources, giving way to Chinese absolute control of the sector. The weak position of the Nigerien government vis-à-vis China stems not only from its inability to establish special institutions to deal with China as in the case of Angola but also from the prominent role played by China on the oil sector.

## Conclusion

African agency refers to the growing assertiveness of African countries on the world stage. This assertiveness has increased a great deal with the emergence of Chinese trade and investment on the continent, which means that relationship with China has given African countries the possibility to resist the conditionality based policies of western countries. It has also allowed these countries to have more say over the aid and development programs endowing them with the ability to choose their partners based on their interests and needs for development.

Our case study of the Angolan and Nigerien agencies shows that both countries use China as a bargaining chip, either to resist the policy injunction of western countries or to gain economic or political support from the west. Many play the "China card" as a mean to prevent western interference into their domestic issues. Thus, in terms of preferences, China's emergence as a donor who does not interfere in their domestic issues is preferred to western donors whose cooperation is subject to conditionalities. With the growing importance of China as an alternative partner in Africa, this trend is observable within many other countries in the region, particularly countries which have abundant natural resources. For instance, countries such as Zimbabwe (Youde, 2007), Nigeria (NAİM, 2007), Equatorial Guinea, Chad (John, 2012), have been able to resist sanctions from western countries and also International Financial Institutions such as the World Bank, thanks to their engagement with China.

In the case of Niger, the weak bargaining power of Niamey in the oil sector stems from the fact that China is the main investor in the oil industry, which strongly impact the assertiveness of Niger in this sector. Therefore, Niamey does not enjoy the same level of bargaining power that it has in the uranium sector. In the mineral sector, competition between China and France has

22. The end of the cold war has led to a low demand of uranium production in the country which had a strong impact on the economic situation in the country. The end of the cold war has also led to the end of the concept of real politics whereby western countries supported their allies in the region with no consideration of their political practices.

23. Xinhua (2016), China offers aid to development projects in Niger, retrieved at [http://news.xinhuanet.com/english/2016-08/02/c\\_135558453.htm](http://news.xinhuanet.com/english/2016-08/02/c_135558453.htm).

24. Jeune Afrique (2010), Chine et France à fonds renversés, <http://www.afriquechine.net/2010/niger+uranium+chine+et+france+a+fronts+r+enverses.html>.

25. The Guardian (2014), Niger fails to reach uranium mining deal with French nuclear firm Areva (<http://www.theguardian.com/global-development/2014/feb/28/niger-fails-uranium-mining-deal-french-firm-areva>).

26. Grégoire, E. (2011). Niger: un État à forte teneur en uranium. *Hérodote*, (3), 206-225. Also see Daniel Flynn and Geert De Clercq (2014), Special Report: Areva and Niger's uranium fight, [http://www.economista.es/empresas-](http://www.economista.es/empresas-finanzas/noticias/5516783/02/14/Special-Report-Areva-and-Nigers-uranium-fight.html)

[finanzas/noticias/5516783/02/14/Special-Report-Areva-and-Nigers-uranium-fight.html](http://www.economista.es/empresas-finanzas/noticias/5516783/02/14/Special-Report-Areva-and-Nigers-uranium-fight.html)).

allowed the Nigerien government to play the two actors against each other, leveraging by this token a higher level of political and economic interests.

Angola for its part is able to leverage a higher level of bargaining power than Niger, this is because, there are companies involved in the exploitation of resources in the Angolan natural resource sector. For instance, French companies such as Total, BP (United Kingdom), Chevron and ExxonMobil (United States) are all involved in the exploitation of oil, alongside Chinese oil companies (Burgis, 2015). Against this backdrop of competition between Chinese and western companies, Angola uses China as a bargaining power to resist the policy injunction of western countries by threatening the interests of their companies involved in the exploitation of oil. Moreover, unlike Niger, Angola has established bespoke institutions to manage its relation with China, based on its needs for infrastructure development and technology transfers. The Angolan government is able to control the exploitation of all the sectors of its natural resources by giving benefit to those countries, which are respectful of its sovereignty, and refusing to cooperate with those attempting to interfere in its internal affairs.

## CONFLICT OF INTERESTS

The authors have not declared any conflict of interests.

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*Full Length Research Paper*

## **Nigerian morbid federalism and demand for political restructuring**

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The foundation of Nigeria's problems lies in its historical development. This is linked to the swift design by predatory colonial masters aimed at achieving their political economy in colonialization of Africa. Sequel to the amalgamation of the southern and northern protectorates in 1914, Nigeria's minimal state has continued to witness serial and intractable agitations, political interplays and intrigues and aspirations of statesmen and nationalists turned into defensive, mutual distrusts and regionalized. The social formation was at disequilibrium, hence, heightening the rate of agitations from different quarters. More worrisome is ever increasing calls for reformulation and restructuring of ailing Nigerian federal practice characterized by centripetal forces. However, it is based on this backdrop that the paper sets to interrogate the organic composition of Nigerian federalism; constitutional conferences and logic of political restructuring and the implications of Nigerians' perceptive on restructuring question. Methodologically, the paper appropriated documentary method and data were ostensibly generated through secondary sources of data collection and analyzed in content. The theoretical framework of analysis for the study was adequately anchored on the classical political economy paradigm as pioneered by Karl Marx; and validated through the writings of Ake, Alavi and Ifesinachi. The findings of the study had significantly revealed that federalism in Nigeria is more or less a feeding bottle system. Also implicated is that Nigerian state has failed to foster social engineering and nation-building, thereby enhancing agitations for restructuring. The paper recommends the need to devolve powers to other tiers of government other than concentration of power at center.

**Key words:** Morbid federalism, minimal state, Nigeria, restructuring, national development.

### **INTRODUCTION**

It has being a culture of clash of interests, and constant struggle by political elites in the post-colonial states of Africa, when the minimal states in Africa that got their flag independence began to consolidate political power gotten through decades of struggles from the colonial masters.

The age-long colonial regimes in Africa had imputed the systems with distortions, rivalries and ethnic chauvinism. It is important recalling that the amalgamations of 1906; and 1914 between southern and northern protectorates gave shape to the new entity called Nigeria. These were

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done without due consideration to culture, geography and history of the people. However, the introduction of the Arthur Richard and Lyttleton constitutions of 1946 and 1954, laid the groundwork for federalism in Nigeria. Although, federal system was adjudged best system of government considering the diversities and complexities that surrounded the formation of the Nigeria state.

Moreover, the practice of federalism in Nigeria was long overdue, and has implicated the constant calls for assessing its practices through the instrumentation of restructuring. It has been conceived that the plausible solution to the failed attempts through the convocation of National Sovereign Conference is the urgent action aimed at restructuring. It is worth knowing that the calls for restructuring in Nigeria accounts to the nature and character of power consolidation among the tiers systems, marginalization, coercive federal option and poor securitization of the lives and property of the people. According to Ifesinachi (2006), he noted that poor federal practices had engendered constant agitations for justice, consultation, opening of political space, re-negotiation of the Nigerian pacts and now restructuring. Accordingly, he avers that political restructuring is orchestrated by the separatists and irredentists' aspirations against perceived structural defects, institutional deformities, injustice, functional inequities, vexatious transition processes and controversial constitutional reviews and reforms in Nigeria federalism.

Likewise, Abutudu (2010), aligned that the tensions between the component units and the center, between the constituent units themselves and various interests often fuel demand for restructuring. He continues that the demands for equity and justice in the allocation of political space from minorities and marginalized groups have all made for a consistent and perennial stream of agitations for restructuring which suggests that the search for a national community has remained elusive in Nigeria. By implication, this means that the logic of restructuring needs impetus to restore the appearance of a federal system, a condition that allows each region or component unit to control resources within its jurisdiction and pay stipulated royalties to the government at the center. This would help to a greater extent, the development of the federating states toward self-reliance. Therefore, it is at this juncture, that we are driven to appreciate the organic composition of Nigerian federalism.

### **Literature review**

The review and appreciation of relevant extant literature will be organized under the following themes:

#### **Organic composition of federalism in Nigeria**

The import of the foundation for Nigerian federalism laid

by Bernard Bourdillon was to be given full expression by Sir Arthur Richards who succeeded the former colonial master at expiration his mandate in the wee hours of 1946. As observed by Crowther (1973), key element in the constitution which took effect from 1<sup>st</sup> January, 1947 was the recognition of twin problems confronting Nigeria. These were the need to promote the unity of nation; and the need to provide adequately within that unity for the diverse elements which makes up the country (Alli, 2003: 74). It was the adoption of the Lyttleton constitution of 1954 that set Nigeria on the path of federalism. The constitution provided for a division of powers between the central authority and the three regional governments. Some items were exclusively reserved for only the central government which included foreign affairs, currency, immigration, customs, mining, railways major roads and communication. On the other hand, some items were for both central and component units under the concurrent list. Others were reserved for only the regional governments under the regional list (Oyediran et al., 2007: 171).

Moreover, after the constitutional conference of 1957, the Western and Eastern regions gained their regional self-independence respectively and the North in 1959. The 1957 constitutional conference had brought about many changes in Nigerian federalism. Firstly, it provided for a second chamber at the centre called house of senate, thus changing the structure of the legislature from a unicameral to a bicameral one. Secondly, each of the regions had a bicameral legislature and the head of the region was to be referred to as premier (Gana and Egwu, 2003: 84). However, with adoption of the independence constitution which came into effect on October, 1<sup>st</sup> 1960, Nigeria operated a parliamentary system of government based on the principles of federalism. The constitution provided for the office of a prime minister who was the head of government, office of governor-general and three regions. In 1963, Nigeria became a republic, and a new constitution was enacted. The new republican constitution provided that a president should replace the governor-general and the queen of England ceased to be the head of state. In addition, there was the creation of Mid-Western Region on 13 August 1963, which increased the number of regions to four (Oyediran et al., 2007: 73).

According to Ofoegbu (1999) and Abutudu (2010), they note that no sooner had the integration of the mid-western region into the federalist arrangement than Nigerian federalism started facing with many problems which were as a result of the conspicuous imbalance among the regions. The Northern region had majority of seats in the parliament, and as such, determined all important decisions. This dominant position of the Northern region was not satisfactory to other regions. This had resulted in rivalries and open conflicts and current agitations for restructuring. With the military intervention in Nigerian politics, ethnicity was infused into the Nigerian army and other establishments and the

coming of General Yakubu Gowon to power altered the structure of Nigeria unitary system by creating twelve states out of the former four regions. The twelve states created by Gowon's administration returned Nigeria to the federal system. On Tuesday, 29 July 1975, another military coup took place that ousted General Gowon and brought General Murtala Muhammed to power. A panel was set up by General Muhammed to examine the creation of new states. Based on the reports of the panel led by justice Irikefe, General Murtala Muhammed created seven more states. This brought the total number of states to nineteen. It was also decided that the federal capital would move to Abuja (Ikejiani, 1991: 4; Ifesinachi, 2006: 27).

Furthermore, the assassination of General Murtala Muhammed in an abortive coup led by Lieutenant Colonel B. S. Dimka on 13 February 1976, brought the mantle of leadership upon General Olusegun Obasanjo who introduced the Local Government Reforms Act of 1976. With the reforms, local governments in Nigeria were recognized as the third tier of government, and they were to be administered by elected councils. The structure of government between 1976 -1979 was similar to that operated between 1970 and 1975. However, according to Ofoegbu (1999), Obasanjo's administration successfully completed a transition programme by handing over power to a democratically elected president on October, 1st 1979. Thus, the second republic that started in October 1979 operated a presidential system of government with a bicameral legislature at the federal level. The National Assembly was composed of the Senate and the House of Representatives. The president was also assisted in performing his duties by an executive council composed of a council of ministers. At the state level, a governor was elected for each state.

Moreover, following the prevalence of military coups and counter coups that occurred in 1980s, the emergence of Ibrahim Badamosi Babangida started yielding responses to public outcry and agitations for creation of new states. The regime succeeded in creating two additional states; Akwa-Ibom and Katsina in 1987. Also, the government later created nine additional states on August, 27<sup>th</sup> 1991, thereby bringing the total number of states in the country to thirty. The newly created states in 1991 were Abia, Anambra, Delta, Jigawa, Kebbi, Kogi, Osun, Taraba, and Yobe States (Oyediran et al., 2007: 175). It was after the annulment of the June 12 elections that the former military president, Alhaji Babangida, handed over power to an interim government headed by Chief Ernest Shonekan on August, 27<sup>th</sup> 1993.

However, scholars such as Osegue et al. (2016); Abubakar (2014); and Omitola (2016), noted that as part of transition programme of Abacha administration, he inaugurated the Arthur Mbanefo Committee on the creation of new states, local government areas and boundary adjustment on 13<sup>th</sup> December, 1995. The committee was given the needed standing rule and

mandated to examine all the demands for new states, local government areas, and boundary adjustments in all part of the country and make significant recommendations for the consideration and approval of the provisional ruling Council which was the highest policy making body (Akinbade, 2012: 551). It was after the reviewing the decisions of the committee, that the Provisional Ruling Council, headed by General Sani Abacha, approved the creation of additional six new states and 183 new local government areas throughout the country. The exercise brought the total number of states in the federation to thirty-six in 1996. The six newly created states were Bayelsa, Ebony, Ekiti, Gombe, Nasarawa, and Zamfara states. It is important to recall that despite the fact that governments and regimes are always trying to reposition the federal system into a global best practices, series of agitations had continued to force into shaping the Nigerian federal arrangement toward true federalism as dictated by Wheare (1963: 1).

### **Constitutional conferences and logic of political restructuring**

Nigeria has since independence been grappling with the crisis of creating a fair just and equitable political arrangement among its different peoples. After several unsuccessful attempts to entrench formidable democracy; frustration, deep dissatisfaction and alienation arising from perceived injustice in the political system had become the core elements of mass political culture in the country. The need for political restructuring and national integration of all people in Nigeria became more pronounced with the threats to national unity created by the annulment of June 12 presidential election (Ugwuada, 2000: 105). In a response to serial calls from various quarters for restructuring, the 2014 National Confab was initiated aiming;

*“to pass resolutions and conclusions which shall form the framework for the governance to guarantee freedom and equality, equity, justice and even-handed opportunities for social, political, educational and economic participation and enjoyment, establish a system of government reflecting the general consensus of Nigerians with due regard for our national expectations and aspirations as a united and indivisible federal entity; guarantee the promotion of social, economic and political cohesion of Nigeria. Acknowledge and encourage the harnessing of individual and collective initiatives aimed at the overall growth and development of the country; and to propose a new constitution which shall be promulgated into law by the National Assembly”*

It is worthy to articulate from the above excerpt that the conference conceived power as customarily touching on the question of equity, fairness and justice in the

allocation of the fundamental indices of power which were identified as economic, military, bureaucratic and intellectual. It also recognizes that in Nigeria with diverse people and corresponding diverse political, cultural and economic endowments, federalism must reflect a genuine attempt to regulate relationship among group, geopolitical zones and component units as well as be a reflection of these identifiable divergences within a framework of national unity. The question that arises is how can this address the call for restructuring and general political tensions and cries of marginalization by the different nationalities.

The coming into being of the Nigeria state as a colonial creation made it an imposed state lacking normative acceptance by the society. This implies the need to transform the state from its imposed origin into a living, viable normative, state with a national, unifying appeal and institutional framework (Ugwuada, 2000: 107). No wonder, Agagu (2008) and Chujor (2017), premised the history of Nigerian state to the beginning of decolonization process which has been pre-occupied with the singular task of transformation. It can therefore be said that state-building effort in Nigeria, instead of being for the consolidation of the existence, has been essentially geared towards erecting basis for the emergence of a true Nigerian, state enjoying widespread supports of its diverse people and functioning effectively over its territory.

The logic of political restructuring in Nigeria would be the restoration of the appearance of a federal system. It is heart-breaking that instead of aiming at such restoration on the tenets of federal principles, the Nigerian federal system of government has adequately overburdened itself with issues the states would have handled perfectly as contained in every federal constitution. The 1999 Nigerian federal constitution has given enormous powers to the government at the center at the expense of the components units. Taking an eagle on the letters of the constitution, part 1 of the second schedule of the 1999 constitution, the exclusive legislative list contains sixty eight items instead of eight that it should. Likewise, the concurrent list detailing responsibilities shared by the government at center and the federating units, has thirty items, fifteen of them are similar to those contained therein in the exclusive lists which include but not limited to education, agriculture, information etc.

The clamour for political restructuring is intended to achieve objective aimed at reducing the powers of the center, thereby encouraging the component units through the constitutional provisions on their role as partners in progress. Restructuring is to serve as a steering mechanism to properly give focus and locus to attempts of collective identity and distributive politics. As part of reasons for political restructuring is a better appreciation of the need to correct perceived structural defects and institutional abnormality, enhance tolerance and respect for civil and civic rights of aggrieved ethnic nationalities

and regions. Nigeria's political restructuring efforts are necessitated by the very fact that federalism in Nigeria never took into cognizance the perceived marginalization and peculiarities inherent in the federating units (Table 1).

### Theoretical framework of analysis

The theoretical framework appropriated for the study is anchored on the classical political economy approach as propounded by Karl Marx in 1867 and 1968; and validated through the writings of Ake (1981:98), Alavi (1975) and Ifesinachi, (2005). It presents as one of the bases and paradigms used to explain social interaction and processes prevailing in the political system. Delivering on theorization, the classical approach presents reverse influence, in the long run, organic relationships between sub structure and the super structure. The basic assumption of Marx's theory on classical political economy approach is that the economic system of any state determines the socio-cultural, political religious and scientific subsystem of such state. Economic system here implies the method of production, distribution and the nature of consumption prevalent in state.

Therefore, reconciling the assumptions of the classical political economy approach implicates the various aspects of life in human society which places dire emphasis on the material means of production as the basis of life. It maintains that certain law governs the production and exchange of the material means of life in human society at various stages at its development. Importantly, the manifesting social relations of production act on the class relationship which allows surplus value to be appropriated by the ruling class and bourgeoisies. According to Ake (1981), he maintained:

*what the materials assets and constraints of a society are; how the society produces and reproduces material goods to meet its material needs, how the goods are distributed and what type of social relations arise from the organization of production. We have come a long way in understanding the culture of that society, its laws, its religious system its political system and even its mode of thought.*

However, according to Karl Marx, the social life including politics is determined primarily by social production, what is produced, how it is produced, and how what produced should be distributed (Ake, 1981: 85). It is characterized by social movement which is a process of natural history governed by laws which are independent of human will and consciousness. In other words, society cannot be discussed outside the nature of its classes and their relationship with one another (Ugwuada, 2000: 40). Also, it is important recalling that where classes exist in society, there is bound to be a state. The state has been defined as a specific modality of class domination with its

**Table 1.** Showing the lists of appointments made by President Muhammad Buhari, 2015-2018.

S/N	Position	Name of Appointee	State	Region
1	Aide de Camp to president:	Lt. Col Abubakar Lawal	Kano	North-West
2	Special Adviser, Media and Publicity to the president	Femi Adesina,	Osun	South-West
3	Senior Special Assistant, Media and Publicity	Garba Shehu	Kano	North –West
4	State Chief of Protocol/SpecialAssistant	Lawal Abdullahi Kazaure,	Jigawa	North-West
5	Accountant General of the Federation	Ahmed Idris	Kano	North-West
6	National Security Adviser	Babagana Monguno	Borno	North-East
7	Chief of Defence Staff	Abayomi Olonishakin	Borno	North-East
8	Chief of Army Staff	Tukur Buratai	Borno	North-East
9	Chief of Naval Staff	Ibok-Ete Ekwe Ibas	Cross Rivers	South-South
10	Chief of Air Staff	Sadique Abubakar	Bauchi	North-East
11	Chief of Defence Intelligence	Monday Riku Morgan	Benue	North-Central
12	Director General, State Security Services, SSS	Lawal Daura	Katsina	North-West
13	Chairperson, Independent National Electoral Commission	Prof Mahmood Yakubu	Bauchi	North-East
14	Managing Director, Nigerian Ports Authority	Habibu Abdulahi	Kano	North-West
15	Special Adviser, Niger Delta Amnesty Office	Paul Boroh	Delta	South-South
16	Acting Director General, Nigerian Maritime Administration, Safety and Security Agency, NIMASA	Baba Haruna Jauro	Kano	North-West
17	Executive Vice Chairman/ Chief Executive Officer, Nigerian Communications Commission	Umaru Dambatta	Kano	North-West
18	Executive Chairman, Federal Inland Revenue Service, FIRS	Babatunde Fowler	Lagos	South-West]
19	Director General, Budget Office of the Federation	Aliyu Gusau	Zamfara	North-West
20	Secretary to the Government of the Federation	Engr. Babachir David Lawal	Adamawa	North-East
21	Chief of Staff to the President	Alhaji Abba Kyari	Borno	North-East
22	Comptroller-General, Nigerian Customs Service	Col. Hameed Ibrahim Ali (retd.)	Nassarawa	North-Central
23	Mr. Kure Martin Abeshi	Comptroller-General,Nigerian Immigration Service	Nassarawa	North-Central
24	SSA to the President on National Assembly Matters	Senator Ita S.J. Enang	Akwa Ibom	South-South
25	Group MD NNPC	Emmanuel Kachikwu	Delta	South-South

Source: Abada et al. (2018).

main distinguishing feature being the autonomisation of class domination. This means that the institutional mechanisms of class domination are not differentiated from the ruling class and class domination (Ake, 1981: 85). As a result, the state has become a product of class struggle and instrument which is meant to be autonomous standing above class struggle.

In predatory Nigerian state, her emergence from colonial domination and linkages, distortions and exploitations had ensued a class struggle instead of delinking from the shackles of colonialism and the worst, imperialism and neo-colonialism. The faulty partitioning of Africa in general and conglomeration of different ethnic nationalities in Nigeria in particular had fueled agitations and which had impacted on the nature and character of marginalisation as perceived by each nationality and region in Nigeria. According to Ifesinachi (2006), he carefully maintained that;

*“The demand for a sovereign national conference in*

*Nigeria is as a result of the ethnic tensions and political conflicts and ethnic problem has as being always a class problem. The operation of federalism in Nigeria might only worsen the problem of ethnicity and general political instability in Nigeria”*

The excerpt above portrays Nigeria state as being dominated by few guardian class who own and control the means of material production through the cliché of nationhood and identity politics, who had been assigned specific functions of protecting and guiding prevailing mode of production. The assignment and re-assignment of portfolios and specific functions to the ruling class at the detriment of the poor masses and lumen proletariats aggravate social and intractable conflicts between the ruling class and the poor, and amongst the ruling class themselves. However, addressing the societal problem of distribution will be the herculean task of reconciling every segments of the state which is bound to be futile. This explains the Nigerian crisis of nationality question and

restructuring as particular group in the state tend to dominate allocative political power in the process of social production and reproduction of materials existence.

### **Implications of Nigeria's perspectives on restructuring**

The post-colonial character of Nigerian state notwithstanding the existence of other forms of logic, is the main driving factor toward institutional reforms in a federal system and the recognition that existing state institutions, particularly at the center are inadequate to underscore and put to halt immediate and new challenges. This implicates trajectory principles and interests of the military driven constitutionalism in Nigeria which is the paradox inherent in military junta in organizing constitutional talks that put in place the inherent deficiencies of Nigeria's 1999 constitution. According to scholars like Amuwo et al. (2016), they averred that the essence of military cloning in the constitutional engagements and drafting was to legitimize and civilize military rule rather than to restore constitutional life as such.

The agitations by different ethnic identities and regions in Nigeria had been triggered by one constitutional provision or the other as wrongly coded by the military arm-chair theorists. Therefore, for a meaningful restructuring in Nigeria; Bello (2018), maintained a total overhauling if not rewriting of the 1999 constitution is required. Mere amendment may not suffice. He furthered his argument by citing the constitution that;

*"Sections 2 (2) of the 1999 Nigerian constitution as amended states that; Nigeria shall be a Federation consisting of states and a Federal Capital territory. Section 3(1), maintains that there shall be thirty six state in Nigeria, that is to say, Abia, ..... and Zamfara. Section 3 (6), there shall be seven hundred and sixty eight local governments in Nigeria ...and six area councils"*

The above letters and spirit of the constitution portray that there can never be restructuring in terms of creation of more states unless those constitutional provisions are amended. In addition, merging the thirty six states into six states and regions as part of the proposed restructuring in some quarters violates the constitutional provisions. However, it is noted that state creations up to thirty six states in Nigeria were meant to give sense of belonging to some perceived oppressed minorities within the polity, so to ask them to fuse into six geographical regions may not be palatable to those minorities (Bello, 2018: ). Although, some states were created to satisfy the yearnings of some minorities. The point of departure is the fact that most of the thirty six states are not economically viable, and cannot survive without federal allocations. This is because rentier economy operated in

the country does not encourage the component units including the federal government to aggressively generate revenue internally for self sustenance. Therefore, without aggressive tax generation effort, there is no state including the federal government that can survive when restructured without allocation from the federation account (Bello, 2018: 9; Amuwo, et al, 2016: 54).

The understanding of restructuring through transfer of government's powers from the federal to state, and constitutional provisions needed to be revisited and put under serious cognizance. Looking at part 1 of the second schedule of the constitution which centered on the exclusive configuration of the legislature for the federal government needs to devolved and restructured. It comprised of sixty eight items, with item thirty four, on labour, constituting trade unions, industrial relations conditions, safety and welfare of labour, industrial disputes, prescribing a national minimum wage for the Federation or any part thereof and industrial arbitrations. Thus, the fixing of minimum wage for the whole federation is a constitutional provision and state fixing a particular salary structure different from the national wage is a violation of this constitutional provision unless and until the provision is amended.

Furthermore, the issue of restructuring on local government autonomy and devolution, the constitution is explicit and its interpretation and implementation had remained controversial. For instance,

*"Section 7 (1) of the constitution states that the system of local government by democratically elected local government council under this constitution shall be guaranteed; and accordingly, the Government of every state shall subject to section 8 of this constitution, ensure their existence under a law which provides for the establishment, structure, composition, finance and functions of such councils"*

The above provisions do not allow caretaker or interim management for local government but democratically elected officials. These functions empowered the third tier of government to generate its revenue internally.

The Table 2 portrays the constitutional provision on the distribution of revenue by percentage; Federal Government has 52.68% (This is further divided into general ecological problems which has (1%), Federal Capital Territory (1%), Development of natural resources (1.68%), statutory stabilization (0.5%). The state government through the constitution gets 26.72%, while local government gets 20.60% as their respective revenue percentages.

In addition to the federation account formulae stated above, there is also separate sharing ratio for Value Added Tax (VAT), in which Federal gets 15%, States share 50% and Local Governments share the balance of 35%. On the other hand, the horizontal allocation formula which is more for the States and Local governments

**Table 2.** Summary of Gross Revenue Allocation by Federation for the Month of February, 2018.

S/N	Beneficiaries	Statutory	Distribution of 0.654Billion Excess Bank Charges	VAT	Total
1	FGN (see Table II)	257,581,783,343.65	344,789,791.79	12,880,373,815.60	270,806,946,951.04
2	State (see Table III)	130,648,922,758.97	174,881,990.06	42,934,579,385.33	173,758,384,134.36
3	LGCs (see Table III)	100,724,843,145.01	134,826,683.96	30,054,205,569.73	130,913,875,398.70
4	13% Derivation Fund	57,486,527,106.17	-	-	57,486,527,106.17
5	Cost of Collection – NCS	3,364,341,982.42	-	456,856,907.24	3,821,198,889.66
6	Cost of Collections - FIRS	2,517,101,384.09	-	3,121,024,708.20	5,638,126,092.29
7	Cost of Collection – DPR	2,965,035,262.72	-	-	2,965,035,262.72
8	Refund- FIRS	2,000,000,000.00	-	-	2,000,000,000.00
	<b>Total</b>	<b>557,288,554,983.04</b>	<b>654,498,465.81</b>	<b>89,447,040,386.10</b>	<b>647,390,093,834.95</b>

Source: FAAC (2018).

captures principles that maintain inabilities of the federal and states to generate their revenues when the federal practice is restructured.

Moreover, according stipulations of the 1999 constitution;

*“Section 80 (1) maintains that all revenues or other moneys raised or received by the federation shall be paid into and form one Consolidated Revenue Fund of the Federation. Section 162 (1) maintains that the federation shall maintain a special account to be called “the Federation account” into which shall be paid all revenues collected by the Government of the Federation, except the proceeds from the personal income tax of the personnel of the armed forces of the Federation, the Nigerian Police Force, the Ministry of department of government charged with responsibility for Foreign Affairs and the residents of the Federal Capital Territory, Abuja”.*

It is very clear that the constitutional provisions of the 1999 constitution had made difficult and better still, impossible for federating states to thrive, especially as it pertains revenue generation and mobilization. The President upon acceptance of advice from the Revenue Mobilization Allocation and Fiscal Commission, presents before the National Assembly, proposals for revenue allocation from the Federation Account and in determining the formula, the National Assembly takes into account the allocation principles, especially those on equity of states, internal revenue generation, land mass, terrain as well as population density which are sources of worries, and call for restructuring by the people of Niger Delta and other geopolitical zones Table 3.

## METHODOLOGY

This study adopted documentary method, and as data for the study were gathered through secondary sources of data collection and analyzed in content. The secondary sources that formed the data were appropriated through text books, journal articles, official gazette, newspapers, internet sources and monograph. Better still,

the study relied on qualitative method on arriving in its logic. The promptness of this, is not farfetched due largely on the nature of the agitations and counter agitations in Nigeria, a reflection on the state of lopsided federal practices and principles. This is characterized by attendant unitary system being paraded as federal system of government. Thus, the accumulation of enormous powers by government at the center has called for devolution of powers to other tiers and levels of government. This could be achieved through the instrumentation of restructuring.

## FINDINGS

The Nigeria's restructuring debate through the convocations of the Sovereign National Conference and the National Confab had been informed by persistent demands for, and the need to re-invent a better and true federal system with a view of correcting perceived structural and functional inequalities and deficits. It is germane to note that the reconciliation of the federating units is an attendant reason and yearning for application of the instrument of restructuring, which is aimed at correcting the perceived anomalies associated with Nigerian constitution of 1999, and the grave marginalization and inabilities of government at the center to devolve powers to the other tiers.

However, arising from the study, the findings have significantly reveal that the nature of federalism and federal practices in Nigeria is more or less a feeding bottle system. The government at the center always keeps appropriating powers for itself. Worse still, the inabilities to consolidate on the powers for effective social engineering and national development has compounded and complicated the system. Also implicated is that Nigerian state has failed to foster social engineering and nation building thereby enhancing continuous agitations for restructuring.

## CONCLUSION AND RECOMMENDATIONS

The paper appreciated the system of government,

**Table 3.** Shows revenue allocation to local government councils by federation account for the month of February, 2018.

1	2	3	4	5	6	7(3+4+5+6)	
S/N	Beneficiaries	No. of LGCs	Gross Statutory Allocation	Deduction	Distribution of 0.654Billion Excess Bank Charges	Value Added Tax	Total Net Amount
1	ABIA	17	2,090,661,879.04	-	2,798,485.45	536,149,619.96	2,629,609,984.45
2	ADAMAWA	21	2,637,069,901.54	-	3,529,887.75	631,113,057.27	3,271,712,846.57
3	AKWA IBOM	31	3,512,422,147.37	-	4,701,603.06	870,056,577.21	4,387,180,327.63
4	ANAMBRA	21	2,651,320,906.87	-	3,548,963.64	727,718,428.91	3,382,588,299.42
5	BAUCHI	20	3,009,773,892.65	-	4,028,776.03	693,471,241.09	3,707,273,909.77
6	BAYELSA	8	1,225,088,142.06	-	1,639,859.31	290,720,066.56	1,517,448,067.93
7	BENUE	23	3,275,099,814.10	(139,538,498.52)	4,383,931.85	721,739,808.10	3,861,685,055.53
8	BORNO	27	3,555,776,928.97	-	4,759,636.23	793,374,470.57	4,353,911,035.77
9	CROSS RIVER	18	2,292,297,393.69	(38,551,266.10)	3,068,387.57	545,318,731.92	2,802,133,247.08
10	DELTA	25	2,937,250,344.22	-	3,931,698.59	806,852,922.12	3,748,034,964.93
11	EBONYI	13	1,695,693,879.33	(47,718,569.30)	2,269,795.37	409,072,583.63	2,059,317,689.03
12	EDO	18	2,247,394,072.51	-	3,008,281.58	631,798,421.76	2,882,200,775.85
13	EKITI	16	1,784,512,393.86	-	2,388,684.67	474,654,363.52	2,261,555,442.04
14	ENUGU	17	2,283,385,789.68	-	3,056,458.81	555,161,422.90	2,841,603,671.40
15	GOMBE	11	1,564,577,537.87	(53,983,557.43)	2,094,287.71	371,257,457.50	1,883,945,725.65
16	IMO	27	3,060,244,893.10	-	4,096,334.71	797,194,032.89	3,861,535,260.71
17	JIGAWA	27	3,215,075,392.01	-	4,303,585.29	838,392,586.98	4,057,771,564.29
18	KADUNA	23	3,615,656,713.92	-	4,839,789.17	895,638,613.65	4,516,135,116.74
19	KANO	44	5,756,435,371.05	-	7,705,359.16	1,523,252,965.47	7,287,393,695.68
20	KATSINA	34	4,382,472,230.75	-	5,866,221.08	1,039,383,027.09	5,427,721,478.92
21	KEBBI	21	2,765,810,388.39	-	3,702,215.18	638,769,319.66	3,408,281,923.23
22	KOGI	21	2,858,667,627.90	(89,972,595.51)	3,826,510.57	621,740,557.95	3,394,262,100.91
23	KWARA	16	2,022,806,777.65	-	2,707,657.03	496,751,564.21	2,522,265,998.90
24	LAGOS	20	3,445,843,635.03	-	4,612,483.44	4,509,608,832.57	7,960,064,951.04
25	NASSARAWA	13	1,804,692,285.26	(39,238,127.24)	2,415,696.75	387,436,949.36	2,155,306,804.13
26	NIGER	25	3,340,346,211.23	-	4,471,268.35	746,457,278.35	4,091,274,757.93
27	OGUN	20	2,382,990,909.62	(115,776,950.40)	3,189,786.67	832,650,800.04	3,103,054,545.93
28	ONDO	18	2,275,907,053.43	(47,177,126.82)	3,046,448.04	582,349,412.10	2,814,125,786.75
29	OSUN	30	3,082,773,646.13	(82,028,645.40)	4,126,490.89	811,745,904.25	3,816,617,395.87
30	OYO	33	3,888,678,423.23	(83,688,581.46)	5,205,246.30	1,136,533,258.14	4,946,728,346.21
31	PLATEAU	17	2,437,680,343.10	-	3,262,992.00	553,045,371.09	2,993,988,706.19
32	RIVERS	23	3,021,639,922.71	-	4,044,659.47	1,005,869,576.91	4,031,554,159.10
33	SOKOTO	23	3,043,259,079.32	(35,989,038.17)	4,073,598.10	685,868,978.20	3,697,212,617.45
34	TARABA	16	2,280,932,861.36	-	3,053,175.41	466,021,615.23	2,750,007,652.00
35	YOBE	17	2,293,278,097.11	-	3,069,700.30	487,981,533.95	2,784,329,331.36
36	ZAMFARA	14	2,072,130,062.10	-	2,773,679.42	488,586,892.26	2,563,490,633.79
37	FCT, ABUJA	6	915,196,196.85	-	1,225,049.00	1,450,467,326.34	2,366,888,572.18
	<b>Total LGCs</b>		<b>100,724,843,145.01</b>	<b>(773,662,956.35)</b>	<b>134,826,683.96</b>	<b>30,054,205,569.73</b>	<b>130,140,212,442.35</b>

Source: FAAC (2018).

federalism which Nigeria has been practicing as contained therein in the 1999 constitution. Such practice has over the decades triggered disaffection and clamour for restructuring due to the nature of power concentration at the center and heightened marginalization and helplessness

of the federating units. The study also explored myriad of views of scholarship on the organic composition of Nigeria federalism, constitutional conferences and political economy behind the logic for political restructuring. The findings of the study had revealed that

the nature and character of federal practice in Nigeria could be attributed to centripetal force at work and the component units had gone beyond the elastic limit to demand for restructuring of the federal system. However, arising from the findings of the study, the paper recommends the following policy options:

- (i) The devolution of governmental power to other tiers. This implies that the federating states must not be mere administrative units but political units with separate powers properly defined in the constitution. The transfer of powers through the legal instrumentation of the constitution helps to reshape the much concentration of power at the center by allowing the components units to exercise substantive power over its jurisdiction. Also, such devolution helps in the long run to build culture of state viability and sustainability.
- (ii) There is the need to remodel the Nigerian constitution in line with the fundamental principles of federalism, not as tailored by the military. The redefinition and remodeling will take in to cognizance the diversities and social relations of production and material existence of life peculiar to Nigerian state. Also, modalities should be put in place for the enhancement and monitoring the abuse of principles of intergovernmentalism.

## CONFLICT OF INTERESTS

The authors have not declared any conflict of interests.

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*Full Length Research Paper*

# **Potency of ECOWAS mission strategy in resolving electoral conflict in West Africa: A case of Côte d'Ivoire**

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**Conflict is inevitable in all human relations, but when managed properly, the cost in human lives and properties are minimized. This paper examined the extent of ECOWAS Peace Strategy in resolving the Post-Electoral crisis in Côte d'Ivoire and the efficiency of the ECOWAS Election Mission Strategy. In-depth interview research design was adopted, that is, both primary (structured interviews) and secondary (contextual review) techniques of data collection were used. Through a qualitative approach, a total number of 15 key-informants were interviewed using the cluster sampling method. The results showed that ECOWAS adopted the mechanisms of mediation, peace enforcement, peacekeeping, diplomacy, negotiation, election observation and litigation to bring about peace in Côte d'Ivoire in 2010. Furthermore, internal identity based conflict, lack of structural and strategic election management strategy, border insecurity, not being proactive, lack of stable military force and politics among its member states were discovered as factors militating ECOWAS in its efforts to bring about peace in the sub region, while proper funding, emphasis on education sector, legislature actions, use of sanctions and regional cooperation were recommended. The study concluded that lack of financial and technical resources has limited the intervention of ECOWAS in conflict resolutions to only political and diplomatic approaches.**

**Key words:** Post-election conflicts, conflict interventions, ECOWAS, Côte d'Ivoire.

## **INTRODUCTION**

The Republic of Côte d'Ivoire has suffered from conflicts that hinder development since the failed coup in 2002 (Gberie, 2005). There has been an incidence of conflicts and civil war since then with the current major post-election conflict in 2010. Although Côte d'Ivoire is a member of Economic Community of West African States (ECOWAS), France was the first to intervene in the 2002 conflict when it was declared a violation of human rights

before ECOWAS deployed army contingents of West African states known as the ECOWAS mission in Côte d'Ivoire (ECOMICI) (United Nations to Côte d'Ivoire, 2003; Gberie, 2005). The mandate of the ECOMICI included monitoring of the ceasefire, ensuring the disengagements of the insurgents from the areas that had fallen under their control, and disarming the rebel group (Gberie, 2005).

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After the situation that necessitates the deployment of an armed force, ECOWAS successfully mediated the conflict in Côte d'Ivoire through peace agreements such as the Linas-Marcoussi agreement in 2003, the Accra III Peace Agreement in 2004, and finally the Ouagadougou Accord in 2007 (Laing, 2011). Another factor to ECOWAS success in 2002 was the relationship that existed between the members of the armed forces (ECOMICI, Forces Nouvelles and Licorne) which brought them together. Most of them were colleagues from the Côte d'Ivoire regular forces (Associated Press, 2011).

ECOWAS initiated and led the negotiations with the support of France that ended the ceasefire for the first time on 13 January, 2003 at the Lomé Agreement in Togo. This gave birth to the Linas-Marcousis Agreement in Paris, France. The Linas-Marcousis Agreement engaged governments of Francophone countries to define in detail with a timeframe an approach to achieve transparent and credible elections. However, this agreement encountered its own problems as Seydou Diarra (Former Prime Minister in February 2003 as part of a deal to end the 2002-2003 civil war) was removed and was replaced by Charles Konan Banny who was unable to take up his post in Côte d'Ivoire as result of the demonstrations in Abidjan. The situation was compounded by the ambivalent position of Laurent Gbagbo (then President) who referred to the Agreement as "proposals" (Gberie and Addo, 2004; Gberie, 2005). The ECOMICI forces were later subsumed under the UN flag as part of the United Nations Operation in Côte d'Ivoire (UNOCI) force on 5 April 2004.

### **The 2010 post-election conflict in Côte d'Ivoire**

After the November 2010 presidential election which was held under the term of the Ouagadougou Peace Agreement, it was argued that ECOWAS supranational role as the regional body was inadequate in de-escalating the post electoral violence that ensued after the announcement of the election result. The same arguments reflected in the presidential election of 2015 in the country. The diplomatic role played by ECOWAS was unable to get Laurent Gbagbo to vacate the seat for Alassane Ouattara, the acknowledged winner of the presidential election. The inability of ECOWAS to apply the use of force (as a last resort) in their mediatory role despite the declaration made on 24 December, 2010 created a vacuum that needed to be filled by a regional body. In essence, this study examined the factors that affected ECOWAS's role in resolving the Post-Electoral crisis in Cote d'Ivoire.

The combined team of Ouattara and Bedié in the 2010 presidential election runoff held on 28 November, 2010 dashed Gbagbo's hopes of winning (Cook, 2011). The UN-certified runoff results announced on 2 December,

2010 by Côte d'Ivoire Independent Electoral Commission (IEC) indicated Ouattara's lead in the election by 54.1% of the votes which was challenged by Gbagbo before the Ivorian Constitutional Council (Cook, 2011). The council reviewed and annulled the IEC results and declared Gbagbo president with 51.5% votes by invalidating the results declared by the IEC. National (the governments of Britain, France and the US), regional (ECOWAS, AU and EU) and international bodies entrusted the UN Special Representative of the Secretary General to certify the results. ECOWAS, AU and EU described the act of the Ivorian Constitutional Council as the government's attempt to inappropriately hold power against the will of the people (Loucoumane, 2010).

An ECOWAS summit held in Abuja on 7 December, 2010 endorsed the results of the presidential run-off declared by the Independent Electoral Commission (IEC) to protect the credibility of the elections. This result was duly certified by the Special Representative of the Secretary General of the United Nations in Côte d'Ivoire in agreement with the UN Security Council Resolution 1765. Mr. Alassane Dramane Ouattara was recognized by most of the states according to the resolution as the President-elect of Côte d'Ivoire. The then president, Mr. Laurent Gbagbo was called upon to accept the outcome of the run-off presidential elections and hand over power to the elected president in the interest of the people of Côte d'Ivoire (Final Communiqué of Extraordinary Session of the Authority of Head of States and Government on Côte d'Ivoire, 2010). The acceptance of the run-off results by ECOWAS's was however criticized by some world leaders, including the AU's mediator (former South African president Thabo Mbeki). These leaders described the endorsement of Ouattara's win by ECOWAS as too quick (Zounmenou and Loua, 2011).

### **Intervention in the 2010 post-election conflict**

The post-election conflicts immediately escalated to the level of human rights violation, which was condemned by a resolution on 23 December, 2010 by the United Nations Human Rights Council although Amnesty International criticized it as being insufficient (Zounmenou and Loua, 2011). A minimum of six people were killed during an attack carried out by the supporters of Gbagbo on 1 March during a rally by supporters of Ouattara. Foreign business and UN workers were also attacked (Voice of America, 2010). Several encounters between pro-Ouattara and pro-Gbagbo forces ended in the massacre (Amnesty International, 2010; BBC News, 2011; Andrew, 2011; Al-Jazeera English, 2011) until a joint UN and French intervention on 4 April, 2011 restored peace (BBC News, 2011). Intervention refers to a range of deliberate development, peace building, or humanitarian assistance or initiatives, which aims at positively influencing a conflict situation to foretell exacerbation of the conflict and

bring a reduction in violent conflict. An intervention in this sense has three distinct stages: planning, implementation, and monitoring and evaluation (Demola, 2011).

The combined forces of the UN and France led the arrest of Gbagbo on 11 April at his residence (BBC News, 2011; Isakova, 2011; Voice of America News, 2011). Intervention in a conflict situation can take different methods or dimensions. One of these methods of intervention is the use of a peacekeeping mission. The objective of peacekeeping mission is to facilitate a peaceful conflict resolution. It could be carried out by regional, continental and international organizations as well as independent states, and coalition forces. However, ECOWAS did not use the last resort of force to prevent the massacre that resulted from the refusal of Gbagbo to accept the 2010 presidential run-off election results until the international agencies intervened (BBC News, 2011; Voice of America News, 2011).

This study drew attention to the effect of “sit tight syndrome” on the election. It examined the third party role of ECOWAS and focused on the weak intervention strategies adopted by the West Africa regional body in resolving the post electoral crisis in Côte d'Ivoire. It also sought to add to the general body of knowledge and serve as reference materials to students and researchers on the subject matter.

## METHODOLOGY

### Study area

Côte d'Ivoire is a country in West Africa. It borders Liberia and Guinea in the west, Mali and Burkina Faso in the north, Ghana in the east, and the Gulf of Guinea (Atlantic Ocean) in the south (Redmond, 2009). The country gained independence on 7 August, 1960 under the leadership of Felix Houphouët-Boigny until 1993 when he passed on. Côte d'Ivoire, after independence kept a good political and economic relationship with neighbouring countries in the sub-region and also with the west, especially the Republic of France, its colonial master. The official language is French and the major religions are Islam, Christianity and various indigenous religions. The country was originally known in English as “Ivory Coast” until October 1985, when it was officially changed to Côte d'Ivoire. There was no conflict during the era of the first president from 1960 to 1993. The first coup-d'état in the country was organized in 1999 under the rule of the second president (Bédié). This was followed by a civil war in 2002 resulting from a failed coup-d'état. Although there was minor crisis in the country since 2002, the next major conflict was the post-election crisis in 2010. Côte d'Ivoire is a Republic with a strong executive power vested in the president.

The country is one of the 16 member states of the Economic Community of West African States (ECOWAS). Côte d'Ivoire was one of the first four West African countries that signed an agreement to form the West African Community in February 1965 but did not materialize. When the Treaty of Lagos was finally signed in 1975, Côte d'Ivoire was part of the 15 countries (Magazzino, 2016; ECOWAS, 2019).

Before the 2010 post-electoral crisis, Côte d'Ivoire was one of the largest economies in West Africa consisting 40% of the monetary union's GDP (Chafer, 2002). The economic base of the country is

agriculture mainly smallholdings which attracted migrants from all over West Africa during the era of President Felix Houphouët Boigny (Niemann, 2011).

### Methods of data collection and analysis

The researcher adopted the method of qualitative research comprising of in-depth interviews with key respondents, intellectual personnel on the nature and effect of the election management in Côte d'Ivoire and role of governmental and nongovernmental organisations in the crisis.

For this study, the researcher focused on analysing the role of ECOWAS in Côte d'Ivoire post-election crisis that resulted in the loss of lives and destruction of properties between 2010 and 2011 in relation to the presidential election of 2015 as well as evaluating the views and activities of some civil society groups and nongovernmental organisations that were present before, during and after the Côte d'Ivoire crisis. A total of 15 key informants were interviewed. The inclusion of civil society groups and NGOs in this study was because they are seen as closest entity to the people than the government or regional organizations. The findings were validated with secondary data from published articles, books, briefs and newspapers. Key informant who experienced the 2010 post-election conflict and are also expert in the field of political science such as electoral observers from ECOWAS Commission in Côte d'Ivoire, leaders of some of the civil society groups that played major role in the post-electoral crisis, leaders of some of the nongovernmental organisations, intellectual individuals (Professors and political science researchers) were part of the targeted audience. The eligibility of participants stemmed from their role in the observation and resolution of the 2010 post-electoral crisis in Côte d'Ivoire, adoption of their documents as guidelines to electoral activities and their activities after the crisis now that relative peace is present in the country.

Data were collected using unstructured interview schedule, which provided an appropriate method for capturing more than structured answers (questionnaire type) regarding the communication model preferences of both ECOWAS and civil society groups in expressing their discontent and challenges in solving the crisis (Bohgard et al., 2009). A total number of 15 key informants were interviewed. The use of in-depth interviews helped provide more knowledge on the strategies and techniques employed by the parties in conflict to draw significant public support and loyalist to their cause. Questions bothered on the nature of the Côte d'Ivoire post-electoral crisis, the role played by the civil societies, NGO's and ECOWAS, the challenges encountered, and outcome of the resolution approaches adopted. Narrative technique and content analysis technique were used to analyse the primary and secondary data respectively. The procedure allowed each objective to be singled out and the required information from the responses critically extracted and analysed.

## RESULTS AND DISCUSSION

### The ECOWAS Election Management Strategy

ECOWAS usually sends election observers to each member states during elections. The first group of observers are known as “long-term observers” or “fact-finding observers”. Their duty is to monitor the conditions on ground if it is suitable for a free, transparent and above all democratic election, says a participant. Outcomes of the observation are documented in reports

to be submitted to the governmental committees and stakeholders, namely, civil societies, political parties and the Independent Electoral Commission (IEC) to ascertain the reality on ground. Any undesirable conditions that will hamper free elections are resolved before final reports are prepared to the Chairpersons of the Committee of the Election Management Bodies (EMBs). A participant further explained:

*“The long-term observers work within a period of one to two months before the elections, afterwards the short-term observers are sent for the election days. The short-term observers after arrival, dispatch themselves all over the territory of the country where the election is taking place.*

Several criteria are considered in the recruitment of ECOWAS election observers. ECOWAS staff are also eligible to be recruited for this purpose. Election observers are trained at Kofi Anna International Peacekeeping Training Center (KAIPTC) in Accra, Ghana and certified. ECOWAS most often relies on the West Africa Network for Peacebuilding (WANEP) and the Open Society Initiative for West Africa (OSIWA) to identify NGOs to assist in the recruitment process. The AU and EU have been the main organization that supports the training of observers for ECOWAS. The EU regularly makes an open call to observers for trainings in Austria especially in the area of accessing funding for trainings and election observations. All cardinal points (North, South, East and West) in a country carrying out elections receive observers. At least two observers are sent to each region except in situations where initial survey revealed danger where less than the usual number will be sent to guard against both human and financial losses. Moreover, an observer can state that the posted location was not accessible due to pending danger. Population of regions or location of post is considered in deciding the number of observers to send to a place. Therefore, some locations may have more than two. Observers are not stationary; they circulate throughout the day and report in a systematic order their observation on daily basis to the election management commission.

Short-term observers of ECOWAS only operate at the polling stations where the voting is taking place. They move from one polling station to another monitoring the conditions on ground if there are any irregularities. The long-term observers visit civil societies, government, political parties and other associations to ascertain if the environment is favourable for an election. They attend the opening of the polling stations and return to make observations at the closure also. Short-term observers are briefed based on the continuous report sent on the field to the electoral division cell of ECOWAS to review the political environment of the country and making suggestions on what could be expected as well as best ways to manage the situation before being dispatched to

the field.

It is clear that observers cannot be everywhere at the same time and observe in full-time due to limited funding and manpower. To prevent bias in the work of observers, ECOWAS recruit only nationals of other countries beside the nation undergoing elections to have a greater chance of neutral reporting although it would have been less expensive to use national observers. The observation of a participant who was also an election observer stated that:

*“The availability of funds to carry out election observation is a challenge to ECOWAS. They are sometimes funded by the European Union including extra interventions and a waiting force just in case of conflict during elections. Fund for election management is a problem in ECOWAS because member states do not pay their dues regularly.”*

### **Election management approaches of ECOWAS in the 2010 post-electoral conflict in Côte d’Ivoire**

#### ***Diplomatic approach***

In 2010, ECOWAS deployed pre-election fact-finding mission of five persons to monitor the readiness of the stakeholders for the elections in Côte d’Ivoire. According to a participant in the study:

*“The stakeholders engaged on this mission included the electoral commission, the judiciary, the civil society organisation and the political parties.”*

Some of the information gathered by the mission included the preparedness of the electoral commission, the credibility of the whole electoral process and expectation of the stakeholders in the elections. The report of the fact-finding technical mission of ECOWAS showed credible, free and fair elections in both the first round and runoff in 2010 except little hitches in certain parts of the north. ECOWAS, as a “supranational organisation” does not need an invitation to observe election in any of the member states.

ECOWAS election observers usually use three forms out of the total of four (form A, B, C and D) to assess an election, thereby making the report of fact-finding mission credible and accepted by the organization. It was explained by a participant that:

*“The form A gathers information on the opening of the poll on the election day, form B is generally on the commencement of the voting and form C covers the voting process including the closing of the poll. The fourth, form D which is not usually used is on the collation of results.”*

The second medium of observation was through the

Early Warning Mechanism in ECOWAS Commission that gathers information on all activities in member states. The Early Warning Mechanisms analyse and report potential conflict, ongoing or emerging conflict in the region and advice the president of the commission on actions to be taken. It also gives an outlook on the actors and the dynamics of the conflict or potential conflict. Through the findings of the Early Warning Mechanism, ECOWAS familiarised with the security challenges, tensions, and the feelings of discomfort by certain political stakeholders in Côte d'Ivoire (ECOWAS, 2014).

According to the second observer approach of ECOWAS, the post-election crisis in Côte d'Ivoire began when Bédié declared support for Ouattara in the runoff and made Gbagbo desperate to win without any major ally resulting in the manipulation of the process. The action of Laurent Gbagbo to unilaterally declare himself president without due course to the laid down procedure contained in the peace agreement, without recourse to the ECOWAS Protocol on Democracy and Good Governance and without recourse to the AU constitutive Act made ECOWAS take a stand and openly condemned the act (ECOWAS, 2001). Despite the outcome of the 2010 crisis in Côte d'Ivoire, the resident representative of ECOWAS in Côte d'Ivoire was of the view that;

*“the credibility of the organization was tested and proven worthy by the process.”*

This was on the basis that; the report from the field on the first round of the 2010 election was accurate. ECOWAS witnessed the trend of the crisis by the uncomfortable security conditions Gbagbo created when the returns of the election were not in his favour that made the electoral commission move their base to a hotel to declare the results of the runoff. Moreover, the constitution of Côte d'Ivoire and peace agreement do not prevent the electoral commission from moving their base to a safe location like a hotel in this case (ECOWAS, 2001). Gbagbo violated both the peace agreement and the procedure of appeal of election results by declaring himself president. The peace agreement state that the UN through the UN Mission in Côte d'Ivoire (UNOCI) must certify the results and whomever is certified stand elected until upturn by a constitutional court (United Nations Security Council, 2007).

Article 1 section 1 of the supplementary protocol on Democracy and Good Governance of ECOWAS gave the organization authority to interfere in the electoral crisis. Section 1 is about the Constitutional Convergence Principles and these are the most critical principle fostering good governance and democracy in member states (ECOWAS, 2001). Democracy goes beyond elections to build structural institutions to strengthen democratic values and practices in member states and ECOWAS adopted the diplomatic approach of constitution and agreements to achieve it. Based on the supplementary

protocol on democracy and good governance, ECOWAS concluded that Alassane Ouattara emerged as president of the 2010 runoff through a credible process (ECOWAS, 2001). Furthermore, a participant stated that:

*“ECOWAS through their relationship with the European Union (EU) and the UN also announced sanctions on Côte d'Ivoire to frustrate Gbagbo out of the presidential seat for a peaceful transition of power.”*

### **Political approach**

ECOWAS used an envoy as a political approach by appointed former Nigerian president, Olusegun Obasanjo to convey the offer of the organization to Gbagbo. The offer for a peaceful step down comprised of an exile abroad and a monthly stipend. The AU initially did not agree with the position of ECOWAS on the run-off outcome until a council meeting was called and ECOWAS presented their evidence to the situation. Moreover, an ad hoc high-level panel of five heads of state were formed to investigate the post-electoral conflict. The heads of states were; namely Blaise Compaoré of Burkina Faso, Mohamed Ould Abdel Aziz of Mauritania, Idriss Deby Itno of Chad, Jakaya Kikwete of Tanzania and Jacob Zuma of South Africa (ICG, 2011). On 10 March, 2011, AU released a communiqué endorsing the run-off results of the Independent Electoral Commission of Côte d'Ivoire.

The constitutional court which earlier nullified the run-off results and declared Gbagbo the winner was called upon by ECOWAS to swear in Ouattara as the president-elect of Côte d'Ivoire from the 2010 elections. The organization along with the rest of the international community admonished president-elect Ouattara to form a government of national unity and to take initiatives to promote national reconciliation (IPI, 2011). After AU realized that Gbagbo will not heed to the resolution, the organization made two additional and equally important proposals: (1) the appointment of a high representative to oversee the implementation of the resolutions; and (2) a timeframe of two weeks for parties to work out the modalities. All political approaches for a peaceful handing over of power was rejected by Gbagbo.

### **The Military approach of ECOWAS**

When Gbagbo refused to cede power to the rightful winner of the 2010 presidential election in Côte d'Ivoire, ECOWAS had to issue a “threat” to him. According to a participant:

*“The issue from ECOWAS was not a threat as such, but rather a mediation activity to speak to Gbagbo to respect the law of his country.”*

Heads of member states were involved in the process by engaging them to resolve the situation with Gbagbo as a colleague which he refused. All other mediation activities like the engagement of Obasanjo did not work. ECOWAS had no choice than to invoke the provision of its supplementary protocol (ECOWAS, 2001).

The aftermath was what could be described as “ECOWAS could bark but not bite”. The peculiarity of the situation made it difficult for ECOWAS to come in with troops which could have caused the Gbagbo forces to attack Ouattara, who was still in the country at the Golf Hotel to be precise. It would have defeated the objective of the organization and lead to a lose-lose situation. Nonetheless, the approach of ECOWAS was the most developed peace and security architecture in Africa and the sub-region at the time.

The approach of ECOWAS as a regional organisation in resolving/mediating the issue in Côte d’Ivoire was observed to be appropriate as all available peaceful strategies were engaged for Gbagbo to step down according to a participant. However, the delayed effort of ECOWAS to use moderate force to ensure that the outcome of the elections was accepted by Gbagbo before the intervention of the French military forces was seen as weakness in the approach that made their effort lack robustness. The commendable approach of election observation and conflict resolution of ECOWAS lost relevance when it failed to successfully move Gbagbo out of power for the elected president to take over. The failure of ECOWAS followed by AU in resolving the situation prompted the intervention of the UN. Some of the participants observed that:

*“The diplomatic action of AU in Côte d’Ivoire at the time that ECOWAS had resorted to force was the reason why ECOWAS backed out for UN and French troops to initiate military intervention. The lack of a standing force or army by ECOWAS was seen as a limitation to a military intervention in the post-election crisis in Cote d’Ivoire.”*

Although ECOWAS played a preventive, resolution and reconstruction role in line with the mechanism for conflict prevention, management resolution, peace keeping and security in the supplementary protocol on democracy and good governance, the outcome in Cote d’Ivoire could be termed as a failure to act on propositions (ECOWAS, 2001; Zounmenou and Loua, 2011). Moreover, the ECOWAS force was deficient to carry out the task evidenced by the support of Licorne (French troops on ground) to compel Nouvelles (pro-Ouattara force) to dislodge Gbagbo from power.

Since the intervention of ECOWAS in the Liberia and Sierra Leone crisis, the objectives of ECOWAS moved from just economic to include political and military intervention. In the case of Côte d’Ivoire, ECOWAS is seen to have performed actively before and during the crisis. They adhere strictly to their various documents such as the Conflict Management Prevention Framework,

Supplementary protocol on Democracy and Good Governance, and ECOWAS Handbook on Election Observation. After the election result was announced and the crisis erupted following the declaration of the result, more action was expected from ECOWAS being the regional economic community to resolve the crisis. The lack of the use of force in addition to the diplomatic and political approach of ECOWAS could have informed and emboldened Gbagbo who now felt that nothing could be done to him or his troops if he refused to step down. Ultimately, force was the only medium for ejection of Gbagbo, which was carried out by the UN forces and the French troops.

### **Challenges of the 2010 post-election conflict resolution approaches in Côte d’Ivoire**

Conflict resolution comes with common problems like financial and political challenges among others. ECOWAS was quick to stand firm on its protocols but lacked finance. The main funding states in terms of war have been Nigeria (Terwase et al., 2018). According to the State’s Inspector and Chief of Staff of Former President Bédié, the slow decision of ECOWAS when force was needed after mediation failed gave hope to Gbagbo and his forces. Moreover, AU wanted a reorganization of the run-off until pressure was mounted through South Africa (because of the influence of South Africa in AU and their past relationship with Côte d’Ivoire) to accept the outcome of the already concluded and UN certified run-off results. The relationship with and strong role of South Africa in Côte d’Ivoire could be traced back to FrancAfrique Neo-Liberal system run by the first president of Côte d’Ivoire. The contradicting stands of AU and ECOWAS at the time of the elections was resolved when ECOWAS made a presentation at the AU Peace and Security Council meeting and requested that a high level panel should be set up made up of six head of states from African countries to carry out a fact-finding mission in Côte d’Ivoire, to find out who really won the election through due process.

ECOWAS was part of this technical committee to provide documentation for the fact-finding mission of the appointed head of states. Most importantly, the AU Committee was able to meet with all the parties including the head of the Electoral Commission which was then in exile in Ethiopia and the Constitutional Court which alerted the committee that the decision to give the mandate to Gbagbo was under duress according to a participant. The loyalty of the constitutional court to Gbagbo was based on the fact that the members of the council were appointed by the former President. Besides, ECOWAS was financially constrained in building forces and resources to carry out their position to the end.

The divided stand of ECOWAS member states on the decision of the organization was another challenge. Member states which agreed with the decision of

ECOWAS were willing to release resource to support the cause while other member states with varying opinions became a threat since they could counter any plan of the organization. Furthermore, a participant stated that:

*“some of the heads of states in ECOWAS do not understand democracy because they practice little of such in their countries.”*

Unfortunately, Ghana which understood what democracy really meant did not have the military power to intervene in the crisis when called upon by ECOWAS. It is perceived that ECOWAS is a body with a name but within it are individual entities that operate their personal objectives and ambition for their countries outside what has been agreed on by members of the organization. There are a lot of opportunities to build the sub-region through ECOWAS if member states (heads of states) would put personal ambitions aside and focus on the development of the people in the region. To resolve some of these challenges, language barrier must be broken through exchange programs and backed by regional policies that encourage a positive perception of other countries (Betek et al., 2018).

Another school of thought of the challenge was the disjointed backing of continental (AU) and international organizations (UN) to ECOWAS in resolving conflict. A participant said that:

*“If ECOWAS had an assurance with AU and the UN on the availability of their forces to implement military action, the situation would have been different. There was no assurance to declare a military or forceful removal of Gbagbo.”*

Although financial and logistic constraints were important challenges, the major, was the disunity within member states and at the continental level. It incapacitated the ability to reach a consensus on the necessary steps and actions needed to confront a conflict situation. This was the case of ECOWAS when Ghana refused to contribute troops or get involved in the Côte d'Ivoire conflict. The organization use to have a military force known as the Economic Community of West African States Monitoring Group (ECOMOG), but this is no longer functional. In addition, since the formation of ECOWAS, there has always been a division between the Anglophone and the Francophone speaking countries in West Africa. This could be one of the reasons why the President of Burkina Faso, Campaoré was given the mandate as chief mediator to mediate throughout the crisis.

### **ECOWAS's Election Management in 2010 - 2015 and preparation for 2020 Elections**

Political conflict in Côte d'Ivoire could be dated as far back as 1993 when President Felix Houphouët Boigny

died and was to be replaced. A military coup in 1999 and the failed coup of 2002 further heightened the political tension and the likelihood of conflict even under democratic governance according to the Chief of Staff of Former President Bedie. ECOWAS has been in the scene since 2002 in resolving conflict in Côte d'Ivoire. Some of the intervention of ECOWAS were the negotiation of the first ceasefire; proposition and provision of buffer force; negotiation of peace agreements such as Accra, Lomé among others to stop crisis. Another example of these interventions was the Ouagadougou Agreement that facilitated the 2010 elections (USIP, 2003). A participant stated that:

*“The framework of conflict mediation and crisis intervention set by ECOWAS paved way for other actors such as the AU, UN and the rest of the international community to intervene in the 2010 post-election crisis in Côte d'Ivoire.”*

The representative of ECOWAS in Côte d'Ivoire posited that there was no major conflict in the 2015 elections because the strongest opposition leader Gbagbo was no longer in the country and all radical followers of Gbagbo had been arrested. There was division within the strongest opposition party FPI. ECOWAS has issued the same declaration after observation of each election since inception. The declaration is to the effect that:

*“We observed the election. The irregularities observed are not such as to impair the full credibility of the election.”*

This declaration is based on the number of cases recorded in an election. In situations, where irregularities would not affect the overall results, elections are accounted as credible. For instance, in 2010 and 2015 election in Côte d'Ivoire, the votes from certain regions (over 600,000) were cancelled because of the level of irregular incidence (ECOWAS, 2014). A participant stated that:

*Parliamentary election was stopped in 2015 in some regions because of the level of violence that was observed.”*

The quantification of irregularities is a problem since wrong accounts could undermine the credibility of an election. In most of the cases, the numbers of incidences are used to quantify the irregularities before declaring the status of an election.

To see results from the education of citizens, a participant stated that:

*“The timing of awareness creation for elections in Côte d'Ivoire has not been the best. ECOWAS and other continental and international organization usually rush into the country during the last two months of elections to*

*create awareness and expect a 100% results in terms of peaceful election.”*

This same approach of delayed public education about elections is already happening as the country prepares for the 2020 elections. A detailed organizational program should be designed by ECOWAS for the monitoring of elections in all West African countries which will resolve the challenge of two months' pre-election awareness. Every citizen especially political parties and die-hard followers need to be educated on the instruments, protocols and ECOWAS treaties on good governance in electoral processes. Currently, majority of the voting population comprise youth who have no knowledge of good governance and elections. By the year 2025, all 10-year-old citizens today will be ready to decide the fate of the country (voting age in Côte d'Ivoire is 18 years). If the trend of two-months' pre-election awareness and education is not stopped, there is a little change of success when it comes to free and fair elections without conflicts.

ECOWAS has several educative frameworks and institutions to implement such educative programs if they can be reinvigorated and made to be operational more than administrative. It is understood that the American democracy was not built in a month or two. Rather, it took at least two centuries of permanent civil education (Stromberg, 2011). A little more is required giving that democracy in Côte d'Ivoire and Africa is young.

The intervention strategies of ECOWAS in conflicts must be firm and pragmatic. This will be possible if structural and strategic methods in managing elections area improved. Credible, free and fair elections should be the responsibility of nations and not regional and international organizations. It is evident that organizations like the UN are not reported as key observers of the elections in USA, France among others although their representative may be on ground. This should have been the trend of elections in Africa. Unfortunately, national institutions can be easily manipulated by the contending political forces thereby making the presence of regional organizations such as ECOWAS relevant in managing elections in West Africa. A thorough and efficient observation of election is very expensive for even international organizations to bear. Therefore, the contribution of ECOWAS is commendable but requires consistent improvement especially in the area of education and awareness creation. States do not necessarily need ECOWAS, African Union, United Nations, France, and the United States to ensure that their elections are held in accordance with the principle of democracy. Moreover, election observation mission of ECOWAS is not an obligation. A participant stated that:

*“It is unfathomable why parties of the same nation create an uncomfortable situation to the extent of human violation and destruction of lives and properties, in their*

*quest to overpower or rule the same nation they have destroyed.”*

But to ensure the effectiveness of the regional organisation, ECOWAS need to structure its strategy to building responsible states in West Africa. By doing that, the role of regional organization like ECOWAS in the management of election will just be limited to ensuring transparency and even cease to be relevant with time. Public education about election process and awareness over the need for good governance and democracy would set the pace to achieve the target of no election observation in future according to some of the participants. The young ones must possess democratic norms and grow with it. The president of CIVIS-Côte d'Ivoire pointed out that making the Treaty of Good Governance, an essential instrument for education in West Africa at all levels of formal education and in youth organizations will reduce the number of hands recruited by political parties to carry out unruly activities during elections.

### **2020 election in view**

Based on the prevailing conditions within the armed forces and the rivalry among competing candidates in the 2010 elections which resulted in a conflict, a participant stated that:

*“there is a minor risk of conflict in 2020 according to the president of CIVIS-Cote d'Ivoire.”*

There was no conflict in 2015 because the army was fully under the control of President Ouattara. Currently, there is the problem of ex-combatants yet to receive the promises made to them amidst the possible instrumentalization of dissatisfied young people which would be because not all people can be satisfied by the output of a sitting president. Secondly, about 40 - 50% of citizens who were pro-Gbagbo are yet to be reached with the national reconciliation and social cohesion programme to reassure them of belonging to the same country and be content with their status. These too can cause a conflict due to the urge to take revenge. Finally, majority of the citizens are experiencing hardship caused by the increased living cost, as evidenced by the recent workers strike. There is therefore a probability of conflict from the stated problems and should be addressed before the election in 2020.

Awareness and public education about elections and politics is still very necessary if the ideology of the populace must be changed to avoid conflict in 2020. The issues that instigated the earlier conflicts were personal and could be revived anytime if appropriate preventive measures are not put in place for 2020. It was stated by participants that:

*“The overheating of the political environment by individuals and groups must stop if conflict in 2020 must be prevented. Otherwise we should expect a repetition of conflicts.”*

### **The role of civil society groups in Côte d’Ivoire electoral crisis resolution**

The constitution of Côte d’Ivoire recently recognized civil societies as an actor in the process of building democracy (Constitution of Cote d’Ivoire, 2019). Civil society organizations need to become more professional with a very clear and structured vision distinct from the 1960 definition that made everyone part of civil society according to a participant. A defined framework of operation is needed to transform the role of civil societies to yield similar benefits in other countries as seen in Benin, Nigeria, Ghana among others.

According to the President of CIVIS-Côte d’Ivoire, civil societies have actively participated in managing conflicts by the support provided to people affected by conflicts in Côte d’Ivoire since 2002. There is an up-to-date documentation on the active and perpetual involvement of civil societies in the conflict in the country. During the 2010 post-electoral crisis, NGOs provided humanitarian services especially to the displaced people. Civil societies frequently rang the alarm bell to alert citizens about the mistake of Ouattara by making use of confectionary argument in politics, although it was firmly criticized. In the same vein, the slippage of pro-Gbagbo elements also faced a lot of criticism by several NGOs and civil society. A participant stated that:

*“The action of civil societies during the 2010 post-electoral crisis resulted in the killing of many and some of the actors were arrested.”*

There were several funding opportunities for civil societies to create awareness and train people on how to vote. The electoral system and civil societies operated actively in the first round of the presidential election because there was less of military involvement from the camp of the two opponents who went for the run-off.

Civil Society Organizations, such as Amnesty International monitors and evaluates the governance practices of sitting president and issue statements in relation to the type of rule being practiced in a giving time. Currently, the system in Côte d’Ivoire and most African countries do not give power to civil societies to openly criticize the activities of a ruling government. In Côte d’Ivoire, such organizations were tagged as enemies of the government or ruling party. This however failed to dissuade these organizations from pursuing their mandate of holding the government to account.

According to a participant who was currently the leader of the Ivorian Civil Society Convention (CSCI);

*“Many citizens who were arrested during the crisis were released partly due to the continuous press statements and release from the biggest NGO in Côte d’Ivoire known as the Convention of the Civil Society of Côte d’Ivoire (CSC) or the Ivorian Civil Society Convention (CSCI), which brings together more than 200 of the main NGOs that exist in Côte d’Ivoire.”*

A regular consultation with civil societies in the region coordinated by ECOWAS will strategize and institutionalize the approach used. Reports and advocacy for democracy must be regular from the camp of civil societies to prevent another election conflict.

### **Conclusion**

The need to maintain peace and stability in the West African region prompted the intervention of ECOWAS in electoral process of member states. The mediation strategy was adopted to proffer a solution to the post electoral crisis in Côte d’Ivoire. Laurent Gbagbo was persuaded by ECOWAS to respect the result of the election and leave the office for Alassane Ouattara, the acknowledged winner of the 2010 presidential election. The mediation process failed to yield positive result because it was not backed up with force, which at that time seem to be the only option to remove Gbagbo and a stop the imminent violence. However, several factors seem to have thwarted the use of force. Some of these factors included; the division among member states, lack of support from the AU, the absence or inactiveness of the ECOWAS Standby Force and lack of adequate resources.

The election management strategies of ECOWAS in Côte d’Ivoire lacked both financial and technical resources to achieve set goals. When force was needed to calm the situation, the organization had no standing force to carry out her decisions thereby limiting the intervention approach to only diplomatic and political options. Currently, the limited funding for election observation cannot provide the needed information (maximum or total coverage of election conditions) for an efficient declaration of the status of an election without the citizens making it a responsibility to ensure free and fair election at each polling station. The existing approach of carrying out public awareness, conducted two months to election, has not helped in creating the awareness and voter education among the masses. The Treaty of Good Governance, and the supplementary protocols which became the foundation document in resolving the conflict should be transformed to an essential educational instrument for all levels of education and community awareness training. This could be done through the initiation of programs in synergy with the national representation of ECOWAS in every member state to educate the citizens on governance, elections and

electoral processes. This will ensure that majority of the citizens are aware of the provision of the protocol and treaty of democracy. ECOWAS already has several educative frameworks and commission to implement such education program when they are reinvigorated and made operational rather than administrative.

Although relative peace has been restored in Côte d'Ivoire, the post-election conflict peace initiative needs to be developed to return the country back to normalcy by building up structures that will aid the economic, social and political development. The political state of Côte d'Ivoire is very sensitive and necessitates pragmatic actions considering the fact that the country will be going for another election in 2020 despite the failure of the policy of reconciliation. There are risks such as pro-Gbagbo elements who are yet to be enrolled on the national reconciliation and social cohesion program, hardship evidenced by regular strikes and possible instrumentalization of dissatisfied young people, which should be critically addressed to prevent any form of electoral conflict in 2020. ECOWAS should, therefore, work with the civil society organizations in Côte d'Ivoire to improve the socio-political environment of the country. This will go a long way in unifying the country that was polarized into two factions by the 2010 post-electoral conflict.

#### LIST OF INTERVIEWEES

1. Staff of the Friedrich Naumann Foundation for Freedom
2. State's Inspector and Chief of Staff of Former President Bedié
3. The Resident Representative of ECOWAS in Côte d'Ivoire
4. Advisor for Military and Security Affairs of ECOWAS
5. The Representative of ECOWAS Staff in Cote d'Ivoire
6. President of CIVIS-Côte d'Ivoire
7. African Union and ECOWAS Electoral Observer
8. Lecturers at the University of Bouaké
9. Lecturers at the University of Felix Houphouet Boigny
10. Political scientists and staff of the "Centre de Recherche Politique d'Abidjan
11. Staff of SEPHIS NGO.
12. Students from University of Cocody at the Department of Philosophy.

#### CONFLICT OF INTERESTS

The authors have not declared any conflict of interests.

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