

THE ECOWAS PARLIAMENT AS A TOOL FOR CONFLICT PREVENTION IN WEST AFRICA

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Abstract

This thesis seeks to examine the effectiveness of the ECOWAS Parliament in conflict prevention in West Africa. From a holistic perspective, it also discusses the emergence of regional parliaments and specifically analyses their contribution to conflict prevention.

This thesis is the first to assess how the ECOWAS Parliament attempts to prevent conflict in West Africa and how effective this has been. It presents the argument that, bodies such as the ECOWAS-P which are mandated as the legislative organs in a region otherwise noted for protracted conflicts play a crucial role in preventing conflict. The study employed participant observation (specifically in the ECOWAS-P), case study methods, elite interviews, parliamentary and archival research.

The thesis greatest contribution lie in undertaking an institutionalist approach to conflict prevention and drawing from public administration developed and applied a performance management tool to help assess how the ECOWAS-P has succeeded at this task. It finds that with no provision made for the parliament in the regional conflict prevention mechanism, it has had to employ normative initiatives to be relevant in conflict prevention. The research exposes that the lack of a universal suffrage mode of election of EMPs emphasises its democratic deficit.

The thesis concludes that, the ECOWAS-P as a new institution provided under the revised treaty of 1993 is increasingly gaining more responsibility as a body for conflict prevention and prospectively the enhancement of its powers by the draft supplementary act passed in December 2014 will help it in making binding laws.

Declaration

This dissertation is the result of my own work and includes nothing, which is the outcome of work done in collaboration except where specifically indicated in the text. It has not been previously submitted, in part or whole, to any university or institution for any degree, diploma, or other qualification.

In accordance with the School of Politics, Philosophy, Language and Communication guidelines, this thesis does not exceed 100,000 words, and it contains less than 150 figures.

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List of Abbreviations and Acronyms

ACEPA	African Centre for Parliamentary Affairs
AEC	African Economic Community
AFL	Armed Forces of Liberia
APC	All People's Congress
APRM	African Peer Review Mechanism
APSA	African Peace and Security Architecture
AU	African Union
CAR	Central Africa Republic
CDF	Civil Defence Force
CEMAC	Central African Economic and Monetary Community
CNDD	Conseil national pour la démocratie et le développement
CNT	Conseil National de la Transition
CSO	Civil society organisations
DAF	Director, Administration and Finance
DRC	Democratic Republic of Congo
DRR	Demobilisation, reintegration
EAC	East African Community
EALA	East African Legislative Assembly
EBID	ECOWAS Bank for Investment and Development
ECCAS	Economic Community of Central African States
ECOMOG	ECOWAS Ceasefire Monitoring Group
ECPF	ECOWAS Conflict Prevention Framework
EMPA	Euro-Mediterranean Parliamentary Assembly
EP	European Parliament
EU	European Union
EUROLAP	Euro-Latin American Parliamentary
EWS	Early Warning System
FfWG	Funds for Women Graduates
HI	Historical Institutionalism
ICC	International Criminal Court

ICGL	International Contact Group on Liberia
IDP	Internally displaced persons
IGAD	Inter-Governmental Authority on Development
IPA	International Parliamentary Associations
IPI	International Parliamentary Institution
IPO	International Parliamentary Organs
IPU	Inter-Parliamentary Union
IRCL	Inter-Religious Council of Liberia
IRCSL	Inter-Religious Council of Sierra Leona
JSC	Joint Security Committee
LPA	Lomé Peace Accords
LURD	Liberians United for Reconciliation and Democracy
MDA	Ministries, departments and Agencies
MEP	Members of European Parliament
MODEL	Movement for Democracy in Liberia
MOU	Memoranda of Understanding
MRU	Mano River Union
MRUYYP	Mano River Union Youth Parliament
NEC	National Electoral Commission
NEW	National Elections Watch
NPFL	National Patriotic Front of Liberia
NPRC	National Provisional Ruling Council
OAU	Organization of African Unity
OSIWA	Open Society Initiative of West Africa
PAC	Public Accounts Committee
PAP	Pan-African Parliament
PAPS	Political Affairs, Peace and security
PEDN	Pour le développement national
PR	Proportional representation
PRSP	Poverty Reduction Strategy Papers
PSC	Peace and Security Council

RCI	Rational Choice Institutionalism
REC	Regional Economic Communities
RI	Regional Integration
RPG	Rassemblement du peuple de Guinée
RUF	Revolutionary United Front
SADC	Southern African Development Community
SCLSL	Special Court for Sierra Leone
SLPC	Sierra Leonean All People's Congress
SLPP	Sierra Leone People's Party
SRSG	Special Representative of the Secretary-General
SSR	Security Sector Reform
TPA	Transnational Parliamentary Assemblies
TRC	Truth and Reconciliation Commission
UN	United Nations
UNODC	United Nations organisation for Drug Control
WACI	West Africa Coast Initiative
WACSOFF	West Africa Civil Society Forum
WAHO	West African Health Organization
WAMA	West African Monetary Agency
WAMI	West African Monetary Institute
WANEP	West Africa Network for Peacebuilding
WAYN	West African Youth Network

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1. Chapter One: Introduction

1.1 Background

This research project focuses on the role of the regional parliament of the Economic Community of West Africa States (ECOWAS) in preventing conflicts in the member states. Specifically, how effective the parliament has employed its conflict prevention policy, the ECOWAS Conflict Prevention Framework (ECPF) in two different scenarios; latent conflict (Guinea) and post-conflict (Sierra Leone).

This is core and relevant to the existence of West Africa's integration process because the region has witnessed a total of fifty military led coups; forty-three bloody failed coups, eighty-two coup plots, seven civil wars, other forms of political conflicts McGowan (2006), (ECOWAS 2009, HIIK 2012). These conflicts are literally interlinked and cyclical in nature spiralling across borders and becoming a major factor that affects West Africa's security. Insecurity in neighbouring countries due to civil strife in others is a reality which was experienced as the Liberian crisis had a 'domino effect' on Sierra Leone and Guinea, and with further rippling effects in Guinea-Bissau, The Gambia and Cote d'Ivoire (Aning 1996, Olukoshi 2001, Bah 2012, Adedeji 2004). Adverse effects on these countries are on economic, political and social prospects and in worst case scenarios have (Murdoch and Sandler 2002) served as geographical exports of conflict (Hegre and Sambanis 2006, Raleigh and Hegre 2009).

In West Africa, conflict prevention is in the first instance associated with the ECOWAS executives as the vanguard of peace, however, as representatives of the citizens of the region, the parliament can be said to be uniquely placed as a natural forum for consensus building (Dutta, Hajdu et al. 2007, O'Brien, Stapenhurst et al. 2008, Dri 2009).

In the spirit of 'African solutions to African problems, the preferred prevention initiatives emanate from the efforts of a calibre of personalities and organizations including agencies within the UN system; international financial institutions; regional organizations; and major governments through bilateral development and security assistance. Others include non-governmental organisations (NGOs), the private business sector, philanthropists, royalty, eminent personalities (including celebrities), (Cousens, Kumar et al. 2001, Zartman 2011, van Leeuwen 2013) and those in the immediate geographical area of the issue starting usually with the government. This has been phrased as a 'multi-tooled, multi-actored,

multileveled concept' by former UN Secretary-General Kofi Annan(Annan 2002) and a 'culture of prevention' (Kabia 2009).

ECOWAS now takes a proactive rather than a reactive approach to support the that belief that acting before high levels of conflict intensity is better than trying to end them, expressed as 'prevention is better than cure' (Miall, Ramsbotham et al. 1999, Bercovitch, Kremenyuk et al. 2008). It will suffice to state that, conflict prevention is thus not just a high ideal, but a prudent option that sometimes works (Miall, Ramsbotham et al. 2005, Zartman 2011).

In West Africa, there exists no study of the effectiveness of the regional parliament on conflict prevention. Most of the writings are focused on the ECOWAS executives and commission's role on sector development, trade liberalisation, dependency and regional security. Some of these scholars research on the African Union (AU) by Murithi (2005), Makinda and Okumu (2008), Francis (2006), (2006), Akokpari, Ndinga-Muvumba et al. (2008) and Okolo and Wright (1990). Directly on the ECOWAS Parliament, authors include Eze (2004) and Salih (2013) with the latter's seminal chapter '*African Regional Parliaments: Legislatures without Legislative Powers*' recognising a conflict prevention role for the parliament but not with a measuring instrument.

1.2 Original Contribution

This thesis seeks to make an original contribution in a number of ways. First, as issues of conflict prevention have been the exclusive preserve of the Executives within the ECOWAS integration project, this thesis seeks to build and extend existing knowledge on institutionalist accounts of the causes and remedies of conflict. Second, the thesis makes a contribution towards the gap in the literature on regional governance and conflict prevention. Most research focuses on institutions like the EU, ASEAN, NATO and others. Third, this thesis also provides pertinent description on what on the parliament's aims to achieve through conflict prevention and how it works towards making this successful. Fourth, it assesses the ECOWAS-P's effectiveness in two case studies and draw out lessons for both policy makers and academics. Therefore, it contributes to the burgeoning legislative literature on how regional parliaments work differently from national parliaments, and the nuances that are unique to their existence. Thus it extends the knowledge of the causes and remedies of conflict in the two cases. Finally, it contributes to studies on the ECOWAS integration projects and its quest for supranational status, and promoting peace and stability.

1.3 Research Aims and Problem

First, the original Treaty founding ECOWAS (1975) focused on issues of integration pertaining to economics and Unity as espoused in the then continental body Organization of African Unity (now African Union(AU)) charter on notions of Pan-Africanism (ECOWAS 1975). But incrementally, ECOWAS edged towards a sub-regional integration that identifies more favourable options boosting member states' chances of promoting security and democracy within their borders effectively.

This was the Cold War era and in the midst of super power rivalries, ECOWAS realising a direct correlation between development and security in the region attempted to coordinate this by establishing two protocols to deal with regional security. One was the 1978 Protocol Relating to Non-Aggression mainly to ensure that sovereign states existed free of fear of attack or aggression by one state towards another; and the other 1981 Protocol on Mutual Assistance on Defence was an agreement that 'any armed threat or aggression directed against any member state shall constitute a threat or aggression against the community' (Bah 2012).

Second, the post-Cold War scenario was further complicated with the continuous presence of former colonial powers being central to the development of their former colonies through patronage, and the emergence of globalisation. There is the Anglophone influence led by the British and US (Nigeria, Ghana, The Gambia, Liberia, Sierra Leone) and then the Francophone influence by France (Benin, Burkina Faso, La Cote d'Ivoire, Guinea, Guinea-Bissau, Mali, Niger, Senegal, Togo); to an extent Portuguese influence in Cape Verde is strong but its minimal in the politics of the sub-region in general.

Significantly, to have relevance in global politics, regions needed to be seen as spearheading new development paradigms. Subtly, these powers are unwilling to relinquish their power over the regions for varied reasons, and these come into play at the helm of the driving forces in decision-making and most especially on conflict prevention initiatives (Breslin and Higgott 2000, Buzan and Wæver 2003, Acharya 2009, Fawn 2009)

Equally important, is the role of the African Union and the United Nations on conflict paradigms in which they defer to the ECOWAS organ as a whole without necessarily instituting what measures each institution under the body undertakes/plays. Thus in the midst of these conglomerate of measures and manipulations, the ECOWAS Parliament's

efforts if any, are subsumed under the general framework of the sub-regional body ECOWAS.

The Heads of States met regularly to review progress and also make new laws to govern the sub-region on varied issues and gradually started making decisions on security on an ad hoc basis and these only became structured with the emergence of a parliament in the revised Treaty.

Third, the 1993 Revised ECOWAS treaty was therefore the main catalyst to reintroduce a comprehensive approach through the ECPF as new intra-conflicts and wars serve to unite West Africa in ways that would not have been achieved during the cold war (ECOWAS 1993).

Though provision for a community parliament was made in the revised treaty, it was without protocols to establish its mandate and guide its work until 1999, and then following, it was inaugurated in 2002 and started working. As a sub-region of strong executive leaders, albeit in the midst of pseudo-democratic, and some near democratic countries, the mantra of the body that by establishing a parliament it was looking to move from an '*ECOWAS of States to an ECOWAS of People*' and lends credence to their resolve to make the sub-region one that is representative of the wishes of the populations of West African countries.

The inauguration of the community parliament served as an incremental gain on issues of harmonising and coordinating protocols and policies on conflict prevention as it helps to harness all the ad hoc policies into a coordinated unit of the ECOWAS Conflict prevention Framework (ECPF).

The need for such a framework is deemed important as the realisation dawned that conflict prevention does not have to do with only the military aspects of security but also, the human and social aspects are as important especially if the sub-region is to experience democratic peace in context.

Inherently, the parliament embody issues of supranational challenges in executing its mandate within the framework of working with the fifteen countries in the union. The mandate of the parliament in relation to the general set up of the sub-regional body; how it execute, implement and monitor policies; and its processes for ensuring that conflict does not erupt in the nations states is an understudied aspect of West Africa's integration project which this research will explore.

The problem this research project seeks to address, therefore, is not an explanation of why ECOWAS as an institution intervenes in conflict situations; or why member states are engulfed in intra-conflicts situations as pertains in some countries, or what ECOWAS does to mitigate escalating conflicts. Instead, this thesis takes a case study approach through participant observation and multidisciplinary concepts aimed at investigating the extent to which one of the institutions under the sub-regional structure ECOWAS, the community parliament, has engaged the issues of conflict prevention in member states, and how effective this has been.

This makes it possible for issues of democratic deficit between supranational and sovereignty to be captured, and demonstrates the empirical nature of how a parliament can implement policies, juxtaposed against national interests, identity and domestic politics.

The study does not explore the relationship between the evaluation of the conflict prevention policy and its implementation. It deliberately circumvents the tendency to assimilate rather maintaining evaluation as retaining its enlightenment function whilst the study of implementation focuses on the learning accrued through implementation of the policy.

This research will therefore develop a tool to measure effectiveness and connect international relations with drivers of policy making. This conceptually will inform both areas to establish a proper understanding of the issues in studying supranational parliaments and policy implementation.

1.4 Research Questions

The central research question of this thesis is:

How effective is the ECOWAS Parliament at preventing conflict in West Africa?

The preliminary hypothesis is that *'The ECOWAS Parliament continues to work with members states on conflict prevention mechanisms in West Africa, and though these have not served to mitigate all conflicts in the region it has served to minimise escalation in the face of recurrent instability'*.

The thesis argues that, the ECOWAS Parliament enters its Fourth Legislature with the passage of the draft supplementary act establishing formal interactions between the ECOWAS Commission and Parliament on mediation at this stage. During the First

Legislature (2000-2005), the leadership of the Speaker spawned a lot of opportunities to embark on mediation (Mano River Union crisis; Ivoirian crisis) whereas during the Second Legislature (2005-2010), in the cases of Guinea and Niger, it was the National Parliament's initiative to engage the ECOWAS Parliament in the mediation process (two ad hoc ECOWAS Committees in charge of continuous negotiations with Guinea and Niger were created).

Therefore, it is as yet not fulfilling or exercising its role as a fully-fledged parliament for democratic development, but is positioning itself because it is assuming a role within the much larger context of a continuous process. Ironically it also means that it has received increased but stilted attention in recent years but ultimately, the intent is to assume effective legislative and democratic oversight functions and mandates to be a viable democratic organ in the region

The central research question generates the following sub-questions under five themes:

a. Institutional structure for the ECOWAS-P

As the parliament was set up under the tenets of the Revised ECOWAS Treaty (1993), how does it rank in the hierarchy of authority amongst the other organs; for instance, are decisions made at the Parliament on conflict prevention issues binding on member states? The assumption is here, as West Africa have strong Executives, sovereignty will also be a strategy used to oppose legislative leadership on matters of sub-regional governance. Thus, do the Authority of Heads of States and Governments' defer policy making to the parliament or governments, and do member states recognise policies as emanating from national or regional?

b. Bureaucratic analyses

How institutionally competent and equipped is the parliament, as a legislature in the sub-region? There is then the broader question of linking policy decision-making and enactment/implementation. As member states come to parliamentary sessions with their national agenda how are these debated and finally made into policy to reflect a 'West Africanness'.

How does the Secretariat function, how is it set up and funded amongst other issues? A strong executive secretariat exists in the ECOWAS Commission with the Authority leading

on decision-making, to what extent does the parliament work independently according to its mandate?

C. Democratic deficit

This aims to review how the member states perform their democratic functions or lack thereof. Most West African States clearly feel more of national identities than regional, especially as the parliament is unelected. Thus there is need to examine how the representatives are chosen or appointed and to what extent they represent the interest of their nationals in decision-making processes. The formal accountability mechanisms that exist if any, and how citizens perceive representatives' ability to legislate on their behalf. Also, as some countries in the sub-region are in conflict, or have disputed elected leaders in office, to what extent the parliament ensures that it is not viewed as an instrument for legitimising and maintaining autocratic regimes in office.

d. Role in regional conflict and security

What are the processes undertaken by parliament and how have member states (Guinea and Sierra Leone) adapted these in their national police? How are these implemented and monitored?

e. Status of the collective security mechanism

Turning towards security issues on since the 1990's ECOWAS still remains one of the most insecure regions in the world. What has been the main motivations for developing a security framework like the ECOWAS Conflict Prevention Framework (ECPF) and to what extent has it been effective?

1.5 Central Argument

In the ECOWAS region, conflict prevention initiatives have been consistently undertaken and managed by the executive arm of the region's integration project to the detriment of other organs within its set up. This thesis therefore argues that, despite a lack of mandate, the Parliament has increasingly carved out a role for itself in undertaking conflict prevention in West Africa.

Additionally, the thesis argues that, the ECOWAS Parliament enters its Fourth Legislature with the passage of the draft supplementary act establishing formal interactions between

the ECOWAS Commission and Parliament on mediation at this stage. During the First Legislature (2000-2005), the leadership of the Speaker spawned a lot of opportunities to embark on mediation (Mano River Union crisis; Ivoirian crisis) whereas during the Second Legislature (2005-2010), in the cases of Guinea and Niger, it was the National Parliament's initiative to engage the ECOWAS Parliament in the mediation process (two ad hoc ECOWAS Committees in charge of continuous negotiations with Guinea and Niger were created).

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1.6 Importance of the study

One of the remarkable untold stories in recent strides to ascertaining democratic freedoms has been reticence of regional parliaments. Regional entities of the global South, especially Africa now have parliamentary organs showing a clear ambition towards a European Union (EU) Parliament style organ (Kingah and Cofelice 2012); demonstrating recognition on the importance of regional assemblies.

In contemporary geopolitics, Africa occupies a strategic place in its relations with the United States (Obama 2009, Bouchat 2010, McGovern 2011), China (Alden 2007, Van Dijk 2009), Russia (Matusevich 2007) and the United Kingdom (Porteous 2008, Chafer and Cumming 2011). Notably the US's African Command military bases in Africa (Copson 2007); China's intensified diplomatic and economic activities (Alden, Large et al. 2008, Aning and Lecoutre 2008) and with the economic leverage by the Brazil, Russia, India, China and South Africa (BRICS) (Purushothaman and Wilson 2009, Schoeman 2011).

Besides, Africa's economic trends have remained positive despite protracted social conflicts; with a comparative advantage in resources (Alao 2007, Dowden 2010) notable reduction in the number of conflicts, and some democratic progress, Conflict prevention strategies (Ramsbotham, Woodhouse et al. 2011) are significant if Africa is to continue as a strategic partnership (Mekenkamp, van Tongeren et al. 1999, Olonisakin 2004).

First, regionalism is widespread and every country in the world belongs to at least one regional grouping and parliaments have been set up to demonstrate the consolidated gains of integration projects across several economic and political spheres. Second, this helps improve our descriptive knowledge of legislatures work in conflict prevention. Demonstrating through the research questions, this thesis will showcase how by examining

the structure, policies and implementation patterns of the legislature, these can be modelled into conceptualised and theorized patterns.

Third, this will help in improving our understanding of theory on how important regional organisations are in dealing with conflict in general, and how effective it can be when the different institutions embedded in it are explored to measure particular spheres of policy implementation.

1.7 Thesis Structure

This thesis contains nine chapters. **Chapter two** reviews the literature on emergence of regional parliaments, their structure in Africa, the sources of conflict and the conflict prevention/resolution methods employed to mitigate these issues, and how the parliament is represented. **Chapter three** is on the methodology and approaches employed as relates to the core research questions. A review of the methods is made and justification given for the case study approach, as well as a discussion on how data was collected and analysed. **Chapter four** provides the conceptualised institutionalist analyses on parliaments, regional parliaments and the ECOWAS parliament. In addition the development of the 'tool of effectiveness' and its indicators discoursed. In **chapter five** the ECOWAS Parliament is examined in relation to its institutional set up, mandate and degree of policy implementation in conflict prevention. This chapter draws useful empirical inferences from the field work as well as archival documents. **Chapter six** examines latent conflict case study (Guinea) whilst **chapter seven** examines the post-conflict initiatives in Sierra Leone. **Chapter eight** provides the analyses and research findings by employing useful deductions from the preceding chapters and applying the tool for effectiveness to the extent of effectiveness. Finally, **chapter nine** summarises policy implications, recommendations and conclusions. It also makes suggestions on future avenues of research, including recommendations that can be adopted to improve the work of the parliament.

1.8 Conclusion

This introductory chapter states the overall purpose of this PhD thesis aimed at undertaking a study of the ECOWAS Parliament and effectiveness in conflict prevention. To ensure a logical flow, there was also a historical, geographical and institutional overview of the parliament thereby placing the study in context.

2. Chapter Two: Regional Parliaments and conflict prevention in West Africa

2.1 Introduction

This chapter appraises literature on parliaments in the international and regional context and in particular, emphasis is placed on their emergence, dynamics, relevance within the African setting and purposely for conflict prevention.

This chapter critically compares competing definitions of parliaments, discusses the regional parliaments that exist, drawing out some of the weaknesses and gaps in the literature to which this thesis aims to respond.

The main question in this study *'how effective is the ECOWAS Parliament in preventing conflict in West Africa?'* ultimately helps in providing a clearer picture of the numerous overlapping factors that precipitate the agenda of the ECOWAS-P and to what level outcomes are considered effective.

The overarching hypothesis is premised on the assumption that the ECOWAS Parliament continues to work with member states on conflict prevention mechanisms in West Africa, and though these have not served to mitigate all conflicts in the region it has served to minimise escalation in the face of recurrent instability. To this end, the supplementary questions for this phenomenon enumerated in in the introductory chapter of this research, occupy the main focus for this chapter in helping to establish measured outcomes.

The literature review conducted for this study reveals that scholarly works on ECOWAS is varied as it evaluates African integration and its regional blocs generally, on different aspects of regionalism, but however, remains, on the whole, unstructured. Additionally, there are active intellectual debates on national parliaments in all its facets, with accompanying discussions of regional parliaments, a caveat here being 'the European parliament' with a deficit of other regional parliaments in other parts of the world. Meanwhile, almost all existing studies seeking to measure performance of parliament in any sphere are descriptive studies which lack explanatory power. Most of them also harbour an empirical puzzle thus the literature reviewed here will explore these attempts, whilst the next chapter interacts with both theory and empirical findings. The chapter also denotes theoretical and intellectual traditions and arguments that define their significance.

Section 2.1 defines what parliaments are and gives an overview of national, regional (international) perspectives. **Section 2.2** examines how these regional parliaments are defined and structured in Africa. **Section 2.3** discusses the features and characteristics of ARPs whilst **Section 2.4** explores the EU parliament as sui generis in the emerging supranational environment of regional parliaments. **Section 2.5** defines regional parliaments in the context of this research. **Section 2.6** then explores parliaments and conflict prevention, paying heed to the specific causes and types of conflicts in Africa (West) and who the major actors in conflict prevention have been. **Section 2.7** elaborates briefly on the case for the ECOWAS-P and **Section 2.8** offers concluding remarks.

2.2 Defining Parliaments (Forms, Types, Categories)

The word 'Parliament' is a derivative of the French verb '*parler*'-'to speak or talk'. This became the French word '*parlement*' and appeared in the English language in the latter part of the 13th century (Ayto 2005:368). Parliament is also called Assembly, Legislature, and a myriad of names all over the world. It is an institution central to political systems and attracts prolific scholarship from academics including Norton (1990), (1998) and Eulau (1985:1-10).

These scholars emphasise that, modern parliaments embody inherent advantages of consolidating best practices by establishing a pattern of constant continuity and change in legislative research. These scholars have also made strides ascribing in relative terms succinct definitions of the boundaries of parliaments as subject of research and openness to study.

However, these developments showcasing theoretical strides in advancing legislative research still emphasise the location of legislative research in the context of constitutional governance which are not ideal for regional legislatures as these are state led. In a nominal sense, a typical parliament is a place for people to discuss, exchange views and speak on issues of concern in communities.

2.2.1 National Parliaments

There is abundance of literature discussing national parliaments' roles and functions in different ways. These include cross cutting agreements on established patterns that parliaments or assemblies fulfil on various functions, including representation, deliberation,

legislation, authorising revenue and expenditure, making and unmaking government, scrutiny (questions and interpellations, emergency debates and committee investigations), conflict prevention, political recruitment and socialisation to democratic norms.

However, a caveat made by Norton (1990:1) seeks to draw attention to the core function mirrored in legislatures, 'that of giving assent to measures that by virtue of that assent, are to be binding on society'. But at the same time, legislatures do have different practical roles, spanning the globe wither as bicameral, unicameral, federal (Norton 1990) and in recent literature these include regional categories.

Insistently, Norton (1998:ix) and Herman and Lodge (1978) maintain, that, even though some scholars bemoan the 'decline of legislatures' through the 20th Century, on the contrary the reverse holds true. More than 150 countries including the European Parliament were developed in the 1990s; including parliaments from Central and Eastern Europe. Additionally, various transitions to democracy in other parts of the world suggest we *may* 'indeed...be living in the age of parliaments'(Norton 1998).

This increase in parliaments therefore correlates to great scholarly interest in how they function; how they transition from a regime to another; role of national parliaments in the EU and institutional change within established legislatures. These developments Norton (1998:ix-14) insist, indicates that though cross-national legislative studies are a welcome advancement in promoting a greater understanding of legislative institutions, they become a 'poor relation' within the wider field because they are overshadowed by research on specific legislatures (Norton 1998).

To this end, various scholars reiterate an over emphasis on the US Congress which serves to analyse institutions from different perspectives, yet with little that helps to generalise about others. Two principal observations made by Norton (1998) concludes that; first legislatures are worthy of study by virtue of sheer numbers and historical persistence and second, imperative for cross-national research. This is because it will help shape the focus of legislative studies, as for instance parliaments of Western Europe in cross-legislative studies. Significantly one may state the obvious for parliaments in other parts of the world which are less studied like Africa. Similarly, globalisation has witnessed the marginalisation of 20th century governance and parliament's policy making role, yet paradoxically emphasising their institutionalisation and relevance in the political system.

These are reflected in relationships that have developed between parliaments and facets of the political system; with citizens and organised interests (CSOs, civic bodies), courts and executive governments.

According to Norton (1998:7), a parliament can therefore demonstrate it is institutionalised when it exhibits certain characteristics in its internal set up. Similarly, Loewenberg, Squire et al. (2002) establishes that to the extent that legislatures are formal bodies meeting in designated spaces and carrying out peculiar tasks they are institutions. However, there exists the challenge of various definitions to which institutionalisation has been subjected making a universal definition difficult. Norton however presents basic features as those of regularity-rules and patterns of behaviour and specific structure (Norton 1998).

Thus according to Pridham (1990:170-180), (2000:64;134) the next dichotomy for defining institutionalised legislatures by the internal environment is reflected thus; a legislature that just meets in plenary sessions with a few rules and procedures, have undeveloped practices and patterns of behaviour is not characterised and institutionalised. On the contrary, legislatures with developed rules of procedure, established practices, and patterns of behaviour are deemed as possessing 'organisational articulation' and an institutionalised parliament.

Other scholars have attempted to streamline these characteristics to be autonomous and universal rather than sets of discretionary rules. The aim is to explore the extent to which legislatures exhibit these attributes and their adaptability to constitutional and political proclivities, and organisational structure imbibing developed committees, leadership and a record of rules and procedures.

According to Norton (1990), Loewenberg, Squire et al. (2002), Pedersen (2012), legislatures are considered to be institutionalised when developed over time and continue to adapt to a myriad of political developments within the context in which they exist. Thus legislatures in Western Europe are considered developed as they exhibit most of the characteristics discussed above but this has not precluded their continuous study in the literature.

However for parliaments in understudied contexts like Africa, there is much to catch up on. Additionally, there is need to continue studying the parliaments within the context in which they are developing institutionally and hypothesise based on these rather than departing from this development and embarking on research aimed at only studies on comparison with

European trends. These though relatively informative for other legislative developments, studying them in tandem as related to the above, will maximise knowledge and learning for developing legislatures in other less institutionalised political systems.

Though there are general statutory functions of parliaments, perspectives in the literature on these functions describe some as those of vulnerable legislatures in the developing world. According to Mezey (1979:81) these include policy making stages/formulation, deliberation and oversight; whilst Riggs (1975), O'Brien (2005) emphasise how coup d'états' and other civil unrests affect the development of parliaments in these countries. In summary, Mezey (1979:733), O'Donnell (1979:763) and Smith (2003) analyse 'third world legislatures' and bureaucracies to be institutions seldom dominant in their political systems. These they assert, typically exert some influence on public policy through private rather than public arenas on lesser decisions, through efforts of individual legislators rather than collectively.

Therefore in applying the domestic analogy presumption, regional parliaments are expected not only to fulfil similar functions, but also hold executive of member states accountable.

Fulfilling these functions requires:

1. The legislation or binding legal and administrative instruments for organising, implementing and monitoring integration policies
2. The alignment of national and regional policy objectives where, in case of contradiction between the two, compromise is reached even though the national goals are at least momentarily made subservient to the regional goals
3. The benefits of regional integration are so tangible that they outweigh the pursuance of narrow national course of action.

2.2.2 Parliaments within the International System

Emergence, Significance and Growth

The place of legislative institutions in the mechanisms of the international legislative system is normally discussed as a component of the legislation of international institutions and organisations. There is no 'World Parliament' and thus most international parliaments and legislatures operate within the framework of international organisations thereby underpinning an international-regional-national interface and nexus.

Dunoff (2013:110) states that the first scholar to probably use parliament in an international context is William Penn's (1944) seminal work. This was in the context of seeking practical attempts to address recurring conflict in Europe which prompted Penn's call for a parliament of Europe. The democratic body's purpose was to be greater representation of collective and individual interests, whilst serving as arbiter amongst feuding states. Therefore, this buttresses the point of the original set up of parliaments of this nature as possessing a functional interest in conflict prevention in their DNA. Progressively, there have been blueprints on international and regional parliaments concentrating on defence, and advocating on normative stance leading to the creation of a global system of arbitration and federations.

Importantly, the work of pioneering parliamentarians William Randal Cremer¹ and Frederic Passy² which resulted in the creation of the Inter-Parliamentary Union (IPU) in 1889 set the *real* blueprint for IPIs and the utility of arbitration as international norm. The IPU according to Zarjevski (1989) was the first IPI tasked with peaceful disputes settlement and originally served as an arbitrator in quarrels amongst states. This conception gained global prominence and attracted other parliamentarians including Fredrik Bayer³ who intimated that the primary function of an inter-parliamentary network should be spreading knowledge about arbitration (UIA 2012), whilst Richard Bartholdt⁴ believed the practical use of arbitration was the first step to a world parliament.

These notions connote the conceptualisation of parliamentary diplomacy as advanced by Stavridis (2002), Cutler (2006:82-83) and Šabič (2008 2008a:259). For instance, Cutler (2006) argues that parliamentary diplomacy 'represents an important middle ground between the traditional level of interstate diplomacy whilst Šabič (2008) emphasises that records of such activities date as far back as the late 1880s.

Thus, the creation of a world parliament has been intrinsic to the concept of a federation or an institution which will prevent war. However for scholars like Rosenau and Czempiel (1992), such a world governing system with a 'central authority with capacity to enforce decisions at a global scale' is at best a distant prospect, proposing that focus must rather

¹ Co-founder of the IPU, Member, (British House of Commons 1885-1895), Nobel Peace Prize winner, 1903;

² Co-founder of the IPU, (Member, French National Assembly 18881-1889), Nobel Peace Prize winner (with Henri Dunant 1901)

³ Nobel Peace Prize winner, 1908, (Member, Parliament of Denmark, 1872-1922)

⁴ (Member, US Congress 1893-1915)

be on the 'tangible' object of research that is with the various forms of 'governance without government'.

Regional parliaments are also commonly conceptualised as 'International Parliamentary Institutions' (IPIs) with different origins and causes as researched by scholars including Costa, Dri et al. (2013). However for Šabič (2008:260) after World War Two, 'the public demand for a better transparency of decision-making in international politics' rose to prominence for their activities. These are attributed to factors including globalisation, a democratisation embedded in the Wilsonian fourteen points and most especially in the post-war period with decolonisation processes, the Cold War and post-Cold War dynamics of intra-state conflicts. Whilst there was a proliferation in terms of rise of new parliamentary institutions, others became renamed or rebranded from existing ones.

In similar analyses, Elorriaga (2004:35) emphasises how technological advancement has revolutionised communication for possibilities in parliamentary diplomacy. These in turn allow for more than 'just technical parliamentary cooperation'. Further, the notion of IPIs as institutions that facilitates dialogue has increasingly become embedded in the mandates of parliaments across the world. Furthermore, scholars like Costa, Dri et al. (2013) categorised regional parliaments into different models considered to be the advanced forms- 'supranational' or as 'supranational in the making', and 'non-supranational'.

Several competing definitions of regional parliaments have been provided, each with strengths and weaknesses. Concretely though, regional parliaments fall under the purview of International Parliamentary Institutions.

Variety and classification

According to (Cutler 2006):

'an IPI is a regular forum for multilateral deliberations on an established basis of an either legislative or consultative nature, either attached to an international organization or itself constituting one, in which at least three states are represented by parliamentarians [...] who are either selected by national legislatures in a self-determined manner or popularly elected by electorates of the member states'.

In distinguishing IPIs, Cutler (2001) puts forward four types; 'Congress', 'Assembly', 'Parliament' and 'Legislature'; which refer to stages of institutional development and not

depiction of specific names of individual IPIs per se. Additionally, the 'three transitions between succeeding pairs of types may be referred to as initiation, take-off and spill-over' (Cutler 2001:215).

Employing a broader definition Šabič (2008a:258) portrays IPIs as 'institutions in which parliamentarians cooperate with a view to formulating their interests, adopting decisions, strategies or programs, which they implement or promote, formally and informally, in interactions with other actors, by various means such as persuasion, advocacy or institutional pressure' (Šabič 2008).

With respect to categorising IPIs, Šabič (2008) also develops a different approach and argument with the proposition that, IPIs can be grouped into two general categories with the criteria of 'international parliamentary organs'(IPOs) which are organs of international governmental organisations composed of parliamentarians or, as 'international parliamentary associations'(IPAs) which exists without reference to how they are constituted, or the extent to which the appointment is reflective of the political proclivities in their national parliaments.

Other scholars such as, like Malamud and De Sousa (2007) gives a simple typology of 'integration parliaments' and the rest'. They reiterate the need to keep IPIs that deal with integration processes distinct from other IPIs as their fundamental objectives are different. They further go on to illustrate this by stating that, placing the Parliamentary Assembly of the Organisation for Security and Cooperation in Europe (OSCE PA) as a higher form of IPI as portrayed by Cutler (2001) is not accurate as it is still at a lower level than the European Parliament. To them, the key issues have been missed in that analysis since the roles and objectives of these two IPIs are different. Also, this does not consider the fundamental differences between what is a regional parliamentary assembly and an inter-regional parliamentary assembly.

Parliaments can also be distinguished according to their functions: Malamud and Stavridis (2011:106) posits these as "representation, legislation, control of the executive, and leadership recruitment and socialisation'. Most of the legislative and oversight functions are absent in inter-parliamentary bodies.

In this regard, Fernández (2007) presents an important difference between 'multinational' parliamentary assemblies like OSCE, NATO and the IPU and 'mixed assemblies typified by inter-regional institutions like the EU-ACP, Euro-Mediterranean Parliamentary Assembly

(EMPA) and the Euro-Latin American Parliamentary Assembly (EUROLAP). According to Costa, Dri et al. (2013), other scholars have attempted more 'refined classifications but these all build on the categorisations by Cutler (2001) and Šabič (2008).

First, offering a diachronic description of existing IPIs as 'International Parliaments, de Puig (2008) argue that 'international parliamentarism' is relatively new and partly reflects the evolution of the world system. Thus, there is the need to reiterate the importance of 'external factors' the development of IPIs and de Puig de Puig (2008) outlines four distinct phases: 'The first experiences' (mainly of the IPU) and the new era of 'supra-state parliamentary development following the end of the war; the period of the two 'blocs' (Bipolarity); the 'after the wall' phase (Post-Cold War era) and the current 'one world' era, that is to say globalisation.

Emphasising that this list is by no means exhaustive a classification of existing institutions, de Puig (2008:30) however has carefully differentiated between 'parliaments' and other institutions. The criticism is that this approach is overly inclusive because different parliamentary Committees, Presidents, and Speakers Conferences have been lumped together. Yet, a historical approach is laudable as it systematically presents the evolution of the total process of parliamentary development, but at the same time, it is also deemed fallible as it is considered merely reacting to the geopolitics and historical contexts of specific periods.

Therefore their impact has been left out of the assessment by de Puig (2008) but rather contain an over-emphasis on the particular nature of the EU Parliament, the only parliament deemed having real powers (de Puig 2008:33-34;40) risking the excess of 'mimesis' which can derive from this type of approach.

Second, using the term 'Transnational Parliamentary Assemblies' (TPAs), Kraft-Kasack (2008:535) developed nine criteria covering various functions in an empirically grounded typology differentiating between parliaments, assemblies and conferences. TPAs are conceptualised to be three types of parliamentary forms existing beyond the nation-state Kraft-Kasack (2008:544) listed according to a 13 points developed criteria. From related research, Kraft-Kasack (2005) still argues that the distinctive feature among parliaments, assemblies and conferences is the decision-making rule, especially as they espouse decision-making beyond the state.

This therefore raises questions for legitimacy of policies and outputs. Also, it is important to recall that there is more than one model, even in regionally and geographically defined areas.

Third, a different approach is the normative perspective put forward by Kissling (2011:9-49) as the main objective is to showcase prospects of a 'global parliamentary assembly'. Developing several categories and classifications, various terms are employed to define these. Kissling defines IPIs as 'Government Run/Inspired Non-governmental Organisations'(GRINGOs) became the acronym generated which coincidentally is a derogatory term for citizens of the United States usually describing imperialist tendencies in the Latin American countries (Kissling 2011).

This is followed by a definition of 'international or regional parliamentary organisations' and 'international or regional specialised agencies' respectively. These two echo Šabič's (2008) differentiation of IPOs and IPAs but it is still different from Kissling's (2011) approaches; and the final category is 'parliamentary organs of international or regional organisations' which is more attuned to the institution studied in this research.

In discussing the list of GRINGOs, Costa, Dri et al. (2013:8-10) recalls how IPAs operate with additional meetings, for parliamentary presidents/speakers a difference made by Šabič (2008) analyses. But at the same time, proposing a sub-division of GRINGOs as 'issue-related networks' makes it possible for the sectoral interest to define the unit, which is very useful.

The approach has however been criticised for containing too many divisions and sub-divisions and as such the blurring of the complex prevailing reality overly emphasise the legal dimensions of parliamentary institutions being studied. This is because; international law represents only one facet of the international community or the international system. Yet, at the same time it confirms the need for an inter-disciplinary approach to understand this new phenomenon.

Fourth, also located centrally in the same vein as work from Cutler (2001) and especially Šabič (2008) differentiations of IPOs and IPAs, Cofelice (2012), Rocabert, Schimmelfennig et al. (2014) uses the dimension of 'powers' and the question of 'empowerment', including origins, structure and functions as criteria to categorise IPIs. Thus three distinct categories have been identified by Cofelice and Stavridis (2014) parliamentary organs at the highest

of what is an 'incremental pyramid', with most powers including in some case co-legislative mandates (as exemplified in the EP); parliamentary organisations possessing mainly deliberative and consultative powers (as currently pertains in the ECOWAS Parliament) and transnational networks of parliamentarians, with mainly lobbying and confidence building power.

Examining why some IPIs are empowered and others are not, Cofelice (2012), includes 'inter-regional' parliamentary assemblies under 'parliamentary organs,' one more category that conforms and adds to the need for more discussion in the literature. At the level parliaments work, and how they can go beyond their national status, scholars like Malamud and Stavridis (2011) tables three ways in which this is undertaken:

1. By influencing foreign policy mainly through national parliaments
2. By conducting parallel diplomatic relations, known as parliamentary diplomacy
3. By establishing and empowering parliaments as representative bodies of international, often regional, organisations

On the issue of a handful of IPIs receiving significant scholarly attention, Šabič (2008) reiterates that the EU Parliament is a typical example whilst on another level majority of IPIs receive scarce and large descriptive work.

Thus existing research of IPIs, except the EU Parliament according to Šabič (2008) usually focuses on topics like their history, structure and formal with less attention to their context, factors impacting on their existence and activities as well as their prospects. He argues that by only employing methods of 'measuring' performance through their formal power only the small number comprising of international governmental organisations can be considered.

To understand a broader format, the idea of studying 'effectiveness' of IPIs as an institution is also not tenable, as it does not always have results that are visible as its activities makes data generation difficult, thus different criteria based on different approaches are more viable. He argues for not studying the effectiveness of these institutions at the individual level, but rather through a whole of parliament approach; whereas this thesis looks at effectiveness in a specific policy area.

Šabič's (2008) thesis is that IPIs should be studied as international actors who have assumed the role of norm entrepreneurs, persuading others to be accepting of new values

and norms. This is because, studying them from an international context perspective presents a disaggregate perspective and as such can no longer be explained through their national context alone, or through states as the key actors, but through less formal processes of decision and policy making.

In developing a conceptualised working definition of regional parliaments to guide this research, a synthesis of definitions by Cutler (2006), Malamud and De Sousa (2007) and Šabič (2008) will be employed. The conceptualisations above emphasise the need of taking care not to lump national and regional parliaments together. The assumption here is that, as with respect to institutional approach, the parliament is deemed as neutral in its effect as it can affect both regional executive decisions and national executive decisions.

The discussion serves to emphatically establish the distinguishing features which are markedly different between regionally based and non-geographical IPIs, trans-globally and even inter-regionally. These are very important distinctions as reflectively they embody categorisation of the complex reality within which regional parliaments are located and as such serves as good insights for study. For instance, the myriad of categories and definitions are a significant indication of the many reflections and debates amongst scholars on the number of IPIs, their existence and understanding, exactly what their role and impact have been, enforcing the need to research into their effects on specific sectors of governance, and policy and decision-making.

For instance, de Puig (2008) counts 40 IPIs, whilst Kissling (2011) adds up to 100 meanwhile other scholars even have 150 through the inclusion of newer versions of IPIs redefined from former institutions. However, these differences demonstrate the need to categorise IPIs to be able to compare like with like Warleigh-Lack (2006) Söderbaum and Tavares (2009), define some in their unique context and contribute clear empirical analysis on specific IPIs and their relative impacts on decision-making and policy. Thus in this regard, it serves a purpose to undertake a brief comparison of the European Parliament and the ECOWAS Parliament as that is not the thrust of this thesis.

The definitional issue of parliament still remain very essential to understanding their nature, existence and impact. Costa, Dri et al. (2013) even assert that, there a lot of bodies using the term 'parliament' but which are not actual parliamentary institutions but rather organs in which people are only what they call 'talking'. That, to call an institution a parliament does not confer on it that same status as in contemporary times this word has gained new definitions in public law and political science perspectives.

According to Stavridis (2002:10) there are also some groupings that use the term 'parliament' but which have no decision-making or legislative power. For instance, the Balkan Parliament comprising business entrepreneurs, students and academics; the European Youth Parliament which just promotes European issues amongst young people as well as the Oxfam based network of young leaders from 150 countries called International Youth Parliament. Similarly, there are others that are seen as simply misusing the term such as, the World Parliament of Religions, the Naas Youth Parliament, and the Parliamentary Forum on the International Conference on Financing for Development or Council for a Parliament of World Religions.

In this thesis, regional parliaments are recognised as products of treaties freely entered into by sovereign states and are mostly limited instruments of the legislative enforcement of States' treaty obligations. Treaties provide the legal foundations for operationalising international and regional parliaments of this kind, therefore States as parties to such treaties do have significant influence in determining the limits of mandates and scope of operations of the legislative frameworks.

Ultimately, regional parliaments function within the limits allowed by the sovereign existence of the signatory parties to the treaties and other associated instruments creating them. To this extent, research pertaining to regional legislatures necessarily must bring to the fore the theoretical discussions on the nature and patterns of relationships that exist or ought to exist between regional parliaments and the national parliaments of the sovereign states that created them. At the same time, it must also examine the relationship between the parliament and other bodies under the regional scheme.

2.3 The Structure for International and Regional Parliaments in Africa

African RECs according to Barkan (2008) portray generic transformations as they are developing sophisticated institutional mechanisms and are at various degrees of development. These attributes invariably hold true for their corresponding legislative frameworks and existing arguments rest on the notion that, emergence of regional parliaments as legislative branches of African Economic Community (AEC) integration communities should be explained against the backdrop of the challenges confronting African societies and states. Additionally, these institutions were founded coincidentally with the democratic resurgence of the 1990s, popularly referred to as the third wave of democratisation in Africa (Huntington 1991). The political environment of this era offered

much for civil society and the RECs to review democratic aspects of the institutions. The quest for democratic governance loomed large, and considerable importune, internal and external pressures necessitated new ideas for regional governance.

Principally, all the regional parliaments are offshoots developed from the AU as depicted in *Table 2.1*. The PAP is in sync with its evolution as a continental legislature and is in a quest for proper democratic representation by member states. The correlating legislatures of the RECs are; the Arab Maghreb Union (UMA), the Central African Economic and Monetary Community (CEMAC), the East African Community (EAC), the Economic Community of Central African States (ECCAS), the Economic Community of West African States (ECOWAS), the Inter-Governmental Authority on Development (IGAD), the Southern African Development Community (SADC).

These parliaments are located in context and the exegesis below inform the approaches and context given to these institutions in this research (see Appendix 1: Taxonomy of African Regional Parliaments (ARPs)).

2.3.1 Pan-African Parliament (PAP)

The PAP was inaugurated on March 18, 2004 pursuant to Articles 7 and 14 of the AEC Treaty, and Articles 5 and 17 of the Constitutive Act of the AU. It encompasses the geographical scope of both sub-regional and national parliaments in Africa, comprising five representatives each from all the 54 member states.

Definitively, as it was created after most of the other parliaments had been created, or at about the same period there is an inherent lack of a well-defined relationship between different parliamentary bodies and the continental parliament. Originally, the regions were to serve as the building blocs for a strong continental legislature. Further, Article 2 (3) of the PAP Protocol envisions a gradual evolution of the PAP into a legislative body, where its members shall be elected by universal adult suffrage.

2.3.2 East African Legislative Assembly (EALA)

The East African Legislative Assembly created by Article 49 (1) of the EAC Treaty 1999, was inaugurated in November 2001. It is the second attempt to set up a regional parliament

in the region as an earlier attempt had to be abandoned in 1977 caused by what Baregu (2005:56) describes as competing, narrow, national, self-interest, divergent ideologies and parochial sovereignty’.

Functionally, EALA has progressed from an original membership of three to five member states and its members are indirectly elected through the national parliaments, but these members are not MPs. The national parliaments act as electoral colleges to elect members. Including all the usual functions of a regional parliament, it is also the only regional parliament that is mandated by the founding treaty to make laws which bind member states.

2.3.3 Parliament of UEMOA (P-UEMOA)

The treaty to establish the *Parlement de l’Union Economique et Monétaire Ouest Africaine* (UEMOA-P) was signed in January 2003. The member states of UEMOA are Benin, Burkina Faso, Côte d’Ivoire, Guinea-Bissau, Mali, Niger, Senegal and Togo who are also members of the ECOWAS-P. Conversely, the latter is considered far more established.

2.3.4 SADC Parliamentary Forum (SADC-PF)

As the preamble of the Constitution of SADC-PF states:

‘We, the Representatives of the people of Southern African Development Community, having solemnly resolved to constitute a Parliamentary Consultative Assembly to be known as the Southern African Development Community Parliamentary Forum with a view to developing into a regional Parliamentary structure, for the purpose of strengthening the capacity of the Southern African Development Community by involving Parliamentarians of Member states in its activities’.

The SADC-PF was established as an autonomous institution of SADC according to Article 9(2) (SADC 1997:18). It was formally approved by the Communique of the 1997 SADC Summit. Launched in July 1996, it is the first regional parliamentary structure of this kind in Africa. However as can be gleaned from the quote above, it is a nominal ‘forum’ of MPs

from its member countries and not yet a real parliament, though it performs some form of 'legislative' functions.

This further restricts its mandate and until its repeated transformation into a fully-fledged parliament is finalised, its mandate is limited. In response to this challenge, the SADC-PF developed a draft protocol on the establishment of an ideal parliament (Draft Protocol Executive summary on the SADC Parliament). The protocol defines among other issues, the powers, functions and relational linkages among the proposed parliamentary body, national parliaments and other organs of SADC. The SADC-PF does not have a reporting relationship to Summit and other SADC institutions, but collaboratively on matters of common interest.

2.3.5 The Inter-Parliamentary Union of IGAD Member States (IPU-IGAD)

The Inter-Parliamentary Union of IGAD Member States (IPU-IGAD) was established on November 28, 2007 when the Speakers of the parliament of its member states signed the March 21, 1996 Agreement establishing IGAD in February 2004. Covering the Horn of Africa, its membership include, Djibouti, Ethiopia, Kenya, Somalia, Sudan and Uganda. The IGAD (the main organ) has undertaken significant work in agriculture, the environment, economic cooperation and social development. Worth noting is the work of the Committee on Early Warning and Response (CEWARN), which has been actively addressing conflicts along and across the borders of member states.

2.3.6 Network of Parliamentarians of the Economic Community of Central African States (ECCAS)

Established in 2002, the ECCAS protocol only entered into force in 2009. It is a parliamentary forum comprising of the ten member states of Angola, Burundi, Cameroon, Central Africa Republic, Chad, Congo-Brazzaville, Democratic Republic of Congo, Equatorial Guinea, Gabon, and São Tomé and Príncipe. Launched in Angola in November 2002, its mandate is to oversee good political governance in member states/region. Also, it makes recommendations to the national governments for greater participation of the private sector and civil society in decision making concerning national conditions in member states. The protocol also paved the way for practical work towards a REPAC secretariat in Malabo, Equatorial Guinea.

2.3.7 ECOWAS Parliament (ECOWAS-P)

ECOWAS introduced a parliament in its revised treaty of 1993. However, whilst the Protocol for the ECOWAS Parliament (ECOWAS-P) was signed in 1994, it only entered into force in March 2000. The ECOWAS-P held its first session in January 2001. The parliament is in its third legislative tenure which will end in November 2015. As this parliament is the main focus of this research, chapter four is dedicated to discussions and analyses on it.

2.4 Features and Characteristics

This section summarises existing characteristics of ARPs as emphasised by (Terlinden 2004:1) in the following:

‘Although African regional parliaments and parliamentary assemblies are intended to assume the legislative and democratic oversight functions of regional integration organisations in the long run, they so far remain at an infant stage of organisational development and are far from exercising the roles that fully-fledged parliaments play in democratic setups. However, in the course of renewed efforts to complement economic integration with broader political dimension of regional integration, regional assemblies receive increased attention and have gained in significance over recent years’

This suggests that, where parliaments are involved it is invariably at the end of processes where the exercise of their power of ratification was required, albeit as *fait accompli*. In time, ‘the political dimension of integration experienced new emphasis, involving a strong call for good governance, accountability and transparency’ according to Terlinden (2004:2), these are primary functions of parliaments.

In context, scholarly works point to a combination of factors accounting for delayed emergence of regional parliaments in spite of the aggressive pursuits of integration on the African continent. Notably, the lack of political will for effective integration. The fact that Africa contain very strong executive Presidents with wide powers, that remain unaccountable and unchecked by weak national parliaments, including inadequate legal texts and weak institutions plague the emergence and effective role of parliaments. This therefore gives African parliaments a far lesser prominent role than the EU in the politics of regional integration. Under these circumstances, exploration of the legislative dimensions

of regional integration in Africa has attracted scant attention in scholarly literature, whilst an analysis of the specific role of regional parliaments is either skewed towards the EU process, or virtually non-existent in other instances, until recent with a few scholars seeking to expand research in these areas.

The ECOWAS Parliament is therefore not an exception in this regard. As a new institution operationalised at the beginning of the 21st Century, it has had to negotiate many political challenges in its quest to be understood and become relevant within the institutional architecture of the regional community bodies. It is yet to fully benefit and appreciate the full import of a regional parliament in the process of integration.

Thus, the inadequacy of scholarly work on the ECOWAS Parliament compared to the other community institutions, in the process of the regional integration in West Africa can be explained within this matrix.

2.4.1 Legitimacy and Mandates for law-making

ARPs according to Salih (2013), are 'overburdened and undermined' by broad mandates. These mandates are in turn dominated by conflict management and undermined by their subordinate position vis-a-vis the executive. Ultimately the impact is negative on their capacity to become effective institutional mechanisms for regional political integration. The lack of real powers based on democratic governance principles, therefore limits their role (Salih 2013:156-163).

However, emphasising the relevance of parliaments to the new democracies of Africa, Salih (2005) also states their essence to social cohesion because they reflect the variety of citizens' preferences expressed through elections, and with emerging opportunities continually changes roles. Further, there is recognition of contextual challenges gained through their unique development which exhibits- the specificity of Africa's political culture. Although Salih (2005) traces their development through pre-colonial institutions he also maintains that they have been influenced by western democratic ideals of partisanship and political parties through the colonial experience. Similarly, Balch (2007) and Rupiya (2007) discuss challenges hitherto faced by parliamentary bodies due to limitations imposed by national borders. But as Africa's conflicts spiralled across borders, new tactics and approaches were developed for economic cooperation, conflict resolution, and peacebuilding regionally.

The scope of the law-making functions of ARPs are mutually constrained in content and competence. Excepting the EALA⁵ all ARPs have ‘consultative’ and ‘advisory’ mandates. In contradistinction, this is principally evident in the area of legislation as the Councils and the Summits hold legislative functions extending their executive powers.

Measuring parliaments by the kinds of laws passed as outputs from its processes, O'Brien, Stapenhurst et al. (2008) discuss the degree to which these laws then become an effective tool in determining strong legislations or the degree of autonomy a parliament possesses. These they argue distinguishes it as a viable law making institution. They emphasise that, irrespective of the type of parliament, several factors accounts for how influential a parliament exercise its functions. This is demonstrated in the generic parliamentary model of power developed in this research to add onto the concept as illustrated in *Figure 2.1* showcasing how parliaments with greater powers and independence are at the top and the bottom, incorporating an opposite scenario.

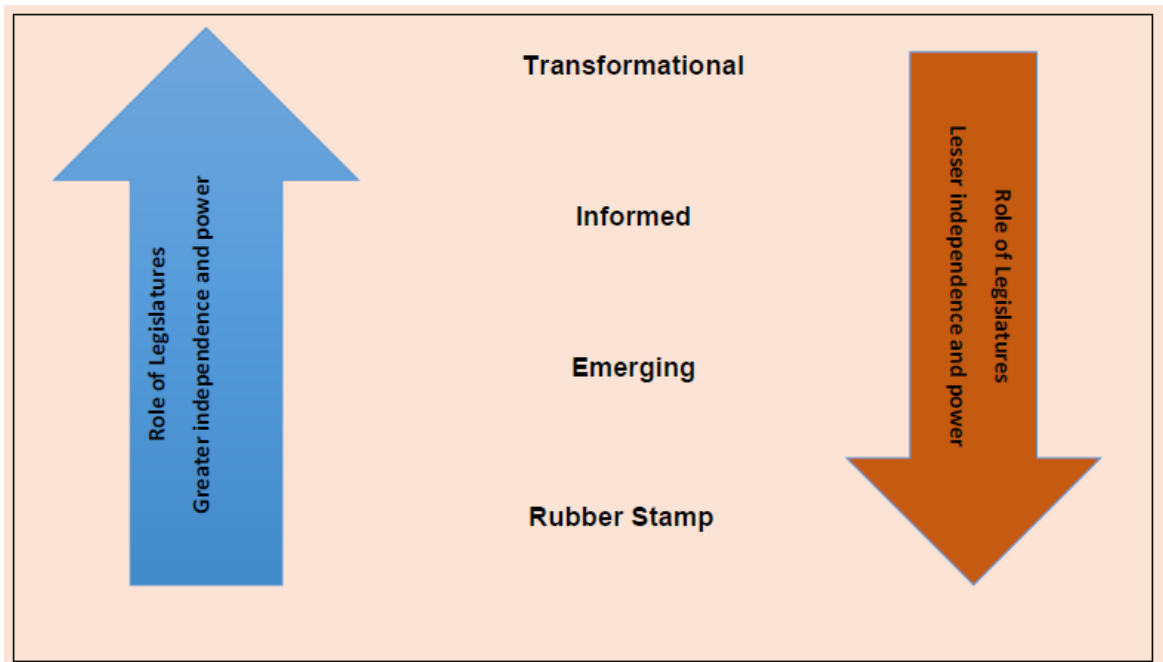


Figure 2.1: Models of Parliamentary Power

Source: Developed by author using data from (O'Brien, Stapenhurst et al. 2008:3)

⁵ As indicated, EALA has a role in law-making as it can propose and vote on *Motions* and *Bills* provided these have no cost implications on any fund of the EAC. However, the Summit of Heads of State and Government have an effective veto right over EALA's legislation (EAC 1999: Art.59-64) thus EALA's legislative rights are earnestly constrained too for ultimately, this weakens the scope and relevance of prospective laws.

The original concept presented by O'Brien, Stapenhurst et al. (2008) is illustrated by the upward mobility of the blue arrow in Figure 2.1. This can be connoted in their estimation as the only way is upwards, and if a parliament becomes transformational it cannot slip backwards. However considering the challenges facing parliaments in Africa, there is definitely evidence of parliaments slipping backwards in post-conflict environments and starting all over with 'rubber-stamp' challenges. Thus, the maroon arrow builds on this conceptualisation and aims to demonstrate that in the case of regional parliaments, there is need for contextualisation and not evaluation on a spectrum of a 'one size fits all' approach.

Succinctly put, rubber-stamp parliaments simply endorse decisions made elsewhere and brought to the parliament for assent; emerging parliaments may be transitioning either from authoritarian or another type of political system or parliament to another usually balancing challenges of facilities, knowledge base, human resource to be able to meet political demands but with a little bit more power than a rubber-stamp parliament. Median position are the informed parliaments also called arena legislatures visualised as a societal barometer where political differences are debated and speeches articulated; whereas at the pinnacle is transformative parliaments which are considered rare and could qualify as the 'Holy Grail' of legislatures. At this level, the legislature represents diverse interests and independently moulds policy.

The various levels correlates in parts to research from Norton (1990), (1998) descriptions using policy making scenarios; Salih (2013) notions of African parliaments being 'legislatures without legislative powers' and Costa, Dri et al. (2013) analysis of 'supranational', or 'supranational in the making' and 'non-supranational' as already discussed elsewhere in this research.

2.4.2 Representation

Membership

African parliaments and legislative bodies have been argued to be disconnected from the day-to-day realities and challenges citizens face. According to Judge (1995), Longley (1996), and Malamud and De Sousa (2007), if the crisis of relevance seems stark in some national contexts, then at regional levels the challenge for parliamentarians is multiplied. As a fundamental aspect of politics focuses on representative systems, it has evolved from an old style medieval or modern parliamentarianism to the kind we now regard as democratic, it has taken on many forms giving rise to its current form (de Puig 2008).

It is estimated that there are more than 9,210 parliamentarians among Africa's population of 700 million people; one legislator for every 76,000 people (Salih 2005, Stapenhurst, Draman et al. 2012). All parliaments build relationships at the continental, regional or national level. They exist also in platforms and networks on issues including poverty, anti-corruption, climate change, conflict prevention, gender, small arms and light weapons amongst others.

As illustrated by *Table 2.1* below, the PAP has parallel relationships with both regional and national parliaments. The former sends delegates independently of those that are appointed by the latter. Thus one could argue that this can lead to duplication, and pressure on scarce resources needed for strengthening parliaments with respect to time of sittings and tenures.

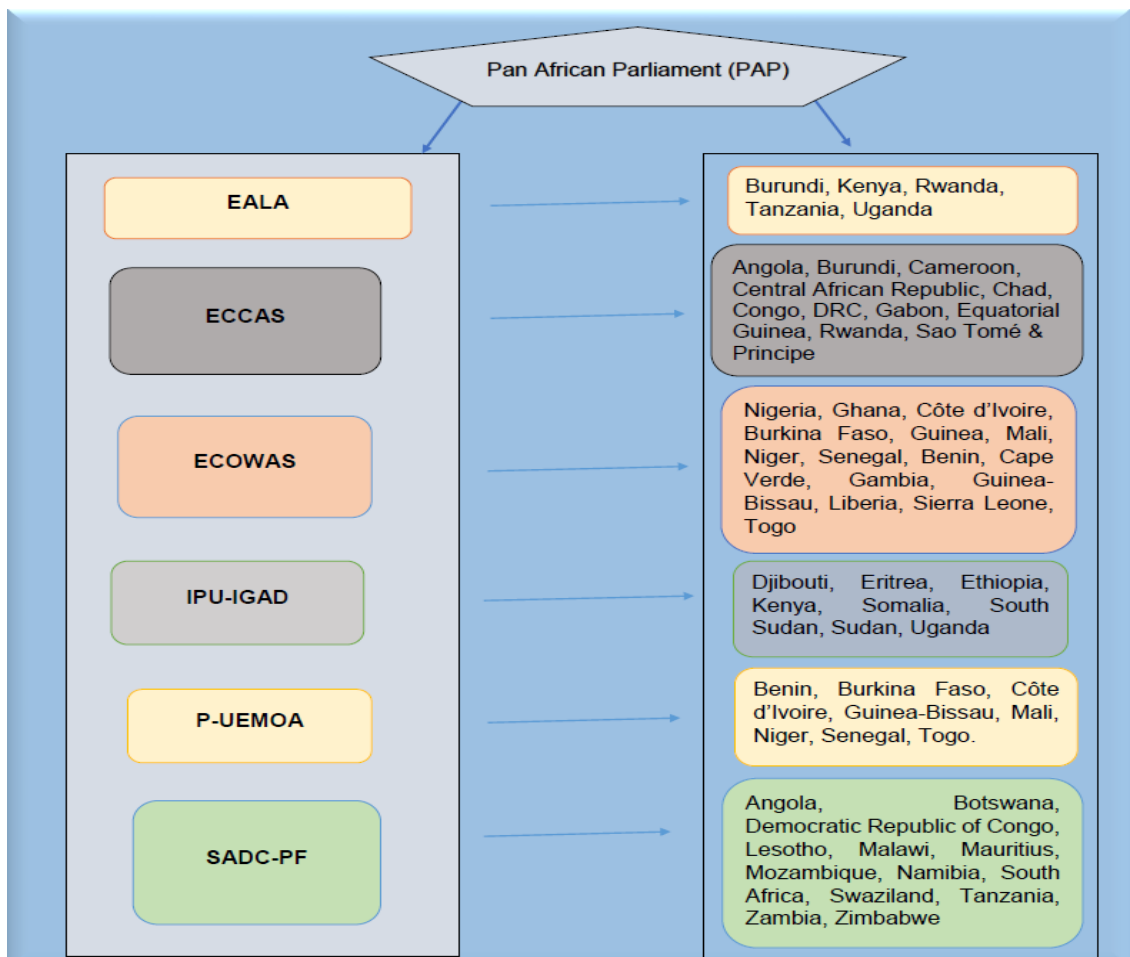


Table 2.1: Relationship of the PAP to ARPs

Source: Developed by author using data from various ARPs documents and websites

All ARPs except EALA have their members nominated, appointed or selected from within their national parliaments. However EALA members are elected by political parties represented in parliament, but the MPs themselves are ineligible. According to Eze

(2004:11) this procedure is believed to broaden the political space and might allow the assembly to focus more on its regional mandate. Yet there are existing arguments this rather leads to a disconnection between the regional and national assemblies at the expense of the EALA's ability to drive the regional agenda at the national level.

Further, all the other ARPs utilising the indirect approach contain inherent advantages. These are inexpensive compared to universal adult suffrage, though the latter is definitively preferable in terms of democratic participation, legitimacy and inclusiveness. However, ARPs cannot, and to an extent do not want to meet these expenses; for instance the ECOWAS-P is the only one whose founding document foresees such direct general elections for the future.

2.4.3 Oversight and accountability

According to Karuombe (2008: 2) parliaments' exclusion from Africa's integration projects has not advanced domestication and implementation of integration projects. Referencing SADC, Karuombe insist that the continued negation of this cardinal role which can potentially enhance integration is the missing link in the integration process.

Additionally, a challenge to effective oversight is the role of political parties' representation, which may inadvertently effect undue adherence to party loyalty at the expense of oversight mandate. For instance MPs as members of political parties are obliged to be demonstrating party loyalty. Generally, this is a weak position of national parliaments and can be a limitation to a regional parliament's influence on oversight of the regional executive.

Reflectively, regional parliaments can be only as strong as, but not stronger than their constituent elements, the national parliaments. At the national level, parliaments can invite any person to address their plenaries, and this is adopted by regional parliaments. The PAP can also request officials of the AU to attend its sessions or to produce documents (AU 2001:Articles 11-15) as well as the ECOWAS-P. However, these would have no practical value if invited officials refuse cooperation.

Budgetary oversight at the regional level is not executed as at the national level where parliaments' exert influence by providing checks and balances on the executive's spending

and guiding the allocation of funds. However, the ECOWAS-P issued a resolution in September 2002 calling for the enhancement of its powers to make consultation on the adoption of the community budget obligatory (ECOWAS-P 2002). Currently, core budgets of EALA and the ECOWAS-P are part of the respective budgets of their regional organisations. Administering a budget allocated from the overall budget of the regional organisation implies a high degree of dependence on regional executives and national governments, who can arbitrarily threaten the parliaments' existence or effective ability to work.

Functionally, ARPs should monitor the regional executives' activities but this relationship is not formalised. Thus ARPs have limited mandates enabling them to hold executives accountable. In the absence of clearly defined working relationships, ARPs also depend on the executive bodies for information and documentation further hindering effective parliamentary performance. Similarly, Staff function as gatekeepers of decisions of Summits and Councils and this practically affect the oversight relationship.

2.4.4 Conflict Prevention Frameworks

The Constitutive Act mandated the AU and RECs on enhancing their security and peacebuilding frameworks. Therefore all the institutions have conflict prevention frameworks to contend with at their respective regional institutional level. However, ARPs do not have explicit mandates. Thus in a bid to ensure their relevance and help push the aspirations of a culture of prevention to be realised on the continent, there has been a steady attempt at employing strategies that would help make this feasible. This interwoven relationship is illustrated in *Table 2.2* below.

As demonstrated, some of the ARPs have standing committees working on issues of peace and security and carving out normative roles for the parliamentary institutions.

Until 2012, UEMOA was not inclined to lead on peace and security issues ceding this role to ECOWAS, considered more qualified and experienced in the region. However, the conflicts in Mali and Niger, and the subsequent discontent with ECOWAS leaders' handling of issues prompted UEMOA to be proactive in introducing strategies in this regard. Notably, this is a burgeoning area which will need to be streamlined (Hagberg and Körling 2012, Whitehouse 2012, Cristiani and Fabiani 2013). Essentially, these frameworks are not

diametrically different in content from the other, and Nathan (2010a) signals the probability of some being fashioned specifically in response to particular conflicts in respective regions.

However, there is a major challenge in attempting to construct ARPs participation in conflict prevention in Africa as information is scattered, unstructured and at best more attuned to their executive wings. As ARPs have no explicit role in these frameworks, normatively, the vision of a prevention culture created entry points for parliamentary diplomacy (Weisglas and de Boer 2007), and some of the normative codifications in the respective frameworks further enhances these roles. This normative evolution has coincided with changes in the institutional setting for multilateral conflict prevention, improved through a significant increase in and recalibration of the capabilities for the pursuit of early warning, good offices, and root causes for prevention.

Parliament	Framework	Key Components	Committee(s)
PAP	African Peace and Security Architecture (APSA)	Peace and security Council; Panel of the Wise; African Standby force; Continental Early Warning System(CEWS); Peace fund	Committee on Co-operation, International Relations and Conflict Resolution
EALA	Strategy on Regional Peace and Security	Conflict Early Warning Systems; Implementation of the Protocol on Illicit Drug Trafficking Small Arms and Light Weapons (SALW); Cooperation in Police Matters; Terrorism & Piracy Threats; Protocol on Illicit Drug Trafficking; Refugee and Internally Displaced Persons	Committee on Regional Affairs and Conflict Resolution
ECCAS	the Conseil de Paix et de Sécurité de l'Afrique Centrale (COPAX)(Council for Peace and Security in Central Africa)	Early warning mechanism (MARAC); Standby force (FOMAC); Commission pour la Defense (CDS) (Defence and Security Commission); Department of Political and Diplomatic Action	Plenary
ECOWAS	ECOWAS Conflict Prevention Framework (ECPF)	Early Warning; Security Governance; Preventive Diplomacy; Practical Disarmament; Cross Border Initiatives; Women, Peace and Security; Natural resource governance; Democracy and Political Governance; Youth Empowerment; Peace Education; Media; Human rights and rule of law; ECOWAS Standby Force; Humanitarian Assistance	Committee on Political Affairs, Peace and Security
IPU-IGAD	Peace and Security Strategy	The Conflict Early Warning and Response Mechanism (CEWARN)	Conference of the Speakers of Parliaments of IGAD member states Executive Council the Secretariat Consultant-IGAD CSOs/NGOs platform
P-UEMOA	La Commission Paix, Sécurité et Gestion des Migrations (Joint peace and security policy)		Plenary
SADC-PF ¹	Organ on Politics, Defence and Security	Protocol on Politics, Defence and Security (2001)	Plenary

Table 2.2: ARPs and Conflict Prevention Frameworks

Source: Compiled by author using data from web pages of ARPs; Terlinden 2004; SADC-PF Strategic Plan 2011-2015; SADC-PF Constitution; ECPF 2011; ECOWAS-P Strategic Plan 2010-2015; Elowson and Cecilia Hull Wiklund; Meyer 2008; EALA 2009; Adar 2008;

Alternatively, Rupiya (2007) identifies areas parliaments can assist in conflict prevention to include equitable distribution of socio-economic development across regions and communities, income and opportunity distribution policies using the national budget. Similarly, Balch (2007) maintains that a defining characteristic of the 20th century was the emergence of regionally focused political structures and that the international community seems to have discovered parliamentarians, at long last as the intersection of collective efforts to help democratize and develop Africa; from bodies in Europe to the African Union. The PAP for instance, is charged with nothing less than ensuring the full participation of Africans in governance, development, economic integration and decision-making.

They discuss transparent decision-making structures, such as electoral processes, and enabling parliamentary committees to hold all-party debates on key contentious issues, as ways of parliament's role in conflict prevention. Other aspects are civil control of the armed forces and police, oversight of military budgets and military involvement in politics. They assert that, if sufficiently resourced, parliaments can act to provide transparency in the diversion of government finances toward military efforts, and can interact with international donors to ensure that humanitarian assistance is targeted equitably.

ECOWAS Conflict Prevention Framework (ECPF)

The ECPF was developed in January 2008 to inform and guide conflict prevention efforts. It has fourteen components through which it aims to act as a drawback on the shortcomings on earlier provisions and is the most comprehensive framework aimed at ensuring ECOWAS' conflict prevention capacity. Thus, it comprehensively integrates existing initiatives of ECOWAS institutions and mechanisms responsible for conflict prevention and peacebuilding including:

- Adoption of the Protocol on non-Aggression 1978
- Adoption of the Protocol on Mutual Assistance in Defence Matters 1981
International Judicial Cooperation
- Establishment of the ECOWAS Peacekeeping Force
- Adoption of the Protocol on the fight against Corruption
- Convention on small arms and light weapons

Early Warning	Security Governance
Preventive Diplomacy	Practical Disarmament
Cross-Border Initiatives	Women, Peace and Security
Natural resource governance	Democracy and Political Governance
Youth Empowerment	Peace Education
Media	Human rights and rule of law
ECOWAS Stand-by Force	Humanitarian Assistance

Table 2.3 The 14 components of the ECPF

Source: (ECPF January 2008)

Although initially conceived as an economic integration mechanism, ECOWAS has become famous for its conflict prevention, management, peacemaking and peace-keeping initiatives in member countries (especially in Liberia, Sierra Leone, Guinea-Bissau, Mali, Guinea and Cote d'Ivoire) (Adeniji 1999, Woodhouse 2000).

To a much lesser extent are its 'low profile' but equally important activities in areas of 'new' regional security concerns such as small arms and light weapons proliferation, and control and combating the scourge of human trafficking. Internal divisions in Liberia boiled over into a civil war in 1990. During an ECOWAS Summit in the same year, an essentially Anglophone group of ECOWAS states formed an ECOWAS Mediation Committee to look for ways of resolving the Liberian conflict. This committee subsequently formulated and adopted a peace plan for Liberia that included, among other things, the establishment of the ECOWAS Monitoring Group (ECOMOG) (Olonisakin 1996, Tuck 2000, Adebajo 2002, Adebajo 2002, Kabia 2009). Since the first regionally led peace operation took place in Liberia by the ECOMOG, regional organizations have played a prominent role in the conduct of international peace operations and yet remain vastly understudied in the literature on peace operations as the majority of studies focus on UN peacekeeping (Adedeji 2004, Tavares 2011).

Moreover, these organizations have increasingly assumed responsibility for the international conduct of peace operations as insufficient funding, limited capabilities and precarious political will have hindered the UN's ability to respond. Wide references to a UN 'overburden' or 'over-extension' in the realm of peacekeeping appear in the literature

(Francis 2009, Besada 2010, Franke 2010). Furthermore, no comprehensive studies have specifically compared the practice of regional organizations engaged in peace operations (Olonisakin 2000, Doyle and Sambanis 2011).

ECOMOG in reality had its backbone in the Nigerian armed forces and financial resources (Adisa 1994, Synge 1999). Following its intervention in the Liberian conflict (1990-1998), it turned its attention to the conflicts in Sierra Leone (1996-1999), Guinea-Bissau (1998-2000), Guinea-Bissau/Liberia (2001) and Cote d'Ivoire (2002), Mali 2010-Present (Ofuatey-Kodjoe 1994, Olonisakin 2000, Adebajo 2002, Arthur 2010). ECOWAS has established a sophisticated security management system, based on its 1999 Protocol on the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security (popularly known as the mechanism) and the Supplementary Protocol on Democracy and Good Governance, signed by ECOWAS heads of state in late 2001 (ECOWAS 1993, Senghor 1999, Aning and Bah 2009).

The institutions of ECOWAS charged with implementing the mechanism include the Authority of the Heads of State and Government, the Mediation and Security Council, the Defence and Security Commission, and the ECOWAS Commission. It is important to note that some decision-making authority on matters relating to peace and security has been devolved to the Mediation and Security Council, and the Parliament (unlike SADC, where its organ structure at heads of state level retains ultimate authority regarding political, and defence and security matters). However, no authority has been ceded 'upwardly' to the African Union Peace and Security Commission (Gandois 2011).

The provision of the ECOWAS's Mechanism is worth attention to illustrate one of the policies finally codified into the ECPF (Meyer 2010). As the Sub-regional Peace and Security Observation system, contained in Chapter IV, this early warning provision is aimed at stemming the spate of crises in West Africa sub-region by forestalling their explosion through preventive devices.

The early warning system consists of an 'Observation and Monitoring Centre located at the Secretariat'; and 'Observation and Monitoring Zones within the sub-region'. Their functions include; collecting and analysing data, preparing reports for the Executive Secretariat, collaborating with the UN, AU, research centres and relevant international regional and sub-regional organisations (ECOWAS 1993, Souaré 2007, Mwagiru 2010).

The Mechanism further breaks up member states of ECOWAS into Observation and Monitoring Zones. Each zone contains between 3 to 5 member states with zonal capitals as illustrated in *Table 2.4*:

Zone	Capital	Countries
Zone 1	Banjul, The Gambia	Cape Verde, The Gambia, Guinea-Bissau, Senegal
Zone 2	Ouagadougou, Burkina Faso	Burkina Faso, Cote d'Ivoire, Mali, Niger
Zone 3	Monrovia, Liberia	Ghana, Guinea, Liberia, Sierra Leone
Zone 4	Cotonou, Benin	Benin, Nigeria, Togo

Table 2.4 Early Warning System of ECOWAS

Source:(ECOWAS 1999:16)

There is no substantial difference between the functions of the Centres and the Zones. The only notable difference is while the observation centre collects data and information generally, the Zonal Bureaux shall, 'on a state by state basis and day-to-day basis, collect data on indicators that impact on the peace and security of the Zone and the sub-region'(Rusu 2001, Aning 2004, Souaré 2007).

However there is a central point department at the ECOWAS Commission responsible for collating, synthesising, analysing and drawing up policy direction from the information. A utility system operationalised in partnership with civil organizations, West Africa Civil Society Forum (WACSOF) and West Africa Network for Peacebuilding (WANEP) called the ECOWAS Peace Exchange is a web based software tool that enables journalists and other stakeholders to feed into the system.

Two observations can be made in connection with the early warning system; first though preventive devices of this nature may not be an ingenious discovery by ECOWAS, its nature and elaborate structure make it significantly distinguishable from previous experience. For instance, Chapter VI of the UN Charter provides for pacific resolution of disputes amongst states. The application of the provision under this Chapter is contingent on the outbreak of a dispute though not generally involving use of arms (United Nations 2011). The implication

of the ECOWAS early warning system is much more comprehensive, and if faithfully implemented, may yield better results. It is geared towards locating potential causes of conflicts and constituting appropriate organs to deal with such.

Second, the Mechanism also provides for the Council of Elders which is mandated to deal with a given conflict situation whenever the need arises. Thus there is a great interaction between the institution of the Monitoring Centres and Monitoring Zones and the Council of Elders. While the activities of the Centres and Zones are particularly tailored towards avoidance of conflicts, the Council of Elders undertakes the responsibility of pacific resolution of eventual disputes. In addition, the zonal focus allows for the maximisation of resources with guaranteed optimal results. The narrowing of preventive activities of the Centres and Zones will undoubtedly go a long way in avoiding a dissipation of energy and strategy.

In further efforts to achieve the concrete results expected from the Early Warning System (EWS), the Mechanism provides for the establishment of a 'framework for the rational and equitable management of natural resources shared by neighbouring Member States which may be causes of frequent inter-State conflicts.' The final provisions of the Mechanism worthy of commentary are those that relate to the task of peacebuilding in the aftermath of a conflict. These are contained under Chapter IX of the Mechanism.

The ECPF is undoubtedly a major contribution to the corpus of enactment on the regulation of collective security. In substance and size, it is a remarkable improvement on the previous Protocols as it takes several bold steps and breaks new ground on many frontiers. From the incorporation of the thorny doctrine of humanitarian intervention to the inclusion of early warning, trans-border regulation of crime, the institution of a stand-by force to implement its commitments, the Mechanism presents us with a fresh vision of collective security.

Rather than limit its vision to the classical notion of collective security--the use of collective force to repel an aggression--ECOWAS reinterpreted this concept using a more holistic paradigm. Not only does this Mechanism afford us the highly needed opportunity to re-appraise the practice of collective security by regional Organisations, it candidly helps us to re-evaluate the place of the United Nations system in the crucial task of maintaining international peace and security.

However, the framework must not be treated as an article of faith. There are obvious pitfalls in some of the provisions that should be of concern. Although how well the framework will

fare upon implementation must at this point remain conjectural, it is possible to make some projections. ECOWAS will certainly experience difficulties, both of a legal nature and otherwise. Implementing provisions regulating natural resources shared by neighbouring states, unsolicited restructuring of democratic and governmental structures of a Member State, may soon prove a step too far into the sovereignty of Member States.

Other practical problems that should be expected will include circumstances in which there are military takeovers of the governments of the most powerful and wealthy members of the organisations. It remains doubtful whether ECOWAS would have the capacity to authorise enforcement action entirely on its own against a military junta in Nigeria for instance. This country contributes the most share in terms of human and material resources to ECOWAS missions.

In other words, organisations should not only aim for establishing effective operations, but also for establishing effective operations quickly. Some would argue that more time is needed to achieve the highest quality operation possible. It is true that guaranteeing that member states will provide sufficient resources contributes to slowness of decision-making, but I argue not that quality should be sacrificed for efficiency but rather that efficiency should be taken seriously as a means for enhancing prospects of success.

Regional organisations that have intervened in these cases secure legitimacy for their interventions in alternative ways by tying their mandates to relevant peace operation demands, such as a supportive UN resolution calling for regional support or an official request from the government of the affected state. Ultimately, there can be severe consequences for decision-makers that 'decide to defer the deployment of peacekeeping soldiers until after a peace agreement'. To a large extent one can intimate that decision-makers face a trade-off between peacekeeping and peacemaking, and initiating conflict prevention initiatives on a regular basis (Diehl and Lepgold 2003, Diehl 2008).

For legislators maintaining legitimacy in the perceptiveness of local actors is critical to the long-term success of any operation invested in reclaiming security, and in hindsight on developments in Africa, parliaments are keen to lead (Anderson 1999).

First, response rates matter to the long-term effectiveness of peace operations and conflict prevention initiatives, and elite decision-makers in regional organisations recognise that the longer an organisation takes to respond to the conflict and fulfil its issued mandate, the prospects of cultivating sustainable peace diminish as violence continues, death tolls rises

and local actors increasingly perceive the organisation and its actions as illegitimate (Acharya 2007, Hardt 2009, Donno 2010).

Secondly, an organisation's capacity is no panacea to the conflicts in which it engages. Organisations with relatively less capacity have equally proven to be successful in operations in their respective regions. Rather, increased capacity can strengthen the impact of a response to conflict specifically by means of securing necessary resources and by largely determining an organisation's staying power. As discussed, authors often point to the formal structures and rules that institutionally bind the European Union (EU) as a source of its operational success in peacebuilding (Acharya 2007, Kingah and Van Langenhove 2012, Kluth 2013).

2.4.5 Subsidiarity and the Institutions

'The Regional Mechanisms are part of the overall security architecture of the Union, which has the primary responsibility for promoting peace, security and stability in Africa...' (AU 2002:Article 16:1)

Lending credence to the mantra of 'African Solutions to African Problems', devolving responsibility of conflict prevention to regional actors has gained expediency in the new approaches on the continent. Unfortunately, there is paucity of research examining the subsidiary role of the PAP with regional parliaments, or relationship amongst the ARPs. Thus on this level, some scholars (O'Brien 2000, Møller 2005) review the subsidiary role between the Pan-African parliament and the ECOWAS parliament by just elaborating on the institutional structures and challenges it will face, analyse security dilemmas and attempts at ensuring peace, or discusses both institutions in some comparative form.

The multitude of international norms that have been adopted by the African Union (AU), which in theory are applicable to the member states remain by and large ignored. But, in the importation of liberal norms with little chance of enforcement ARPs are paradoxically similar.

A seminal report assessing the progress of the African Peace and Security Architecture (APSA) (AU 2010), concluded that there is a little subsidiarity, but there is need for improved coherence and partnership if the relationship is to be sustainable. It demonstrates that *de jure* there is the principle of subsidiarity because most of the conflict prevention frameworks

recognises a role for the AU; but *de facto* this lacks clarity in terms of specific responsibilities. Additionally, as the PSC Protocol states that the 'modalities for this partnership shall be based on their respective comparative advantage and the prevailing circumstances' this assertion is to guarantee flexibility in determining of roles and responsibilities the regional organisations remain primarily inter-governmental rather than supranational (Ssempebwa 2004:13) and there is a reluctance to cede national sovereignty rights to regional levels. But evidently the components of APSA are all developing at independent paces and there have been several instances when regions have taken unilateral decisions on enforcing peace without the input of the AU as demonstrated by ECOWAS in the Liberia and Sierra Leonean cases.

Furthermore, most of the ARPs were established and working within their regional security mechanisms before the AU was formed in 2002. Thus there is the issue of 'who learns from whom' as the latter deem this an area in which the ARPs have more expertise. According to Adebajo (2010) this makes following AU recommendations incoherent though it is supposed to be the coordinating organisation. The existing eclectic frameworks and practices underscored by the enduring political histories, sometimes of hostilities between, and amongst member states makes subsidiarity obviously inconsistent guaranteeing, tensions and competition, rather than promoting comparative advantage.

Similarly, key factors continuously hamper this subsidiary role. For example ECOWAS operates in the 'space' of regional and continental mechanisms in relation to the AU. Thus the manner in which the principle of subsidiarity is applied, and the extent to which it is practicable will determine its success in dealing with security threats on the continent, such as terrorism and the seemingly endless civil wars.

Ultimately most studies on the relationship of the conflict mechanisms fail to criticise this empirically-weak link and are mostly concerned with a general assessment of the mechanisms. Therefore, this research will also fill this gap by discussing the subsidiary parliamentary relationship between the regional and continental bodies in conflict prevention. The continuous discussions in literature about the inter-governmental system of the 1975 treaty being jettisoned and a supranational system being pursued should be the angle from which academia concentrates as ECOWAS continuously attempts to turn into a supranational institution.

Finally, a complex dimension to discourse on the regional-national interface in parliamentary relations hitherto discussed by several authors is the introduction and emergence of the EU Parliament with its own brand of legislative tradition and culture. The evolution of the continental parliament and its interaction with nation States, in a quest for proper representation is recounted by Ngweny (2007) giving the difference between the role of the continental level and regional parliaments. Whilst it is not in doubt that this is very valuable contribution to this research there is no attempt to present a focus on the principle of subsidiarity between these parliaments and how this will affect their functions in parliament/differ from region to region.

2.5 The EU Parliament as *sui generis* in the emergence of supranational legislative order

The European Parliament hailed worldwide as a classic example of transnational democracy has over the years transformed into a body with a co-legislative powers. Until 1979, the EU Parliament was a consultative forum to be consulted on a small range of legislative proposals prior to their adoption by the European Council as can be evidence in Table 2.5: Some Benchmarks of the EU *Parliament*. Worth noting is the fact that the Parliament was nevertheless given the right to dismiss the Commission in a vote of censure with a two-thirds majority. The system whereby ministers alone could adopt legislation suffered from 'democratic deficit' and Parliament had to fight for its powers; this it has done with considerable success (Corbett, Jacobs et al. 2005:2-4).

The EU Parliament over the past four decades has evolved both in scope and powers to being a bicameral system in conjunction with the Council. This role was supposed to be enhanced through the new EU Constitution which is unfortunately facing an impasse after it could not pass the referendum in crucial EU states.

The parliament regarded as *sui generis*, has been transplanted, adopted and adapted to globally, and is redefining the role of international and indeed regional parliaments across different contexts and cultures. Over the last decade there has been a revival in scholarly interest in the European Parliament, inspired principally by the addition of the cooperation (1987) and co-decision (1994) procedures to the legislative arsenal of the European Union (EU), essentially expanding its powers.

According to Kreppel (1999) when it comes to perceptions on regional integration schemes generally, the EU is deemed as what one call 'the model' thus the conformity to, or departure from this model therefore provides the framework for discussing other regional integration bodies, most especially those in Africa and other developing parts of the world.

Whilst the EU may be fraught with problems of its own, according to Wiener and Diez (2009) its development is increasingly gaining acceptability and attention globally, though the results and impacts are a far cry from being uniform or even significantly comparative. This is because, due to context, culture, and other reasons, wholesale transplanting of the EU's model has been impossible, and significantly wide variations exist between what the EU Parliament represents and what regional parliaments of the RECs seeking to replicate the EU process do in practice.

However, for Kreppel (1999) the extent of the EU Parliament's legislative power, and especially the influence that legislative procedure has on this power, continue to be areas of significant debate. A cause of much debate has been a general paucity of significant empirical data about EU Parliament's influence. This has led to an overtly theoretical approach, particularly in the examination of the influence of the EP's legislative procedures. Most of these studies refer to the data on EU Parliament amendment success rates published by the Commission and the parliament.

Unfortunately, this data is available only at the aggregate level, making it difficult for 'small n' studies, and little or no information about the significance of the individual amendments or what exactly constitutes 'adoption' is available. The weakness of the existing empirical data has long allowed various theoretical models of EU Parliament influence to coexist, competing for dominance without the ability to effectively test their relative veracity.

Date	Progress	Development
January 12, 2005	New Constitution for Europe	Parliament spearheaded the constitutional process which proposed to (i) consolidate Parliament's position as co-legislator with Council, (ii) co-decision to apply to virtually all areas including agriculture and the whole annual budget, (iii) increase in Parliamentary powers including scrutiny and recall of Commission decisions, (iv) reinforcement of Parliament's position in the election of the Commission President.
1 February 2003	Treaty of Nice	Further extended the scope of co-decision to enable parliament to take other institutions to court, in line with the expanding EU the number of MEPs increased to more than 700 – the preferred ceiling,
1 May 1999	Amsterdam Treaty	Scope of co-decision was extended to include most non-agricultural legislation. Parliament's vote on the European Commission President became binding
1 November 1993	Maastricht Treaty	This brought significant increase to the powers of the European Parliament including the right to vote for the President of the Commission, President of the Central Bank and the Ombudsman, all of whom have to serve terms of five years in line with the Parliament term of office
1987	Single European Act/Procedures for the adoption of Community Acts	1. Cooperation Procedure – consultation procedure requiring Council's position be referred back to Parliament which then had three months to adopt or reject; 2. Assent procedure – Parliament assumed equal rights with Council in the ratification of accession treaties and association agreements.

1980	Isoglucose judgement of the Court of Justice (cases 138 and 139/79)	Legislation was struck down because the Council did not allow Parliament to express its opinion and this enhanced the Parliament's bargaining power as the Council could no longer afford to by-pass the parliament.
1979	First elections by Universal suffrage	Enhanced democratic legitimacy and more public debate on European issues as well as providing the Parliament with full-time MEPs
1975	Conciliation procedure	The procedure was to regulate the Council's legislative powers and Parliament's budgetary powers in which any disagreement would be referred to a conciliation committee composed of Council and an equal number of Members of European Parliament (MEPs). It would, however, be up to the Council to adopt the legislation in question
1970-1975	Budget treaties	Council and Parliament jointly became the budgetary authority in which case Parliament could exercise final vote on its adoption or rejection

Table 2.5: Some Benchmarks of the EU Parliament

Sources: EP web pages; (Campion and Lidderdale 1953, Bond 1997, Corbett, Jacobs et al. 2005, Cofelice and Stavridis 2014)

2.6 Defining Regional parliaments in context to this research

In determining an appropriate definition of regional parliaments to guide this research, there are two observations to finally consider. First, in agreement with the assertion of Katz and Wessels (1999:10), experiences from different parts of the world suggest that not all parliaments are legislatures because some have only a deliberative and/or advisory mandate. Apart from being ‘...central institutions for political legitimacy’, the best well-known and commonly understood function of a national parliament, at least in the African context, is representation. Second, as Wanyande (2005) accurately observes:

‘...any political community will have diverse interests, which must be addressed. The complexity of modern societies makes it difficult, if not impossible, to have every person present his or her interest directly to the governing authority. Parliaments, through elected leaders, perform this representational role ...Parliament provides a forum for the aggregation of diverse interests, and the processing and conversion of those interests into policy decisions...’ (Wanyande 2005:67).

The definition I have developed guiding this research is ‘a regional parliament is...’ ‘an international parliamentary institution with legislative and/or consultative mandate and power which holds sessions/meetings according to established rules of procedures, with members who have been elected, appointed or selected from their respective national parliaments, or elected by citizens of the member states. Therefore as a regional parliamentary institution it is transnational, within a specific geographical location, serving the interest of a regional organisation or a regional policy with which it is sometimes institutionally bound...’

Even though there are a myriads of analytical tools, categories, classifications and analysis and conceptualisations by various authors; a contextualised definition highlighting the usefulness of aspects for the case under study with a description of the parliament will cover, structure, membership, and competences. As the phenomenon of IPIs is still a new area for research, definitive classification may be a challenge though the academic contributions so far are serving to clarify and illuminate the landscape.

In this study, the definition is therefore a combination of Cutler (2001), effective distinction provided by Šabič (2008) as International Parliamentary Associations (IPAs) and International Parliamentary Organs (IPOs), and Malamud and de Sousa (2007). In addition, several other distinctions that are not mutually exclusive; one IPI belonging to another IPI or not; involved in a multilevel parliamentary system or not; supranational or not; of a regional or inter-regional kind; selecting members through direct elections or not without imposing a restrictive typology.

First, in as much as there are *sui generis* debates of growth of the EU Parliament in the 1960s–1980s and also more recent active support, the institution provides both expertise and funding to help diffuse the European model to other continents. Though scholars including Costa and Foret (2005) argue that the European experience mainly benefitted from very specific and unique conditions easy to replicate so other models might not be that successful. However, as the focus of this research is not a comparison with the EU Parliament, these might become subject for further studies.

Second, scarce resources are an underlying institutional challenge to the effective operation of any regional parliament, as most of them have to depend on contributions to the executive integration organ and also individual member parliaments. Reflectively, developed institutions like the EU do not face the challenges of means and funding, and as such are able to also be more effective in their activities.

Third, the challenges of the emergence and proliferation of regional parliaments also creates a competition for scarce resources, and at the same time raises additional questions of cost of these institutions and whether there is even a need for all these regional parliaments. Thus, the issue of ‘rationalisation’ is prevalent around the existence of the numerous institutions and whether they are useful; with another being whether there are prevailing economies of scale or existing path dependency. More importantly is the overriding notion that ‘it is easier to create an international organisation than to bring it to an end – even if it becomes totally useless or inactive’ (Costa, Dri et al. 2013).

Finally, addressing definitional and conceptual issues in context helps in deciding the type of parliament being researched, and this empirical evidence then goes on to help confirm the levels of impact parliaments have. Here, informal arrangements are as important as formal ones, and there is also a relevance to the level of institutionalisation especially with regard to its overall impact, be it actual or only potential.

2.7 Parliaments and Conflict Prevention in West Africa

The African continent over the past fifty years has demonstrated substantial levels of fragility at both states and regional levels. Ranging from 'strong men-rebel leaders-Boko Haram' compounded by shared global drivers such as regional (in) security; religious, ethnic and gender differences; oppression, border disputes and political influences in specific contexts have all been contributory factors.

A central role for parliamentarians in peace, prosperity and efforts at democratisation of Africa seems to have been discovered as a tool to put them in the driving seat of the political process. To this end, a plethora of handbooks, toolkits and guidelines have emerged in recognition of what parliamentary bodies can do, prescribing training, information exchange and enactment of conflict sensitive laws as vital to ensure lasting peace and prosperity in Africa (Aning 1996, Francis 1999, Aning 2004, Francis 2006, Kaplan 2006, Balch 2007, Salih 2013).

In recognition of the rising number of parliaments that are operating in conflict affected societies, the World Bank Institute and the Commonwealth Parliamentary Association commissioned studies conducted by O'Brien, Stapenhurst et al. (2008) examining issues facing developing parliaments in the hope of strengthening parliaments' capacity to tackle their diverse challenges and meet growing community expectations.

Though their study is the national level, this thesis will benefit immensely from the empirical and prior research carried out in this particular research, which also looks at how parliaments play a very necessary part in transitions from conflict to peace and stability especially in addressing root causes of conflicts and preventing a reoccurrence because of their representative status.

Emphasising a crucial role of parliaments as peace builders, O'Brien, Stapenhurst et al. (2008) discuss the ability of parliaments to monitor how public expenditure is spent. They examine forums are created for dialogues to oversee the executive's judicious use and implementation of resources. This is because conflicts also emanate from challenges within constitutional and electoral systems.

Applying this analogy of national scenarios, this is conceptualised to demonstrate how parliament effectively prevent conflict through the execution of its core functions of representation, law-making and oversight, emphasising the premise that, meaningful

participation and representation is important if this is to be a realistic achievement or goal; and confer legitimacy on parliament as it instils public confidence in the credibility of its work.

In West Africa, conflict prevention is in the first instance associated with preventive diplomacy and influence including the classic 'carrot and stick' diplomacy associated with Realpolitik. The regional parliament therefore occupy a unique position. It possesses the power of parliamentary diplomacy which it employs in mediation and negotiations. As representatives of the citizens of the sub-region, it makes them natural forums for consensus building.

As well, the everyday parliamentary business of debates, discussions, motion hearings, passage of resolutions, reviewing and amending protocols and initiatives for enhancing their powers are normative progress towards creating enabling environments that ensures a nexus between the parliament and conflict prevention as relates to the sub-region. Suffice it to say that, parliamentarians of regional parliaments work beyond the framework of their traditional functions to build relationships and dialogues with other international, national and peer-groups on issues of conflict prevention. Parliamentarians can intervene in areas that traditional diplomats cannot venture.

2.7.1 Causes of Conflicts

This section aims to only emphasise a selective list of drivers of conflict which are common narrative. This is because the scale of this subject means each aspect requires its own range of literature review which is not the focus of this thesis. Thus, this section will necessarily partially contribute to providing the proper context only for this research, with respect to causes which also impact the development of parliaments in the region.

Colonial heritage

The great push for the colonisation of Africa occurred in the late nineteenth century with Europe vying for the ownership of Africa at the Berlin Conference of 1884-1885 which settled the political partitioning of Africa. This acted as the *Scramble for Africa* (1875-1912), the term used to describe Europe's rush to colonise and divide the African continent (Gavin and Betley 1973, Schmidt and Arndt 2010).

At the time, Warburton (2005) and (Morrison 2006) agree that France, Germany, Great Britain, and Portugal were the major players controlling most of colonial Africa. Various descriptions have also been accorded to this phenomenon including 'carving Africa into spheres of control' by De Blij and Muller (1985); 'slicing up Africa like a cake' advanced by Pakenham (1992) and even the 'division of the earth' according to Schmidt and Arndt (2010) amongst others.

It is argued that the nature of Western rule left Africa neither politically nor economically prepared for independence, thus creating a fundamentally undermined security condition in most states from the outset. After colonial rule was firmly established in Africa, the only change in possessions came after World War One. Germany's four colonies were placed under the League of Nations, which established a mandate system for other colonisers to administer the territories.

As a result, the colonial powers already with functioning bureaucracies, were less inclined to rely on indigenous institutions, and thereby established a pure model of alien bureaucratic autocracy in Sub-Saharan Africa. For instance, countries under Britain had a less uniform development in the structure of a colonial state as a result of the indirect rule (Lugard 1922, Perham 1934, Crowder 1964, Young 1994) of regional administration.

In contrast, French colonies were at the extreme of a central command deriving from the Governor right down to the village level through a singular hierarchy referred to as 'Assimilation' (Crowder 1964, 1976, Ayittey 1992, Diouf 1998). However, the administration in rural areas, either under the French or the British did not introduce participation in decision-making at the community level (Busia 1967, Manning 1998).

Grand narratives of decolonisation abound, and one is the western capitalist view based on what Frederick Cooper identifies as 'Europe's self-perceived movement toward state-building, capitalist development, and modernity'. This vision posits a form of historical progress against which African, Asian and Latin American history appears as a failure and on the other, there is the grand narrative of nationalist victory based on stories of triumphant resistance told with a 'rather macho air to the narrating of confrontation' (Taoua 2003, Cooper 2005). According to Hydén (2006) and Kinzer (2009), all these impacted the conditions stimulating occurrence of conflicts. Furthermore, Africa was governed as components of strategic economies not reflective of the reality and ultimately these led to calamitous consequences like the events in Rwanda.



Figure 2.2: Colonial rule in Africa

Data Source: (De Blij and Muller 1985)

Reasons advanced by authors including Poku and Mdee (2011) state that, it was because colonial powers instituted forms of extremely patriarchal forms of governing and thereby could not successfully encourage emerging democratic structures. Local knowledge and content were excluded in generating tenets of direct trade benefits which occasioned the issue of single raw material resource economies. Moreover, there was a disregard to capacity building which effectively served to erode competence as the continent was not prepared for the demands of democracy (Akaki 2008) as standardised by the West.

Cold War Dynamics

Several narratives exist on the impact of the Cold War on Africa's internal democratic experiments and its social, political and economic cohesion decades after the formal end of this era. A salient assertion is that, the Cold War contributed to both the militarisation of states and undermining of political legitimacy of governments. Scholars including Hydén (2006) insist the strongest examples of this phenomenon is the civil wars of Angola and Mozambique. The period accentuated by a lack of superpower interest in colonising Africa, rather made Africa a proxy 'battlefield' on which ironically war could not be literally waged.

Therefore, as stated by Cramer (2006) and Ndikumana and Emizet (2003) both sides instituted expediency regimes. These were militarised with no legitimacy and internally rulers remained unaccountable. These included those of Ethiopia, Democratic Republic of Congo (then Zaire) and Somalia which were heavily propped up through patronage, patriarchy and military dominance. Underscored by a scramble for power, these countries ultimately became unsustainable and repercussions have weighed heavily overtime into present times.

Furthermore, Kinzer (2009) contends that funding and accelerated militarisation from patron networks invigorated actors to pursue power through war rather than democratic processes as examples of DRC, Mozambique, and Somalia show. Aid usually included military packages of training which in turn served as training brigades for elite presidential guards as utilised by Bozize Bokassa, Idi Amin, Mobutu Sese Seko and Gnassingbe Eyadema just to mention but few. Ultimately, these leaders represented the renowned image of an African military dictator 'resplendent' in a pressed uniform of medals and flanked by a well-functioning military command.

Additionally, Kinzer (2009) draws attention to the fact that, leaders who are protagonists of civil war have rather received asymmetric forms of military training, as for example the case of Paul Kagame's (Rwanda) Cuban training in military intelligence and espionage, or Jonas Savimbi's Chinese training in Maoist-style guerrilla warfare.

External Actors

The environment of an enabling arms trade and continuous military assistance by the international community has redefined a new role which impacts on the perpetuation on conflicts. According to LeMelle and Stulman (2009), the United States military sales to countries regarded as strategic allies on the 'war on terror' has accrued a lot of revenue with the country and its manufacturers continue to make millions of dollars.

This according to Schroeder and Lamb (2006) and Spear (2006) precipitated the violations of UN arms embargoes which effectually drove conflicts in Liberia, Sierra Leone, Sudan and created long-drawn-out challenges in DRC and Somalia. Similarly, Muchai (2002) bemoans how the DRC continues to be plagued with conflicts as the stockpile of weaponry on every side comes from the Cold War cache.

In contemporary times, the debates are more on the establishment of the United States Africa Command (AFRICOM) and other strategic US security investments and how these

are impacting the general security environment (LeMelle and Stulman 2009, Ojajorotu and Whetho 2009).

Identity politics and social influence

Considerable discussions in research abounds on Africa's ethnic, geographic or religious divisions as a popular explanation for conflicts covering the infamous Hutu vs Tutsi; Christians versus Muslims; Somali clans; Nigeria's region including challenges with Boko Haram and the rise of Al Qaeda in West Africa precipitating conflicts in Mali and Niger amongst others.

Increasingly, these conflicts defy the norm of monetary gains as incentive (Jackson 2002) for participation and the new war theory according to Kaldor (2013) is best placed in offering an understanding. These conflicts belie a complex overlap of divisions, sub-divisions, factions, and alliances principally socially constructed or manipulated in typically pragmatic modes (Hydén 2006).

The New War theory offers the explanation that, core actors in these conflicts have taken advantage of state weakness and poor socio-economic opportunity, including the reduced significance of national identity, to manipulate social divisions and incite civil war on the prime basis of identity rather than any belief of promoting state or society (Kaldor 2007).

Competition for natural resources

There is evidence to suggest that countries with a wealth of natural resources can have these resources fuelling civil wars and other conflicts as witnessed in Angola, the DRC and Sierra Leone (Gberie 2005, Cramer 2006). Conversely, absence of resources can also cause conflicts as experienced in Somalia (Webersik 2008).

According to Collier and Hoeffler (2004), civil wars only occur if the economic conditions exist to make them financially viable. This model has been applied widely on African conflicts but as discussed above, there are new conflicts which defy this logic and as such, it is a model that can be employed up to a point to explain conflicts in Africa, but not totally. It excludes non-economic explanations thus religious and ethnic inclinations as triggers for war, or indeed political exclusion are not covered by the model.

A further distinction riposte to the question of resource conflicts or the 'resource curse' as this has become known is that, poor economic opportunities and low incomes correlates with the incentive for people to choose violence in the greed or grievance debates (Hoeffler

2011). Remarkably, this tempering of the 'greed or grievance' debate according to Ramsbotham (2005) means it now harbours mutual characteristics with what is regarded as the model's prime competing academic model, that of Azar's (1990) stance on 'protracted social conflict'. Apart from the model, Collier and Hoeffler (2002) have contributed significantly in establishing the incidence of civil war and the rising trend of conflict in Africa.

This study explore a lot of insights as it demonstrates that in comparison to the rest of the developing world, Africa is not fundamentally different from other regions; incidences of conflict from 1965-1999 are within the expected results for a global model, and it is important to note that numerous African countries have not experienced civil war, including Malawi, Cameroon, Namibia, Ghana, Zambia and many others. Moreover, the study demonstrates that many African countries nonetheless are at greater risk of war than developing countries in other regions due to their comparative degree of structural underdevelopment, a disparity that can be accounted for by Africa's divergent economic conditions and globally poor economic performance (Collier and Hoeffler 2002).

Weak States and Institutions

According to Jackson (2010), weak states are characterised by institutional weakness, political instability, centralisation of power, unconsolidated democracy, economic crisis, external vulnerability, social divisions, lack of national identity, and an ongoing crisis of legitimacy. These make them have a higher propensity and vulnerability to civil war.

In the absence of a universally accepted definition of 'weak states', they can be characterised as entities confronting inimitable security dilemma, with varied array of threats both internally (mutinies, armed factions or rebellions,) and externally (powerful regional actors or spill-over fighting from neighbouring states as happened in Sierra Leone from Liberia). Furthermore, the emergence of 'big men' in Africa has led to grievances from corruption, poverty and a failure to uphold the social contract which motivates rebellion. The collapse of the relationships between a regime, the military, and the general population is often the catalyst for civil disorder, looting and ultimately civil war (Jackson 2010).

Africa has experienced significantly more civil wars and violent conflicts since the 1960s than any other major region around the world; however it cannot be suggested that any single aspect is central in explaining this phenomenon. The conditions for civil war can only exist under a government that lacks legitimacy, and governments in Africa have struggled to gain legitimacy for a diverse range of reasons. Nonetheless a number of predominant

factors have contributed significantly. Governance, security and development provide the three fundamental dimensions of all societal systems, and poor governance and economic weaknesses have undermined the ability for African states to provide security, enhancing their prospects for civil war.

2.7.2 Major Actors on Conflict prevention

African RECs particularly, the AU and ECOWAS are discussed in literature as openly embracing the promotion of 'security regionalism'. They are recognised as having gained a wealth of experience and proven their mettle, the latter as establishing the blueprint for Regional Economic Communities (RECs) intervention in conflicts militarily. Prominent works sustaining this point include Hettne's (1994) Aning's (2004), Adedeji's (2004), Adebajo and Rashid's (2004) and Adebajo, Adesina et al's (2012) work on ECOWAS.

However, these roles are not translated into a confidence in improving structure and regional entities efforts in reshaping democratic and governance institutions. For instance Lavergne (1997) and Synge (1999) dismiss the viability of real efforts in promoting democratic ideals. But in contrast, scholars including Zartman (2011) categorise West Africa as one of the few regions possessing a regional organisation with any pretension to promote common standards of governance for member states in spite of internal divisions, and reluctance of other states to accept the leadership of the respective would-be regional hegemon Nigeria (Clapham 2003, Robson 2011).

For instance, there is significant scholarship on the institution of ECOWAS itself without the specific role played by the parliament (Hook and Kearns 1999, Elowson, MacDermott et al. 2010) as well as the literature on issues of conflict prevention being skewed to the organ's role in conflict prevention in the post-Cold War era (Deng and Zartman 1991, Kanet 1998, Mekenkamp, van Tongeren et al. 1999, Bercovitch, Kremenyuk et al. 2008, Kabia 2009). The question remains, to what extent has the Community fostered democratic regionalism and what are the impediments militating against its march towards becoming a renowned Community Parliament like the European Parliament.

Also on contemporary issues of conflict scholars give more attention to the ECOWAS Commission (Adedeji 2004, Aning 2004, Francis 2009, Gadin 2010) with scant attention to the ECOWAS Parliament's contribution to conflict prevention in the sub-region. The trend

is a lot of discourse analysis and narratives of conflicts with only minimal accounts of the role of ECOWAS and to a limited extent, the parliament.

Additionally, there is a trend for the literature to focus on why Africa needed to adopt integration to address development dilemmas, and the responses concentrate on the ability to accelerate paces of development and quickly integrate into the global economy (Asante 1996, UNECA 2000, UNECA 2007). This is also emphasised in the works of scholars including Harrison (1991) and Te Velde and Bezemer (2006). However, these studies remain focused on Africa as a general entity and not necessarily applicable to strides in the political aspects of regionalism in West Africa.

In Table 7.3: Major Actors and Strategies on Post-conflict Peacebuilding, it illustrates the interwoven relationship between the major players in the maintenance of regional peace. The global dimension which is not included in that diagram is the UN Peacebuilding Commission. Thus the major actors in a nutshell are the UN, AU Commission, RECs and the Mechanisms. However to ensure an efficient function of these actors, synergy is required and as already discussed this is primarily lacking inducing challenges in implementation.

2.8 The case of the ECOWAS Parliament: the existing knowledge base

As demonstrated, ECOWAS is usually not unpacked to showcase what each institution under the regional group does in the case of conflict prevention specifically. It is the aim of this research to help close this gap by contributing to a better understanding of the role and activities of the ECOWAS Parliament in conflict prevention and peacebuilding. Many analysts of the integration process in Africa seek to explain the ineffectiveness of the RECs in achieving their objectives on the grounds of political, economic and socio-cultural factors such as political instability, poor economies and cultural mistrust among neighbouring countries amongst others (Adar, Juma et al. 2010). Important as these are, they ignore other important factors that underpin the effectiveness of the integration process.

For instance scholars and practitioners' assessment including copious works on the AU by Murithi (2005) in *'The African Union: Pan-Africanism, peacebuilding and development'*, and Makinda and Okumu (2008) in *'The African Union: Challenges of Globalisation, Security, and Governance'* have no legislative analysis. In legal articles on the African Union,

parliaments are hardly mentioned Packer and Rukare (2002) and renowned scholars on African integration including David Francis leave out any discussion on the legislatures as evidenced in his works (Francis 2006, Francis 2006).

Additionally, seminal work undertaken by scholars Akokpari, Ndinga-Muvumba et al. (2008) on Africa and practitioners, who worked with the African Union (AU), providing pioneering literature only diagnose key challenges, on security and governance and make only short general commentary about the parliaments in their research findings. Directly on the community parliament however, Gasiokwu (1997) gives an exegesis of the parliament's form, norms and values as well as functions and tops this with its prospects and challenges. There is also an attempt to evaluate why the European project is the benchmark but not achievable in the foreseeable future of the parliament's life. He illustrates how the mandate and powers of the legislature are weak and this means it has no control over the budget of the community; which is prepared by the Executive Secretary and approved by the Authority, except the parliament's own budget which is even subject to scrutiny by the Commission. However when he makes assertions that parliaments in international institutions perform only in accordance with the request made to them by other organs of the organisation as the case of ECOWAS Parliament shows, there is need to pause and reflect on this because empirically the parliament has been proactive in several cases without referrals from other organs and these are areas this research can contribute to. Also, bemoaning the lack of powers of the parliament without evaluating what powers the parliament really exercises is too general and does not afford one a good basis to make deductions on competence and impact. Neither does it ensure that the role they can play can be evaluated appropriately.

Meanwhile, O'Brien (2005) views 'Parliament' as one of the best tools a nation has for managing conflict and poverty. He argues that it is a prime institution through which to address divergent interests of multiple groups facilitated by the nature of parliamentary processes, and relationships within and outside parliament. However on regional parliamentary peacebuilding, his thesis is that, scarcity of resources prevents the development of regional parliamentary relationships. But he ends up discussing loose and informal setups of regional parliamentary bodies in broad terms and not those that are formed by statutes, treaties or indeed formal structures. He is also putting parliament within the wider development context and adding variables of equitable distribution of resources and economic development as a direct correlation why parliamentarians can attempt to

guard against the creation of an enabling environment that is prone to the escalation of conflict.

An emphatic assortment is however made by Hettmann and Mohammed (2005) that the creation of a regional parliament in 2000 formally made it possible for parliamentary oversight of the security sector in West Africa. But, the ECOWAS parliament is still a fledgling transitioning in regional democratic governance, with current functions as 'merely' an advisory body, with no real legislative powers. Thus to ensure real democratic regional integration in West Africa, more bold steps need to be taken towards enhancing its powers assuring a more organised and functional structure.

2.9 Conclusion

The literature reviewed reveals efforts made by ECOWAS to create mechanisms for conflict prevention with some focus on considerable international community support for these peace initiatives. However as demonstrated, these all leave a significant gap as there are no attempts to separately present a critical analysis on what the different institutions making up ECOWAS seeks to do, or have done specifically on conflict prevention in the sub-region. Notably, most of the efforts at resolving conflicts in West Africa have literature skewed to the creation of a mechanism for conflict resolution whilst others focus on ECOWAS's employment of ECOMOG for conflict resolution (as in Liberia and Sierra Leone).

Therefore there is significant scholarship on the nature of the institution of ECOWAS as a body in West Africa which is a paradigm for the containment and management of conflict, be it of an ethnic nature or arising out of other forms of diversity. But there is no significant research on the ECOWAS Parliament; its prospects, structure or contribution to conflict management in the sub-region. This therefore is pioneer research to link the two organs in the area of conflict resolution in West Africa by demonstrating how parliament has and can contribute to conflict management in West Africa.

Research on the ECOWAS-P's initiatives on conflict prevention goes beyond filling a gap in literature, by contributing to a better understanding of the role and activities of the ECOWAS-P in conflict prevention and peacebuilding, because it is critically relevant to the prevention of current and future conflicts. Similarly, a lot of work has been published on the new interplay of global powers and politics since the end of the Cold War but neglect has been the bane of an important phenomenon being the incremental proliferation of parliamentary bodies, all types, all levels or to put it succinctly *parliamentarisation of*

regionalisation. This deserves the attention of the academic and research communities because these, parliaments and its affiliated institutions and parliamentarians are relevant to international politics (Malamud and de Sousa 2007).

The Parliament, the most representative body of the new institutions created by the revised treaty has received no commendable attention from the academic community. Without exaggeration, one can even intimate that there is a general ignorance of the very existence of African regional parliaments (Salih 2005, Balch 2007, de Puig 2008, Navarro 2010). Thus what this research project seeks to address, is not an explanation of why ECOWAS as an institution intervenes in conflict situations, or why member states are engulfed in intra-conflicts situations as pertains in some countries or what ECOWAS does to mitigate escalating conflicts. Rather, it is aimed at investigating the extent to which one of the institutions under the regional structure ECOWAS, the community parliament, has engaged the issues of conflict prevention in member states, and how effective this has been.

3. Chapter Three: Conceptual and Theoretical Framework

3.1 Introduction

This chapter sets out the conceptual and theoretical approach guiding this thesis in two parts. The first part introduces the Institutional approaches from which normative institutionalism is adopted to examine the processes and procedures of change, provide a greater basis for understanding the institutional dynamics in the ECOWAS-P and highlight the significant contribution of incremental changes made to its set up and activities. The second part demonstrates the development of a tool of effectiveness and its application as the measuring framework for effectiveness of the parliament. These two parts constitute the framework for analysis.

This chapter is divided into six sections. Section 3.2 introduces the development of Institutionalism and discusses its main strands with provision made for a synthesised version of normative institutionalism, and why it is preferred in this thesis. Section 3.3 defines institutions focusing on what they are and why they exist and endure. The definition of institutions adopted in this thesis is also discussed. Section 3.4 then discusses the approaches under normative institutions which are adopted and how they are applied to understanding the institution under study. The case studies in this research will be initially analysed from a normative institutionalist perspective thus, this section will clarify the incentives for employing this approach, expound on its premises, peculiarities and critique to enable the viability of the framework for analysis. Section 3.5 conceptualises the development of the tool, how to measure and the indicators employed and Section 3.6 provides the conclusion.

3.2 Development of Institutionalism

Old Institutionalism

Institutionalism was a dominant theory in political science (1880-1930) which according to Orren and Skowronek (1995:298) founded the pillars of order in politics and facilitated the routine operation of polity, remaining largely unchallenged until around the 1950s. The study of political institutions constituted the foundation of political science which transformed into a modern academic discipline in the late 19th and early 20th century (Rhodes 1995:43, Almond 1996:64, Rothstein 1996:137, Peters 2012:6-10). Thus according to Lowndes (2002:90) suitably, '*institutionalism was political science*'.

Institutionalism of this era was regarded as old or original institutionalism and concentrated on formal structures and government institutions. Rhodes (1997:68) echoes these as '*the rules, procedures and formal organisations of government*'. Additionally, Schmidt (2006:99) emphasises that it '*defined the state in terms of its political, administrative, and legal arrangements*'.

According to Peters (1999), old institutionalism had five characteristics comprising *legalism*-focusing on the centrality of law in governing; *structuralism*-stressing that political systems determined political behaviour; *holism*-which compared total political systems instead of examining individual institutions; *historicism*-which examined how history influenced the development of contemporary political systems; and *normative analysis* which determined how political institutions produced good government.

Nonetheless, it harboured four main critiques which according to Peters were being atheoretical and descriptive when explaining the relations among branches of government; being unscientific when its concern with norms and values failed to distinguish facts from values; being ethnocentric when it failed to function well in developing countries with less formalised institutional arrangements; and disregarding the influence of informal features of politics and the calculations of individual utility on political behaviour (Peters 1999:6-10).

Behaviouralism and Rational Choice Theory

Institutionalism was replaced predominantly during the 1950s-1970s when behaviouralism and rational choice theory arose, focusing on individuals and their behaviour (March and Olsen 1984, 2004, 2006). Both placed emphasis on creating a more scientific theory by using systematic and rigorous scientific methods to collect and analyse data (Peters 1999:12-13, Hay 2002:8-13). Regarded as more likely to yield generalisation and enable comparison' (Lecours 2005:3), the primacy of behaviouralism was to produce an inductive and predictive science based upon 'extrapolation and generalisation from observed empirical regularities' of political behaviour (Hay 2002:8).

The reductionist tendency adopted by behaviouralism and rational choice theory to reduce the explanation of political processes to social and economic attributes (Rothstein 1996:139) and its emphasis on input from society such as voting to explain political outcomes (Peters 1999:14) meant that political institutions played little or no roles in

influencing political behaviour (Rothstein 1996) but was depicted simply as arenas within which political behaviour transpired (March and Olsen 1984:734).

The tendency of behaviouralism and rational choice theory to deny the central role played by political institutions to determine political outcomes provoked severe criticism from institutionalists because the society- and economy-centered analysis of political behaviour advocated by these two theories assumed that political science lost its original explanatory power. March and Olsen (1984) were the first to criticise behaviouralism and rational choice theory for five reasons as discussed under new institutionalism.

In fact, the main problem of behaviouralism and rational choice theory was that their focus on the attitudes and behaviours of individuals and groups to explain political outcomes failed to answer the question of why individuals and groups with similar attitudes, preferences, and strength 'could not always influence policy in the same way or to the same extent in different national contexts' (Thelen 1999). Since behaviouralism and rational choice theory had theoretical limitation on explaining these cross-national differences, there was a renewed interest in reviving an institution-centered analysis of political behaviour (Windhoff-Héritier, Knill et al. 1996:27).

New Institutionalism

On the basis of their criticisms of behaviouralism and rational choice theory, March and Olsen in (1984) became the initial advocates of new institutionalism; which was a theoretical framework in political science blending elements of old institutionalism into new theoretical and empirical directions (March and Olsen 1984:742-747). They gave it the name 'new institutionalism' in their seminal article '*The New Institutionalism: Organizational Factors in Political Life*' (in the *American Political Science Review*) heralding a revolution against the methodological individualism of both behaviouralism and rational choice approaches characterising the discussions at the time.

This is because, within this new institutionalism, behaviourists examined what actors did and how their behaviour could be explained. For instance, behaviourists sought to explain voting behaviour, involvement in other forms of political participation such as demonstrations and strikes, and the behaviour of leaders and decision makers (Sanders 2002:450) and exploring group behaviour in political parties, interest groups and nation states. Additionally, NI then sought to broaden understandings for the existence of institutions, their seemingly remarkable stability and their unique ability to endure.

New institutionalists argued that 'theorising in political science must take into account that action does not occur in an institutional vacuum' and political analysis was 'best conducted through a focus on institutions' (Lecours 2005:6). They rejected 'the input-weighted political analysis of behaviouralism and rational choice theory' (Hay 2002:11) and emphasised the relative autonomy of political institutions, the complexity of political processes and systems, historical inefficiency and the importance of symbolic action to understand politics (March and Olsen 1984:738).

Therefore new institutionalism emerged as an approach aimed at redressing the imbalance between its institutionalist predecessors and the behaviouralists so that as eschewed by Blondel (1995:10) it 'takes into account both the importance of institutions and the way in which these institutions are shaped by the behaviour of actors'.

On the other hand, March and Olsen (1984) criticised the behaviourists emphasising that contemporary political science 'portray politics as a reflection of society, political phenomena as the aggregate consequences of individual behaviour, action as the result of choices based on calculated self-interest...and decision-making and the allocation of resources as the central foci of political life'.

In responding to these developments, Lowndes (2002) asserted that both behaviourists and rational choice theorists had regarded institutions as 'epiphenomenal or as the aggregation of individual actions' whilst Shepsle (1989) concluded that institutions were first regarded as a result of individual roles, and second as an accumulation of individual choices based upon utility-maximising preferences. Maintaining a political science perspective, March and Olsen (1984), (1998) argued that 'the organisation of political life makes a difference' and asserted a more autonomous role for institutions in shaping political behaviour.

According to March and Olsen (1984:734-737) political science forgot its roots and traditional political institutions 'have receded in importance from the position they held in the earlier theories of political scientists'. They went on to characterise political science since the 1950s succinctly in five key words; *contextualism*-emphasising the social context of political behaviour and downgrading the state as an independent cause; *reductionism*-explaining politics as the outcome of individual actions; *utilitarianism*-explaining individual actions as motivated by rational self-interest then *instrumentalism* and *functionalism*.

In contrast to the descriptive and theoretical style of the earlier institutional theories, March and Olsen (1984:738) assert new institutionalism developed a more sophisticated definition

of their subject matter, operating through explicit theoretical frameworks and 'insists on a more autonomous role for political institutions'. This is such that the bureaucratic agency, the legislative committee, and the appellate court are arenas for contending social forces, but they are also collections of standard operating procedures and structures that define and defend interests are all 'political actors in their own right'. Invariably, they attached importance to history by painting a more realistic picture of historical processes in history as less smooth and lacking the functionality claimed by behaviouralists (Peters 1999:17).

New institutionalism explores the sets of rules associated with an organisation rather than focusing on the organisation itself and suggest that these rules can be flexible because institutions are dynamic structures; thus institutions are perceived as *processes* rather than permanent structures (Lowndes 2002:99). Old institutionalism had an implicit commitment to particular values and models of government, whilst new institutionalism adopts a more critical stance, considering the range of ways that institutions can embody and shape societal values. New institutionalism is also less holistic, focusing on the constituent parts rather than entire political systems. New institutionalists also place the institutions in their wider context, highlighting how they are 'embedded' in a wider world (Granovetter 1985:481-510).

However in contrast, Rhodes (1997:64) suggested that critics had misrepresented it, and in fact institutionalism was more sophisticated than implied. For instance, many institutionalists did consider the impact of informal influences, such as procedural norms (Rhodes 1995:49). Rhodes also argued that traditional institutionalism offered genuine insights into political systems, and described the approach as 'part of the toolkit of every political scientist' (Rhodes 1997:64). However, acceptably 'implicit assumptions must give way to an explicit theory within which to locate the study of institutions' (Rhodes 1995:50) Additionally where there is a creation of new type of institutions, new institutionalism can provide powerful tools for understanding change inside local government bureaucracies and for conceptualising 'the strength of weak ties'(Granovetter 1973).

Lowndes (2002:97) identifies six ways in which new institutionalism has developed from old institutionalism:

- 1) A focus on organisations to a focus on rules
- 2) A formal to an informal conception of institutions
- 3) A static to a dynamic conception of institutions
- 4) Submerged values to a value-critical stance

- 5) A holistic to a disaggregated conception of institutions, and
- 6) Independence to embeddedness

According to Lowndes (2001:1953):

‘The new institutionalists concern themselves with informal conventions as well as formal rules and structures; they pay attention to the way in which institutions embody values and power relationships; and they study not just the impact of institutions upon behaviour, but *interaction* between individuals and institutions’.

However, new institutionalism is not a single approach but rather encompasses approaches which advocate different readings in content and discipline into the theory. Yet, all the approaches have one common theme which according to Peters (1999:150) is represented by the fact that institutions are the 'central component of political life'. Meanwhile Hall and Taylor (1996:939), Ersson and Lane (2002:1) and Rhodes (1995:46) assert that this affects the behaviour of individuals. Although the various approaches of new institutionalism adhere to these two basic principles, Hall and Taylor (1996:936) reiterate that they are not a 'unified body of thought'. This is because as new institutionalists come from backgrounds including economics, history, international relations and sociology, they all have their assumptions so 'approaches to institutions rooted in such different soils cannot be expected to converge' (Powell and DiMaggio 1991:3) and these have resulted in a legion of institutionalist approaches.

These approaches include, democratic institutionalism, empirical institutionalism, historical institutionalism, holistic institutionalism, international institutionalism, network institutionalism, normative institutionalism, rational choice institutionalism and sociological institutionalism (Weingast and Marshall 1988, Peters 1999:19-20); (March and Olsen 1984, North 1990, Hall and Taylor 1996, Jönsson and Tallberg 2001, Ersson and Lane 2002). Additionally, ongoing debates and discussions have progressed on supplementary approaches to institutional analysis, remarkably on political and historical institutionalism as well as research with economic historians.

First, there is the 'varieties of capitalism tradition' of Streeck and Thelen (2005); and second, Pierson (2004) undertakes a re-assessment of path dependent debates and contributes with the analysis of sources of positive feedback. Third, Greif (2006) promotes arguments about the endogenous nature of norms, beliefs, and law in consonance with research on organisational legitimation processes by Colyvas and Powell (2006). Finally, are those promoted by Brunsson and Olsen (1997) and Olsen and Peters (1996). Whilst

North's(1990), Alston, Eggertsson et al. (1996) and Khalil's (1995) were in economics; Powell and DiMaggio (1991), Scott (1995), and Zucker (1988) in sociology and a continuous interest and 'rebirth' of institutional approaches in question in different disciplines. However, these developments according to North (1990) has brought about a conceptual disarray in the field arising from the divergent notions of what constitutes an institution.

Using the NI approach, this exploratory study will attempt to provide an understanding of how far institutionalism both conceptualises the regional parliament based upon its functions, processes and inherent structures, and existing patterns of implementing conflict prevention initiatives in West Africa.

Here the crux of the problem is the capability of institutions to penetrate society, regulate social relationships, extract, appropriate or use resources in determined ways because of the existence of 'strong' societies.

The significance of NI for the central query arises not only from the lack of research on the functioning of regional legislatures or on their role as effective policy making institutions; but more fundamentally, because most explanations by scholars of change, development or legislature at the regional level, have been almost entirely related to the executive arm.

NI also argues that more effective functioning of legislative institutions based upon the development of rules, procedures and norms leads to better policy making, more stability and continuity and greater legitimacy.

NI could enhance our understanding of the ways in which legislatures in the context of a region developing undergo rapid social change and how differential patterns of governance at that level can be examined through the internal functioning of the institution. As reiterated by Nelson Polsby on the importance of the legislature, it is as 'a highly specialised political institution' and 'for a political system to be free and democratic it was essential to 'institutionalise representativeness' with all the diversity that this implies, and legitimise and 'contain political opposition' within the legislature (Polsby 1970).

3.2.1 Forms of New Institutionalism

According to Peters (1999), there are seven forms of new institutionalism and the first is '*normative institutionalism*' advanced by March and Olsen (1984)(see Table 3.1). It places strong emphasis on norms of institutions as means of understanding how they function and determine individual behaviour. They put an accent on a '*logic of appropriateness*' as a tool for shaping the behaviour of the members of institutions.

The most different to *Normative Institutionalism (NMI)* is *Rational Choice Institutionalism (RCI)* where the latter instead of values and norms, argue that behaviours are functions of rules and incentives. Here, institutions are systems of rules and inducements to behaviour in which individuals attempt to maximise their own utilities (Shepsle and Weingast 1994).

The third approach is *Historical Institutionalism (HI)* which, represents the view that choices which are made early in the history of any policy are path dependant and 'once launched on that path they continue along until some sufficiently strong political force deflects them from it' (Peters and Richards 1998).

Empirical institutionalism is the closest to old institutionalism and argues that that the structure of government makes a difference in the way in which policies are processed and the choices made by governments.

Further, Peters (1999) puts scholars into two groups; those who use conventional categories such as the difference between presidential and parliamentary government like Weaver and Rockman (1993) and those who use more analytic categories such as decision points (Immergut 1997). Also included as varieties of institutionalism but with more connections, are *International Institutionalism*, of which the most clear example is international regime theory as represented by Krasner (1984) and *Societal Institutionalism* that describes the structuring of the relationship between state and society (Peters and Richards 1998).

This diversity within the approaches can be enriching since it comprises a multiplicity of areas and have contributed to an increasing understanding of the field. However, as a consequence, the reflected research diversity has also garnered a phenomena of chaotic propositions in the literature when it comes to definitions and ensuring consensus on specific set of terminology on the study of institutionalism.

Approach	Main Points
Normative institutionalism	Examines how the norms and values of institutions shape the behaviour of individuals
Rational Choice institutionalism	Perceives political institutions as systems of rules and inducements, within which individuals seek to maximise their position
Historical institutionalism	Explores how the design of government systems in the past influences decision-making today by individuals
Empirical institutionalism	Classifies different institutional types and analyses their impact upon government performance
International institutionalism	Examines how the behaviour of states is steered by the formal and informal structural constraints within the international political system
Sociological institutionalism	Studies how institutions create meaning for individuals
Network institutionalism	Suggests that regular, but often informal, interaction between individuals or groups, who share particular values or objectives shapes political behaviour

Table 3.1 Forms of New Institutionalism

Source: Compiled by author using data from (March and Olsen 2006, March and Olsen 2010, Peters 2012).

Notably, all these developed independently of each other in the 1970s with unique positions on how institutions are established and function overtime. Though some scholars argue from particular positions, this study will not attempt an impossible synthesis of positions nor argue for one category to be employed over another. Rather as discussed by Hall and Taylor (1996), after developing in relative isolation, the time has come for a more open and extensive interchange among them. Thus for this study, the advantage for developing a framework lies in the fact that, the parliament is in a distinct context of a post-colonial democracy and post-Cold War reality where rapid social change is taking place, and the institutions is recognisably, a young legislature that is still establishing and legitimising.

Each has its own point of view and position regarding how institutions establish themselves, function and change over time. Many scholars argue for wholeheartedly embracing one of them. This study does not argue for a rudimentary synthesis of positions, which is neither

possible nor desirable, but it definitely agrees with Hall and Taylor (1996) that after developing in relative isolation, the time has come for a more open and extensive interchange among them. This idea is mooted in order to carry forward the theory of institutional behaviour. The advantage in this research is that it may lead to a framework best suited to studying institutions in the distinct context of a regional parliamentary development witnessing rapid institutionalising social change as the ECOWAS-P.

New institutionalism, Gamble (1990:405) claimed is best understood as an 'organising perspective', and is not so much a theory about causality as a framework which raises questions and provides insights. The main reason why normative institutionalism is preferred is because, even though new institutionalism's expressions are in many guises, one approach that is particularly suitable for the analysis of regional parliaments and issues related to their institutional characteristics is normative institutionalism.

Therefore in this thesis, I employ the less 'traditional' approach of normative institutionalism as advanced by March and Olsen (1989). It is akin to the three main strands, rational choice institutionalism, historical institutionalism and sociological institutionalism in that they all agree on the notion that 'institutions do matter'. Although they may differ considerably in approach, they all have a common thread, being scepticism towards blanket or general accounts of social and political change and a conviction that institutions have become more complex as they grapple with social, economic and political issues. It is thus prudent to blend theoretical elements from the older into a contemporary style to emphasise the relative autonomy of institutions, and at the same time establishing the 'possibilities for inefficiency in history' and the importance of symbolic, 'uncalculated action to an understanding of politics' (March and Olsen 1984:734).

3.3 Defining Institutions

Virtually, every author appears to propose a different definition of institutions, why they are created, as well as different reasons for their continuance. To take one example, the degree of inclusiveness of the term 'institutions' also varies in the literature. A particularly comprehensive usage has however been discussed by Hall (1986).

An institution, argues Peters (1999) must be 'a structured feature of the society and/or polity', that it needs to have some stability over time, and must affect individual behaviour. Additionally, 'there should be some sense of shared values and meaning among the members of the institution' (Peters 1999:18-19). The basic understanding of an institution offered by Peters is widely accepted by new institutionalists, but disagreement emerges when it comes to defining institutions in greater depth.

Fundamentally, Peters states that the word institution loosely used in political science means everything from a formal structure like a parliament to very amorphous entities like social class. Other components include law and markets, also defined as being institutions. In sociology it is often used interchangeably with the term 'organisation' (Peters 1999).

Therefore it is crucial to see what criteria should be used for defining whether an approach is really institutional or not. Peters (1999) attempted to define a common core that binds all approaches together and presented the most important element of institutionalism as a structural feature of a society and/or polity.

That structure may be formal like a legislature, an agency in the public bureaucracy, or a legal framework, or may be informal like the set of shared norms or a network of interacting organisations. Another feature is the existence of stability over time. A third feature is that it must affect individual behaviour or in some way constrain the behaviour of its members. There should be some sense of shared values and meaning among the members of institutions. Those constraints may be formal or informal but they must be constraints if there is to be an institution in place (Peters and Richards 1998).

According to Lane and Ersson (2000:4) the definitions of institutions in new institutionalism fall broadly into two categories. Firstly, there is a 'thin' conception of institutions where institutions are perceived as 'analytically distinct from other factors that shape behaviour, such as interests, preferences and information', this tends to be associated with rational choice theories. Second and in contrast, a 'thick' conception of institutions defines institutions as more than a set of rules or norms. Here institutions are considered to also include behaviour patterns, interests and belief systems. Thus March and Olsen (1984), (1998) promote this thick conception of institutions, arguing that institutions comprise of, 'routines, procedures, conventions, roles, strategies, organizational forms, technologies, beliefs, paradigms, codes, cultures and knowledge' March and Olsen (1989:22). Lane and Ersson (2000:6) explain that the different conceptions of institutions can be likened to seeing the game of chess either as 'a game governed by institutions in the form of rules',

as in the 'thin' notion, or as an 'institution in itself', whereby the strategies and interests of the players form part of the institution, as in the 'thick' conception.

Despite the range of institutionalist models, there is common agreement amongst institutionalists, both old and new, that institutions shape policy outcomes; that institutions matter, even if there is no agreement on what constitutes an institution. According to Steinmo and Tolbert (1998) 'it has become nearly passe to argue that 'institutions matter' since Arrow (1951) and virtually all political scientists readily agree to this rather innocuous statement' (Steinmo and Tolbert 1998:183). By saying that institutions matter, the argument is that a distinction can be drawn between policies that an actor might choose as a member of a system's institutions, and 'the policies they might select, in equilibrium, in the absence of that particular system's institutions' (Hammond and Butler 2003:147). To reach a deeper understanding of institutions, therefore, it is worth considering how and under what conditions they shape behaviour. In order to attempt this, this research takes a novel approach to examine an institutional design through NIs which can affect political outcomes which regional parliamentary actors and the dynamics of its relations with the executive bodies and national parliaments.

Additionally, scholars have sought to draw parallels between the three major strands of new institutionalism; Historical, Rational Choice and Sociological as each of these make different assumptions about these questions. Authors focus their analyses on the nature of institutions, the role institutions play and different conceptions of human behaviour. But rather than being contentious and parallel to each other, the approaches each explain different aspects of institutions and as such, have a lot in common. Institutions must not be unidimensional; at various points a particular approach may better explain institutional change or existence, and at others, a different one may present the best description. This demonstrates that an institution's purpose may change overtime similar to how the pressures it tackles changes and synthesising the different theories allows for a greater understanding of institutional change and the contribution by each approach. Overall, employing new institutionalism as a theoretical framework means focusing on two themes; rules in organisations and informal links.

While the concept of institution is central to much political analysis, there is wide diversity within and across disciplines in what kinds of rules and relations are construed as 'institutions' (Goodin 1996, Goodin and Klingemann 1996). Moreover, approaches to political institutions differ when it comes to understanding the nature of institutions, as the organised setting within which modern political actors most typically act, its processes and

rules that translate human behaviour into structures can establish, sustain, transform or eliminate institutions.

3.3.1 What are institutions?

According to March and Olsen (1998):

An 'institution' can be viewed as a relatively stable collection of practices and rules defining appropriate behaviour for specific groups of actors in specific situations. Such practices and rules are embedded in structures of meanings and schemes of interpretation that explain and legitimise particular identities and the practices and rules associated with them. Practices and rules are also embedded in resources and the principles of their allocation that make it possible for individuals to enact roles in an appropriate way for a collectively to socialise individuals and sanction those who wander from proper behaviour'.

Huntington (1968) defines institutions as 'stable, valued recurring patterns of behaviour'. Institutionalisation according to him is the process by which organisations and procedures acquire value and stability. The level of institutionalisation could then be defined by the adaptability, complexity, autonomy and coherence of its organisations and procedures. On another level, North (1990:4) states that 'Institutions include any form of constraint that human beings devise to shape human interaction. Are institutions formal or informal? They can be either, and this research comprehensively evaluates both in formal constraints-such as rules that human beings devise-and informal constraints-such as conventions and codes of behaviour'.

Technically regarded as normative institutionalists due to the role that norms and values play in their ideas, March and Olsen additionally define political institutions as:

'...collections of interrelated rules and routines that define appropriate actions in terms of relations between roles and situations. The process involves determining what the situation is, what role is being fulfilled, and what obligations of the role in that situation is...' (March and Olsen 1989:21).

Meanwhile a classic parsimonious definition provided by North states 'Institutions are the rules of the game in a society or, more formally are the humanly devised constraints that shape human interactions. In consequence they structure incentives in human exchange, whether political, social or economic' (North 1990:3).

When institutions are viewed as formal organisations, they can also be defined thus: 'a political institution is defined by the existence of a statute, the targeting of a social need, the public area as the place for all activities and the decision-making process as the key for answering that aforementioned social need' (Varga 2001:28).

Lowndes (2001) also distinguishes organisations from institutions and Ersson and Lane (2002) employing definitions in the Oxford English Dictionary, highlight that remarkably these two definitions are contained in the dictionary which views an institution as 'an established law, custom, usage, practice, organisation, or other element in the political or social life of a people'. Whereas 'institution' as a law points towards the norm interpretation, 'institution' as an organization or organ is a behavioural interpretation. Here the dictionary definition of an institution is 'a regulative principle or convention subservient to the needs of an organised community of the general rules of civilisation'. There is therefore a difference from the definition in the dictionary as 'an establishment, organization, or association, instituted for promotion of some object, especially one of public or general utility...' This is the organisational interpretation of institutions. Ersson and Lane (2002:25) further reiterates that institutions 'may stand for practices that are more or less codified into a set of rules'.

In separating institutions from organisations, Zucker (1988) and North (1990:4-5) describes the latter as the 'players' effectively crating a distinction between 'agency'-organisations and 'structure'-institutions. This vital distinction however is principally conflated by propositions advanced by scholars including Clemens and Cook (1999:454) and Hodgson (2006:9). Part of the disagreements stem from the role organisations play, that is, viewing *organisations as actors*. However, Hodgson (2006:20) maintains that at the same time, existing structures can sometimes make it difficult to differentiate from institutions.

Additionally, the three main strands define institutions reflecting their underlying principles and ideas. However as this thesis employs a normative approach the definition will be focused on normative institutionalism. In working towards a definition, suffice it to state that, Douglas North's definition is inadequate in addressing a test of NI and as such requires more detail.

Institutions can enforce rules by either defining the expected behaviours or by banning other behaviours. Inadvertently, most institutions employ a combination of these methods. For instance, focusing on the role of institutions as enforcers, Clemens and Cook (1999) map out two general patterns, one is that of the 'constraining, prescriptive' institution and the other is the 'constituting, proscriptive' institution (Clemens and Cook 1999:446). On another level, Stacey and Rittberger (2003:861) perceive institutions to be 'conscious creations of political actors and strictly enforceable'.

There are constitutive rules and practices prescribing appropriate behaviour for specific actors in specific situations. There are structures of meaning, embedded in identities and belongings: common purposes and accounts that give direction and meaning to behaviour, and explain, justify and legitimate behavioural codes. There are structures of resources that create capabilities for acting. Institutions empower and constrain actors differently and make them more or less capable of acting according to prescriptive rules of appropriateness. Institutions are also reinforced by third parties in enforcing rules and sanctioning non-compliance (March and Olsen 2006).

Furthermore, they define institutions also in terms of the characteristics that they represent and that their members demonstrate. They also define institutions by their durability and their capability to influence the behaviour of individuals for generations (March and Olsen 1996:99). They argue that institutions possess an inherent legitimacy that obligates their members to behave in ways that may even violate their own self-interest (March and Olsen 1996:23).

This research classifies the ECOWAS Parliament as an institution so the foremost logical step was to first prove that this is an accurate classification by discussing contending definitions. Thus, against the background of the differences discussed above, this is not a simple exercise. Succinctly put, defining an institutions also means not only identifying what it is, but also why it exists and its basic characteristics and functions. Reminiscent of the number of competing approaches and divisions, the definitions of institutions also range from the very concise to the very elaborate.

Drawing inferences from these aspects of New Institutionalism discussed above, the working definition of institutions in this thesis is sets of rules that exist to provide structure, guide human exchange and behaviour, reduce insecurity, and establish an incentive structure to encourage compliance with the rules. This means institutions are rules, moral norms, codes, behaviour regularities, and organisations.

Applying this definition it is possible to categorise the ECOWAS-P as an institution; the parliament sets out rules that determine actors' access to conflict prevention. These rules guide human interaction by establishing the rights, roles and responsibilities of the organisations functioning within the institutional framework, in this case, the regional level, national level, and also the individual level. These rules also determine the people to whom responsibility should be for and those that are accorded benefits and access to privileges.

The ECOWAS-P reduces insecurity and structures behaviour by guaranteeing within the standards of the regional treaty laws as well as international treaties and norms protection of the member states in the region. Thus it establishes an incentive structure through a system of commitment to good governance, peace and stability as opposed to alienation and sanctions as deterrence for member states that will flout these rules. Therefore the ECOWAS-P clearly fits the definition of an institution and NI provides the framework from which to examine and explain its processes and procedures of institutional change necessary from which the measurement tool will be applied.

Although the definition of institution has been developed to guide this research, before exploring normative institutionalism some caveats need to be established. For instance, in as much as the main strands of new institutionalism discussed differ in their definitions and conceptions of institutionalist theory from normative theory does not imply that there is no common ground on which all the approaches can converge. Thus they are viewed as assimilating on some topics and issues with synthesised ideas in some cases Hall and Taylor (1996) affirm this point of view in section 3.4 on normative institutionalism.

At the same time historically this is not a linear development, reversals do take place. The internal processes and functioning of legislatures become gradually insulated over time against sudden and de-stabilising changes taking place in society. Finally, increasing institutionalisation has an impact on the functioning of the political system as a whole and can help explain differing levels of regional legislative governance in West Africa.

New Institutionalism argues that political institutions are more than mere mirrors of social forces, that they have institutional autonomy, which gives them a life force of their own and makes them agents of change. The basic argument is that institutions can be treated as 'political actors' leading to institutional coherence and autonomy (Keman 1997). Institutionalization of action through rules reduces ambiguity and chaos and introduces order and meaning. Programmes adopted through a simple compromise by a legislature become endowed with separate meaning and force by having an agency established to

deal with them. In short, institutions 'define the framework within which politics takes place' (March and Olsen 2010:18).

In this approach institutions are seen as having an inner life, logic of action and morality of their own that determines their success, politics and the flow of history. Contextually constrained and socially shaped they are viewed as the engines that drive social and political life. Institutions such as bureaucracies, courts and legislatures are undoubtedly arenas for contending social forces, but they are also collections of standard operating procedures and structures that define and defend values, norms, interests, identities and beliefs.

In this thesis institutions are defined as *the formal and informal procedures, routines, norms and conventions embedded in the organizational structure of the polity or political economy*. Institutionalisation means the long and complex historical process by which legislatures gradually establish boundaries, create and observe norms, rules and procedures and deal with increasing complexity leading to disciplined, stable and predictable behaviour and ability to perform their functions in an efficient and effective manner.

3.3.2 Why do institutions exist?

Expounding on the reasons why institutions exist serve to consolidate the understanding on what institutions are. There must be a reason why they exist, be it out of necessity or tradition if they are to thrive. The RCI, HI and normative strands perceive different reasons as RCI focuses on rational decisions, HI on historical elements, and normative on ideas and norms.

According to Rational Choice Institutionalists (RCIs) institutions exist for a purpose (Stacey and Rittberger 2003:867) and play a coordinating role (Thelen 1999:371) which helps to solve problems of collective action (Shepsle and Weingast 1994, Clemens and Cook 1999:445). RCIs focus on the role of institutions as coordinators or facilitators of exchange, which generally works to maintain equilibrium rather than being open to large-scale change.

In contrast, Historical Institutionalists (HIs) regard institutions as 'enduring legacies of political struggles (Thelen 1999:388) with a major role in encouraging actors to conform to the rules agreed upon and punish deviation. HI is much less clear on the emergence of

institutions in the first place, providing stronger explanations for the endurance of institutions that have become unnecessary, inefficient, or even dysfunctional.

Finally, normative focuses on an angle the other two institutionalisms largely ignore: culture, identity and human behaviour, identifying the rise and persistence of institutions in social rules and norms, but also include the formal aspects (Stacey and Rittberger 2003:866-867). SI researches the diffusion of institutional norms through society, tracking institutional change through the dissemination of symbols, procedures and institutional structures (Hall and Taylor 1996:947).

Institutions are perceived as important for providing a set of behavioural norms and creating an incentive structure for the enforcement of these norms. SI's treatment of norms and ideas is critical for understanding the less 'rational' decisions humans sometimes take, but its explanations of the emergence and formalisation of these norms and discursive scripts remains as unclear as HI's explanation of institutional emergence.

All of these support different reasons for institutional existence. But just as institutions can serve different purposes, cannot they also have different reasons for emergence and existence? A summary of all the above attributes reveals the following reasons for institutional existence: Institutions exist to reduce uncertainty, lower transaction costs, enable greater efficiency and/or cooperation, and provide a system of incentives and punishments to encourage the desired behaviours. They establish certain structures of incentives and the methods of interaction (North 1990:7- 9).

3.3.3 Why do institutions endure?

Institutions may have been created for a purpose, but that does not ensure their continuation. Again, the three NIs offer different explanations for institutional endurance. For RCI, institutions have a functional existence (Stacey and Rittberger 2003:867). The institutions will only continue as long as they serve a purpose especially as regards the conception function on a cost-benefit basis (Stacey and Rittberger 2003). According to HI, however, their existence is less efficient; they are the products of a combination of circumstances set in a specific historical context but tend to continue beyond their functionality because of their embeddedness and the incentive system they create

(Steinmo, Thelen et al. 1992, Clemens and Cook 1999:445, Thelen 1999:371-381, Lindner 2003:916).

However for normative Institutionalists (NMIs), institutions are not simply a formal reflection of the rules and norms governing society. Institutions 'are collective outcomes...socially constructed...embody shared cultural understandings...of the way the world works' (Thelen 1999). In this case, institutions exist to enforce the accepted rules and norms of the time, rewarding positive behaviour and punishing negative behaviour.

They serve to tighten social networks, lowering transaction costs and uncertainty, to borrow the language of the other theories. NMI recognises that informal change may, and often does, take place long before the institutions reflect these changes in their formal rules. Thus, there is often a gap between informally accepted change and its formal recognition. Just as institutions might emerge for different reasons, it is equally plausible that they might endure for a variety of reasons. Certainly actors tend to add to the institutional stickiness of institutions in modern democracies as a method of guarding against radical, negative change (Pierson 2004).

Here, the answer to the above question is a definitive, 'yes and no'. This is because, institutions can be recognised as existing within a wide range of political settings, and performing a wide range of public tasks. Also, institutions appear *volte face* to be associated with differences in behaviour of individuals and differences in decision-making outcomes. Institutions also help in reducing variance in political behaviour and therefore help to improve the possibilities of prediction. Likewise, institutions are more readily identifiable (under most definitions of the term) so they comprise a useful point at which to begin the analysis.

The critics would however argue that, even if institutional theory does constitute a good place at which to begin the analysis, they are not such a good place to end it. There are a number of problems in the theory itself, and in its ability to provide coherent explanations of political phenomena, that limit its utility as a central framework for the discipline. One of the more important problems is the difficulty of measuring institutions because we know they exist but not how they vary.

Further, such explanations as may be available from institutional theory may be excessively static, and be incapable of coping with the dynamism and complexity of the contemporary political world.

3.3.4 Structure and Agency

An important facet is the mechanisms through which the institutions shape the behaviour of individuals and reform institutions. In this respect, Giddens (1984) argue that there is a 'dual' relationship because of reciprocal causation of 'agent and structure' and an implicit dynamism of such a relationship.

Relatively, there exists a classic tension between structure and agency; because though existing institutional structure certainly constrains the behaviour of the actors, nevertheless they do possess some power to effect change. Therefore it is important to understand the actors' decision-making process.

In this vein, theorists make various assumptions when attempting to explain human behaviour, and for normative institutionalists the salient point is that role of socialisation and behavioural expectations in actors' decisions and reminds us that decisions are not always purely rational or cost-benefit calculations: sometimes the actors' preferences will make their behaviour appear irrational; or they may think they are making rational decisions, but they are based upon incomplete information.

Consequently, actors' behaviours are greatly correlated to interpretations of the situation, and as such, the actors cannot reach entirely rational decisions because their understanding of the environment is always subjective and incomplete. Additionally, actors' worldview determines the set of choices they perceive (Hall and Taylor 1996:949, Thelen 1999) as opposed to the calculus-based models of RCI and HI, actors in normative institutionalism follow a 'logic of appropriateness'(as discussed in section 3.4.1) which is greatly determined by scripts (discursive or behavioural) (Stacey and Rittberger 2003:866).

Indeed, distinguishing between a condition (something negative about which one can do nothing) and a problem (something negative to be addressed) is contingent upon one's worldview (Birkland 2005:125). In these circumstances, it becomes irrelevant whether an inherent truth or correct solution actually exists because it is beyond the individual's ability to recognise it. The ability to 'know' things is contingent upon sensory processing, perceptions and experience. This goes a great way to explaining how something society deems right and justifiable at one time becomes something wrong and abhorrent at another, for example colonialism. Furthermore, actors do not always behave in a manner that would be interpreted as rational in hindsight and more complete information. At times, people will

go to great effort to avoid known losses, instead risking the unknown by keeping to the current path. This means that humans will sometimes wait 'unreasonable' lengths of time to address a problem then 'overshoot' and implement sweeping changes (Weyland 2008).

In analysing agency and its relation with rules, power and change, Ostrom (1990:36) argues that 'institutions themselves are invisible' because institutions are more than organisations since they are composed by the rules-in-use and the agents' actions in relation to rules. But 'if institutionalism is to develop to its full potential, it must consider the relationship between structure and agency'. Though the normative institutionalism adopted by this research has not comprehensively conceptualised the relationship between institution and agency (Hay and Wincott 1998:6) it clearly posits that, institutions can shape the behaviour of individuals whilst noting that the 'reciprocal process is not nearly as clear' (Peters 1999).

First, agency is deeply embedded in routine institutional elements, whilst institutions can be considered as contained bodies of action. Succinctly put by Jessop (2001:8), 'institutions never exist outside of specific action contexts'. In this respect, in studying institutions, this research also examines partnerships and networks which cooperate or not, in processes of negotiation and mediation towards achieving specific outcomes. As stated by Streeck and Thelen (2005), the enactment of a role is never perfect and there is always a gap between 'the ideal patterns of a rule' and how that pattern is played out 'in situ'.

Second, the implication of the purposive agent's independent action separate of their intentions, and the inherent unintended consequences. Despite the fact that, the consequences are unintended, they could change beliefs and attitudes and influence the political context. Therefore 'Agents' conduct, rarely if ever, is independent of the social or political context in which it is situated (Hay 2009:268).

The question of the structure and agency relationship however is central because, it offers explanation about the power balance of the constituent parts of social life, though this is one of the long-standing issues of controversy.

The classic criticism of new institutionalism, including normative institutionalism is that there is no role for agency. This is because the whole point of new institutionalism was to focus on the institution and not the actor. However, this does not matter significantly for this thesis because this thesis is an evaluation of ECOWAS-P as an institution rather than as an actor.

3.4 Applying Normative Institutionalism

The classical means of normative institutionalism as promulgated by March and Olsen (1984) sometimes regarded as the 'original' new institutionalism, offer one of the possible frameworks for the basis of institutional analysis. Recognising the influence of both formal and informal institutions March and Olsen (1984) emphasise the relevance of norms, viewing institutions as tools that form the basic framework for individual action in the social processes; and stress the role of norms and values in determining any change.

Under normative institutionalism, March and Olsen (1984), (2004) argue that, the best approach to employ in order to understand political behaviour individually and collectively, is through a '*logic of appropriateness*' individuals acquire through their membership in institutions. This is contrasted with the '*logic of consequentiality*' essential to rational choice. Thus, actors functioning within institutions conduct themselves because of normative standards rather than a desire to maximise individual utilities. Furthermore, these standards of behaviour are acquired through involvement with one or more institutions and the institutions are the major social repositories of values.

Developing inclusive meanings of institutions guarantees normative institutionalism a valid foundational logic because human interactions are unquestionably influenced by both written and unwritten rules governing forms of appropriate behaviour. Arguably, this is evidenced by profound normative and routine differences between cultures, signifying an almost general internalisation of institutional norms within cultures. According to Peters (2000:26) human as social beings, must not be considered as 'atomistic, hyper-rational, utility-maximising constructs – as in rational choice theory – or as automatically reacting to socialisation – as in behaviouralism'. This is because individuals are shaped by institutions but are still able to construe and select among influences when making a decision.

3.4.1 Logic of appropriateness

Therefore March and Olsen (2004), (2006) hold that the '*logic of appropriateness*' guides and shapes the behaviour of actors within an institution, where they are inclined to act in ways conducive to their institutional commitments. Accordingly, it also means that actions are 'matched to situations by means of rules organised into identities' (March 1994:57-58). Thus much of the behaviour of institutional actors is based on the recognised situation the actors encounter, the identity of the actors in the situation, and the analysis by the actor of

the rules that generally govern behaviour for that actor in that particular situation (Meyer and Scott 1983, March and Olsen 1989, Peters 1999). Thus, political outcomes are the result of actors' constrained choices and political institutions constrain these choices by making some unfeasible, while social institutions make some choices more obvious.

Further, Peters views an added angle of the 'logic of appropriateness' concept as a version of role theory. Here, the institution defines a set of behavioural expectations for individuals in positions within the institution and then reinforces behaviour that is appropriate for the role and sanctions behaviour that is inappropriate. Some aspects of the role may apply to all members of the institution, while other expectations may be specific to the position held by an individual. Also, like organisational culture, there may be several versions of the role among which a role occupant can pick and choose. 'Despite the somewhat amorphous nature of a role, the concept does provide a means of connecting individual behaviour and the institution' (Peters 1999:30).

Critiques

The major critique of March and Olsen's work (1984) is related to making a distinction between rules and routines. They defined routines as a stable pattern of behaviour, without the sense of it being unchangeable or dysfunctional. Routines are assumed to make the behaviour of organisation more predictable and more rational, although it is difficult to determine when predictability ends and inertia begins (Peters 1999).

Although not considering rules to be central to their research as most of the new institutionalists, March and Olsen do address rules as a part of the control of behaviour within institutions and organisations. They consider rules as constitutive and to some extent as the formalisation of the logic of appropriateness. Rules serve as guides for newcomers to an organisation for example. Institutions derive a good deal of their structure of meaning, and their logic of appropriateness from the society in which they are formed (March and Olsen 1984, 2004). Routines appear to arise naturally once people begin to interact in institutional setting (Peters 1999).

Another question that March and Olsen have not answered according to Peters, is the difference between an institution and an organisation. He adds that it is easier to make the distinction if the adjective 'formal' is added in front of 'organisation' thus applying a very strict definition of organisations, and a loose, more culturally based, definition of institutions (Peters 1999).

One of the strongest and most persuasive components of March and Olsen's argument is the change of institutions based on their 'garbage can' approach to decision-making means that institutions have a repertoire of solutions as responses to problems when there is a need to adjust policies (Cohen, March et al. 1972). Routinised responses are thus used before searching for alternatives that are further away from core values. Therefore, institutional changes that are implemented conform to the logic of appropriateness, and those institutional values have the function of limiting the range of extending policy alternatives for the institution. Institutional change is thus rarely a planned event, but rather a product of the confluence of several different activities, and opportunities for action, within the institution (Cohen, March et al. 1972).

'... to portray political institutions simply as an equilibrium solution to the conflicting interests of current actors is probably a mistake. Institutions are not simple reflections of current exogenous forces of micro-behaviour and motives. They embed historical experience into rules, routines, and forms that persist beyond the historical moment and condition' (March and Olsen 1989:167-168).

It has been argued that normative institutionalism, like its predecessors fail to include the role of human agency in political activity, contrary to rational choice. However, this critique has principally been addressed because, the nature of Institutions as human creations adjustable by human actions, has led institutionalists to consider, rather than simply the impact of institutions on only individuals thereby showcasing interaction between the two (Lowndes 2002:102).

As North (1990:5) enunciates, institutions are a creation of human beings; they evolve and are altered by human beings. At the same time, the constraints that institutions impose on individual preferences are pervasive. Thus consideration of both human agency and collective institutional norms is a clean break from the hitherto binary nature of political science theories tending to regard either agency or structure as exclusive determinants of political behaviour.

Nonetheless, normative institutionalism can be positioned above other institutionalisms in that it has adopted the middle ground, rejecting both an over-emphasis on institutional development and path dependency, as in historical institutionalism and an over-rationalised conception of human nature, as in rational choice institutionalism (Jönsson and Tallberg 2008:4-5). At the same time, its broadest institutional definitions reflect the complexity of political activity. Though it has been argued that it fails to prove how institutions emerge,

(Lowndes 2002:105), one can presume institutions develop organically as individual patterns of behaviour gradually merge in order to logically advance collective efficiency. For instance, the ECOWAS Parliament's creation has been guided by universal norms of human rights, democracy and rule of law and all these impact its behaviour. At the same time, it harbours normative uniqueness in its historical context, hybrid polity and its political-legal constitution which all serve to make it act normatively in the regional politics.

This study emphasises that a key aspect which helps make the institution effective through normative practices and therefore build the logic of appropriateness, is the establishment of the 'Bureau of parliament' which is the leadership of the parliament comprised of a core group of experienced MPs. This core group institutionally is responsible for creating rules, norms and procedures, setting high standards of not only exemplary behaviour but of effective debate and functioning all of which contributes to better legislative governance. Its existence enables the building of boundaries, development of a sense of purpose, ownership and direction.

As discussed in the analysis chapter, this thesis suggests this is particularly important in regional parliamentary systems, because unlike national parliaments subject to greater political instability arising out of the imperatives of party politics, different dynamics as discussed in chapter four prevail.

Ultimately, normative institutionalism is not simply the capability of an institution to endure but also to provide correctives to negative features, where there is a possibility of reversal of decline and a return to improved standards and functioning methods. To this will be democratically developed rules and procedures which are an important feature on which effective functioning of a legislature rests. The extent to which rules, conventions, routines and structures have been internalised and are adhered to, allows the development of internal coherence and trust among members and an interpretative order which provides continuity and stability. This unfortunately, cannot be said to be a feature of the regional legislature. Thus, this study also empirically examines what corrective measures are introduced to ensure adherence and whether there are established ethics committees or a code of conduct.

These variables are distinctive and reflective enough to provide a sufficient basis for developing the argument raised by the central question of this research, explicitly, how effective is the ECOWAS Parliament in conflict prevention in West Africa, and whether relationships with other bodies, or lack of mandate affect its progress.

3.4.2 Formal and Informal rules

In normative institutionalism recognition is made that institutional rules could be formal and/or informal. Rules are written, for instance the legal frameworks which are formal ones and directly identifiable on paper. However, there are other rules that are developed during human interactions. These rules therefore are informal because they are not written and could take the form of conventions, practices and customs (Lowndes 2005). Yet, these contain the same power as the formal do in ordering and regulating the behaviour and interactions of actors it defines the 'must, must not and may' (Ostrom 1990:200).

The difference between formal and informal rules is that the former are enforceable by official sanctions, whilst the latter are self-enforced because they are deep-rooted in culture, tradition or unofficially by other institutions or actors. Empirically, North (1990:3,36-45) contends that though informal institutions function outside officially sanctioned networks, they are often as important as the formal institutions in structuring the 'rules of the game'.

To this end, rules are internalised from experience and encoded by actors drawing inferences from their experiences, or by differential survival or reproduction rates (March, Schulz et al. 2000) they become critical to the pragmatic day-to-day functioning of the political actors. Thus this thesis, by investigating the informal and formal practices that make up the ECOWAS parliament's conflict policy making processes, addresses grey areas of interaction not strictly defined by the treaties nor protocols but viewed as an integral part of policy implementation by the parliament.

3.4.3 Learning from Policy Implementation

Policy implementation sits within the 'policy cycle', which involves policy design followed by policy delivery and then policy review. Some authors have a five stage model of 'Agenda setting, Policy Formulation, decision-making, Policy implementation and Policy Evaluation' as presented in *Figure 3.2* (Araral, Fritzen et al. 2012). In practice, however, the lines between these stages in the policy cycle can be blurred because they interrelate in providing a framework for explaining the policy development process. However, the stagist approach does little to answer questions on specific sectors (Mazmanian and Sabatier 1989) such as conflict prevention issues, which must be applied in context to elicit the appropriate results. Thus with regard to effectiveness, the policy implementation stage is the crux of this research.

Here, the research concurs with authors who establish that the implementation stage in the policy cycle is a process that takes time and occurs in incremental stages, each requiring different conditions and activities. Through the literature, a synthesis undertaken of the different labels, meanings and categories scholars ascribe to the process as discussed are shown in *Figure 3.2 Stages of Implementation*.

The four stages of implementation involve an *exploratory, planning, operationalizing and evaluation stage*. The two initial stages are also the preparatory and resource gathering phases after which action is undertaken by carrying out the activities and then leading up to the final stage of streamlining and evaluation (Pressman and Wildavsky 1984, Fixsen, Blase et al. 2009).

An important assumption here is that sustainability is fully embedded and though each stage should not be skipped there may be cross-processes in which earlier stages can be visited at latter stages, thus essentially this is not a typical distinct process by process approach.

Defining implementation in conclusive terms has not been achieved in the field, and there is wide consensus that implementation is a complex process. However, a brief outline of narratives and debates in the literature prominently feature the work of Pressman, Wildavsky et al. (1973) which systematically explores the policy implementation deficit; the 1980s 'top-down or bottom-up debate led by Bardach (1977), Barrett and Fudge (1981), Mazmanian and Sabatier (1989), Lipsky (2010). In the 1990s, Goggin (1990) articulated the 'communications model' approach, whilst Anderson and Looney (2002), Meier, Jr et al. (2004), O'Toole Jr (2004) argued for the 'high or low levels of ambiguity and conflict', focusing on implementing policy in network settings.

Emerging body of research define the key components and processes involved in effective and successful implementation. In particular, the research indicates that the implementation process is accompanied by distinct stages of development and particular activities. Studies indicate that there are intervention processes and outcomes and there are implementation processes and outcomes.

When implementing evidence-based practices and programs, discuss the need to discriminate implementation outcomes (*Are they doing the program as intended?*) from effectiveness outcomes (*Yes, they are, and it is/is not resulting in good outcomes*). Only when effective practices and programs are fully implemented should we expect positive outcomes (Fixsen, Naoom et al. 2005).

According to this definition, implementation processes are purposeful and are described in sufficient detail such that independent observers can detect the presence and strength of the 'specific set of activities' related to implementation. In addition, the activity or program being implemented is described in sufficient detail so that independent observers can detect its presence and strength. Notably, are two sets of activities (intervention-level activity and implementation-level activity) and two sets of outcomes (intervention outcomes and implementation outcomes).

Additionally, implementation components and outcomes exist quite independently of the quality of the program or practice being implemented. Ineffective programs can be implemented well or vice versa (Fixsen, Naoom et al. 2005, 2013). Desirable outcomes are achieved only when effective programs are implemented well. Whereas a test of evidence-based practice or program effectiveness at implementation sites should occur only after they are fully operational, that is, at the point where the interventions and the systems supporting those interventions within an agency are well integrated and have a chance to be fully implemented.

After analysing the apparent failure of a program, Gilliam, Ripple et al. (2000) concluded that, 'Outcome evaluations should not be attempted until well after quality and participation have been maximised and documented in a process evaluation. Although outcome data can determine the effectiveness of a program, process data determine whether a program exists in the first place'.

Agreeing widely with developing policy as a series of step-by-step systematic process in decision-making; envisioning this as a staged, sequential, and iterative process is a useful analytical and methodological device to be used in this research. It reduces the complexity of the policy process by breaking it down into stages, each of which can be individually investigated and applied to specific research issues, whilst at the same time significantly relating to other stages of the cycle (Sabatier 2007).

Thus employing implementation will allow an identification of variables independent enough for the study; whilst at the same time will help in tackling the issues at bay (Freeman and Lewis 1998, Howlett 2010). Mismatches, often caused by inappropriate policy transfers from other regions, may result not only in low efficiency and effectiveness, but also legitimacy deficits. Thus to elicit empirical findings; the implementation stage of the policy cycle will be applied (Best 2005).

This research however develops a different approach by further unpacking the implementation stage into variables that will work towards evaluating the performance of the parliament by developing indicators to measure its effectiveness as demonstrated in *Effectiveness Assessment Tool*.

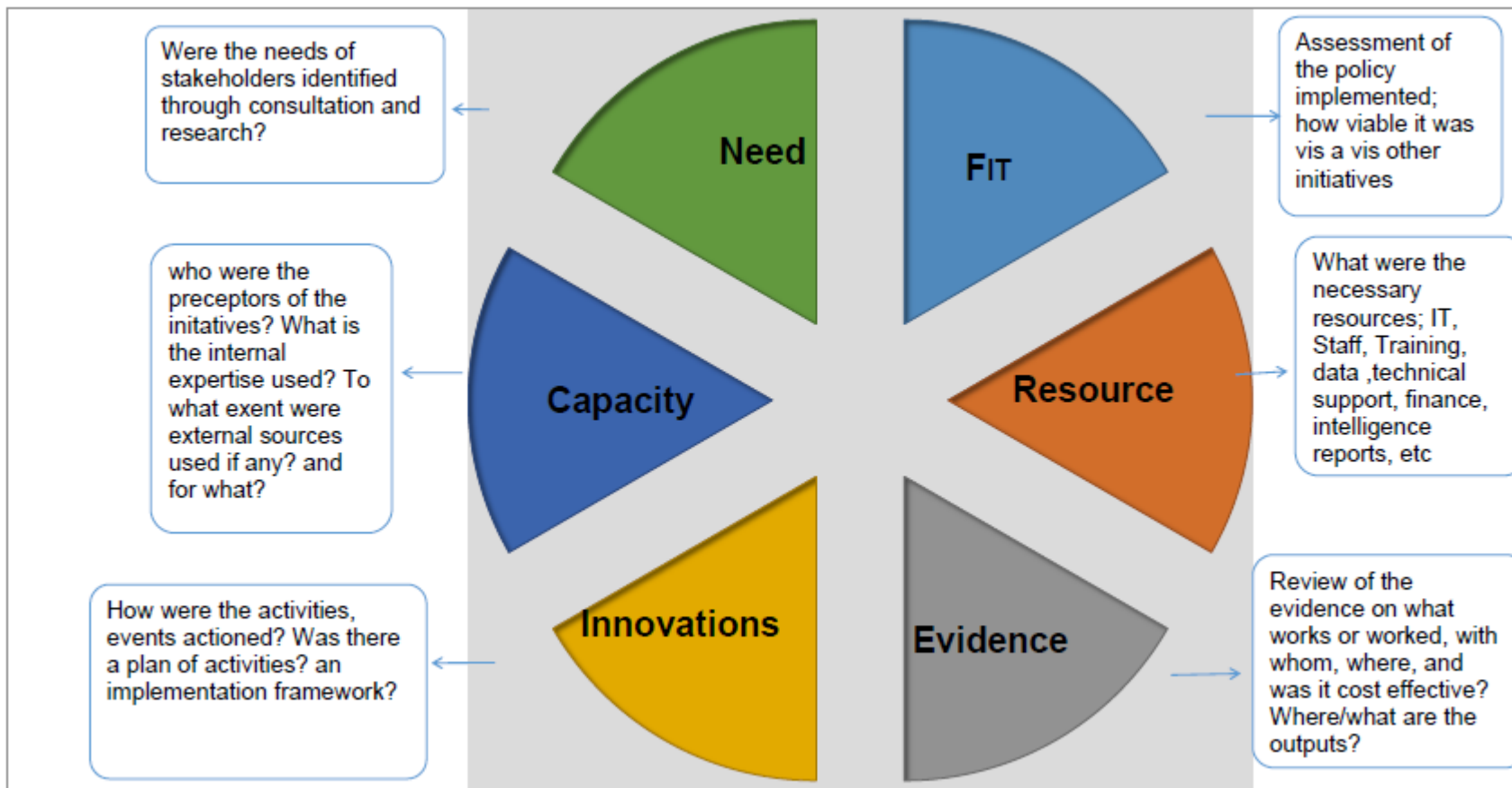


Figure 3.1 Effectiveness Assessment Tool

Source: Tool developed by author with data from (Wilson 1955, Rweyemamu 1983, O'Toole Jr 2004) (Pressman and Wildavsky 1984)

3.5 Developing a viable measuring tool

According to Rhodes (1995:56):

'No theory is ever true, it is only more or less instructive. You can learn from the critical assessment of one theory; you can learn much more from a comparative critical assessment of several theories brought to bear on a single topic. The study of political institutions will benefit greatly from such multi-theoretic research'.

NIs posit that, there are inherent challenges in employing only theoretical approaches to policy research because of the range of actors involved in policy making (Scharpf 1997:37). Moreover, Scharpf suggests that empirical data, which must be collected for each case, should form the basis of research on the interfaces of policy actors. In turn, empirical data can then be structured and examined through a categorising framework which draws from a range of theoretical approaches. In this way, the aim of new institutionalism, to reach a deeper understanding rather than to establish a new theory holding all the answers is accomplished. In agreement Rhodes (1995) claims that the multi-theory character of new institutionalism was one of its greatest strengths.

New Institutionalism suffers from the opposite problem to studies on regional legislatures; there is an abundance of theoretical literature. But despite the presence of some groundbreaking applications of theories to individual studies (Collier and Collier 1991, Powell and DiMaggio 1991, Streeck and Thelen 2005), it is frequently difficult to operationalise and apply the theoretical frameworks from individual studies to other research projects.

Institutionalist empirical studies are dominated by studies of organisations (March and Olsen 1989, 1996, 1998), regime change (Collier and Collier 1991, Pierson and Skocpol 2002), economics and economic systems (Arthur 1988, North 1990, Alston, Eggertsson et

al. 1996), and especially capitalism (Hall and Taylor 1996, Hall and Soskice 2001, Morgan, Whitley et al. 2006, Schmidt 2006, Hall and Thelen 2009).

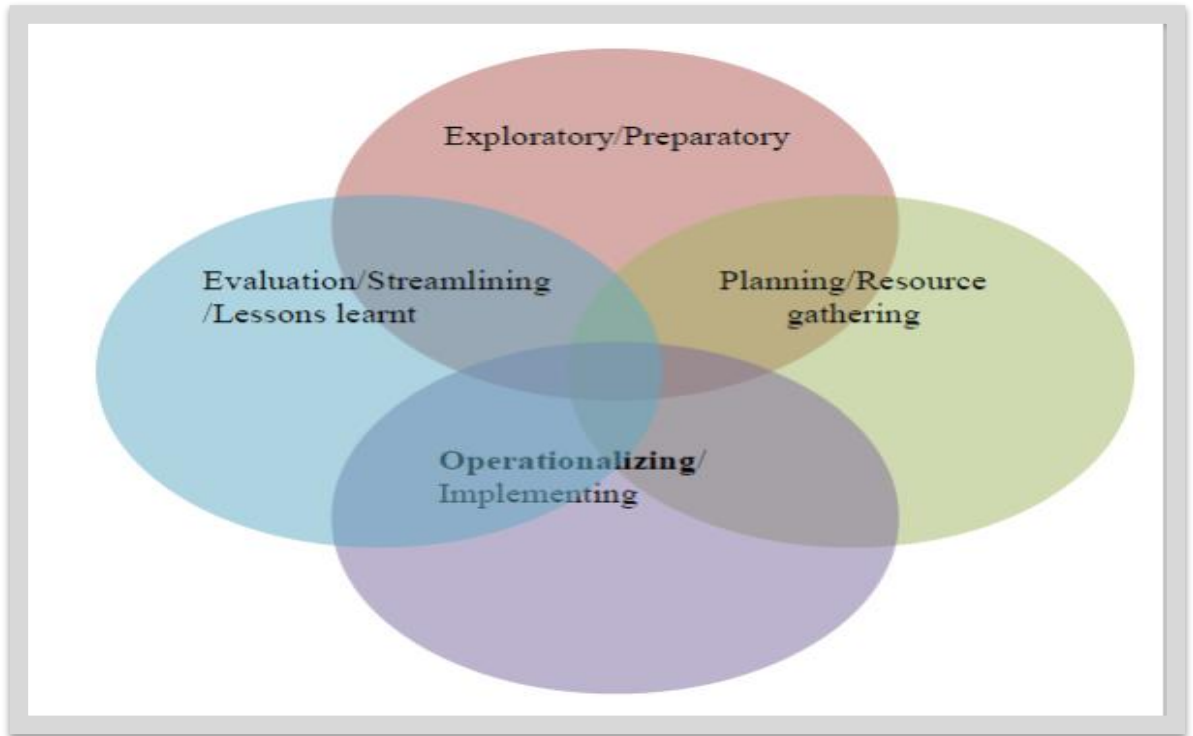


Figure 3.2 Stages of Implementation

Source: Adapted from (Fixsen, Naoom et al. 2005, Hill and Hupe 2008, Araral, Fritzen et al. 2012)

Furthermore, Peters (2000) emphasises this by asserting that there are lingering difficulties in measuring institutional variables in other than simplistic, nominal categories, thus in this research the utility of the institution as an explanatory concept, is utilised rather than dwelling on the debates about whether it has sufficient analytic power, or can develop viable indicators for a measuring framework. Thus the tool is added on to take advantage of institutionalism's greater capacity to be a measurement of institutions, as variations in their characteristics alone will pose great challenges. The normative approach therefore suitably views West African ideas behind established patterns of conflict prevention ideas as reflected in the ECPF.

3.5.1 How to Measure?

The research question requires an assessment of the effectiveness of ECOWAS's institutions in reducing conflict. To do this, a clear framework is needed.

The ability of an organisation to be effective at achieving expected outcomes is used by organizational theorists to interrogate how it will impact the people it works for, in what manner, the time and with which resources.

The study of organisational effectiveness has evolved over the past fifty years and continues to confront new complexities as organisations respond to fast changing and dynamic external and internal environments. Whilst business organisations have had to adapt more quickly to such dynamic environments, largely in view of intense competition spurred by globalisation, public sector organisations, which include intergovernmental institutions like the ECOWAS-P, have not been equally adaptive or responsive (Cameron and Whetten 1983, Lewin and Minton 1986).

Democratization and trade liberalisation schemes have inured citizens to demand greater accountability from governments across West Africa. There are arguments that public institutions must be business smart, entrepreneurial inclined and include innovation if it is to achieve the objectives for which it was established. Ultimately because, it must strive to keep pace with technology and be abreast of the rapid dips and turns of the economy (Drucker 2012). Public sector institutions therefore, must habitually use their resources in new ways to heighten their effectiveness (Osborne and Gaebler 1993).

Assessments have been made detailing how the design and implementation procedures of RECs effectively constrain rather than promote their regional integration objectives. The counter-intuitive results are found to be emanating from vital organisational variables like consensual decision-making arrangements, overlapping and conflicting memberships, minimal or absent regional level monitoring and implementation of decisions, political unwillingness of governments of member countries to cede authority to the regional institutions, challenges with sovereignty issues, harmonising regional and national laws, and resource deficit and power by the regional secretariats to take initiative and promote regional perspectives. This therefore posits that, the institutional set up of the Parliament as an organ of ECOWAS has direct bearing on its ability to be effective (Oyejide 2000, De Lombaerde 2006, Genna and Lombaerde 2010, Lombaerde, Soderbaum et al. 2010).

Various theoretical frameworks are used by organisational theorists to discuss the ability of an organisation to be effective at achieving its expected outcomes.

The closed rational organization or bureaucratic control-oriented model argues that organizational effectiveness can be achieved by institutions having clarity of purpose, formalization of rules and roles, and monitoring conformance to those expectations. Further, it argues that organisations are fairly generic and hence management faces basic generic tasks which if carried out diligently will result in effectiveness(Drucker 2012).

The natural systems or human relations models, argues that, an organization is effective, if it harnesses the minds and hearts of its participants. An emphasis is placed on informal social relations over formal structures resulting from an organization engaging the hearts and minds of participants. It also includes efforts to engage hearts and minds of an organization's customers and external stakeholders (Podolny and Page 1998, Porter 2008).

An argument that the effectiveness of an organisations depends on its interaction with the external environment is the thesis of the open systems model. Here, an organization is viewed as an open system that performs a learning and exchange of ideas, and self-maintains on the basis of throughputs taken from and given back to the environment. Effectiveness here is also underpinned by the organization's ability to be flexible and adapt to a complex, varied and rapidly changing environment. A critical ingredient is also transformational leadership (Bass and Riggio 2012) to provide vision, direction and add real value to what all stakeholders expect, and increase the commitment of employees(Hesselbein and Goldsmith 2011).

The absence of internal strain on the internal processes and operations of an organization is imperative if it is to be effective. This model argues that the members must be fully integrated into the system, with smooth internal functions complete with a high level of trust and benevolence, whilst vertical and horizontal information is ensured (Cameron and Whetten 1983).

Models that are prefabricated and tailored to specific requirements and objectives of a particular organization, is labelled the contingency model(Lawrence and Lorsch 1967, Donaldson 2001). The argument here is that, different environmental contexts place different requirements on organisations and RECs work in a unique environment because they are institutions set up countries with sovereignty to promote, safeguard and harmonize

issues of common interest in [policy formation and implementation. Thus, political will is crucial as member states will have to cede some sovereignty to these supranational bodies to ensure effectiveness.

The theoretical frameworks of organizational effectiveness discussed above, though not exhaustive, basically help to determine how organisations are best able to realise their set objectives more effectively when examined in the specific context of current supranational organisations. They dominantly point out that organizational effectiveness stems from a number of generic factors including; clarity of purpose, facilitative organizational values, simplified and rational organizational structure and processes, availability of adequate resources, satisfaction of an organization's strategic constituencies, the organization's agility to adjust and respond to dynamic changes and requirements of and in the environment and existence of transformational leadership.

As the ECOWAS Parliament, is still in the process of achieving its objective effectively, there are indications that the theories that underpin its effectiveness are not only weakly embedded in its structures and operations, but are probably non-existent.

3.5.2 Indicators

An indicator is defined as 'a measure that is employed to refer to a concept when no direct measure is available' (Bryman 2012:540). Thus as values of normative institutionalism are not possible to measure directly, there is need to abstract indirect indicators as utilised in the tool. These indicators are deduced from the policy implementation cycle to assist in ascertaining whether the ECOWAS Parliament is effective in conflict prevention.

The indicators are divided into six groups according to six spheres in which the institution presumably will go through 'a cycle' covering all its processes and procedures in estimating the effectiveness of a policy. The focus is not specifically on any of the phases and the idea is to be able to utilise each indicator at particular policy stages or employ all levels to determine the outcome of an issue depending on the circumstances. As demonstrated in **Error! Reference source not found.** the developed indicators can proceed chronologically though they can be employed independently of each other. Additionally, Interviews undertaken guided by questionnaires validate these indicators.

In arriving at the indicators, the research is also guided by what effectiveness means in context. Conceptually it has many meanings and for Young (2011) 'effectiveness is a matter of contribution that institutions make to solve the problems that motivate actors to invest the time and energy needed to create them' whilst Wimbush and Watson (2000) consider it as intended and unintended effects of policies, projects and programmes.

At the impact assessment level, Sadler (1935:37) defines effectiveness as 'how well something works to whether it works as intended and meets the purposes for which it is designed'. Thus an effectiveness tool is considered to bear influence on decision-making in selecting optimum options for development and sustainability subject to the context in which it is applied (van Buuren and Nootboom 2009). Furthermore, effectiveness components as proposed by Baker and McLelland (2003) when considering policy implementation, are to be based on the policy application (practice), the meeting of objectives (performance), the proficiency with which the objectives are met, and the achievement of goals (purpose). Therefore with guidance from effectiveness literature of four categories, procedural; substantive; transactive; and normative (Baker and McLelland 2003, Theophilou, Bond et al. 2010) this research is also guided by the latter approach.

Normative effectiveness correlates to the achievement of normative goals (Baker and McLelland 2003) which could be incremental changes in institutions, organisations, philosophy, science and culture bringing about changing consent and decision-making. Normative changes could also be observed based on the perceptions of those who were involved as stakeholders to the process or in the implementation of the tool.

Consequently, six variables are employed in the tool for the empirical measurement as demonstrated in **Error! Reference source not found.** are those identified as potentially influencing effectiveness and were reviewed according to discussions emanating from all the normative discussions.

Need-the main questions are how stakeholders needs were identified. Importantly is foremost identifying who these stakeholders are in the regional context as pertains to conflict prevention activities and how they are identified; **Fit**-this seeks to evaluate the preferred implemented and whether this was more effectiveness that the alternatives that were not utilised, and what processes were undertaken to arrive at the choice; **Resources**-reminiscent of burgeoning institutions, resources are always scarce thus, there is need to understand what kind of resources exist, and are used in decision-making and

implementation; **Evidence**-this seeks to examine what activities have been undertaken on conflict prevention and the main beneficiaries and how these are identified at the output level; **Innovation**-an evaluation of program plans, strategies or type of activities undertaken and; **Capacity**-seeking to identify the expertise and champions of these processes and whether external support was sought.

3.6 Conclusion

This chapter has explored the nature of institutions, the reasons for their emergence and continuation, and the sources and types of institutional change present in institutionalist literature. It has defined institutions as employed in this research and examines normative institutionalism's logic of appropriateness and its explanatory and analytical utility for effectiveness of the ECOWAS-P. Additionally, the tool of effectiveness is examined and its indicators outlined as viable measurement units for the framework.

Emphatically, the general assumption here is, institutions are dependent and independent variables and differences in institutions do make a difference in policy linked with the question of institutional development and institutionalization. The following chapters will present analyses of empirical data to evaluate the validity of the approaches of institutional change presented in this chapter.

4. Chapter Four: Research Design, Methodology and Methods

4.1 Introduction

According to Sayer (1992:86):

‘To be practically adequate, knowledge must grasp the differentiations of the world; we need a way of individuating objects, and of characterising their attributes and relationships. To be adequate for a specific purpose it [knowledge] must abstract from particular conditions, excluding those which have no significant effect in order to focus on those which do. Even where we are interested in wholes, we must select and abstract their constituents’.

The literature reviewed serves to situate, illuminate and unpack various ways of understanding the ECOWAS-P’s work in conflict prevention within the broader context of legislative studies and how effectiveness can be measured through implementation.

Motivated by the opening quotation, this section will try to address the context. It begins with an appreciation of both academic and practitioners’ perspectives in understanding how effectiveness is being undertaken in the sub-region if any. The methodological choices made are backed by reasons to justify their preference over alternative approaches. In this regard, the study draws from secondary academic publications on the role of ECOWAS-P and other key in-depth analysis of primary sources by actors within and on behalf of the parliament will form the main research methodology.

The nature of this research, which requires a detailed investigation of the effectiveness of conflict prevention of the ECOWAS-P with a view to providing a critical analysis of the practices, procedures, practices and processes involved, a qualitative design was deemed most appropriate. This is due to the fact that the nature of the questions and issues being investigated are complex, elusive and require in-depth penetration in a natural setting using explorative and explanatory approaches.

In order to understand and critically examine conflict prevention implementation by the ECOWAS-P, examination of EMPs, Staff and other stakeholders activities in relation to their perceptions and experiences require a variety of qualitative tools and methods including in-

depth interviews and observation of activities in the parliament. Moreover, relying on theoretical approaches, and methods combining observation and interviewing with approaches fostering conversation and reflections are central to exploring effectiveness.

This section will present the methodology employed in this study; the justification for the approaches employed, and appraisal of the case studies, the criteria for case studies selection are given including the strengths and limitations of the strategy. Additionally, issues surrounding data sources, collection, timing and data analysis are addressed followed by ethical considerations of the research and finally, practical related issues of the research linking the central question.

4.2 Case Study Methodology

A case study is an empirical inquiry that investigates a contemporary phenomenon in-depth and within its real-life context, especially when the boundaries between the phenomenon and the context are not clearly evident (Yin 2009:18).

In considering optimum research methods, the case study presented itself as the method of choice for the thesis. In particular, this research is suitable to the case study methods based on Yin's (1994) recommendations as below:

'In general, case studies are the preferred strategy when "how" or "why" questions are being posed, when the investigator has little control over events, and when the focus is on a contemporary phenomenon within some real-life context. Such "explanatory" case studies also can be complemented by two other types -"exploratory" and "descriptive" case studies' (Yin 1994:1).

The purpose of this PhD is to examine **how** effective the ECOWAS Parliament has been in conflict prevention, and to an extent **why** this could be the case or maybe not the case. In answering the 'how' part of the question, one could have just instituted a survey technique to reach a much more representative audience; however, the 'why' part necessitates a methodology that can reach into institutional recesses enough to study motivation. Certainly, a survey technique would not have answered the 'why' question adequately, and this is one of the strengths of the case study. A key advantage of a case study is that it allows both actors and institutions to be considered in context. Thus, the case study allows

the opportunity of examining attitudes and motivation and how these affect behaviour, contrasting what could have resulted from working with large datasets, and official statistics which can lead to establishing unproven assumptions about behaviour' (Hakim 2000:36).

This research focuses on a new institution in parliamentary development undertaking events over which the researcher exerts no control over the effectiveness of the ECOWAS-P in conflict prevention. Thus as espoused by Lincoln and Guba (2000:31), 'it is difficult to imagine a human activity that is context-free' therefore the case study is optimal in order to capture all the nuances that enriches the originality of the thesis. Context will also 'stress the holistic examination of a phenomenon, and they seek to avoid the separation of components from the larger context to which these matters may be related' (Jorgensen 1989:19).

Retrospectively, an aspect prescribed by Yin (1994) matches this research's aim to also be explanatory through the demonstration of how a political institution, such as the ECOWAS-P, has become a viable political entity in the debates around parliaments as peacebuilders.

Moreover, this research involves parliamentarians consisting a unique interest group thus the case study is fitting as according to Hakim (2000) 'case studies have advantages for research on social groups', including 'larger groups with a shared identity, common activities or interests like occupational groups or national pressure groups' (Hakim 2000:66). Thus as emphasised by Hakim (2000:34) it allows the study of 'perceptions, attitudes, beliefs, views and feelings, the meanings and interpretations given to events and things, as well as their behaviour'. In the same vein, Kane and Brún (2001:215) lend credence to this assertion by emphasising that attitudes and behaviours should be examined in 'a natural setting', which is perceptibly a vital imperative in establishing a true picture.

Scholars including May (2001:33) posit that 'our findings on the social world are devoid of meaning until situated within a theoretical framework, thus consciously harbouring the awareness that 'the ultimate goal is theoretical insight' (Gerson and Horowitz 2002:220) the study categorically follows Yin's (1994:31) endorsement that the case study ought to use a 'previously developed theory...as a template with which to compare the empirical results of the case study'. In this research, new institutionalism is employed as it seeks to probe how the parliament as a political institution affects the behaviour of those working within it.

Assertively, Eckstein (2000:119) agrees that the case study is: 'valuable at all stages of the theory building process, but most valuable at that stage of theory building where least value is generally attached to them: the stage at which candidate theories are "tested"'. But scholars such as Babbie (1995:296) rather acknowledge that in as much as field research may be deductive, 'you seldom if ever merely test a theory and let it go at that. Rather, you develop theories...' though 'most qualitative research is oriented towards the inductive rather than the deductive approach' (Babbie 2015:50). Additionally, developing theories is very important work, but until they have been proven they are worth less.

To this end, Baker (1994:300) opines, the 'aim of science is to establish theories and then to prove (or disprove) them' and it is the work of science to '*test existing theories* with new evidence'. Therefore, every case will be what Stake (1998:88) conceptualises as 'instrumental case study', meaning 'a particular case is examined to provide insight into an issue or refinement of theory'. Stake (2005) goes further to demonstrate that 'the case study is not a methodological choice, but a choice of object to be studied'. The researcher in this case is 'more interested in a process, or a population of cases not an individual per se'.

Meanwhile, Flyvbjerg (2011:301-316) posits five misunderstandings of case study as a method including the fallacy that 'general theoretical knowledge' is regarded as 'more valuable than 'concrete case knowledge', and as such some researchers feel the case study is not suited to theory building.

A major and frequent criticism levelled against the case study method is that it does not permit statistical generalisation in a manner that surveys do because it cannot claim to be representative. However, Yin (1994:10) neutralises this criticism by asserting that case studies are actually 'generalizable to theoretical propositions'. Supporting this view Gomm, Hammersley et al. (2000:4) offer an explanation stating that the case study 'is designed to test or illustrate a theoretical point, then it will deal with the case as an instance of a type, describing it in terms of a particular theoretical framework'.

Thus, the case studies can make generalisations about the theory (rather than about the ECOWAS Parliament) and if the findings of 'two or more cases are shown to support the same theory, replication can be claimed' (Yin 1994:31). In agreement, Baker (1994:300) discusses 'external validity' that 'addresses whether the findings of a study can be generalised to another sample' states that this can only be done through replication.

Therefore, this research explicitly states that its focus is not to seek a statistical generalisation as the case may be with surveys based on representative samples. This research is rather focused to make a generalisation about the applicability of the theory, as will be examined through empirical evidence, rather than making claims of the representativeness of the parliamentarians. This outlook is termed 'analytic generalisation' by Yin (1994:10). This however does not also preclude the fact as noted by (Stake 1995:7) that 'certain activities or problems or responses will come up again and again' amongst the cases.

This cogent criticism on generalisation, is on the grounds that case study research findings are generalizable especially when compared with others like survey research. This however is subject of great debates amongst scholars. However, as case study is being employed, it is imperative for this issue to be addressed in this research. However, a salient caveat to be noted is that, generalisation is not the prime purpose of case study (Yin 2009, Bryman 2008) research, but these concerns cannot be closed out of the debate as case study is central to the methodology of this study.

The researcher argues that, generalisation from this distinctive case should not be regarded in 'statistical' terms (Turner 1953), Gobo (2004:405) but rather the flexibility and 'fit' (Lincoln and Guba 2000) it potentially has with other situations. Research findings on how effective conflict prevention is implemented by the ECOWAS-P as traced through two member states could positively illuminate the nature and state of the situation in other member states. However, based on this case study alone it would be highly inappropriate and erroneous to make claims such as, 'therefore the whole of West Africa is like this or that' ... or all conflict prevention programmes are like this....'

For scholars like Miller (2003) the key to making generalisations from qualitative comparison lies in the effective sampling of cases. Thus the researcher hopes that the entire process of sampling/selection and verification including the other methods adopted have all been effective and rigorous enough to guarantee a potential within the study to generalise, albeit cautiously.

This potential for application in a wider context is vital if case study is to be significant in the wider quest for theory and knowledge on phenomena. Thus though this study is unique and an isolated area it is still very useful and more is expected if it is to have any impact, improve effectiveness and subsequently support regional legislatures' evolving role and initiatives.

Undoubtedly, this case study can be applied to other contexts and cases sharing similarities, characteristics and circumstances. Potentially, it is also not only limited to transferability as Lincoln and Guba (2000) even argue that this is just one frame within which we can discuss applicability of a case study, and rather advocate three other ways through which applying a case study to dissimilar cases can be essentially undertaken.

According to Lincoln and Guba (2000) in the first place, a case can be used to provide 'vicarious experience'. In this scenario there is learning from the experiences received in the case and universals and concepts drawn which can even be applied to dissimilar circumstances. In this study, focusing on the potential of vicarious experience, will enable lessons learned about effectiveness of conflict prevention in the ECOWAS parliament to be applied to member countries in both latent and post-conflict affected areas.

Secondly, applicability can be achieved by using the case in a 'metaphoric sense'. Either as a starting point for thinking about ways in which the two situations are similar, or, to look for differences. Extending applicability in the context of this research, it is vital to interrogate the ways in which the cases are similar or different from others originally considered, or those that they could be applied to. These help establish and extract patterns and universal elements and help to reveal what Hammersley (Gomm, Hammersley et al. 2000:234) describes as 'the causal process linking inputs and outputs within a system'.

Thirdly, using the case as a basis for 're-examining' and 'reconstructing' personal evaluation of given phenomena. This is made possible by using the case to provide better, improved or new information, raising one's own level of sophistication or to provide an interpretation critical to erasing falsity or divided consciousness.

This research attempts to provide new information and critical interpretation and analysis which can in turn help to extend the applicability of the case through reconstruction of such phenomenon in other settings. In all, if the built-in selection, verification, generalisation and application potential ensure sufficient rigor, as it is hoped, validity will be much improved.

The lack of rigor and validity are also a key critique; that in comparison to other research methods, a case study is subjected to utmost criticism, mistrust and bias in many respect including reliability, validity in its different forms, replicability and generalisability (Bryman 2012). This therefore imposes challenges on the case study in proving trustworthiness in value of claimed contributions.

With respect to these criticisms however, Yin (1994) and Flyvbjerg (2004) emphasise that some are based on 'misunderstandings' of the meaning, contribution and the very true nature of the method. Yet, these at the same time cannot be ignored if the case study is to become relevant and gain prominence in the world of social research scholars and academics. The following sections demonstrate how rigor and validity have been built into this research.

4.2.1 Appraisal of selected cases

Yin (2014:17) posits that 'a case study inquiry':

- copes with the technically distinctive situation in which there will be many more variables of interest than data points, and as one result
- relies on multiple sources of evidence, with data needing to converge in a triangulation fashion, and as another result
- benefits from the prior development of theoretical propositions to guide data collection and analyses.

In determining the number of case studies that will guarantee or allow for replication, the initial idea was to employ multiple case studies as necessary and appropriate, but then the challenge was then actual selection of these cases. Also, the initial thoughts at the beginning of the design process placed unguided emphasis on conflict prevention rather than the ECOWAS Parliament.

The case selection was therefore undertaken through a number of levels. First by establishing 'what exactly to look for' with recourse to the stated research aims and questions; and secondly the need to address 'where to look for'. This then precipitated the all-important issue of defining the boundaries of the case. This is because according to Yin (2014) and Stake (1995) boundaries to cases are complex issues and need to be decided on properly and cautiously as this lack of a proper 'bounded context' will be an amorphous challenge as essentially the entire World could be classified as a case of the universe, prompting an unmanageable, impossible strategy which could also be unreasonable research.

The context of this study, required a difficult but cautious decision with respect to what could be considered as case units for the research. Was it most appropriate to take the ECOWAS-P as an institution administratively, all the fifteen member states on the issue of conflict prevention at only the institutional level? There were no easy answers' but with due consideration to the nature of the subject matter none of the areas could be explored in isolation as a case unit but rather as contribution to the formation of the critical, unique and exemplifying case units. Additionally, conflict prevention is operationalised in all member states thus it was appropriate that the case(s) cover the countries in such a manner as would be comprehensive cover and paint a complete picture of the effectiveness issues.

Therefore, this study is a case study of one entity, the ECOWAS-P and effectiveness in conflict prevention. The two countries (Guinea and Sierra Leone) were developed as case units on the themes of latent and post-conflict as part of the single case. In a region of rife conflict, all the 15 member states have experienced one form, of post-conflict or latent conflict at a point in their political trajectory. Thus to be able to generalise, these two themes serve a critical purpose as the results can then be replicated in other member states.

Therefore, to be able to maintain a high level of reliability, rigor and validity, the country cases were also sources for data gathering and thus qualify to be case studies in themselves. Thus the cases covers the national to regional level nesting of conflict prevention and is thus considered the most appropriate way because this could enable the investigation on both levels of governance needed for analysis.

Additionally, the selection of 'who to ask' was developed by purposive sampling. This offered an opportunity for respondents to share myriad of experiences and opinions through semi-structured interviews which encourages speaking beyond the scope of the questions.

4.2.2 Research population and sampling

The target population was defined by specific sampling and not random as the multilevel nature of the study was aimed at the multi-actors at the sub-regional level. Thus though these level can confound this task, it was not confusing because these actors are the members of parliament (law makers), policy makers and regulators, researchers and non-governmental organisations at the supranational level focused on legislative and conflict prevention initiatives in West Africa.

These multiple data sources will be covered by the research because these different levels have an impact on the main question but the primary sources will be the MPs and staff of the parliament working on both core and allied issues, including documents and processes, national level stakeholders, other regional institutions, policy analysts will all be engaged as a way of triangulating issues and widen the discussion and policy issues to be covered. But the main respondents to issues on direct policy and decision-making will be the Members of Parliament.

An attempt will be made to frame the sample that is an effective listing of all the research population elements and thus probability sampling might not be used. Instead, two non-probability sampling techniques will be combined; comprising chain-referral (snowball effect) and convenience sampling (Flyvbjerg 2004:427).

The convenient samples will be developed by the generation of an available list of individuals' core to the research purposes in conjunction with discussions with the secretariat of the ECOWAS Parliament plus familiarity with the research context and content will facilitate the process. After developing the list in consultation with the secretariat, individuals contacted and interviewed will be asked for suggestions which will lead to the snowball effect where those suggested will also be contacted and interviewed, and in turn asked for others. These processes can become cyclical until a satisfactory representative sample is achieved in terms of the key issues. In the long run, these approaches will be prudent in the construction of actor clustering and building linkages with stakeholders which are all reflective aspects of gathering important information and managing knowledge flow around the central research question.

Throughout all these processes, efforts will be made to outline inherent limitations and challenges the research had to endure.

The next hurdle was how to select a sample of parliamentarians, staff and other groups defined to be interviewed. As Kane and Brún (2001:95) states, a sample is 'when you study the characteristics of only some of the people, situations, or items within the group' thus the decision was the option of non-probability sampling because in agreement with (Sarantakos 2012) it is 'less strict and makes no claim for representativeness'.

This contrasts with probability sampling because rules are non-existent for sample selection meaning a researcher can choose the sample unit based on personal judgement. According

to Kane and Brún (2001) this is because if there are no claims to representativeness, then statistical rules applied to probability sampling to calculate sample size are irrelevant. Therefore non-probability sampling is more appropriate in research looking at cultural patterns or rules:

‘...because some ideas and patterns are culturally shared, you can reach the point of diminishing returns, in terms of information, fairly quickly: 10 people may be able to tell you what 10,000 would’ (Kane and Brún 2001:201).

Furthermore, the non-probability sampling method can be narrowly demarcated into purposive sampling. Scholars including Babbie (1995), (2015) posits that in carrying out field research, if one is intending to ‘consciously sample at all’ is most likely to use purposive sampling and this research keeps with this tradition.

According to Babbie (1995:287) purposive sampling occurs when:

‘you select a sample of observations you believe will yield the most comprehensive understanding of your subject of study, based on the intuitive feel for the subject that comes from extended observation and reflection’.

Meanwhile Flick (2014) urges that ‘step-by-step selection is not merely the original principle of sampling in various traditional approaches in qualitative research’. He goes further to state that, ‘current discussions on strategies on how to proceed with this ‘purposive sampling by selecting cases and empirical material, continue to employ the principle’. Thus these are key points should be considered:

- In qualitative research, sampling is a very important step.
- Sampling decisions (who or which group next?) are often taken during and as a result of data collection and analysis.
- Sampling decisions in qualitative research are often taken on substantive level rather than on a formal level; they may be based on purposeful decisions for a specific case rather than random sampling.
- In sampling, you will construct the cases you study in your research (Flick 2014:175-180).

This research's purposive sampling included the leadership of the Parliament, EMPs representing Sierra Leone, Clerks of relevant Parliamentary Committees, Head of Administration and Bureau Manager of Parliament, Head of Documentation Centre-Parliament; Legal Counsel of the Parliament, Vice President of the ECOWAS Commission, the Head of the Early Warning Department, Country Managers of the Early Warning Department for Guinea and Sierra Leone; Programmes Director, West Africa Network for Peacebuilding, representatives of research think-tanks in the sub-region, other policy makers and key stakeholders on the ECOWAS project and related institutions.

The committees selected was on the basis of their relation to conflict prevention issues; thus the Committee on PAPS is the default committee however, adhoc committees set up to investigate issues, as well as the parliaments processes yield influential aspects of conflict prevention.

The aim was to select committees with a mix of representations for aspects not necessarily country related keeping in mind the need for a balance of opinions and experiences. Since this thesis does not seek to establish generalisations about EMPs in West Africa in total, the selection is not purposively seeking to choose the most representative as 'case study research is not sampling research' in any case (Stake 1995:4-5). Instead, the selection was based on criteria that would test new institutionalism. To this end questions asked included 'to what extent are the conflict prevention initiatives of the parliament helping situations in your country; what is the role of your committee on conflict prevention? Mandate? If your mandate does not indicate a role for you why are you undertaking conflict prevention activities? (See Appendix 9: Interview Questions).

These questions and others had responses from specific committees that deal specifically with conflict prevention issues, as well as the general EMPs who had opportunity in the plenaries to contribute to these discussion and all these were primarily absorbed into the research 'because it is believed that understanding them will lead to better understanding, perhaps better theorizing, about a still larger collection of cases' (Stake 1998:8).

Although the case studies also looked at individual people within the categories the research is not targeting 'particular individuals *per se*' but rather focuses on various patterns or clusters of attitudes and related behaviour that emerge' (Hakim 2000:34). Importantly, it is noted that though particular individuals within the categories were interviewed the ultimate focus is on the group they represent rather than the individuals themselves. Therefore, with

the case study as methodology with defined parameters making the cases, collection of evidence in the field then ensued.

According to Hakim (2000:61) the veracity of a case study also lies in the fact that it ‘...may incorporate the analysis of administrative records and other documents, depth interviews, larger-scale structured surveys (either personal interview or postal surveys), participant and non-participant observation and collecting virtually any type of evidence that is relevant and available’.

4.2.3 Triangulation

Exhausting as many sources of evidence as possible is necessary in an effort to attain triangulation. According to Sarantakos (1993), there are a number of reasons why triangulation is valued but most importantly, it first allows for ‘a higher degree of validity and reliability’ and secondly, it employs ‘the strength of each method to overcome the deficiencies of the other’ (Sarantakos 1993:155).

Triangulation (or now called convergent (Creswell 2011:278)) is defined as ‘the combination of methodologies in the study of the same phenomenon’ with the aim of overcoming deficiencies inherent in a specific method and increasing validity of the research findings (Denzin 1970:297). To this end, Jick (1979) advocates that a basic assumption underlying triangulation is that, it is assumed that multiple independent methods will compensate for each other’s weaknesses and not exacerbate. Also, Lamnek (2005) posits that the researcher applying triangulation is thought to be methodologically open and should not place more importance on one specific method over another.

According to Denzin (1978) and Patton (1999) there are four main categories:

First, methods triangulation aimed at checking out the consistency of findings generated by different data collection methods. This category commonly encapsulates both qualitative and quantitative data; elucidate complementary aspects of the same phenomenon; and the points where data diverges provides the most insights and is of utmost interest to the qualitative researcher.

Second, triangulation of sources aimed at examining the consistency of different data sources from within the same method. These could be at different points in time; in public vis-à-vis private settings or comparing people with different viewpoints.

Third, analyst triangulation by using multiple analysts to review findings or using multiple observers. A check can be provided on selective perception and highlight blind spots in interpretive analysis the goal being not to seek consensus, but to rather understand multiple ways of seeing the data.

Fourth, theory/perspective triangulation uses multiple theoretical perspectives to examine and interpret the data and achieve validity. This category can activate adaptations of existing theories, or even the creation of new ones because different perspectives often reveal aspects not in accordance with a theory (Jick 1979). Practically, only a few researchers use this approach as it is time consuming and due to lack of feasibility as mostly studies focus on a small number of hypotheses (Denzin 1970).

Numerous critiques are however raised against triangulation by several authors despite its wide acceptance in social science research. According to Flick (2004) and Thurmond (2001) the greater amount of time, effort and resources needed when compared to single-method approaches indicates that triangulation may not be suitable for all researchers or research projects. As well, the complexities involving mixed methods research which often contains a form of qualitative data can make replication almost unattainable (Jick 1979).

Additionally, there are no independent measures to decide which methods are suitable and how to grade them. In some circumstances, a particular method may be more appropriate for certain issues than others, but, there is no existing scientific foundation upon which a researcher can base this choice. Therefore according to Jick (1979) a researcher must clearly state and describe in detail reasoning behind the choice and weighting of methods preferred, in the absence of that then it is only interpreted as the personal preference of the researcher thereby clashing with the assumption of methodological openness as espoused by (Lamnek 2005). For others including Flick (2004), triangulation does not necessarily provide any additional benefit compared to a single-method approach; thus researchers need to plan the process carefully and be mindful of the fact that even multiple methods cannot compensate for theoretically or conceptually flawed research questions.

Additionally, in a bid to establish accuracy and truth of respondents' statements, or to substantiate, confirm or validate claims made, various strategies were employed. At the end

of interview sessions the researcher discussed key summary understandings and interpreted responses with the interviewee to confirm that these were what the interviewee meant. Though in itself this does not constitute the truth nor clarify true or false responses, at the minimum it is an assured approach to bar distortions and misunderstandings of the respondent's views.

This strategy is also recommended by Bell (2014) and (Bryman 2012) as a way of verifying responses. Mindful of the sensitive nature of the parliament's role, status and perception about its work, the researcher was attentive during interviews because particular respondents could try to bolster the image of the parliament by all means, probably at the expense of other ECOWAS bodies by exaggerating the role of the parliament, or discrediting the input of others on conflict prevention. Thus, the researcher did not just accept responses at face value but endeavoured to cross check in other interviewees with their colleague EMPs to ascertain the reliability and truth of these submissions. This was therefore an attempt that benefitted from the sampling used by including a variety of backgrounds and categories thereby ensuring opportunities for cross checking.

In this research however, the rationale is that, by combining these multiple approaches triangulation will help to increase validity and reliability of the findings.

Therefore, in the case of the parliament for instance, a resolution passed on a particular subject and a mission report can corroborate a respondent or interviewee's response. This makes it beneficial to take advantage of particular data collection techniques offered by the case study such as participant observation, direct observation, interviews, documents and archival information. These will enhance 'rigor, breadth, and depth to any investigation' (Denzin and Lincoln 1998:5) and advance the aim of understanding the case studies (Stake 1995:9). According to Kane and Brún (2001) the advantages of employing both case studies and participant observation is that they 'have in-built triangulation' as 'each involves using a variety of approaches' (Kane and Brún 2001:215).

Six methods were used to gather data; individual interviews (recordings), participant observation, non-participant observation, document analysis (including Archival) focus group interviews and field notes/diary. These methods were used to complement each other in an effort to triangulate and monitor for differences, similarities and convergence of data outcomes. Additionally, this triangulation of methodology makes provision for stronger substantiation of constructs and hypotheses (Mason 2002).

4.3 Participant Observation

According to Harrison (2001:80):

‘If we wish to learn anything about political behaviour in a particular context, we must also engage with that context and undertake what is referred to as participant observation’.

Participant observation according to Jorgensen (1989:12) facilitates access to the everyday world of groups to evaluate the perspectives of those working within them, how these things happen and most importantly why these things happen. Therefore, prior to the arrival of a researcher equipped with a tape recorder and questions, people have already applied meanings to processes within which they function and their surroundings.

The onus thus rests on the researcher to ably interpret what these surroundings and processes are (May 2001:38) and this is where participant observation offers the most opportunity. It affords the researcher prospects to experience issues from the viewpoint of those within the setting, making it less likely that the researcher will impose personal reality on what needs to be understood, invariably this is a potential problem for those using other techniques (May 2001;149; 153).

In agreement, Jorgensen (1989:56) emphasises that ‘accurate (objective and truthful) findings are *more* rather than less likely as the researcher becomes involved directly, personally, and existentially with people in daily life’; whilst Babbie (1995:281) reiterates the usefulness of participant observation in identifying ‘nuances of attitude and behaviour that might escape researchers using other methods’.

Additionally, there is some consensus in the literature suggesting that participant observation ‘is more likely to proceed inductively’ (Gerson and Horowitz 2002:200). However, this research perceptibly departs from the norm because the prior inputs made possible by a theoretical framework provided a focus to the observation. Thus data was not collected and analysed to fit theory; because this research purposively applies an institutionalist perspective to the research findings to evaluate whether the parliament has been effective in conflict prevention or not. Thereby ensuring that, all data is valid whether it supports the theory or not.

4.3.1 Participant observation applied to this research

When the research design of the thesis was being developed, it became obvious that interviews alone would be insufficient in collecting information essential for measuring effectiveness. This is because two aspects of the institutionalist approach involves the study of norms, culture and beliefs of the subjects under scrutiny. Therefore to guarantee rigor, it was deemed imperative to employ participant observation. This is emphasised by Babbie (1995:280) as a vital strength of participant observation in that it gives 'comprehensiveness of perspective' sanctioning 'a deeper and fuller understanding' of the problem under study.

However, a key challenge about participant observation is the issue of time consumption, and thus the researcher had to be innovative in how to utilise it to maximise data gathering in the field. Importantly, as the ECOWAS Parliament holds two Ordinary Sessions a decision was made to undertake a feasible six week period comprising four weeks of participant observation, and then two weeks for other interviews which might not be covered during the initial period. Additionally, if after the initial analysis the data gathered was deemed inadequate, then a second field trip would have been undertaken.

The participant observation took three main forms. First, the researcher was part of the Sittings of the 'Parliament-of-the-whole', which is when all EMPs convene from the beginning of the ECOWAS-P proceedings and also the end. At this level, there are proceedings, county reports, Addresses by the Commission Chair, Adoption of Committee Reports, Passing Resolutions and Decisions, and finalising the report that will be forwarded to the Authority. Second, the researcher participated in specific committee sittings and these were specifically in the case of the Committee on PAPS, NEPAD/Children as well as the ECOFEPA Platform. Third, the researcher worked from the parliament's documentation centre, which houses an archive on all documents pertaining to the parliament.

Six weeks of interacting with EMPs and other officials full-time allowed for sufficient time to observe stakeholders behaviour and attitudes, and also get to know them. Additionally, the researcher's prior background of working with EMPs in a career position for an international non-governmental organisation also made it possible for some EMPs and officials to be receptive and collaborative in helping with documents and other related submissions for this thesis. The importance of physically immersing yourself in a study cannot be underestimated. As agreed by Harrison (2001), it is important that researchers 'place' themselves - that is, admit who they are and why the study is being conducted (Harrison

2001:82-83). This option was considered viable and for ethical reasons the parliament was informed of the research and the purpose for the research thus, together with a consent form, most respondents were confident that their responses were going to be utilised responsibly in the thesis.

As a 'participant-as observer', which consisted of participating in the programme of the parliament but with the full permission and knowledge that this was for research purposes was very advantageous whereas researching another phenomenon might have been a challenge. EMPs and other stakeholder the researcher interacted with expressed various perceptions about this method and whilst some felt obligated to share as much information as possible, others stated categorically that this was the first time any researcher had come to the parliament for information of this kind, and were also excited at the prospects of the research. Thus in most cases the researcher was granted unfettered access to meetings, helped out with sourcing information and most interviewees even scheduled interviews with other people hitherto not identified as central to the fieldwork. The parliament also operates an effective simultaneous translation and interpretation services so listening in, communicating and all related documents was simply compiled and gathered in the English language.

4.3.2 Critique of participant observation

A main disadvantage usually associated with participant observation is that because of proximity of the researcher to the subjects or respondents, it introduces familiarity into the relationship enabling the researcher to 'know' the subjects and this can affect the level of objectivity in the study. This scenario according to Harrison (2001:80) can cause the researcher to go 'native' and lose the initial detachment in the process with which the researcher began; that the researcher may become selective and produce inaccurate findings so the validity of the research is undermined. In emphasising the viability of objectivity, Jorgensen (1989:56) reiterates that:

'The potential for misunderstanding and inaccurate observation increases when the researcher remains aloof and distanced physically and socially from the subject of study. Participation reduces the possibility of inaccurate observation, because the researcher gains through subjective involvement direct access to what people think, do, and feel from multiple perspectives'.

Moreover, the participant observation undertaken lasted only for six weeks; - adequately lengthy to gain insights into the EMPs and processes, but also short enough a period to prevent the researcher from going 'native'. As this research is focused on institutional effectiveness of the ECOWAS Parliament in conflict prevention, the researcher was attentive to issues bordering on the how and why activities and processes to these are specifically undertaken than the general discussions. Relatedly, case studies permit the addition of different research techniques thus documents, including semi-structured interviews (all recorded verbatim) and Hansards and other primary documents pertaining to the Parliament can all be used to support any observations. Therefore, the researcher is certain that any such loss of objectivity was compensated by the benefits of trying 'to understand how the actors, the people being studied, see things' (Stake 1995:12) and how they approached issues, activities and processes.

A related disadvantage of participant observation is that access is not always granted but in this case, that problem did not arise. Even though access to parliaments is wrought with bureaucratic requirements and is particularly known as difficult, the request to participate was accepted by the Parliament, and the researcher even received support when the parliament scheduled other interviews and meeting on the researcher's behalf.

Detrimental to participant observation is the criticism that it has 'a potential problem with reliability' and generalisability (Babbie 1995:301-2, Harrison 2001:82). For Babbie reliability means dependability, that if 'you made the same measurement again and again, would you get the same result?' (Babbie 1995:300), it for reason that triangulation is principally important. At the same time, the entire contents of this research are not made from the researcher's personal opinions, and emphasis is placed on the interviews that were undertaken; recorded with verbatim transcription which maximises accurateness.

This also holds true for the wide range of documents gathered; verbatim Committee and Plenary minutes/reports, Committee and Plenary Reports, Hansards, Mission reports, Strategic Plan and Work plans amongst others. These were scanned, photocopied or copied by hand to ensure accuracy than relying on the researcher's interpretation or memory. Further, the parliament granted access to the researcher to gather verbatim reports which is particularly useful as some reports are summary and leave out some oral discussions. Thus, utilising a myriad of data sources ensures that as emphasised by Jorgensen (1989:53) 'more information you have about something from multiple standpoints

and sources, the less likely you are to misconstrue it' and this makes the research more reliable.

In providing the reader with the opportunity of assessing the evidence utilised, the findings presented in the thesis often contain frequent and sometimes lengthy quotations from document excerpts, parliamentary committees and interviews to demonstrate that reliability was only a 'potential' problem as agreed by Babbie (1995). Criticisms against generalisability is one of the salient challenges for participant research as the researcher cannot guarantee whether what is being observed is 'typical' or not.

This is because what is typical in the country cases for the regional parliament being studied may not be representative of the case in another countries. However as reiterated by Babbie, 'the potentials for biased sampling are endless' (Babbie 1995), but as outlined in this chapter, this research lays no claims for statistical generalisation or the representativeness of cases selected. Alternatively, the research is in sync with Yin's term of analytic generalisation in this research. This research's generalisability therefore emanates from the institutionalists approach.

4.3.3 Benefits of participant observation

The researcher spending six weeks observing the interviewees, listening in sessions and other meetings, over meals and coffee breaks and in building a degree of trust it was difficult for EMPs to 'offer responses that they perceive to be desirable' (Devine 1995:143) or appropriate. Relative to the interviews, another vital benefit arises at the latter stage when these 'observations facilitate the interpretation of the material' (Devine 1995:138). Similar to documents, these interviews represent a specific perspective in a particular context, and can be best understood if premised on existing data of specific individuals, settings and context.

Finally, as emphasised by DeWalt and DeWalt (2011) participant observation involves entering the research setting and observing oneself as well as others in that setting. Thus by virtue of this the researcher was also able to observe non-verbal expressions of the EMPs when it came to debates and committee meetings.

4.4 Interviews

Data collection methods were a questionnaire used in semi-structured interviews, document reviews and archival research. A critical discussion was how to gain access for observation and interaction with the policy makers to gain an effective way of understanding how processes, decisions and parliamentary procedures are arrived at or made at the sub-regional level as well as how the parliament interacts with other institutions under ECOWAS.

As the researcher observed the context and the day-to-day activities of the parliament and the EMPs individuals within it, interviews then offered 'a systematic way to uncover people's experiences over time as well as their perceptions, motives and accounts of these experiences and actions'(Gerson and Horowitz 2002:221). Interviews are a very important source of information for the case study (Yin 1994). They offer the opportunity to understand how people see their world and why they act the way they do according to themselves.

There are different types of interview; structured, semi-structured and unstructured and all interviews conducted for this thesis were semi-structured where as stated by May (2001:123) 'questions are normally specified, but the interviewer is freer to probe beyond the answers'. The categories defined to be interviewed were all asked same set of questions as attached in Appendix 9. This allowed for a greater degree of comparability between given answers unlike a structured interview it could allow respondents to elongate their answers in ways more in their interests. These set questions therefore ensured that salient and key issues were included, but at the same time it also granted flexibility.

Interviews were carried out/used because of the need to lay emphasis on the complexities, depths, nuances and roundedness in data, rather than employing the kind of broad surveys of surface patterns which for instance, a questionnaire may achieve. They were also used to explore activities, structure, processes, implementation and perceived effectiveness from understanding the complexity and depths in people's contextual accounts and experiences. This is important because, superficial analysis of apparent comparability between accounts of large numbers of people may not yield these results.

Therefore semi-structured (face-to-face) interviews were important methods of data collection in this research. Only a few telephone interviews were held to mainly bridge the gap of those that could not travel to the Session(in the case of Guinea as they were

suspended); and also when the researcher needed to bridge some gaps found during analysis on emerging areas.

Interviews were utilised as a preference over questionnaires for three reasons. First, the nature of this research requires depth of discussion (Bryman 2012) on issues and an understanding of principles, context, implementation and effectiveness from the 'other' point of view. This can be undertaken by interviews in person offering a possibility of modifying lines of inquiry, follow up on salient responses whilst investigating underlying motives (Mason 2002) in a manner that a postal, self-administered, or email answered questionnaire may not achieve. As emphasised by Patton (2002) interviewing enabled the researcher to understand how people in the institution, view the institution and its activities, learn their terminology and judgements and to capture the complexities for their individual perceptions and experiences.

Thus the semi-structured interviews were conducted based on the interview guide (see Appendix 9) developed to encompass what Robson (2002) and Bryman (2012) promote as the following:

- Long questions which the interviewee might remember in part and answer partially;
- Double-barrelled or multi-barrelled questions which might not be fully answered by the respondent
- Questions involving jargon which might be unfamiliar and disturbing to the respondent;
- Leading questions that could confine the respondent to think in only the direction the interviewer had given
- Biased questions reflecting the researcher's prejudice.

Interview error in this researched was minimised by designing the interview questions to be at the very least, neutral, open-ended, sensitive and clear as advised by Patton (2002) to help limit what Weiss (1972) states in Clarke and Dawson (1999) as 'right answer' responses; which are characteristic responses to outcomes evaluation as well as to questions on programme effectiveness. As this study is inherently looking at an outcome evaluation, understanding the perceived impact of their role from the EMPs point of view may elicit such responses if attention is not paid to avoid it as a trend.

Interviews with the EMPs were generally conducted on the margins of the formal Session throughout its 21-days Session usually after Sittings, or during the lunch breaks. The place and setting for conducting the interviews was determined by the respondent's choice. Thus in the specific case of the Speaker of the ECOWA Parliament, the researcher together with other officials from CSOs, politicians and government officials seeking to meet with him were transported to the Speaker's official residence, in the evening after one of the sittings and met with him one after the other in designated meeting rooms in the residence. This according to the Speaker made it possible to speak without interruption and thus responses and time to attend to official business in other ways more effectively was used. As observed by Hammersley and Atkinson (2007) different settings are likely to induce and constrain talk of particular kinds. Thus the interviews were conducted wherever the respondents preferred to have them; in canteens, restaurants, offices, Libraries, over lunch in quiet corners of restaurants or cafes.

Interviews provided closed accounts and were also recorded to maintain a high level of accuracy and richness of data. Interviews are important for revealing cultural meanings and therefore allows an identification of the cultural practices and informal institutions within the parliament.

4.4.1 Recording

All interviews were recorded with including note taking. The researcher had a good rapport with interviewees and in some instances had to cajole them to sign the consent form as most of them would insist that they had no reservations and as such the interview should commence. However, the researcher explained the need for consent and all signed and agreed to their responses being used with their names, and in one instance a request was made to be anonymised.

The decision to record the interviews was made for several reasons. First, this will ensure accuracy; respondents can be quoted precisely, ensuring that the researcher does not substitute respondent's words with personal phrases (May 2001:138). Second, recording interviews made it possible for the researcher to be attentive, concentrating on the interviewees responses, and eliciting follow up questions rather than be faced with the distraction inherent in the tendency to scribble, interview and discuss at the same time as the case would have been. When the all the interviews were conducted the researcher was

persuaded that a lot of valuable information would have been omitted if this was conducted by only note taking. For example, a respondent could have revealed an issue which seemed unimportant at the time, however as the research progressed overtime it assumed great significance.

This approach also gave an opportunity to the researcher in terms of composure and appearing better organised as eye contact, acknowledgement of discussions, rephrasing and re-stating agreed points gave the impression that the researcher was also participating actively in the interview.

In literature, tape recordings are pointed out as sometimes being a distraction with modern Dictaphones being preferred because of long battery life. To circumvent all these inconveniences the researcher used an iPad which has a battery life longer than 48 hours and employs several applications for recording interviews but this study utilised the 'QuickVoice' application which records a high clarity level and enables easy pausing and continuation.

However, the main shortcoming to recording interviews is being loaded with materials to transcribe thereby it becomes a time consuming tedious task. For example, a two hour long interview can take up to a whole day's effort of work to transcribe accurately; but on another level it becomes advantageous since it 'assists the important analytic stage of becoming familiar with the data' (May 2001:139).

4.4.2 Focus groups

Focus group as a technique has been on the ascendancy as a social science research tool since the 1980s (Morgan 1997, Madriz 2003). As contextual interactive group discussions, they are employed to explore specific set of issues (Barbour and Kitzinger 1998) and if undertaken on consistently can actually become a social and political forum in their own right (Baker and Hinton 1998).

Focus groups therefore offer a social context for meaning-making and shifting the balance of power from the researcher towards the participants (Wilkinson 1999). The focus group interviews were used to make an opportunity for the EMPs (ECOFEPA) and Staff perceptions, lived experiences and perspectives on the effectiveness of the parliament on

conflict prevention. Focus groups achieved several aims including, triangulating interviews responses regarding effectiveness in whether there were any changes in responses indicated by EMPs as different from Staff.

Two focus group discussions were held for this research each lasting up to ninety minutes in the ECOWAS-P, these were to elicit empirical perspectives and evidence on EMPs and staff roles, activities and participation in the parliament's efforts at preventing conflict.

The two sessions begin with warm up process of seemingly mundane and factual questions relating to the Committee or Staff profile; for example, roles and responsibilities, countries they represent, who is the oldest/youngest amongst others. Then followed their activities on conflict prevention either as part of the parliament's activities in general or specifically to the committee or staff. These individual set of interview questions were especially designed to determine from the participants how they thought the Parliament was performing in conflict prevention, what caused conflicts in their communities by giving 'tangible' examples.

This encouraged participation and through guided questions which were used flexibly, open-ended communication and interactions made the discussions logical. An emerged challenge was the tendency for some participants who are more vocal to be dominant thus, the researcher encouraged participation by also making it country responses, and in agreement with the participants a contributor who had already spoken forfeits a second chance until all have spoken. In the case of the Staff this was a manageable process, but with the EMPs the agreement was not adhered to and in any case, most spoke willingly.

4.5 Documentation

Documents are regarded as unbiased and self-determining but according to May (2001:184) 'a text must be approached in terms of the intentions of its author and the social context in which it was produced'. This then underpins the importance of participant observation once more; giving the researcher an opportunity to understand the context, and build a knowledge base of the stakeholders for which the documents are intended, and what the authors are communicating. In this vein, Jorgensen (1989) reiterates that 'participant observation improves comprehension and analysis of documents' (Jorgensen 1989:93). Suffice it to state that, a major advantage of participant observation is access to a myriad

of documentation and archival records as mentioned in the paragraphs following (Bowen 2009).

The need for valuable sources of information about the formal aims and goals, principles and procedures of the parliament necessitated the undertaking of document analysis such as Hansards, verbatim reports, session reports, mission reports amongst others to ascertain the effectiveness of the parliament in conflict prevention. Importantly, these documents were not taken as absolute facts as they do not constitute independent objective records of events, activities and circumstances. However, these studies were socially situated products as there was need to understand both the process by which a document is produced and the social and political context in which it is embedded (Scott and Davis 2007).

Notably, (May 2001) reiterates that documents do not reflect a straight forward, objective description of social reality, but by presenting a particular interpretation of events, they help to construct a version of social reality. Therefore what is recorded is influenced by social, political and ideological factors; a researcher will have to be mindful that 'documents might then be interesting for what they leave out, as well as what they contain'.

4.5.1 Parliamentary documentation

Documents utilised in this thesis include specific review of protocols, resolutions, motions, statements and reports from monitoring and investigations missions undertaken by the parliament to Guinea and Sierra Leone on conflict prevention. These also include study missions, discussions, mediations or negotiations. A review of the Hansards compiled through the three terms of the legislatures as pertains to issues of conflict prevention involving the two countries.

Documents employed as part of evidence in this research are comprehensive records from 2001-2013 and include:

- Annual strategies
- Annual objectives and aims
- Objectives to achieve from meetings with politicians
- Post mortems on meetings/events

- Action plans drawn up with public affairs companies
- Policy papers
- Communications to members
- Letters and e-mails to and from politicians/civil servants/clerks
- Notes taken from telephone conversations
- Reports
- Briefing papers
- Survey results
- Copies of papers presented to political actors at meetings
- Written submissions to the Parliament/Executive
- Copies of speeches
- Pamphlets/leaflets
- Newsletters
- Notes of advice/opinion to other colleagues

4.5.2 Archival records

This yielded valuable information which the researcher hitherto could not have had knowledge of nor be able to acquire from other sources. According to Yin (1994) archival records in (contrast to documentation) can be classified as service records, organisational records, maps and charts, lists, survey data and personal records (Yin 1994:83). For the EMPs, Hansards and verbatim reports and minutes were very useful. These detailed meetings held with cohorts of political actors on different conflict prevention initiatives over-time.

Additionally, this granted the researcher access to founding documents of the institution including original treaties (1975, 1993, Constitutive Act of the AU 2000) establishing the ECOWAS-P and other policy documents amending its mandates, structure and its operationalisation. Others include Session reports, Mission Statements, Protocols, Decisions, Regulations, Conference Proceedings, Progress reports and Press releases on various conflict prevention activities, Newsletters, Research papers, and other academic works as were available.

4.6 Non-participant observation

In this approach, the observer studies the subject 'from outside the group without being involved in the life of the observed' (Sarantakos 1993:222). This was the situation for studying the Plenary Sessions and the Committees. This is because only EMPs and parliamentary clerks can participate in the committees; they can host officials from the mission, or researchers tasked on a particular issue giving a report. Apart from these temporary guests only the two categories may sit in the committee meeting. Though being neither an EMP nor a Clerk, I was granted the opportunity of non-participant observation to sit in, listen and observe specific Committee. This was complementary as it shored up and validated information garnered from the sources including from EMPs, Clerks, other Staff and what was gleaned from verbatim reports of debates and committee and the archive. As Yin (1994:87) states non-participant observation 'is often useful in providing additional information about the topic being studied'.

Therefore, in as much as the researcher had access to verbatim reports and other reports these do not signpost informal activities that sometimes happen relevant to an issue on conflict which could influence the outcome, or what pertains during the recommended breaks usually scheduled at regular intervals. In observing a committee/plenary meeting this grey area was highlighted.

Non-participant observation carried out during the Plenary observed particular debates on the Country reports and passing of Resolutions. This was very useful for the research as it was obvious EMPs stuck to country allegiances in responding to issues and had bloc attitudes in articulating preferences on specific issues.

A repeated pattern observed over the entire Session of the parliament was the scenario where in the mornings before the parliament commences there is usually a high turnout of EMPs most especially as a Roll Call is undertaken before each day's proceedings. However by the time parliament is adjourning in the evenings there usually are less EMPs in attendance. In interrogating this pattern, it emerged that, attendance is tied to how much sitting allowance and stipend EMPs receive when Sessions end. These are in turn validated by the attendance records made by an EMP through Roll Call signed in the mornings. Thus mornings are populated and after the first break EMPs depart.

Another issue that was highlighted was the frequency and fluidity with which EMPs participated in Committees, which are also easily combined to be Joint Committees on cross cutting issues. Additionally, in plenaries and committees all documents have to be distributed in the three official languages and in the case where one of the translation of language(s) is delayed at the Secretariat press, EMPs will wait till they are ready, preferring to adjourn than to continue without the full complement of colleagues participation. In a few cases, progress was made but slowly till all the documents arrives. A similar scenario ensues in the case of headphones for simultaneous interpretation.

4.7 Analysis

After information is gathered, it is expedient to break it down into manageable categories to give it meaning, a process Schwandt (2007) identifies as 'coding'. Before the field research commenced, certain categories were already developed into which the information will be processed. These were developed in advance because to fulfil particular requirements of the research, it was important to examine the countries of the ECOWAS-P under which the themes of latent and post-conflict will be applied, as well as the institutional set up of the parliament itself. Thus these components became category headings, and ultimately transformed into titles of chapters. During the research, these categories and others were continually refined into specific subtitles and sections to reflect the data collected, and comprise section headings in each chapter of the thesis.

The completion of field work was the period when the researcher had the opportunity to review all documents, recordings, observations, interviews, observations, and mapped and allocated significant information to relevant categories.

In analysing the coded data to give it meanings and structure, comparisons was made with the information under each category and arriving at conclusions about how the parliament undertakes conflict prevention activities; first as an institution, and secondly as relates to the country case studies. These conclusions were then applied through new institutionalism and the tool for effectiveness. Additionally, field notes were also used which consisted of reflections, experiences and observations made during and after the interviews. This was necessitated because even though the interviews were recorded, observations could not be inputted into the same recordings and as such rather than risking the reliability of memory, the researcher rather detailed these in the field notes as reiterated by Clarke and Dawson (1999).

This strategy was also a key instrument for data collection of informal discussions, experiences and sharing with stakeholders and particular informal unstructured interviews. By employing different qualitative research methods, including semi-structured interviews, focus group interviews, document analysis, field notes and observation, the study therefore utilise a multidimensional analysis format to explore effectiveness.

4.7.1 Ethical considerations

The fieldwork involved access to, and interview of a wide range of bureaucrats comprising EMPs and other officials of the parliament, the Commission and CSOs. Thus, some of the respondents felt obligated not to reveal issues that might be regarded as intelligence, especially in security issues, however most of them were receptive and quite open about their perceptions. As Bryman (2012) reiterates ethical issues should not be ignored in research because they 'relate directly to the integrity of a piece of research and of the disciplines that are involved'. Therefore, to curb the tendency of respondents being reluctant or suspicious the researcher was guided by three ethical issues; voluntary participation, confidentiality and identity disclosure.

Even though access to participants and respondents was negotiated on the researcher's behalf by the institution there was need to seek their consent and apprise them of the research's aims and objectives; and assure them of confidentiality and non-disclosure of their identities unless this was consented to. Respondents are initially presented with an information sheet detailing the research objectives and then a consent form. Some of them tried waiving off the consent form by indicating that it serves no purpose as they could be quoted in the research, but after an explanation on how important this was they signed. Others also insisted that the researcher reads out the information sheet out loud to them, and a few respondents pointedly requested to be anonymous.

Additionally, it was imperative to take cognisance of procedures bordering on how to comport oneself around bureaucrats and EMPs, and other stakeholders. Thus the researcher employed what Kovats-Bernat (2002) calls localised ethic which involved including the local population's recommendation and advice in decision-making on the types of conversations and silences that were important. For example, officials from the Commission who were dismissive about the parliament's role, in responding to the question on whether the parliament had a role to play in conflict prevention, said they could not be

explicit because it might be interpreted as insubordination thus they were assured of anonymity before they were forthcoming and cooperative.

4.7.2 Limitations of the Study

This thesis has its own shortcomings. Fieldwork was carried out in Abuja, Nigeria where the offices of the ECOWAS Parliament are located during the First ordinary session in May 2013. At the time, Guinea was suspended from the Parliament because of delay in holding legislative elections. Thus the researcher could only interview EMPs from Sierra Leone and no sitting EMPs from Guinea but rather former EMPs who were present in Abuja for other business, and also contacted some others by telephone and email. This was a challenge as the Guinean perspective was also only emphasised by other EMPs, the leadership and the Commission officials. Additionally, as the Parliament's attrition rate is high, there were only few EMPs who had been members from the inauguration of the Parliament.

4.8 Conclusion

This thesis selected two country case studies and the parliament, on which this research is based. Participant observation, documentation, interviews, and archival records were the methods used for data collection from the case studies. In order to gain an understanding into the ECOWAS-P, the methods employed were documentation, interviews and participant and non-participant observation. Ultimately, all data is being utilised in investigating to what extent the parliament is effective in conflict prevention, and how applicable new institutionalism is in explaining this phenomena. The researcher identifies these qualitative methods as most appropriate as they 'capture meaning, process and context' (Devine 1995:138) and the research methodologies used in accumulating the data supporting the key arguments in the study were explored. Additionally, the researcher believes 'qualitative research, even when theoretically informed, is the most open-ended and hence least biased type of study' (Hakim 2000:6).

There are neither well known existing publications, nor significant pieces of research dedicated to the ECOWAS Parliament's role in conflict prevention. To this end, this study has had to employ approaches and strategies which promises to be among the first set of inquiry to conduct in-depth analysis and investigate the effectiveness of the ECOWAS-P in

conflict prevention. In view of the above, the study draws on the methods as discussed in this chapter.

In concluding, worthy of mention is that this research is the first to interrogate the conflict prevention role of the parliament, if not even the first to research at the PhD level and seeking to proffer practical recommendations and detail opportunities for research. Additionally, key relevance is also rested on the objective of signalling an enhanced role for the regional legislature as a viable decision maker and implementer of conflict prevention policies in West Africa.

5. Chapter Five: ‘An ECOWAS of States to an ECOWAS of People’? Assessing institutional effectiveness in conflict prevention

5.1 Introduction

The ECOWAS region has been persistently embroiled in spates of socio-political instability for several years earning it the status of a theatre of recurrent violent conflicts. Cumulatively, these have impacted negatively on the rule of law, democratic and parliamentary development, as well as the social cohesion of communities, which are prerequisite for promoting and consolidating peace.

The ECOWAS-P as the institution representing the people of the region professes that there is an argument to be made for its role in conflict prevention. Many EMPs assert that as a parliament ‘it must make and in fact, does make significant contributions to conflict prevention¹.

It has an inherent mandate to defend the interests of West Africa’s citizenry, so ‘we do not subscribe to the counter argument that it is not in our mandate to work on conflict prevention’. The EMPs helped the research to catalogue oversight tools that are being utilised in their bid to provide oversight at this regional level.

First, these are being examined by this study as procedural aspects of the individual tools that are commonly used or supplemented at the country levels. They insist that this highlights how they have established original ways of using the national tools at the regional level, and also how adapting to the context and tools are peculiar to member countries.

Examining the effective performance of the different tools in a theoretical sense can help make some judgement on whether a particular tool, or set of tools are more effective than others. For instance, whether the absence of a particular tool in parliament will necessarily mean that it has ‘weaker’ oversight in strategy in a specific context than others, or whether simply employing a wider range of tools guarantee effectiveness.

¹ Interview with Simon Osei-Mensah (MP, Ghana), Deputy Speaker of the ECOWAS-P, May 2013

According to Malamud and De Sousa (2007) regional parliaments in African 'are too young to be evaluated' but this chapter undertakes an exploration of the ECOWAS-P in contrast to this stance. There is a summary of its evolution and structure, an assessment of its competences and performance in light of the classical parliamentary functions of representation, legislation/decision-making (output legitimacy), Oversight (monitoring of the executive and the bureaucracy (implementation, control legitimacy), and leadership selection and formation which are essential to democracy (Weber 1994).

The ECOWAS Parliament (ECOWAS-P): An Overview

There is hereby established a Parliament of the Community'.
(ECOWAS 1993:Article 13(1))



Figure 5.1 Map of ECOWAS

Source: ECOWAS Parliament (reproduced with permission)

The inspiration for the creation of the Economic Community of West African States (ECOWAS) on May 28, 1975, came from the original divisions by the AU and UNECA regions for purposes of economic development. Thus ECOWAS was a strategy to promote economic development and prosperity for the respective countries in the sub-region (Abangwu 1975, Asante 1986, ECOWAS 1993, Kabia 2009, ECOWAS Commission 2010, Adedeji 2004) as presented in Figure 5.1.

ECOWAS has recorded several achievements in as far as regional integration is concerned; the abolition of visas and entry permits, introduction of the ECOWAS passport; the Brown Card Motor Vehicle Insurance scheme facilitating road transport; harmonized customs documents and the establishment of institutions such as the Commission, the Parliament, and Court of Justice.

As well, there are a host of other financial and specialised institutions such as the ECOWAS Bank for Investment and Development (EBID), the West African Health Organization (WAHO), the West African Monetary Agency (WAMA) and the West African Monetary Institute (WAMI).

Despite its achievements, ECOWAS has also experienced several shortcomings. For example, though formed primarily as a regional trade pact, it has taken on an increasing regional security role with the emergence of failed states in West Africa and the strengths of institutions are yet to be realised in the sub-region (Bach 1999, Adebajo and Rashid 2004). It also has the challenge of harmonising policies of other regional initiatives like Union Economique et Monétaire Ouest Africaine (West African Economic and Monetary Union (UEMOA) and Banque Centrale des États de l'Afrique de l'Ouest (Central Bank of West African States (BCEAO) formed by the francophone countries (Kaplan 2006, Kufuor 2006).

Even though the original 1975 ECOWAS treaty provided no security role for the sub-regional body, the challenges of 'African solutions to African problems' (Kasaija 2013) led to deliberate steps to securitise issues in ECOWAS and work on security and conflict prevention frameworks. The assumption of a latter security role by ECOWAS it is argued is not unique. Several other regional organisations as for example the European Union, all gradually assumes security and foreign policy functions by default (Kufuor 2006, Kabia 2009). However, overtime ECOWAS increasingly developed protocols, and carried out amendments which culminated in the establishment of the Protocol Relating to the

Mechanism for Conflict Prevention, Management, Peacekeeping and Security, hereafter 'the Mechanism' (Adebajo and Rashid 2004, ECOWAS Commission 2010).

Several reasons have been attributed for this preoccupation with an increased security role. These are often linked to the challenges of endemic protracted social conflicts from the 1990s-2000s in the region. Invariably making the leaders to re-evaluate the notion of an economic union and expanded these ideals to include peace, security and good governance which were regarded as *sine qua non* for development.

ECOWAS currently has a membership of fifteen countries and population of some 230 million people. The most populous country is Nigeria. ECOWAS countries' have three main official languages with French spoken in former French colonies of Benin, Burkina Faso, Cote d'Ivoire, Guinea, Mali, Niger, Senegal, and Togo. English is the official language used in Liberia and the former English colonies of Gambia, Ghana, Nigeria and Sierra Leone, whilst Portuguese is spoken in the former Portuguese colonies of Cape Verde and Guinea-Bissau.

In the 1975 Treaty, the main tenets of ECOWAS related to promotion of cooperation and integration and establishment of an economic union in West Africa. The aim simply was to:

'...to raise the living standards of its people, ensure economic growth, foster relations among member states and contribute to the progress and development of the African Continent'(ECOWAS 1975).

In 1993, the Revised Treaty was aimed at accelerating the process of integration in West Africa, ensuring peace and security as espoused in Article 4(Fundamental principles) and promoting supranational institutions and thus established the following new institutions (Article 6 Institutions):

The executive consisting of the Conference of Heads of State and Government, Council of Ministers, with administrative support from the Executive Secretariat. The legislative arm is the Community Parliament; trade policy issues are spearheaded by the Economic and Social Council whilst for the judiciary it is the Community Court of Justice. The financial institutions are ECOWAS Bank for Investment and Development, ECOWAS Regional Investment Bank, ECOWAS Regional Development Fund and specialised agencies.

Following from the above, one can impute a graphical analysis showcasing a comprehensive approach of ECOWAS' transition (ECOWAS 1975- ECOWAS 1993) to its current strategy in **Error! Reference source not found.:**

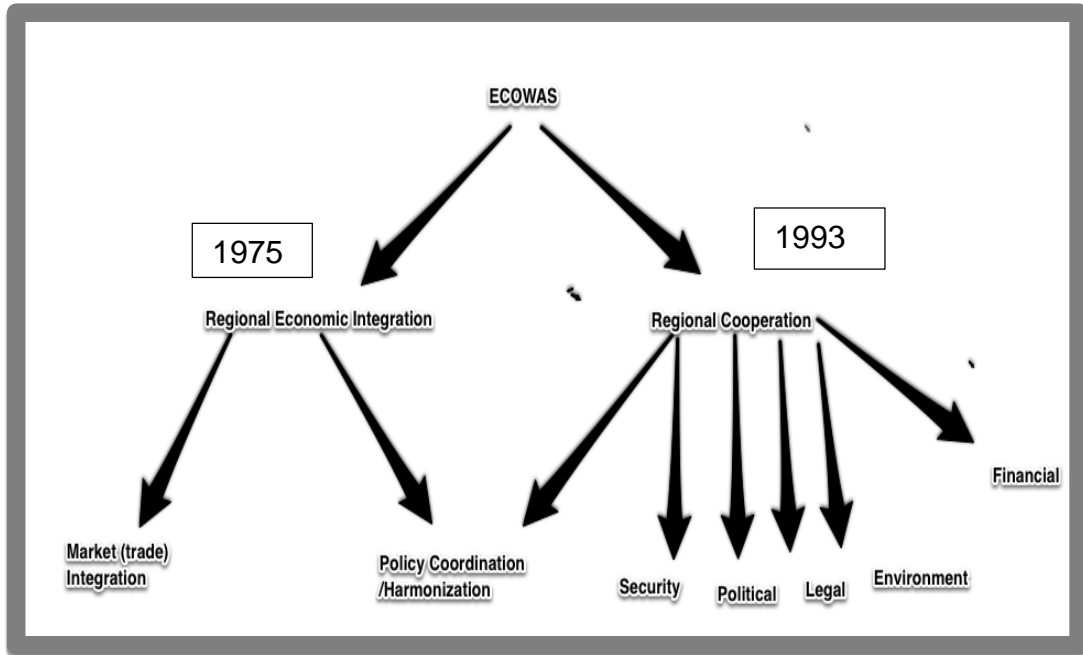


Figure 5.2 Graphical analysis: Transformation of ECOWAS from 1975-1993

Source: Compiled by author using data from original and revised treaties

There were five main innovations in the revised treaty; the introduction of the principle of supranationality in the application of decisions; extension of scope of community programmes to other areas such as harmonization of economic and fiscal policies; self-financing budgets for the institutions (introduction of the community levy) and cooperation in political matters.

In recognition of the importance of the legislature to the society, the ECOWA-P was created under the 1993 Revised Treaty and the protocol signed on August 6, 1994. The Parliament held its first session from January 21-26, 2001 in Abuja, Nigeria². It is currently in the Third Legislature (2011-2015) and unlike national parliaments the functions of the ECOWAS Parliament are much diminished.

² First Session of the ECOWAS Parliament, Abuja, 21-26 January, 2001, Outcome of Proceedings, ECOWAS Secretariat, Abuja, January 2001

The Parliament was initially set up as a forum for dialogue, consultation and consensus for representatives in order to promote integration(ECOWAS-P 2006) in accordance with Article 6 and 13 of the Revised ECOWAS Treaty (ECOWAS 1993).

For clarity, the ECOWAS-P under the current mandate has no specific decision-making powers; rather it plays an advisory role in the Community. Therefore, it makes recommendation to the relevant cum appropriate Community institutions/ organs. This entails that until a resolution passed by the Community's Parliament has been adopted by the relevant Community organs, the provisions of the resolution is not binding on any national government. Also, ECOWAS parliamentarians are not directly elected, but are selected by the national parliaments of member states.

The ECOWAS Parliament consists of 115 seats. Each of the 15 Member State has five seats at least. The remaining seats are shared in proportion to the population. As a result, Nigeria has 35 seats, Ghana 8, Côte d'Ivoire 7, while Burkina Faso, Guinea, Mali, Niger and Senegal have 6 seats each. Other countries: Benin, Cape Verde, Gambia, Guinea-Bissau, Liberia, Sierra Leone and Togo have 5 seats each(ECOWAS Parliament 2006).

The parliament consultative role is on a broad range of issues, including human rights, telecommunications, health, education and treaty revisions. The functioning of the parliament is governed by a 2006 decision defining how executives make referrals to the parliament, and the time frame for the submission of recommendations and opinions.

The parliament has a General Secretariat, under the Speaker's authority, which is responsible for administering the institution. From its inception member states have been keen to transform the parliament into a fully-fledged legislative body, so it is initiated a transition that may lead to the direct universal election of its members (Gasiokwu 1997).

This institutional arrangement makes the Parliament much more of a deliberative body than a legislature and also means that its members are not directly accountable to West Africans. However, its permanence and regional focus make for an institution that is able to bring continuity to the political dialogue and contribute to technical analysis on issues relating to the social dimension of regional Integration (RI). Four out of the thirteen parliamentary standing committees are in fact charged with mandates that would make them appropriate venues for addressing ECOWAS social policy, including human rights and the free movement of persons, social affairs, employment, and women's and children's rights.

As the parliament was set up after all the framework for conflict prevention were initiated, it has had to work in a post-facto environment of continuing/employing legal frameworks, laws and protocols of which it was not part in initiating. However, by virtue of the fact that it is the regional parliament, it has a duty to work within the all-encompassing regional framework laid down for it, and this is an area in which this study will look at in terms of its effectiveness(ECOWAS-P 2012). But in August 2012, it initiated procedures to assume the status of a fully-fledged parliament with a supplementary draft protocol submitted to the Authority of Heads and States and Governments(Gasiokwu 1997, ECOWAS-P 2012).

5.2 Formal functions of the parliament (ECOWAS-P 2006)

In as much as the provisions of Article 6 Paragraph 1 and Article 13 of the Revised Treaty relates to how the parliament was established, it has had its original protocol.

At the end of the First 5-year tenure of the parliament, a Supplementary Protocol A/SP.3/06/06 Amending Protocol A/P.2/8/94 Relating to the Community Parliament, served to re-evaluate some of these competences amongst others to help make the Parliament work in an efficient manner.

Article 3 has been amended thus, 'the House of Representatives of the Peoples of the Community shall be designated': ECOWAS Parliament

Article 6 of the Protocol A/P2/8/94 relating the Parliament of the Community is reformulated as follows:

1. The Parliament may consider any matter concerning the Community in particular issues relating to Human Rights and Fundamental Freedoms and make recommendations to the Institutions and Organs of the Community
2. The powers of the ECOWAS Parliament shall be progressively enhanced from advisory to Co-decision making and subsequently to a law making role in areas to be defined by the Authority
3. Pending the election of the Parliamentarians by direct universal suffrage, the Parliament may be consulted for its opinion on matters concerning the Community. The areas in which the opinions of the Parliament will be sought remain as espoused in the 1994 amendments.

During interviews, EMPs maintained that they play a pivotal role, and as such they are informed and kept abreast of significant and relevant regional and international frameworks, mechanisms and instruments of conflict prevention. This thus encouraged them to accelerate and improve on dialogue-based prevention initiatives which will play a crucial part in ensuring social cohesion right from the community, national up to the regional level. They insisted on this role being acknowledged as an effective contribution to the maintenance of peace and security within the sub-region. A summary of these strategies include but are not limited to the following strategies:

- Joint committees of MPs to monitor intelligence and or security issues
- Harmonization of security laws to respond to the threat of drug trafficking and small arms in particular (such as the legislation to ban small arms and light weapons)
- Parliamentary Diplomacy.

Essentially 'our role is effective because through "parliamentary diplomacy" within the framework of the levels of capacity in the House, we act as mediators, provide avenues and alternatives for dialogue and interactions with national parliaments, rebel leaders, factions and other stakeholders to monitor crises and also engage in negotiations, as for instance in the cases of Niger and Guinea' (Brima Kamanda, EMP, Sierra Leone, former Chair, Committee on PAPS³).

However, EMPs were quick to point out that they have pervading existing challenges that impact on their effectiveness. That, on a practical level, as the ECOWAS-P entered its third Legislature, they are witnessing a paradigm shift in the integration focus of strategically moving from an '**ECOWAS of States**' to an '**ECOWAS of the People**'. This mantra totally epitomises the critical role the parliament is envisaged to play as it is summed up as the main institution in the quest of 'an ECOWAS of People', because they are the representatives of the region's citizens.

However, impediments includes issues such as lack of direct elections, no real legislative power, lack of administrative and financial autonomy vis-à-vis the Commission in particular,

³ Interview May 2013, also led the parliamentary fact-finding mission to Mali

and high turnover of MPs. On how these can be surmounted, the EMPs and Staff were in unison on the best way forward.

Succinctly, is to get the draft supplementary at enhancement of powers passed. The main stressor needed to do this, is to enforce the parliament institutionally by granting it a co-decision mandate with the Council of Ministers. Full law-making powers to be functional and truly effective through capacity building and provision of resources.

The above will then ensure a plethora of efficient modes of working including:

- i) Opportunity to strengthen the ECOWAS-P as a first responder in conflict intervention and prevention initiatives, including planning to deploy, implementing outcomes and monitoring in emerging crises situations
- ii) An improved working relationship and liaisons with national parliaments to foster effective collaboration in information sharing and provision of the necessary expertise to compliment and support the efforts of national parliaments
- iii) Increased autonomy for ECOWAS-P will enable it to focus concretely on political crises, peace and security issues as well as strengthening its strategies of mediation and dialogue activities
- iv) Strengthen the capacity of the ECOWAS-P to enable it sanction intransigent member states for non-compliance on treaty ratifications as well as protocols and conventions.

Thus the scope is constrained to matters relating to specific regional policy and certain fields outlined in founding documents. The protocol details that the parliament is to be consulted in specific areas, and propose resolutions, and on their own initiative make recommendation to the executive bodies of ECOWAS.

However, the outstanding issue is whether these de facto decision-making bodies, Council of Ministers and Conference of Heads of State and Government observes and implements the propositions from the parliament.

As there is no legal framework obliging them to pay attention to advice received from the parliament, evidently it puts the parliament in a very subordinate position on decision-making. Thus in the pursuance of enhancing their powers contained in the supplementary draft act initiated since 2002(ECOWAS-P 2002), it has persistently requested for the

broadening of its power to reflect the role of a viable effective parliament. These were eventually approved in December 2014 by the Authority and are scheduled to take effect from the legislature beginning January 2016.

The parliament is regarded as competent to 'regard any matter concerning the Community' and make recommendations to the appropriate organ. However, how these recommendations should be made, and how the organs should act upon them is missing in these founding documents. At best, the parliament just reflects or mimics the integration agenda as the democratic organ without much powers.

The Parliament's mandate entitles it to consider matters concerning the Community particularly related to Human Rights and fundamental freedoms, and to make recommendations to other institutions and organs of the Community. The Parliament may also be consulted for its opinion on matters in the following areas: Communication links between Member States; Telecommunication systems; Energy networks; Cooperation in the area of radio, television and other media; Public health policies; Common educational policy; Youth and Sports; Scientific and technological research; Community policy on environment; Treaty review; Community citizenship; Social integration; and Peace and security.

Suffice it to say that, these competences for the parliament are only valid in as far as the parliament keeps to them and these are a re-echo of the areas of cooperation of the whole integration scheme ECOWAS. So the key issue emanating here is the use of the word 'consult' positively indicating that the parliament works at the behest of the Authority, and only in an advisory position or role.

5.2.1 Passing effective legislation

ECOWAS-P does not possess explicit law-making powers. It can put forward motions, and pass resolutions to be forwarded to the Executive organs of the region especially if these have no financial obligations. These advisory and consultative powers at best are heavily constrained and the Authority, and Council of Ministers are the de facto decision-making and law-making institutions in ECOWAS and as such can override or veto proposals from the parliament.

Pertaining to conflict prevention, the parliament asserts its own role but the Commission and other departments refute this 'self-professed' role and insist that the treaty does not guarantee such a mandate and does not give it enough credibility and legitimacy to even undertake such initiatives.

To this end, the ECOWAS-P commenced a review and revision process since 2002 to amend the Revised Treaty of 1993 to strengthen its mandate to carry out effective legislative function. However for the first two terms of its four-year tenure sessions (2002-2006, 2006-2011) and the 2011-2015, it was able to get these passed but to be implemented from the Fourth Legislature beginning 2016.

This is because the two community documents pertinent to peace and security in the region have no designated roles for the parliament. These are the Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security (hereafter referred to simply as 'the Mechanism) and; the ECOWAS Conflict Prevention Framework (ECPF).

The Mechanism is the first attempt at encapsulating all the ideals of regional security into a codified document. Thus, the Preamble outlines these from international and regional perspectives; for instance, it makes it clear that Article 58 of the Revised Treaty espousing regional security; relevant provisions of the OAU (now AU); United Nations Charter, Chapters 6, 7 and 8 in particular; with the ultimate concern about proliferation of conflicts in West Africa as constituting threat to peace amongst others strengthens their resolve to push for these decisions.

Article 4 lists the institutions of the Mechanism as 'The Authority'; 'The Mediation and Security Council'; 'The Commission' and 'any other institutions'; as may be established by the Authority of the Heads of State and Government. Thus officials at the Commission subtly insinuated that indirectly the Parliament exist at the behest of the Authority and as such is a democratic entity in as far as it conducts its business complementary to the Commission and Authority, and does not work in any way deem adverse by these two institutions. At the same time, as these bodies including the Council of Ministers are responsible for the financial obligations of the Parliament, any adverse initiatives, or activities regarded adverse to the interests of these bodies or counterproductive to regional progress might incur the 'wrath' of these bodies as they will cut funding.

The 'authority to initiate' the Mechanism are outlined as; upon the decision of the Authority; upon the decision of the Mediation and Security Council; at the request of a Member State; on the initiative of the Executive Secretary; and at request of the AU or the United Nations(Article 26).

However, when reminded of the statutory documents prescriptions, it evoked a lot of discussions, arguments and counterarguments between, and amongst both MPs and staff of the parliament and Commission.

In an interview with Brima Kamanda,⁴ he argued that, the parliament is established by the Revised Treaty and as such even supersedes the issue of it being established by the Authority. That EMPs have an '*inalienable right*' to embark on conflict prevention initiatives and have indeed done so several times over, and effectively.

In contrast Dr. Gueye, Director of the Early Warning Department(EWD) at the Commission⁵ maintains that, 'unless the EMPs want to usurp the role of the Authority, the community documents does not give them a mandate to "interfere" in conflict prevention initiatives as they may end up escalating tensions. He goes on to echo thus 'it is not an area in which they have technical expertise, or indeed, even any expertise, it is not in their mandate and neither do they have any political clout to enable them undertake, mediations for example'.

Further, Dr. Gueye insisted that a practical case might reflect why he thinks EMPs are not up to the task and must also be guided by community documents. According to him, a salient component of the strategies of prevention lies in the composition of the Defence Commission of the region which comprises of Defence Chiefs from all the member states. These Defence Chiefs 'are in a league beyond what the parliament can offer' in terms of expertise and knowledge on dealing with conflict situations. Also, he insists, 'ECOWAS has had a 'winning formula' and there is no need to fix something that is working well. At best, the EMPs can play a 'good role' by feeding into the early warning observation system, contained in the community documents. In these documents, there is a role for people to pass on information at the national level, and they can even send it to us at the Commission since they insist that they are the representatives of the people, but to discuss the issues and implement resolutions and lead missions is not their job'.

⁴ Interview, May 2013

⁵ Dr. M. Abdou Lat Gueye, interview, June 2013

The careers EMPs had before taking up their mandates as regional parliamentarians have a wide spread ranging from teachers, accountants, doctors, bankers, sociologists and in fact covers most professional bases as confirmed by the Head of Administration at the parliament but Dr Gueye insists that these 'MPs cannot speak the language of security, and do not have the tactical know how to lead missions' and so might have to only contribute to the Early Warning System.

However, the Early Warning System (EWS) in accordance with Article 58 of the Revised Treaty consist of 'an observation and monitoring centre located at the Commission; and observation and monitoring zones within the sub-region⁶. Even though Article 24 discusses how these zones work, there is no specific role made in respect of the parliament.

EMPs and staff underscored the challenge of lack of explicit designated roles in documents, but reiterated that, at the same time, there were still windows of opportunity as the issues were subject to debates and revision.

It is asserted that the parliament continues to draw inspiration from the spirit, letter and founding texts of the community documents and they are an 'authority themselves' so they can initiate and take lead on issues. Also, 'at the request of a member state' is a good entry point for them as they can recommend or pass a resolution on the need for a country that needs support in a conflict situation to have the Mechanism activated.

The Chair of the Committee on Political Affairs, Peace and Security (PAPS) Alfred Kwame Agbesi, however stated that:

'... although a case can be made for the Commission as the institution which coordinates regional policies as required by Article 47, the parliament constitute "the boots on the ground" as they work on harmonisation of domestic policies and during sessions then evaluate the status of ratified community documents and countries that are holding back community progress by not ratifying are encouraged to nudge their respective countries to honour these obligations so that collectively the region makes progress' (Interview, June 2013).

⁶ Chapter four, pages 15-17, protocol document 1999

Second, the ECPF⁷ comprehensively gives meaning, interpretation and implementation modalities to the Mechanism as drawn from the tenets of the Protocol. Notwithstanding the Mechanism's 'good intentions' it is characterised as lacking a strategic focus, weak internal coordination, misdirecting and underutilising limited existing human and material resources amongst others⁸. This then adequately supports the claims for promoting the ECPF as 'a comprehensive operational prevention and peacebuilding strategy that enables the ECOWAS system and Member States to draw upon human and financial resources at the regional (including civil society and the private sector) and international levels in their efforts to creatively transform conflict(Aning, Birikorang et al. 2010).

Thus it is regarded as the effective guide for ensuring synergy and cohesion between the relevant ECOWAS departments on conflict prevention initiatives aimed at maximising outcomes. However, in no section is the parliament mentioned as one of those institutions that should be collaborated or consulted with on conflict prevention in particular. When this was pointed out to the PAPS Chair, he intimated that, the ECOWAS documents are amorphous, are now being implemented and most are dynamic and since it is about people, it keeps mutating and they adapt and adopt what works as they move along:

‘...the documents are like the bible; a person can always find arguments and counter arguments for activities outlined for sub-regional institutions. My defence is that, we are mainstreaming...’ (Alfred Kwame Agbesi, Interview, June 2013).

To this end, the parliament insists that, the true spirit and letter of what conflict prevention means in the region, is in itself indicative of the need for their role. Conflict prevention is conceptualised in the ECPF as 'non-violent (or creative) conflict transformation and encompasses activities designed to defuse tensions and prevent the outbreak, escalation, spread or recurrence of violence.

The distinguishing variables in terms of strategic approach is classifying 'measures applicable in the face of imminent crisis' as 'operational prevention' whilst 'measures ensuring crises do not arise in the first place, or if they do, they do not re-occur are deemed

⁷ Regulation MSC/REG.1.01/08

⁸ Section II, ECPF, 2008

‘structural prevention’. The elements of ‘operational prevention’ include early warning; mediation, conciliation, preventive disarmament and preventive deployment. ‘Structural prevention on the other has elements often enumerated under peacebuilding and comprises governance, political and development focus reforms, improved capacity, and advocating a culture of peace. Following, peacebuilding is in turn conceptualised to involve multi-actor approaches to ensuring long-term peace.

Thus, aiming to give meaning to Chapter IX of the Mechanism the approaches needed span ‘humanitarian assistance; restoration and reform of governance institutions (political, economic, socio-cultural and security); justice; rule of law; reconciliation and reintegration; and conflict-sensitive development (ECOWAS 2008:12-17).

5.2.2 Representation of the people

Membership

The selected delegations from the national parliaments are composed of a reflection of the political composition of the national parliament with both men and women to ensure a gender balance. The current legislature is graphically presented in Figure 5.3:

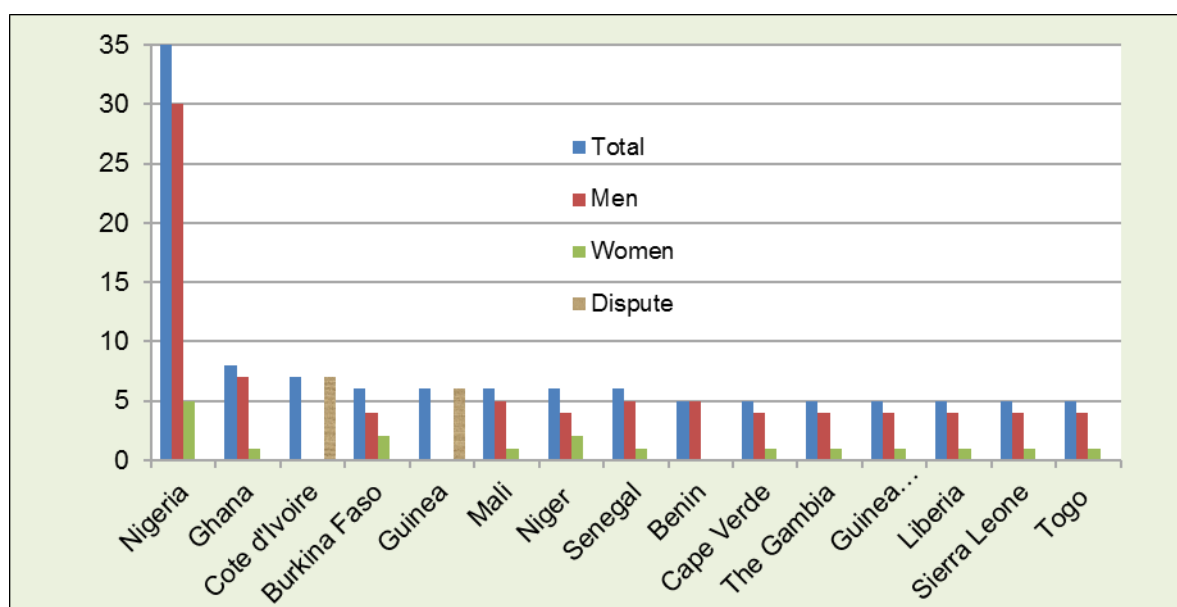


Figure 5.3 Membership distribution of EMPs (2011-2015)

Source: Compiled by author using data from attendance records at the ECOWAS-P

Article 5 of the Protocol establishes the composition of the parliament; parliamentarians are not directly elected, but are selected by the national parliaments of member states. Parliament consists of 115 seats. Each of the 15 Member States has at least five guaranteed seats with the remaining 40 shared on the basis of population. An overwhelming insistence on how inspirational the founding documents are, and most especially 'even from' the anthem for the sub-region was a preoccupation in the discussions with MPs. This elicited varied responses and in one instance, a parliamentarian actually asked 'do you know the ECOWAS Anthem? Can you sing it? I think you can see the vision from it better and realise that, we as MPs cannot sit on the fence and wait for amendments or follow texts strictly whilst the people we represent perish through conflicts'.

The texts so touted proudly are:

*Peace and unity and social justice everywhere,
Cultural integration and liberty we declare!
Women and youth, all shall maintain our future bright in health;*

Human and natural resources shall sustain our wealth.

West Africa our Region State:

Steadfast shall our union great!

It's no mystery,

We've made history

From the sea shores to the desert, through the Savannah:

Each and every land,

All will, hand in hand,

Ever progress happily in ECOWAS!

(ECOWAS Anthem Lyrics, 2nd Stanza)

Coincidentally, officials at both the Parliament and the Commission had the propensity to refer to founding documents as well as the anthem when reiterating the commitment of their respective institution's to effectively prevent conflict and other related issues. All maintained, this invokes their regional patriotic spirit and is the inspiration guiding their work, albeit ascribed by different reasons.

The remaining seats are shared in proportion to the population(UN 2014):

Country	Population	Number of Seats	Representation of citizens Population/per MP(approx.)
Nigeria	168,834,000	35	4,823.83
Ghana	25,366,000	8	3,170.75
Côte d'Ivoire	19,840,000	7	2,834.28
Burkina Faso	16,460,000	6	2,743.33
Guinea	11,451,000	6	1,908.50
Mali	14,854,000	6	2,475.66
Niger	17,157,000	6	2,859.50
Senegal	13,726,000	6	2,287.66
Benin	10,051,000	5	2,010.20
Cape Verde	494,000	5	98.80
The Gambia	1,791,000	5	3,582
Guinea-Bissau	1,664,000	5	3,328
Liberia	4,190,000	5	8,380
Sierra Leone	5,979,000	5	1,195.80
Togo	6,643,000	5	1,328.60
Total			
15		115	

Table 5.1: EMP representation per capita of citizen population

Sources: UN Population data, ECOWAS-P

For the EMPs, this strengthens their resolve as partners in conflict prevention and some legitimacy for initiatives undertaken whilst for officials at the Commission, it portrays that the documents are full of emotion and sentiments without adequately addressing specific institutions and what they should do, or even how it should be done. ECOWAS institutions provided for under the Revised Treaty are disadvantaged by this.

Elections

The founding document of the ECOWAS-P contains the viability of direct general elections for membership into the parliament. Much as this is laudable because compared with other regional parliaments in the region, it is the only one with such a forward-looking approach, it has yet to undertake this venture. Thus it continues to hold 'indirect elections' by national parliaments with these particular criteria as a guide:

The EMPs and the secretariat discuss the advantages of this formula whilst agreeing that these are just pragmatic ways of going around the challenges as universal suffrage will itself be a trigger for conflict in West Africa.

These include, zoning, resources, credibility, and perception of citizenry in the sub-region. In addition, they claim that these then ensure that the cost is kept low as indirect elections do not cost more, but then the other argument is what implications these have for legitimacy, credibility and the democratic deficit.

Preferably, it should be by universal suffrage, as it will enhance democratic participation, legitimacy, credibility and a greater awareness of making the parliament popular, even if they cannot afford the financial implications. Thus the MPs continue to be nominated, appointed and elected from the ranks of their national parliaments. This issue plagues most regional parliaments as discussed by Erthal and Albarracín (2009) in the case of the Andean Parliament.

On the question of whether this does not impinge on their legitimacy, they respond that, the above scenario will be complicated if they had to let MPs already elected at the national level stand for the regional level elections, whilst other complications are inherent with letting non-MPs and just other citizens stand as well.

Also, if MPs are excluded from candidacy, it might broaden the space for political participation and enable them to focus more on governance and democratic progress in the

region. But if this is bound to be a subject of a lack of relationship between the regional and national parliaments, it will make it more tedious to consolidate gains for parliamentary development in a region with nascent and evolving parliamentary development. This disconnect might push an integration agenda at the expense of parliamentary development.

Appropriately, as the representatives of the citizenry, their role for conflict prevention is even more effective in times of transitional leadership because they become the concrete vehicle for popular participation and a platform for discussions.

Although their members are not elected, they represent all the socio-economic entities of a nation and can contribute to the establishment of consensual constitutional, organic and electoral laws; the setting up of political institutions to manage and monitor the transition process such as independent electoral commissions or crisis management committees; the implementation of national reconciliation mechanisms and promotion of national unity and social dialogue which all pave the way to peaceful and stable transitional societies.

5.2.3 Implementation *sans* Parliament

ECOWAS-P does have areas it is competent to work in yet it is not equipped with the necessary powers to carry these out. It cannot enforce and implement decisions taken, nor mandate compliance by regional executives or member states. Thus the parliament cannot impose sanctions on member states. Even though, there also exist a Court of Justice, this deficit is complicated by the lack of seeming cooperation at a practical level between the two institutions under ECOWAS on the issue of reviewing undertakings according to the basic tenets and laws of the region. If any at all, it is at the level of the executive.

As a legislative body, parliament evaluates the implementation of laws that it has enacted. This is usually accomplished as parliament deliberates legislative proposals, but it can also be done through the non-legislative activities of committees, and at the regional level it is these non-legislative streams it can utilise as it does not yet *enact laws* guiding the sub-region.

In practical terms, the ability of parliamentary committees to demand the attendance of members of the executive branch is a key condition of effective fulfilment of their oversight role. If a committee member deems the presence of ministers necessary, he/she expresses

that opinion to the committee chair and the committee chair passes the request to the minister concerned. The ministers so requested will either appear in person or dispatch a representative, unless they have good reason to refuse. In some instances, committees make informal requests to the responsible executive officials to appear before particular committees, and brief them on salient issues.

At other times, a committee's exchanges with corresponding executive official, or indeed officials of other regional organs do take place in informal settings which the MPs refer to as 'Courtesy calls' or 'Consultations'. These names indicate the lack of an 'official report' as for example verbatim reports of the meetings, but the associated committee clerks make summaries reflecting the record of proceedings from such meetings.

Parliamentary Committees

(Inquiry, Delocalised Meetings, Ad hoc, Select/Standing)

Committees are universally found in parliaments across the world. A parliamentary committee is a group of parliamentarians appointed by one chamber (or both chambers, in the case of joint committees in a bicameral parliament) to undertake certain specified tasks. Committees offer a setting, which facilitates detailed scrutiny of draft legislation, oversight of government activities and interaction with the public and external actors. A significant part of parliamentary work is now conducted in committees rather than in the parent chamber (Norton 1990:249-265).

Increasingly, attention is being focused on the roles of parliamentary committees, and notably their oversight role, whereas formerly discussion tended to focus on the legislative output of committees. While committee systems are found extensively across the parliaments of the world, they are not all the same.

Some parliaments have standing committees, which are involved in both law making and oversight; others do not. The powers of parliamentary committees also differ and some make more use of ad hoc committees of inquiry.

In many parliaments, permanent committees oversee the programmes of the corresponding government departments, including from the budget and gender perspectives; whilst committees of inquiry can be established to examine the positive and negative aspects of particular policies and to pursue the responsibility of the officials in charge. Four out of the thirteen parliamentary standing committees are mandated with addressing ECOWAS social

policy, including human rights and the free movement of persons, social affairs, employment, and women's and children's rights.

Specifically, the Committee on Political Affairs, Peace and Security (PAPS) is the main convenor of security issues in the region and embarks upon activities during recess called delocalised meetings. They engage in parliamentary diplomacy to promote peace and democratic principles and feed reports into the Committee report.

During the May 2013 Session, officials from the ECOWAS Commission presented reports on the security situation in the region including special cases as for instance, the reports and findings from specific missions to Mali⁹ and Niger. Against the background of no explicit mandate on conflict prevention, this is significant as it demonstrates the parliament's initiative to work proactively in maintaining peace and stability.

Committees are also an entry point for citizens' involvement in parliamentary business. Experts can be heard in or become advisers to parliamentary committees. Committees can invite interested parties to hearings or invite of the public to give evidence. Public hearings held by parliamentary committees have the potential to be a vehicle for informing the public on policy issues and the parliament's work on those issues.

At the ECOWAS-P, the Plenary as a parent chamber is also referred to as the '**Committee of the Whole**'. It either refers matters to committees on particular pending or new challenges confronting the sub-region, or empowers select committees to select specific issues to examine. Not all committees play an oversight role. The main distinction is between permanent committees (also known as standing committees) and ad hoc committees that are set up to address a specific question on a time-limited basis.

Initiative for the establishment of a Committee of Inquiry

In most cases, a motion to establish a committee of inquiry is either decided by a majority in the plenary and not according to how many signatures are collected or; referred to one of the existing committees whose jurisdiction covers the issue. The committee then examines the proposal and reports back to the plenary, and the plenary decides on the establishment of the committee of enquiry on the basis of that report.

⁹ Report of the Parliamentary Ad Hoc Committee in the crisis in Mali and Guinea-Bissau, Confidential Report, May 2013, First Ordinary Session, Abuja, 6-21 May 2013

In West Africa, national parliaments have established procedures for setting up committees of inquiries and these in more ways than one have been subsumed into the regional process. Thus, these may be established in the form of either permanent or ad hoc committees and a parliamentary inquiry is the reflection of the parliament's mandate in overseeing the executive organs.

Committees of inquiry may conduct fairly intensive investigations over a relatively short period of time, and have the potential to reveal facts that may be unbearable for security governance of the region. Unlike permanent committees, ad hoc committees of inquiry usually establishes a fixed duration of the committee.

Parliamentary inquiries

When the committee of inquiry is then set up, its jurisdiction generally mirrors the main development threshold issues confronting the region and covers the whole of an area or aspect of policies. Correspondingly, specific problems are then investigated in the realms of security, gender, education, and climate change just to mention but few.

The procedures to set up committees of inquiry are straight forward; as these can be either functioning permanent committees just given an added mandate covering a specific period to hold investigative powers or; or ad hoc committees that are specially created to conduct parliamentary inquiries for a limited period and then disband as per their terms of reference.

A committee of inquiry can be smaller than ordinary committees, although the principle of equitable representation of parliamentary political groups is maintained, usually a 'Terms of Reference'.

Ad hoc committees of inquiry

Ad hoc committees are usually established following members' motions. As an exception though, a main standing committee has the power to move for the setting up of a committee of inquiry, or the Bureau can also issue this kind of directive. Additionally, the Commission can move a request recommending an issue to the parliament to investigate through a committee of enquiry (but this is yet to happen).

Ad hoc committees' mandates are limited to matters specified in the terms of reference of the plenary's resolution, and can be focused on one salient issue with the nature of the inquiry being specifically tied to resolution.

Committee reports

When a committee finishes deliberations on referred issues, it produces a report summarising the study or investigation and expresses its conclusions. Reports of the parliamentary committees then become the primary vehicle for formulating resolutions and recommendations to the Authority and other regional organs.

Generally, a simple majority of members is required to approve a committee report and then one can usually hear echoes of MPs in choruses of *adopté* (French for adopted) when prompted by the Chairs of their respective committees making the rounds in committee meetings as well as plenary.

When such a report is submitted to the parent chamber (the Plenary), it forms the basis of discussion and debates in the plenary and becomes the basis of future activities of the committee/parliament on the same issue or related issues.

Similarly, these reports get passed into resolutions, recommendations and decisions to be forwarded to the Commission, or to be consulted by other parliamentary committees and parliamentarians who are not members of that specific committee. These committees' study (in the case of a mission report) reports can also be to national governments and the community citizens as information on the committee's work and to promote and provoke action.

Oversight and accountability

There can be no democratic system of governance without transparency and accountability as a primary responsibility by parliament. Ideally, through its core oversight function, parliament holds the government to account on behalf of the people, ensuring that government policy and action are both efficient and commensurate with the needs of the public. Parliamentary oversight is also crucial in checking excesses on the part of the government.

Nowadays, parliamentary oversight extends to every field of endeavour. The security sector and by extension conflict prevention, for instance, is no longer a taboo area for parliament. Governance, both nationally and international decision-making, can only stand to gain from its growing prominence and scope.

As the body that represents the people, parliament is called upon to see to it that the administration of public policy reflects and meets the people's needs. Parliament is also called upon to ensure that agreed policy is properly implemented and delivered to target citizens; in short, this is the role of parliamentary oversight.

However, as the regional level is different from national levels, it will not be viable to guide its role by the traditional definition of oversight generally understood in the context of legislatures. The working definition of parliamentary oversight employed here is '*the review, monitoring and supervision of implementation of policy and legislation*'. This definition focuses on the purpose and nature of the oversight activities and also the procedural stages in which they take place. It covers the work of parliamentary committees and plenary sittings, motions, delocalised meetings and Ad hoc committees.

From this definition, the key functions of parliamentary oversight on conflict prevention can be summarised as '*to detect and prevent conflict; arbitrary behaviour, or illegal and unconstitutional conduct on the part of the regional, national governments and institutions; public agencies and civil society*'.

At the core of this function is the protection of the rights and liberties of citizens; to hold the governments to account in respect of how the regional purse is utilised. It detects waste within the machinery of governance and public agencies. Thus it can improve the efficiency, economy and effectiveness of government operations.

Oversight of the programmes of the regional bodies should include the assessment of the effectiveness of service delivery especially when this depends on the contribution of citizens, committees' activities at the national levels can help enhance people's awareness about the role of the parliament and contribute to better policy delivery. But, it is only when missions are organised, or delocalised meetings are undertaken that EMPs and citizens can have *unfettered* access to each other. There is an emphasis on unfettered because, it was clear from the bureaucratic security hurdles one has to go through during the Session that, this will be albeit rather *restricted*, and also depends on the country being visited. But EMPs argue that, during these meetings they are able to interact informally with citizens and this helps raise awareness about their role and work to communities, and they also gain knowledge of local challenges in communities. As to it being different countries, a member of the Education and Gender Committee retorted 'everywhere you go in West Africa, the

conflict challenges are similar, so listening to people in Burkina Faso can mirror the challenges of those in Senegal, for instance’.

However, while executive ministerial statements and periodic reports are an essential source of information, the parliamentary committees often need to obtain first-hand knowledge from people who are engaged in the implementation of specific programmes and/or directly responsible for service delivery.

Moreover, in order to evaluate the work of the parliament from a broader perspective, as for instance experts from outside offices of the regional grouping like TUCs, CSOs, NGOs, Donor community amongst others to provide background knowledge and analysis. When EMPs are in the field on missions, they can sometimes even meet with victims wanting to hear the opinions of those who are either positively or negatively affected by an issue or crisis.

Citizens’ involvement in committee procedures such as public hearings and public forums can also help parliamentary committees to obtain valuable information. Opening plenaries to the public is a good opportunity for parliament as a whole to inform people about its work.

At the regional level however, the citizen is in a sense ‘twice removed’ from the opportunity to access EMPs and make input into democratic processes through citizen participation.

a) Investigative powers

The ECOWAS-P in a practical sense has no explicit oversight role to set up investigation committees or missions of inquiry, hold the executive to account, nor be consulted actively during conflict prevention intervention initiatives.

However, in principle, the parliament can *invite* officials from the Commission and ECOWAS institution to address the plenary sessions and pose parliamentary questions to them. Additionally, officials on particular policy areas like the peace and security department can be invited to table mission reports and give a status of conflict for the sub-region, or to produce documents. It can also request the President of the Commission, or its officials to attend plenaries or attend sessions or produce documents on specific issues. There have even been times when a Head of State opened the Ordinary Sessions in Abuja, Nigeria.

b) Budget Oversight

Budgetary oversight is not a core function of any of the committees, though programmes entail a budget for their execution. Issues of the budget are provided for in an accounting department and most decisions relegated to an administrator complete with a Director of Administration and Finance popularly called 'DAF' who then collaborates with the Bureau on financial obligations.

There is also no budget law authorized by parliament or documents annexed to this law to confirm how much money is allocated to each of the policy goals which are to be achieved by one or more regional programmes.

Budgetary oversight is a key tool with which the parliament could scrutinise and assess related regional programmes. Whilst committee scrutiny is usually based on the budget law and the statement of accounts with the scope of inquiries going further into the question of the appropriateness of a policy implementation. These are areas where there is a missed opportunity for improving effectiveness as the parliament is not in the scheme of governing regional financial obligations.

At the regional parliament, no particular committee is designated for implementation of budgets because the budget process and allocations are undertaken at the Commission, by the Council of Ministers including finance directors.

Traditionally, some parliamentary committees are mandated with scrutinising the implementation of budgets across government departments, and most cases, these are permanent committees.

At the national level, parliaments view their ability to provide the checks and balances on the executive's revenue accumulation, expenditure and allocating funding for development as a *sine qua non*. But this is not so at the ECOWAS level. The parliament does not have the mandate to scrutinise nor make recommendations on the community budget, the Commission's annual budget or even review the audited accounts.

The budget core to the activities of the parliament is a component of the total budget for the region. Thus apart from the fact that the parliament does not have the mandate to input into the community budget, its own budget is also given out of the total, making it a dicey process of even inputting into their own budget.

However EMPs argue that, they have found a way around this by insisting on controlling their own budget as a minimum. Therefore, administering this sub-budgetary category indirectly makes them highly dependent on regional executives and to an extent national executives.

This potentially arbitrarily threatens the existence of the parliament and affects its effectiveness. Though the funding is raised from member states contributions, sometimes the member states are in arrears and this then jeopardises the self-reliance strategy as it halts progress in activities, and does not necessarily provide it with a greater deal of autonomy.

It is also not entitled to draw up or revise budgets, thus in September 2002 called this into question by issuing a resolution to make consultation on the budget obligatory to the Commission. This is also contained in the Draft Supplementary Act on the Enhancement of powers.

EMPs during interactions confidently indicated how easy it was to adopt resolutions and pass on to the executive arm for action, however there exists procedures on how to refer issues to the parliament, as well as communication, timeframes for consultations and how decisions are implemented.

5.2.4 Rules of Procedures

To perform these functions, parliaments use various tools. Some of these are stipulated in the text of their founding documents, but more commonly they are part of the rules that govern the parliamentary procedures (often called Standing Orders).

However, in this research the term 'rules of procedure' will be used in line with how the parliament itself guides its work and more so because these are different and the former is much more accurate in a national setting. As well, empirically, the latter is more representative of the kind of oversight undertaken by the regional parliament.

Thus Parliament can simply ask the Executive organ for information; ask for clarification of policy; obtain information from outside sources; express its views on particular issues to the Executive organ, as well as to national parliaments and citizenry. However, as this is not a

typical parliament it cannot remove any office holders in the executive branch even if it seems the latter is no longer performing its proper function.

Article 2 of Decision A/DEC.6/01/06 Relating to the Modalities for the Effective Implementation deals specifically with the 'procedure for referral to the Community parliament'. It reiterates that, in accordance with the protocol, where the parliament deems it necessary to consider community issues then it must follow these procedures.

The recommended regulations on decisions made are to be forwarded to the executive commission, including the report of the specific Committee that deliberated on the matter¹⁰. The Executive Secretariat then consults the institutions or member states concerned on the proposal(s) and submit them including the parliamentary committee report to a technical commission. These are then communicated as proposed amendments advanced by the technical commission, and then the parliament communicates back to the executive secretariat their observations on the Amendments¹¹.

Also crucial is the end result of all these procedures and consultations that establishes the effectiveness or otherwise of the impact the parliament makes. Emphatically, Article 2(1e) states that, 'on the basis of the observations by the Parliament, the Institutions and Organs concerned and the Executive Secretariat shall, where they deem it necessary, amend the proposal before submitting it for adoption. They shall inform the Parliament if necessary. In all cases, the Executive Secretariat shall inform the Community Parliament of the proposal submitted for adoption'.

However, 'where the Institutions and Organs choose to consult the Parliament for its opinion or in cases where the Parliament must be consulted for its opinion' there are outlined procedures for the institutions and organs to employ¹². Almost a mimic in reverse order of the earlier procedure outlined above, here, the institutions and organs prepare the recommendations, regulations or decisions submit to the appropriate authorities that in turn pass this to specific technical commissions for consideration¹³.

¹⁰ (Article 2(1a).

¹¹ (Article 2(1a-d P.33)

¹² (Article 2:2)

¹³ (Article 2:2a-b)

Even though the Parliament is neither the *de facto* nor *de jure* decision-making institution of the community, it has opportunity to make decisions through some of its bodies. Article 16 explicitly establishes the political wings of the parliament, The Plenary, Bureau of Parliament and the Conference of Bureaux as the structures through which the parliament can make decisions.

The Plenary, guided and governed by treaty provisions and other community institutions is the highest body of the parliament and makes binding decisions for the parliament. Additionally, it forwards all adopted resolutions to the decision-making bodies of the Community in the capacity of its advisory role¹⁴.

Then the Bureau which is the governing body comprising the leadership works with other officials to determine the agenda of all programmes including fact-finding, study tours, meetings, hearings as well as composition of committees amongst others¹⁵.

The Conference of Committees' Bureaux collectively represents the committees and works with the Bureau in preparing agenda for all programmes; including work plans of Standing Committees, collaborations with national and other regional parliaments¹⁶.

5.2.5 Activities and Processes

a) Sessions

The plenary is the key chamber and forum for oversight of the other ECOWAS organs and it has a wide range of tools it can employ. The plenary can 'listen' to officials of the executive organs address parliament at the opening and discuss the whole package of regional progress and status of conflict as well as policy impact and implementation. Regular and effective use of the classic tools such as parliamentary questions and debates should be able to hold the organs to account but this is not the prevailing situation at the parliament.

¹⁴ (Article 16:3, P.24)

¹⁵ (Article 16:4-8, P.25)

¹⁶ (Article 16:9-10. P. 26-27).

The plenary enables the dissemination of information and the ensuing debates and discussions can serve this purpose perfectly, especially if the sitting is broadcast or the minutes are made public.

As parliamentary oversight is activated in the parliament devoid of political parties but with other dynamics it is therefore normal for the rules of procedure to allow EMPs to initiate the use of the different procedural tools, such as parliamentary questions and short debates.

These tools may be criticised as inefficient, but it is prudent to reflect on the manner in which they are utilised rather than the tools themselves. While some questions may focus on narrow country level interests, they also represent an opportunity to raise issues of regional interest. Thus information obtained becomes available to all parliamentarians, and can lead to the performance of the parliaments on regional security issues.

b) Country reports

Article 26 of the Rules of Procedure spells out the nature of relations with 'National Parliaments'. Under these terms, the regional and national parliaments should exchange information on a regular basis, with the EMPs serving as the main channel for information exchange. At the end of each parliamentary session, each EMP has the responsibility of informing their national parliament and constituents on the activities of the ECOWAS-P.

To give a compulsory character to the exchange of information, Parliament adopted the principle requiring each national delegation of EMPs to present a report on the situation in their country containing information on all major issues of interest including: Status of ratification of protocols and conventions; Level of payment of contributions to community institutions; Status of application of community levy; Security situation; Elections and any other matters the country puts forward.

The reporting format is attuned to how the ECPF can help identify/track issues of early warning and how the ECOWAS-P can help resolve these. The matters arising are referred to the appropriate Committee after deliberations in the plenary.

After the committee sittings the report is adopted, with resolutions and recommendations to rationalise the decisions undertaken either directly by the Parliament or referred/deferred to the Commission and other ECOWAS organs for action.

c) Debates

At the formal opening of the Sessions, there are usually official speeches made including a vital one by the President of the Commission and these are followed by debates on the addresses, and the matters arising are incorporated into a finalised agenda.

EMPs formulate questions and engage in debates emanating from the submissions especially if it is in relation to their countries, where conflict challenges in the sub-region are also tackled. These discussions often receive intensive media coverage and participation by CSOs and members of the diplomatic corps as guests and observers. They can discuss issues informally during the breaks and scheduled meetings, and give focus for EMPs to articulate strategies to ensure peace. These spaces and discussion are a valuable opportunity for parliamentarians and representatives of institutions to examine the regional policy and share ideas on clarifications and emphasis needed on positions of broad security policy areas and contrast these policies with the implementation of national efforts.

Generally, the debates are oral exchanges of opinions and help facilitate the plenary's collective decision-making on specific issues. These can be in relation to the opening speeches, or in the drawn agenda reflecting the different stages of how the Session is scheduled and how the *examination of draft legislation* is undertaken. Here, the schedule of resolutions, recommendations and decisions are made.

Additionally, these target and address issues put forward by parliamentarians themselves, and also within the focus of the work from committees. Rules on debates are akin to national level floor debates and enable EMPs express their varied opinions and at the same time, ensure collective and individual highlights on particular issues of concern.

In the parliaments, committees have the right to launch a debate based on a report, although in most cases reports can only be debated when the body in charge of the chamber's agenda so decides, or during regular debating periods.

Taking committee reports to debate in the plenary can be valuable from the committee's viewpoint; when a committee report is adopted by the full chamber it then represents the will of parliament as a whole and as such becomes politically more persuasive. Moreover, debate in the plenary gives publicity to the committee's activities and allow issues to be aired in a context of focused deliberation. The content of the reports enables informed

discussion, giving the parliament an opportunity to agree on crucial conflict prevention decisions.

5.3 Informal functions

In the ECOWAS-P, for the issues bordering on conflict prevention that it does not have a mandate or explicit rights, it still pursues numerous practical activities that promote democracy, good governance and integration and above all those that impact directly on conflict prevention.

In this regard, the parliament deems itself a capacity building forum for 'new' parliamentarians as they are offered the opportunity to undertake parliamentary diplomatic missions, election observation, mediation and negotiation missions and establishes gender standard platforms and help set an active regional agenda for parliaments in the member states.

For instance, the Speaker has led delegations of EMPs and other stakeholders in undertaking and conducting consultative peace missions in conflict areas, and in election observation and monitoring.

5.3.1 Relationship with the Commission

Functionally, the perspective is to de facto monitor the activities of the Commission but this role is not a formalised relationship as such the parliament has very little powers to hold the executive accountable, if any at all.

Officials of the Commission act as gatekeepers of decisions emanating from the Authority as well as the Council of Ministers, and between the legislature and Commission. Reflectively it is agreed that, their relationship with the decision makers is not clear, and one even referred to it as 'fuzzy' because, EMPs feel they should be the decision makers, whilst the defacto institution feel the EMPs are trying to take away their jobs and erode their powers. Additionally, they also lack appropriate powers to help them provide effective checks and balances on regional organs.

Similarly, their relationship with the de facto decision-making organs, the Authority and Council of Ministers is also not formalised. The lack of clearly defined guidelines makes the parliament overly dependent on the executive organs which directly hinder effective parliamentary work and how they perform. This thus makes the rights and privileges they possess insufficient to effect accountability.

Prominently, this is visible in the area of passing legislation. The Council of Ministers and Authority during Summits, possess legislative functions, in addition to executive powers. At Summits, protocols and treaties endorsed by these two bodies are passed into international law, and are thus exclusive legislative functions keeping out the parliament thereby effectively undermining a separation of powers.

This limitation of powers is also characteristic of the national parliamentary trends where very strong executives dominate governance, and how they gravitate towards political integration. The reflections clearly demonstrate that most of these organisations of integration remain at best mainly primarily inter-governmental rather than supranational, though they tend to advocate the latter.

At another end of the spectrum, is the reluctance of national governments to give up national sovereignty rights to regional level, whether it is to the Commission or the parliament. Thus for most, integration is just an institutionalised form of inter-governmental cooperation, hardly compatible with the idea of strong independent parliaments.

5.3.2 Parliamentary Delegation and Missions

Discussions elicited various responses about different tools and mechanisms at the disposal of parliaments to carry out their mediation role. These include promoting dialogue, negotiations through plenary debates, reconciliation commissions, committee work and cooperation with national parliaments and helping with cross-party caucuses' stand-offs in parliaments.

Parliament can also establish different kinds of missions to gather information on conflict prevention issues. Missions of this kind can be established in a permanent committee or set up directly by the plenary. In both cases, missions are expected to work to meet the needs of the plenary/committee as a whole. Information missions of parliament can be

dispatched outside the country. Among such missions are delegations to international meetings and inter-parliamentary bodies.

i) Arbitration/ Fact-finding/ Mediation/Negotiation

When it comes to mediation, the EMPs identified multiple areas where they can/do play an active role in conflict prevention which includes; electoral disputes; post-conflict/peacebuilding initiatives; chieftaincy disputes; land and border disputes, and gender based violence. All the EMPs insist on mediation as the best strategy they have for conflict prevention because, through all the processes in-House, it is at the heart of the work done in parliament through debating, discussing and building consensus, thus a more formalised role, capacity building and enhancing parliamentary mediation should be a priority for all incoming EMPs and existing members.

The tools and mechanisms at the disposal of parliament to carry this out include; providing a venue for dialogue between various belligerent groups; promoting interactions and negotiations through plenary debates, forums, reconciliation commissions, through representational and oversight functions as well as aptitude to interface between governments and civil society.

The parliament however has no specific mandate on mediation as there is no formal support mechanism in place. That being said, at each Ordinary Session of Parliament, Country Reports are presented providing an opportunity for the plenary to assess events, political situation, and security issues in individual countries. The Activity Report of the President of the ECOWAS Commission also provides additional information to Members on issues around the sub-region.

The ECOWAS-P's leeway is impeded by a number of constraints (no direct elections, no legislative power, lack of administrative and financial autonomy vis-à-vis the Commission in particular, high turnover of EMPs).

In order to surpass these obstacles, there is need to enforce the Parliament institutionally and enhance its co-decision and law-making powers as a full, functional and effective regional Parliament through capacity building and provision of resources.

A cross section of EMPs indicated what they considered as key steps to follow in order to promote mediation as presented in Table 5.2.

Strengthen first response intervention and monitoring in emerging crisis situations
Enhance liaison with national parliaments / foster effective collaboration especially in information sharing and provision of the necessary expertise to compliment and support the efforts of national parliaments (perhaps by installing liaison offices as focal/coordination points)
Increase the autonomy of the ECOWAS Parliament so that it can further focus on political/peace/security issues and meditation/dialogue activities
Strengthen its capacities to sanction recalcitrant Member States for non-compliance with protocols and conventions. In this respect, the working group pointed out the worth of looking into the functioning of the model of the Regional Parliament in East Africa and the advantages of having joint sessions with the African Union
Make Members of Parliament permanently elected with a definite tenure

Table 5.2 Key Steps to promote Mediation for EMPs

Source: Compiled by author using data from interviews

Therefore EMPs have carved out niche roles in negotiations and work on how to get involved in decisions which shape outcomes. At this rate, they are seeking to establish their role individually, parliamentary/legislatively and institutionally.

The next step is to work towards how the international community will involve them directly on issues of conflict prevention in the sub-region. This they insist, will guarantee their impact on prevention of conflict in settlements enhancing the long-term functioning of parliament. As a parliament these will help in making decisions on sequencing of transitional processes and how these impact on prevention initiatives.

ii) Relationship with Civil Society

Through these strategies EMPs will be able to interface with governments and CSOs in the member states. This is crucial because, EMPs recognise the undeniable role played by CSOs as 'democracy supporting institutions' in terms of assistance, facilitation and complementarity. Yet, EMPs allege that the role of parliaments is being eclipsed, overlooked and minimised by the proliferation of CSOs and many donors choosing to support CSOs rather than strengthen the parliamentary institution directly, which in many aspects is very frustrating in their bid to consolidate gains.

For EMPs, much as the CSOs question the legitimacy of the parliament, they in turn also question the legitimacy especially of particular CSOs who are overtly affiliated to political parties. To circumvent this issue, the best way forward they said when questioned on viable solutions and options is to work on a code of conduct or engagement with CSOs importantly to better organize, define, and regulate the relation and division of work between the parliament and CSOs. This by extension could even be adopted or adapted to by national parliaments.

In response to CSOs, the notion promoted by the Second Deputy Speaker, was that:

'...they are a double-edged sword, you cannot do without them, and you cannot do with them. But more importantly, it is better to organise, define, and put in a regulating relationship between the parliament and CSOs in conflict prevention, especially mediation...' (Simon Osei-Mensah, First Deputy Speaker, ECOWAS-P, Interview, May 2013, Abuja)

He also maintained that working with CSOs has its advantages especially:

'...when we go into countries, they know the local content issues and possess knowledge to help bring a different focus of approaching the mediation. Undoubtedly, they represent national society and therefore provide substantial assistance, facilitation and complementarity' (Interview, May 2013).

Furthermore, the relevance and legitimacy of the regional parliaments was more critical especially when sometimes in conflict situations, the transitional organs in terms of crisis prevention and recovery sometimes compound prevention efforts. This is because,

sometimes even the CSOs and national parliaments though diverse, imbibe local social identities, which if not well managed to be used positively, can rather end up contributing to escalation instead of prevention.

iii) Parliamentary delegations to intergovernmental meetings

Information gathering missions established by the Plenary can, if necessary, carry out research and investigations in the sub-region. These may include parliamentary delegations sent to intergovernmental and inter-parliamentary meetings such as EALA, EU Parliament or IPU meetings, and also the United Nations General Assembly meetings, and others on issues of collective global concern like climate change, women, children and small arms and weapons. These networking events afford parliamentarians the opportunity to monitor trends in policy directions and develop expertise and individual capacity in those areas.

Pertinent to the participation is the support of the regional parliament with respect to logistics for travel and the formal power to 'speak' on behalf of the parliament and be a 'representative'. This is because the parliament can decide whether or not to send its own delegation to intergovernmental meetings. The emanating reports submitted by these parliamentary delegations to intergovernmental meetings provide a basis for common oversight tools to be used, including debates in the plenary and at the committee level.

iv) Agenda setting

First, a committee's TORs is usually drawn up after extensive debates over issues including, but not precluded to, how they will trace process to outcome; personnel best placed to steer the implementation; which activities to undertake/have been undertaken; how did these happen and what strategies and resources were/are employed.

Issues: Prevention/Resolution

- ✓ Parliamentary engagement in conflict resolution:
 - Is parliament involved?
 - Is such involvement individualized or institutionalised?
 - Do external actors engage parliaments in their efforts?
- ✓ Regional or international parliamentary associations' role in conflict prevention/resolution

- ✓ Parliaments law-making and budget oversight functions as a means to address causes of social tension or socio-economic exclusion
- ✓ Parliamentary tools of public hearings, investigations, etc. to address matters of national concern
- ✓ Parliamentarians and political parties as messengers of peace and resolution – to what extent are they engaged?
- ✓ Electoral, political, and constitutional reforms – what is parliament's role?

The leadership/Bureau determines the order of business on the agenda for the duration of the session. It is then presented to the House on the opening day for input and changes if need be, as well, it is also adjusted as they go along. There is also a standing guide for how the agenda should be drawn up but it is the variables under each heading which can be varied at each Session.

5.3.3 The ECOWAS Female Parliamentarians Association (ECOFEPA)

Female EMPs as tools conflict prevention is another opportunity to further engage on gender equality and gender-based violence issues in the region. This is because, as the EMPs indicated, women in the African traditional setting are regarded as 'nurturers, peacebuilders and natural born mediators' which are skills innate to them. Thus, in most cases, delegations have had to accord a number to women because communities might not even grant them entry if an all-male delegation suddenly surfaces.

These will be very relevant in the areas of research on post-conflict, and during conflict challenges that face women and what kind of policies can be implemented to help alleviate the situation. As well, there has always been this overriding perception in Africa about the 'inherent nurturing ability of women' to being about conflict prevention in feuding parties and it will be particularly strategic if ECOFEPA could support research into such assertions and use the learning in the sub-region.

Currently, the priorities of the ECOWAS Parliaments have been developed into a strategic plan for the third parliament (2011 -2015), which was submitted and adopted by the members of the Parliament at the beginning of their tenure in 2011.

There was tacit agreements and explicit notions of a direct correlation between the role of women and conflict prevention. The indications were that, in Africa, women possess 'natural conflict prevention' skills thus the percentage of women represented in parliament and the efficiency of parliamentary mechanisms for mediation and dialogue is very important. That even if they are not a lot, their representation on missions is more 'credible' when women are part of the committees set up.

5.3.4 Relationship with National Parliaments

There are multiple areas where the regional parliament has worked with the national parliaments in effective conflict prevention by adopting conflict-sensitive laws and providing a venue for dialogue and negotiations between various belligerent groups. Thus, apart from the fact that there are areas of effective collaboration, there also exist tools/strategies employed to undertake these. The discussions around these yield the following as areas of collaboration as presented in Table 5.3:

Electoral disputes and reforms
Post-conflict/Peacebuilding initiatives, i.e. Reconciliation Commissions, Special Courts, and Tribunals
Chieftaincy disputes; Cultural norms and customs
Energy security issues (oil, gas, solar, water, climate)
Land reforms
Border disputes
Compliance to international treaties and conventions
Political development
Constitutional reform/guiding to referendum

Table 5.3 Areas of collaboration with National Parliaments

Source: Compiled by author using data from interviews and focus groups

There are different opportunities, tools and mechanisms at the disposal of parliaments to carry out their mediation role in terms of promoting dialogue, interactions, and negotiations including; Eminent Persons; Women; Committee work; Cross party caucuses; plenary debates; National/International initiatives and processes, MDGs, PRSPs; Oversight role; Reconciliation commissions and Constituency/field visits; interaction/communication with constituents.

To illustrate, it came to the fore that, the ECOWAS-P collaborated with the Parliament of Côte d'Ivoire in three critical ways; first, emanating from the laws adopted in the ECOWAS Convention on Small Arms and Light Weapons in 2008, a national Committee against the proliferation of small arms and light weapons was set up to help monitor and alleviate the situation as well as a law on rural land, which was also adopted in 2004 to deal with armed violence generated by rural land disputes as per challenges posed by these traditional hunters, blacksmiths and other remnants.

Second, support with the work of parliamentary fact-finding missions and committees of inquiry on armed violence which included the following:

- i) Committee of inquiry on the events of March 25 and 26, 2004
- ii) ii) Committee of inquiry on the events of November 2004(held in Hotel Ivoire)
- iii) Committee of inquiry on racketeering in 2003 and 2006
- iv) Committee of inquiry on armed violence between indigenous populations in Daloa in 2002.

Third, there were the parliamentary information and briefing sessions held to discuss the range of challenges, share ideas and agree on strategies and stakeholders appropriately placed to and tackle the causes and issues related to armed violence, increase availability of database, statistics, and rates, amongst others.

Currently, as a result of all these consultations, recommendations taken on the back of these are being implemented at the national level with input from the ECOWAS-P. These include laws adopted to restrict the production and carrying of weapons; increasing the police force and policing to deter criminals /reduce crime in neighbourhoods, communities and at the border; laws adopted to strict and impose sanctions on illegally possessed weapons; developing viable partnerships between police and communities to collectively address violence and eradicate the phenomenon of organized crime/racketeering; job

creation opportunities for better youth employment; undertaking measures aimed at identifying and tracing arms and curbing the culture of violence from spreading.

5.4 Effectiveness in context-Respondents Perspective(s)

‘For every member of a given political community, that is, in any collective where people participate in decisions, some kind of story is told about the role of actors and of collective action in shaping how important things get done’ (Considine, 2005: 10).

The reasons why effectiveness was an imperative were highlighted in the same realm as reasons why the broader ECOWAS integration agenda was imperative. There is an overriding belief in the strength of similar regulations under ECOWAS being the panacea to improving cooperation and enhancing development of their national economies across all sectors (UNECA 2007).

Interviewees reiterated that some member states had small economies and had been ravaged by conflicts to the extent that in their recovery efforts they cannot afford existing without the maximum support of ECOWAS as can be seen in Liberia, and Sierra Leone. Thus cooperating on conflict prevention had enabled responsibility sharing but also enhanced effectiveness because of access to resources and knowledge. Similarly, some EMPs opined that, in view of the geographical characteristics among some member states it is feasible for measures in one country to be replicated or applied to another and this enhances technology transfer and cuts out wastage.

‘Intently, effectiveness in conflict prevention at the regional level is also about getting the best systems from the member states as well as all collaborators and partners. It is a team effort and at the end of the day the benefits will be visible for all to see and feel...peace and stability...within which we can all thrive democratically...’ (Ike Ekweremadu, Speaker, ECOWAS-P (2011-2015), Interview, May 2013).

A salient observation comprises of the inconsistencies and various emphasis on issues of conflict prevention discussed at the ECOWAS-P. Three scenarios emerged; those that related challenges emphasising shared histories; either due to Anglophone, francophone

or Lusophone interferences; then those emphasising cultural dimensions in this case, either Hausa, Wolof, religion or creole as can be traced along all the member states whilst others looked to purely political consolidation as would benefit the region as a whole. Yet, all these were lumped together and debated in the same fora and this sometimes ended up affecting the resolutions.

Succinctly put:

‘...we are in a sort of catch-22 situation, to discuss with the limited time we have, or not to discuss... that is why we have extraordinary sessions... ‘Conflict prevention is an agenda that unites all member states especially with regard to it being a sine qua non for development. What then becomes a challenge is the notion of some of the items in the ECPF being important to some countries than others. This makes a particular country pay more attention to issues to the detriment...in my opinion...of the larger framework from which we aim to succeed’ (Augustine Bockarie Torto, EMP, Sierra Leone, Interview, May 2013)

In as much as there was shared optimism some were more buoyant than others. Some EMPs shared their scepticism and insisted that ‘talking’ about effectiveness is another policy fad that will fade with time.

‘That at first it was performance appraisals, then performance management and not to talk of monitoring and evaluation, now effectiveness...but then if we know how to measure it we will do it just not the way how people come here and say we want to measure your work..We by ourselves also want to measure it. It is a good strategy at assessing even integration progress generally...’ (Nkechi J. Nwaogu, 2nd Rapporteur, Committee on PAPS, Interview, June 2013).

The majority of respondents to the semi-structured questionnaire-led interviews were ECOWAS-P MPs, then Staff of both the Parliament and Commission (and relevant other regional bodies), and CSOs operating at the regional level but with national offices, Figure 5.4 shows the distribution.

To this end, there were more or less distribution with respect to responses on varied questions echoing the group/organization with which they are affiliated. However, there was a deliberate effort to fairly represent sample views on the collective issues around conflict

prevention facing the parliament. Thus an approximate proportion of respondents though working within the realms of regional governance are not directly linked to the parliament.

Further, the questions had three different ranking propositions of 1,2 or 3 being indicators for whether respondents regarded a particular institution has having more responsibility or less responsibility, with '1' being the first and '3' being the third most responsible according to how a respondent perceives three bodies; the ECOWAS-P, the Commission and the Council of Ministers. The respondents are detailed in Appendix 2 to Appendix 7.

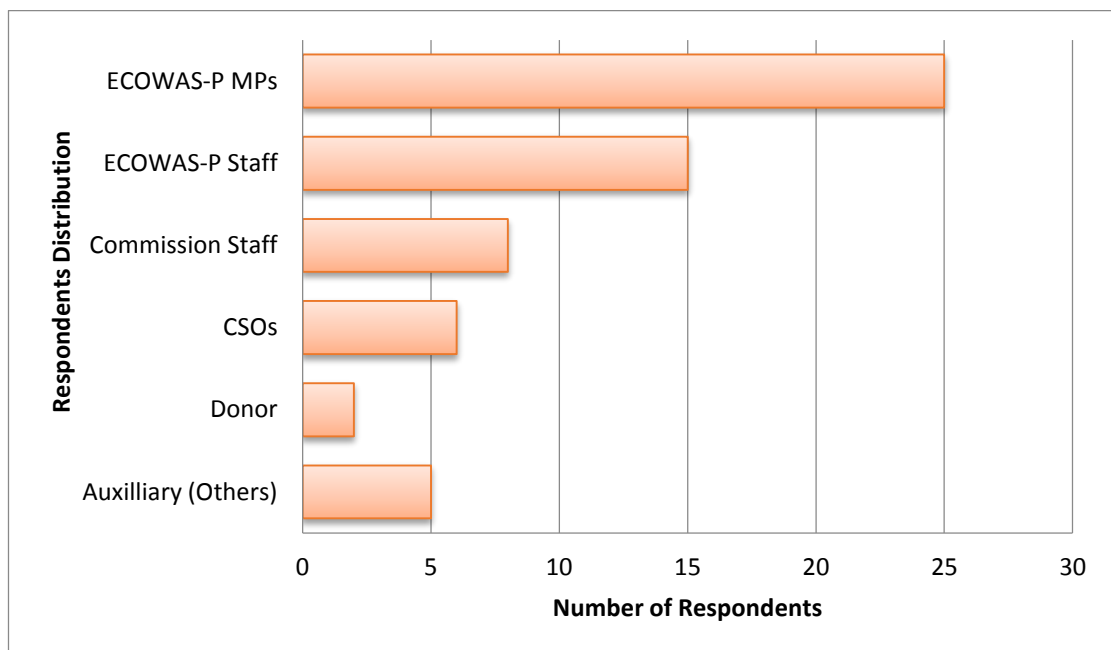


Figure 5.4: Distribution of Interview Respondents

5.4.1 Understanding effectiveness in conflict prevention of ECOWAS-P

'One can endeavour to show whether definitions 'homogenise' a problem, that is to say make the problem understandable within a reified perception of the wider problem field, or whether definitions suggest a 'heterogenisation' that requires an opening up of established discursive categories' (Hajer 1995:54).

In developing appropriate responses to collective action problems, it is important to establish common definitions or understandings of a problem (Hilgartner and Bosk 1988). Thus in keeping with the overarching question for this research, a discussion in this sphere was necessary to ascertain the levels of understandings that underpin a common regional understanding of the conflict prevention environment.

Equally, the different opinions in themselves will reiterate the need for why effectiveness is important and the level to which this is being achieved. Thus employing discussions and interview observations and results from stakeholder interactions, various understandings and meanings of effectiveness in conflict prevention have been categorised according to factors as illustrated in Table 5.4 below:

These different representations of the issues around effectiveness and conflict prevention include configurations of **what** effectiveness is and should be focused on, **who** should be involved in processes aimed at achieving effectiveness, **where** effectiveness should occur, **how** and **why** it should be undertaken.

The level of focus, characterises a broad or narrow view based on perceptions of respondents to questions discussed. The narrow focus responses are understandings which only define effectiveness of regulations or the practices within conflict prevention, whereas the wider ambit of effectiveness in conflict prevention which cover other aspects apart from core prevention issues define the broad focus. The narrow responses also reflect time and geographical scopes on the feasibility of effectiveness. Output and process based narratives reflect on different ways of achieving effectiveness and the resultant conflict prevention regulatory outputs. The emerging issues from these discussions are analysed in the paragraphs following.

Unclear terminology

In several instances EMPs did not seem to fully understand what the terminologies they used meant and kept using overlapping terms and related terms in the same meaning as effectiveness.

Category	Area	Stakeholders/Institution
a. Output(s): Regulatory Systems and Policies		
Effectiveness on conflict prevention including associated issues Effectiveness on only conflict prevention Regional level implementation National level implementation	Elections drug trafficking cyber-crime	CSO Platforms
b. Processes: Rules of Procedures and other guidelines	technology transfer	Donor Community
Development of regulations Consensus on strategies Policy makers Institutions Stakeholders Monitoring and evaluation	Small Arms and light weapons	Scientific institutions

Table 5.4 Stakeholder understanding(s) of effectiveness in conflict prevention

Source: Compiled by author using data from interviews and focus groups

For instance in an interview with the President of ECOFEPA, Haddy Nyang, she admitted that the terms ‘effectiveness, impact, performance, relevance’ all emphasise effectiveness and as such these could be used interchangeably. ‘...these could be the same terms; as an MP, it is just a matter of semantics for me...what is important is how to introduce MPs to the conflict prevention framework in a way that will help equip them with skills...’¹⁷.

¹⁷ Interview, June 2013, Abuja, Nigeria

Other similar sentiments echoed were the lack of support to deal innovatively with conflict prevention. A reason for this could be what Salih (2013:161) observes as parliamentarians being undermined in their role, which directly correlates to a lack of legitimacy.

Thus the diverse views from respondents reflected the reality of their context and help situate the research on evidence-based decision-making and implementation from within the regional reality. The main interest however was to explore how viable effectiveness was as an agenda through their understandings under the guise of the institution pressuring the policy framework and pushing for more mandates and responsibilities, and pertinently, what the ECOWAS-P does in navigating these spaces around the different perspectives.

Additionally, EMPs reiterated that critical challenges also revolve around being policy developers and then becoming policy implementers without training, support or even mandates. This is particularly so in the context of very strong executives and weak parliaments at the national level.

Yet, others were adamant about certain understandings and framings purely for legitimacy reasons. This was specifically in the case of process based narratives; for example CSOs were particular about participatory/ decision-making processes, and there were questions about multi-stakeholder and whether this promoted effectiveness in ECOWAS-P-CSO collaborations. These are characterised by Considine (2005:67) as 'accepted rhetoric...or ideas in good currency' whilst the following observation typifies this dilemma:

'We have to agree that there are four issues here; working with CSOs, how to be effective policy implementer and the facts that, even though MPs are the ones faced with the problems, these conflict prevention issues are sometimes identified somewhere else, and the agenda to address them also set and undertaken elsewhere all within the structure of ECOWAS or amongst CSOs...So sometimes, MPs have to go along with packaged problems and packed solutions...' (Georges Bada, EMP, Benin, Interview, June 2013)

ii. Alliances, Competing interests and Rivalries

Institutional clusters and some of the individual respondents also based their framings and understandings on issues of contested power, legitimacy and competence amongst the ECOWAS institutions. In some instance, they identified with practices of another institution,

and even indicated the plausibility of adopting similar practices or processes. For instance, there was an overriding response of the ECOWAS Commission being the institution to emulate because it is resource endowed and holds the necessary political power and wields clout; 'the Commission ensures action where it matters...on the ground'¹⁸.

5.4.2 Where is the mandate(s) for conflict prevention located in ECOWAS?

'Instead of thinking about policy as a routine engagement between certain public officials and a settled retinue of established interests, we are now forced to consider how a single system is constructed from semi-independent institutions and actors linked by resource agreements, joint agreements, joint projects and cross-border engagements ... it is really composed of pads of unequal size, each contributing to a characteristic policy 'footprint' (Considine 2005:127).

In discussing how the mandate for conflict prevention limits or enhances effectiveness of the parliament's work, it was prudent to first of all establish if respondents had a knowledge of institutional policy, arrangements and where responsibility is located amongst the institutions.

The question setting the discussion was 'where is the mandate of conflict prevention located; the ECOWAS-P, the Council of Ministers, or the Authority? Further 'how will you rank this scenario with '0' being no mandate, 1 being the institution with the most responsibility/mandate and 3 being the one with the least.

¹⁸ Interview with Dr. Toga Gayewea McIntosh, Interview, May 2012, Abuja, Nigeria

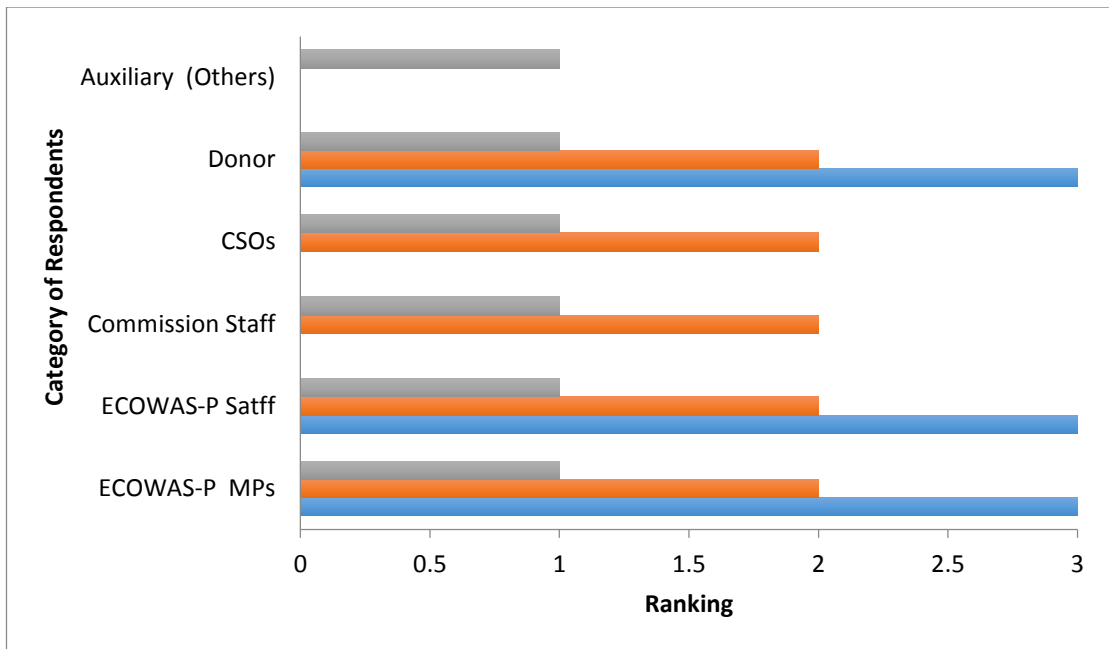


Figure 5.5: Responses to which institution has the mandate(s) on conflict prevention

While this question was aimed at eliciting responses ranking the parliament it also confirmed that respondents affiliated directly with the parliament were more informed about the parliament's work and as such related some level of responsibility to the parliament, whereas those not so closely linked were largely cynical and dismissive.

For instance as shown in Figure 5.5, the respondents within the ECOWAS-P (EMPs, Staff, Donors) all ranked the Parliament as the 'third level' with a mandate and level of responsibility after the Authority and Council. However, predictably, the Staff of the Commission, CSOs and Auxiliary staff ranked them as '0' emphasising that they do not have any mandate. Further, Dr. Gueye, underscored the need for the parliament to keep within its own mandate of being an advisory institution and leave the legitimate conflict prevention bodies in ECOWAS to function:

'...They have no mandate in conflict prevention and should work as an advisory body as established in the protocol establishing them. Amongst the ECOWAS bodies, it is recognised that Defence Ministers from the countries, the Council of Ministers, and the Authority...and even the Council of Elders are all

institutions with defined roles but not the parliament...’ Dr. Abdou Lat Gueye,
Director Early Warning Directorate¹⁹

In response to this assertion, EMPs reiterated that, the provisions made for which institutions participated were open and subject to interpretation and they normatively ascribed a role for themselves hence, they are the third level. The legal officer²⁰ of the parliament supported these assertions and opined that:

‘It is true that the law explicitly does not carve out a role for the parliament but there is a clause which makes it possible for them to play an effective role, so they have been doing this and it is very legitimate. If I may add that these references are to the clauses....and any other institutions as may be established by ECOWAS ...’

Further, some of the respondents indicated that though they rank the parliament as the third level, there is a lot of confusion with regards to the functions of the bodies and this needed to be clarified if the parliament is to contribute to conflict prevention at an optimum level.

5.4.3 Preferably, which institution(s) should have mandates?

Similarly, the following cluster of questions on the same theme of mandate(s) solicited respondents views on which institutions they preferred to have the mandate on conflict prevention if at all, ranking them on the first, second and third levels as the previous question. There was also the leeway to ascribe reasons for the ranking of what level of authority they should have and Figure 5.6 below presents an overview of the responses.

¹⁹ Interview with Dr. Abdou Lat Gueye, May 2013, Abuja, Nigeria

²⁰ Interview in June 2013, Abuja, Nigeria. The official preferred that his position rather than his name be used in the research

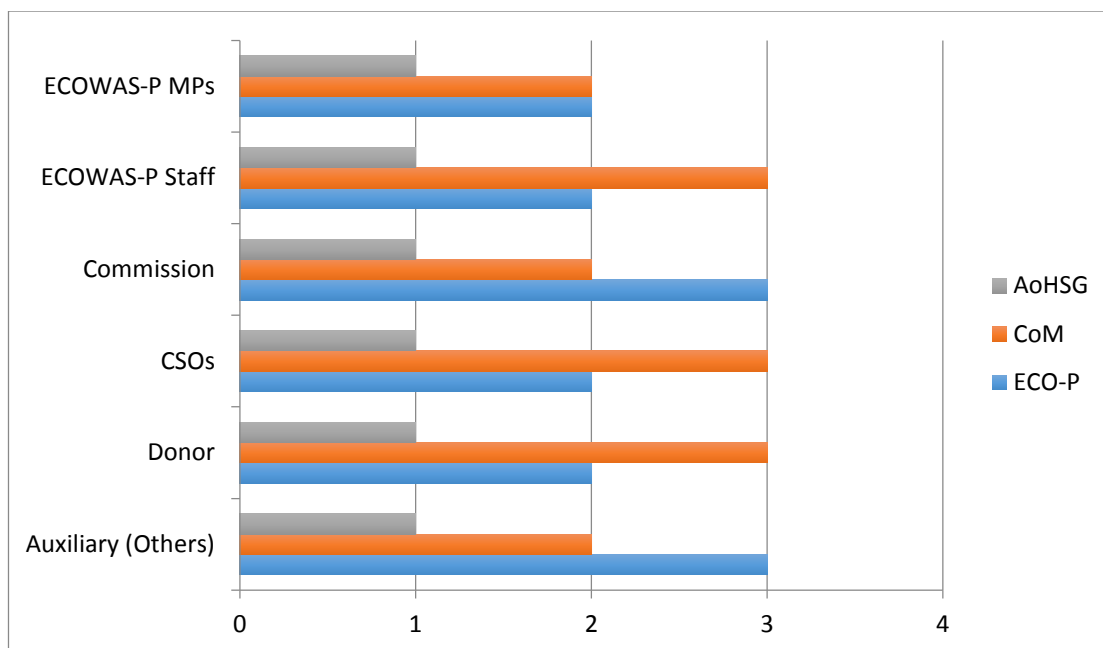


Figure 5.6: Which institution should have the mandate(s)?

Emanating views stressed the importance of locating institutions primarily responsible with the mandate as this helps to ensure accountability and measure effectiveness of particular institutions and their role in the peacebuilding efforts in the region. This they insisted will also let officials responsible own a part of the jigsaw and work accordingly.

This also ensured legitimacy and preserved credibility of the whole regional approach to conflict prevention, thus, if the parliament for instance is weakened by the status quo then this bemoans the gaps deemed inherent in policy and research in developing countries as established by the work of Court and Maxwell (2005).

The greater number of respondents in the categories ECOWAS-P staff, MPs, CSOs and Donor all ranked the parliament as the second level of authority with the Commission in first place, and the Council of Ministers as the third level.

The reasons ascribed included the fact that as the Council was already one of the institutions in the Commission there is no need to let it have any significant mandate, especially not one greater than the parliament which is a 'stand-alone' institution established as that democratic wing of the integration body.

According to Dr. Gueye, if the parliament should possess any mandate at all, then it should be at the third level:

‘Conflict prevention in ECOWAS is a critical time bound issue. When there is need to undertake activities the parliament will slow down processes. As you know, the turnaround time in parliament involves too much talking and less action, they never agree on anything or by the time they agree it is always too late to act...Plus they do not disburse funds for activities...so at a third level it is to demonstrate they are part of the framework, but I think the first two levels will always solve the problem before it even gets to the third’ Dr. Lat Abdou Gueye, Director, Early Warning Directorate²¹.

The Second Deputy Speaker of the parliament, Simon Osei-Mensah however reiterated that:

‘The regional institutions embodying the mandate includes the parliament because ‘we are working according to the spirit and the letter of the Revised Treaty. We as a parliament are expected to implement policy provisions and protocols guarding the peace of the region and we are well placed to steer the process...in fact...we have been steering with many innovative strategies hitherto not utilised...’Simon Osei-Mensah²².

5.4.4 Is the ECOWAS Parliament effective in conflict prevention?

By far, the question which triggered specific responses with varying reasons had to do with respondents ranking of which institution they thought was effective in conflict prevention. As shown Figure 5.7, there is an indication that respondents reiterated the effectiveness of the parliament with the distribution skewed to more EMPs and Staff of the parliament than others and this explains the ranking as the bias is effectively reflected. This is not to say that, the parliament is not effective but just to clarify how the responses were coordinated.

²¹ Interview in June 2013, Abuja, Nigeria

²² Interview in June 2013, Abuja, Nigeria

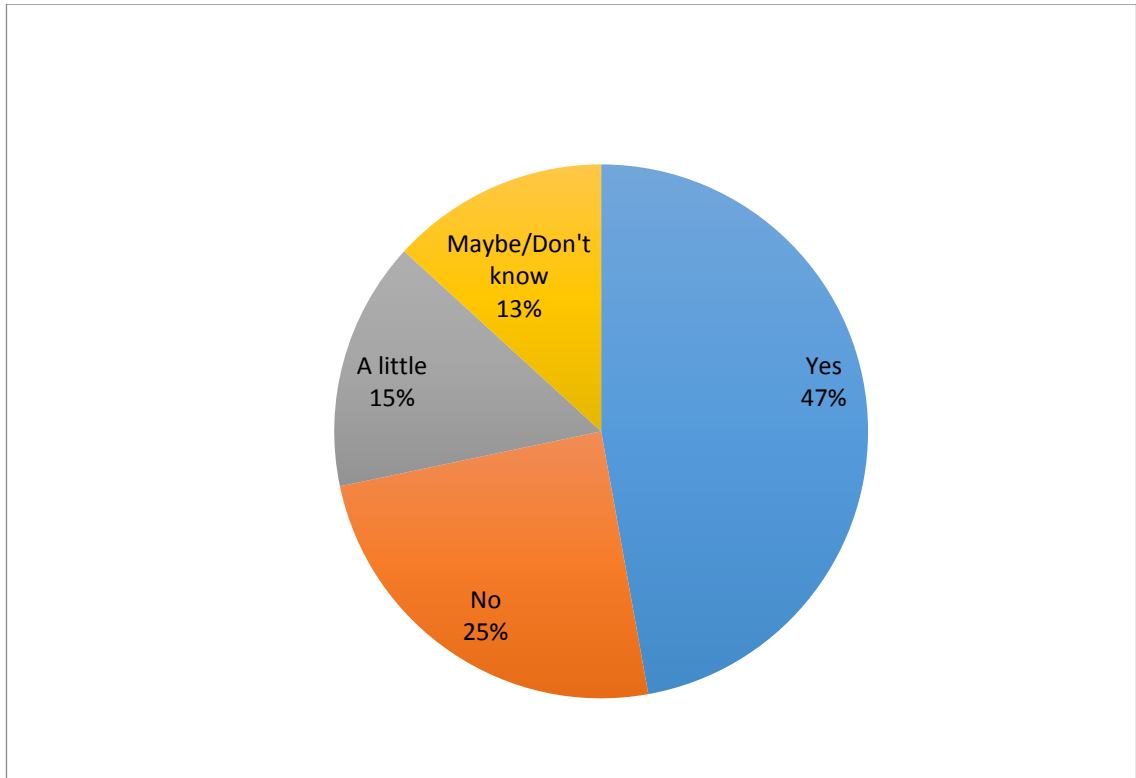


Figure 5.7: Summary of responses on whether the parliament is effective in conflict prevention?

In any case, up to 53% which is the combined efforts of all the other responses indicates a scepticism or an outright lack of knowledge or an emphatic 'No' on the parliament's work. In response to these perceptions, Nkechi Nwaogu emphasised that:

'When we talk about effectiveness in conflict prevention for MPs, people should understand that we are not talking of deployment and hard security that is where they are wrong, we are talking about proactiveness, prevention and making sure war does not arise. As for the Heads, all they do is deploy ECOMOG; since the creation of ECOWAS Parliament have you heard of, or seen a war the scale of Liberia and Sierra Leone. It is because we are mainstreaming all these ideals into the frameworks at the national level...Ghana for instance has even established a National Peace Council and gradually such institutions will collaborate with the parliament across the sub-region'. (Nkechi Nwaogu, Interview May 2013).

The discussions above ultimately demonstrated that the Authority and by implication the ECOWAS Commission is rated highly on all accounts as the most responsible to embody

a higher mandate, or as some opined the only mandate in the region when it comes to conflict prevention. Many respondents alluded to the extent of the 'influence and power' of the Executive and this is unsurprising considering the history and political trajectory of ECOWAS. Whilst some attributed the currently challenges to the Commission's lack of making clear the parliament's role others claimed it was the poor resourcing and lack of access to technocrats that is crippling the parliament and hence some of the rating as the third level. The most positive outlook related, viewed the parliament a new institution in the integration set up and as set, it will wield grater power and assert its relevance overtime. There were two poignant reflections on this from CSO members:

'A regional parliament is relatively new in the midst of other ECOWAS bodies and considering the political legacy of most ECOWAS countries there will be resistance as Executives will view this as ceding a little sovereignty to them just as some of them feel in their home countries. The only difference is that, at the national level they manipulate them, but am not sure that will work, so maybe undercutting funding and obscuring their work might be a tack or what do you think?...'²³

In agreement, the other agreed and said, 'I think it is rather bullying', they starve them of funding and a slow process to enhance their powers by saying to them, these things take time. Just like in their countries...'

Conclusively, these discussions threw a number of perspectives worth examining. These related to the issue of the role of the Commission, whereas it was formerly called 'ECOWAS Secretariat' its transformation into a Commission has reflected greatly in the way it conducts its central role amongst the bodies. Thus, it is evident there is a lack of clarity on whether the Commission is playing a Secretariat role, a watch dog role, a complementary role or if it is regarded as parallel and at par with it peer institutions within the region.

This realisation is validated by the aggregate responses garnered from the discussions and even the EMPs themselves to a large extent imbibe this:

'I think in the context of progress towards real political and democratic integration in the region all the three institutions are very significant, though am

²³ Chukuemeka Eze, Interview, June 2013

sure others might want to see other bodies being in the hierarchy of things...But, the three are core and will work to ensure efforts are coordinated and not scattered about without any direction...' (Stephen Balado Manu, Former EMP/Chair of PAPS, Ghana, Interview May 2013).

There were calls by respondents for the need for evaluating and monitoring conflict prevention implementation activities for various reasons. A cross section indicated that this will first of all make it possible for all ECOWAS bodies to appreciate the unique contributions that are made in the region and help inform themselves of what each body undertakes. In this way, recognition and institutionalisation will be merited as it will be viewed as pooling of efforts and not one institution's superiority or more aptly placed to undertake these activities than others.

'Under the provisions and mechanisms many other ECOWAS bodies are built into the framework provisions, however in my opinion, the issues have to do with how these are implemented at the national levels. This is because, the ECPF which is the main guide, is also developed from an eclectic mix of policy orientation the regional has amalgamated and ECOWAS is yet to benefit fully; so the parliament for instance could make monitoring harmonisation by member states an issue as this would ensure effectiveness, we all have a role to play...and we as a parliament, are right on top of our game..' (Okey Uzoechina, Political Analyst, ECOWAS Commission, Interview, May 2013).

In as much as this research is focused on the parliament it also find that contribution of other actors is a confounding factor and as such seeks to unearth these contributions. At the same time, abstracting and quantifying these contributions that were noted by respondents are important in helping to arrive at measuring the parliament's effectiveness. Ultimately these perspectives help strengthen arguments for employing normative institutionalism as it emerges that to make progress, institutions innovatively will have to make themselves relevant and effective in their contexts. It helps situate nuances in the knowledge-sharing power and bargaining that is continually sought in the collective security initiatives that are implemented.

5.5 Conclusion

This chapter has provided an important description of the formal and informal functions of the ECOWAS-P. Additionally it demonstrates the actual difference between the institutions and how EMPs and other stakeholders think. The knowledge of the different meanings and understandings of effectiveness is vital not only for eliminating differences in institutional understandings but also to make available evidence of the existing policy making realities. Ultimately, it informs the research on how effectiveness in conflict prevention prevails on various issues core to the parliament.

Foremost, emerged perceptions of EMPs had to do with the benefits that accrue from their tenure; that the added role at the regional level bears a semblance to moonlighting for extra income. Specifically, the allowances and stipend paid out to MPs during Sessions and other official duties is deemed 'payment' or in lieu of 'salary' by some of the other colleagues not part of the ECOWAS-P.

The EMPs themselves shared that sometimes their political opponents at the national level used this information in electioneering campaigns as tactics to win primaries within their own parties; or from the opposition parties. These statements emphasize how an EMP(s) have abandoned a national constituency to serve at the regional level to the detriment of the latter. Thus the constituents not possessing information about the dynamics involved at the ECOWAS-P are influenced, and unfortunately some MPs have lost both positions due to such propaganda.

6. Chapter Six: Case Study-Guinea and Latent Conflict prevention

6.1 Introduction

For most of Guinea's post-colonial history, at least one of its neighbours has been at war, but Guinea itself has never been at war (Arieff 2009). Guinea is thus deemed a bulwark of stability against the background of neighbourhood conflicts, which had a strong correlation of potentially crossing borders to plunge the country into civil conflict (Arieff 2009). Yet, this did not happen all through the protracted conflict situations of Liberia, Sierra Leone, and Cote d'Ivoire, which all border Guinea (Gberie 2001).



Figure 6.1: Flag of Guinea

Guinea's latent conflict status continues to be somewhat of an enigma confounding policy makers, theorists, and pundits alike (Arieff 2009) and thus presents any case study researcher the opportunity to explore these dynamics. Four epochs defines its political landscape and the security strategies employed by Guinea's leaders sheds light on its capacity to contain conflict from escalation. The Socialist style of Sekou Toure (1958-1984); liberal regime of Lansana Conte (1984-2008) are the only two governments Guinea had until the bloodless coup d'état in 2008 and subsequent military rule of Dadis Camara (2008-2009). Alpha Conde was then elected President in 2010, after the coup d'état and transition period. All these dispensations underwent political transitions heralded by tensions which were both internal due to demonstrations and trades union protest, and external due to neighbourhood conflicts and these dynamics will be examined.

This chapter presents Guinea in the context of its neighbours as relates to conflict; what exactly is the status of conflict in Guinea and why it can be referred to as latent. The political, social and governance structures in Guinea and what formal and informal conflict prevention measures undertaken by the (ECOWAS 1975) Parliament to sustain the status quo, and finally to what extent these can be deemed effective.

6.2 Guinea in Context

The region claimed by France in 1849 as a Protectorate was named '*Rivière du Sud*' but in 1891 it was renamed 'French Guinea' and became part of France's West African Empire. In September 1958, under the leadership of the charismatic Trade Unionist Ahmed Sekou Touré Guinea had an acrimonious break from France when it rejected by referendum the 'Franco-African Community' ideal proposed by General Charles de Gaulle²⁴ and gained total independence (Gberie 2001:4-6, Yabi 2010:35)(Schmidt 2009). A prominent feature of Guinea's independence history is epitomised by its decision to vote 'No' in the 1958 referendum deciding whether to join the French Community or not; significantly Guinea was the only French colony to reject the offer and thus France considered this as an act of 'secession' (Adamolekun:55). This tenuous situation is better epitomised by the emotionally charged defiant declaration:

'When President de Gaulle came to Conakry, the capital of Guinea, to campaign for a 'Yes" vote in the referendum, Toure announced in advance the Guinean option for independence with the following defiant sentence:

"We, for our part, have a first and indispensable need, that of our dignity. Now, there is no dignity without freedom ... We prefer freedom in poverty to riches in slavery." When the votes were counted after the referendum, 98 percent of Guineans joined Toure in saying "No" to the Franco-African Community. The significance of this "No" vote was underscored by the fact that all the other French territories voted "Yes." (Adamolekun 1988:98)(Including quotes from Sekou Toure).

These dynamics resonates with Guinea and is a source of pride for the country (Carvalho) but these acts of defiance set in motion severe consequences and new limits, which have reconfigured the relationship of France and Guinea to this day (Yabi 2010:35). France withdrew its economic support, declined to enter into trade agreements and also ensured that Guinea's trade with other countries was severely hindered.

In the first instance, Wallerstein (1965:12) asserts that the ensuing economic retaliation was urged on by the other French West countries 'who were unwilling to allow non-loyal structures'. Meanwhile, the withdrawal of France left in its wake an illiterate population

²⁴ This was a sort of half way standing between country and protectorate, whereas Sekou Toure preached ethnic integration.

reaching 90 percent, which is of epic proportions as there were actually only three university graduates (Adamolekun 1976:114). The pillage was such that there were no resources and the immediate recourse was to fall on loans from sister newly independent nations like Ghana and countries from the Eastern Bloc. Succinctly put, Gberie (2001) states that:

'In an extraordinary act of churlishness and vandalism, the retreating French took with them everything from colonial archives and development plans to light bulbs, dishes from the governor's mansion and telephone receivers. They destroyed what they could not take along. They even emptied pharmacies and burned the medication. And subsequently they campaigned throughout the western world to isolate the new African nation'

However, the estimated situation was so dire that, it is agreed only sustained assistance could help Guinea survive its first anniversary as an independent nation, but contrary to all political forecasts and odds, Guinea survived. Thus from independence, Guinea has always managed to avoid implosion, chaos and all other forecasts made about it and continues to occupy the lenses of researchers with the question, 'how did they do it' (Bangoura 2011:99-115). However, in hindsight, the events that unfolded and continue to unfold in Guinea testifies to the fact that, Guinea held sway but at a great cost to freedom and wealth, with political institutions being the ones that have continued to suffer marginalisation and inclusion.

First, Sékou Touré's legitimacy was derived from his leadership style of the bold decision to defy French rule and demand 'independence now' because of being at the forefront of mobilising grassroots for political participation. Ultimately, a civic movement emerged from these efforts and organised effectively to defeat France in a critical referendum that decided the political freedom of Guinea from colonial rule (Bangoura 2011:95-96).

This movement was comprised of an eclectic mix including educated elites, women's groups, religious organisations and in leadership Trade Unions that individually all had varying degrees of grievances against the colonial authorities and had expressed these in protests, demonstrations and other such civil disobedience avenues. They were spurred on by Toure's brand of African Socialism underpinned by rhetoric like 'We prefer dignity in poverty to riches in slavery (Gberie 2001) which became the clarion call that galvanised the liberation struggles, and even including others in Africa into the late 150s and the 1960s, known as Africa's year of independence. Having ridden this huge crest of popularity and

civil legitimacy as the 'people's leader' Toure's administration toughened and in due course turned into a dictatorship banning all forms of opposition which made his own party, the Democratic Party of Guinea the dominant factor in the national body politic.

However, these repressive moves did not subdue all the opposition at home. There continued to be power struggles especially between Toure and the educated elite (Wallerstein 1965, Johnson 1970:352) who labelled him 'illiterate or a semi-illiterate with a sixth-grade education'. They posited that Toure had 'neither the right nor the capacity to rule Guinea because of his level of education and lack of experience' (Adamolekun 1976:149-50, Gberie 2001, Elizabeth 2009). Toure died in March 1984 still wielding a lot of power.

At the death of Toure, Lansana Conté an Army Official ingrained himself into the political leadership of Guinea (Arieff 2009:338). In a bid to rule differently against the backdrop of an inherited bankrupt economy, Conte attempted a liberalisation of the economy and the political environment. These efforts yielded a new constitution in 1990 endorsed by a referendum. But against the growing threat of endemic corruption his style of governance gradually became only marginally less autocratic than that of his predecessor's.

'In the towns, the population has developed the habit of living off the crumbs of society, pilfering and trafficking of all sorts. Production is abandoned; the result is a parallel market, real or created shortages, and price increases. The spirit of initiative is discouraged...Theft and corruption rule' (President Lansana Conte, speech in 1997.²⁵

In agreement with the pervading nature of corruption in Guinea, Manning (1988:129) asserts that: In Guinea, 'participants in the economy learned to avoid taxes when possible, to pay bribes whenever necessary, and to steal when the opportunity rose' (Manning 1988:127). Payments to local officials were made in food, beer, firewood, cigarettes and, of course, money.

Meanwhile Conte had then begun instituting a quasi-democratic strategy which in effect will make him a benevolent dictator(Gberie 2001:9-10). Thus, the initial jubilation that followed this ascendancy to power and the expectation of the opportunity to set up viable democratic

²⁵ In Guineoscope: Guinea at the Dawn of the Third Millenium Conakry, 1998

institutions was short-lived. The quasi-democratic governance of Conte oversaw the conduct of presidential and parliamentary elections in 1993, 1996 and then 2003, in which he was re-elected. However at each turn there were perceptions of mass rigging and flawed electoral processes and associated irregularities. One such area of contention was the constitutional amendment in 2001 which allowed the extension of term of office by the President. These were also manifested severally and in 1996 there was even an army mutiny (Nugent 2012:405) which was quashed as a result of such discontent (by then the President was old and ailing).

Ultimately, Conté's 24 years in power was characterised by further poor governing and not building any institutions of democratic governance, whilst the impunity of human rights abuses by security almost forced the country to the precipice of disaster and anarchy. Consequently, Guinea became a paradox of abject poverty and acute misery in the midst of plenty; it embodies one of Africa's richest natural resource supplies in fish and minerals but has continually ranked as one of the poorest in socio-economic indicators as per the UN Human Development Index indices and indicators overtime.

Guinea is wealthy in large deposits of bauxite and diamonds but this has not also benefitted the population significantly it remains one of the poorest countries in West Africa with annual per capita incomes of just 370USD and life expectancy averaging 54 years (World Bank 2004, 2005, 2006). With a bankrupt and deficit in governance, systemic corruption earned it the status of the second most corrupt country in the world. All other socio-economic indicators for progress fared no better (Gberie 2001, Camara, O'Toole et al. 2013).

Meanwhile, non-governmental organisations and the international community had the media frantically depicting Guinea as a country with a leader unable to 'to control the day-to-day operations of government. The issues of the factions, coupled with the fact that Conte did not appear in public after his re-election in 2003, and as such had not institutionalised his succession lend credence to rumours of him being terminally ill (Arieff 2009):

As anticipated by political analysts, Conte's death in December 2008 led to a military coup. A junta, calling itself the Conseil national pour la démocratie et le développement (CNDD) (National Council for Democracy and Development) took over power led by an army captain Moussa Dadis Camara. He promptly suspended the Constitution, dissolved the legislature, appointed a Prime Minister and promised a swift transition to democratic rule by sharing a

timetable to hold presidential and legislative elections (Picard and Moudoud 2010). (Camara 2010). But, when he resolved to run for presidency, Guineans had a déjà vu feeling of the authoritarian rule of Toure and the 'legacy of the iron fist' of Conté protests ensued with widespread opposition on many social fronts, whilst he was also steadily building on consolidating his power bases (Picard and Moudoud 2010, Yabi 2010, McGovern 2012).

Within all these dynamics were the efforts of civic organisations and the Trades Unions in providing a wider platform for stakeholder dialogue. The initiatives were aimed at ensuring space for civil society to determine and preserve peace, stability and promote democracy and social justice in Guinea in those turbulent times (IPA 2002). These notwithstanding, the civilian protests and unrests orchestrated by the opposition *Forces Vives de Guinée* continued undeterred. Ultimately, on September 28, 2009, opposition parties as well as Trades Unions and their respective leaderships organised a mammoth political rally in the National Stadium in Conakry, and it was here acts of violence tended to once again, define Guinea's political trajectory.

Guinean security personnel ostensibly acting on the directives of Dadis Camara opened fire on civilians demonstrating the CNDD and Dadis Camara's implied intention to run for president. Thus, in trying to suppress the peaceful rally, they massacred over 150 people, with many disappeared, wounded and reportedly raped, this effectively served as a catalyst that set in motion the final political process leading to the current political dispensation in Guinea (Yabi 2010, McGovern 2012).

This immediately attracted public indignation and international condemnation; including the Network of African Women's Ministers and Parliamentarians of Guinea²⁶ and the Mano River Women's Network for Peace²⁷ on October 20, 2009 (IPA 2002). ECOWAS initiated sanctions, whilst France, pronounced suspension of cooperation including with military support. Hillary Clinton, then US Secretary of State, stated that this particular Guinean regime was 'vile' and 'criminal' and called for "appropriate actions" against Camara's junta, insisting that he 'cannot remain in power' (Arieff 2010).

All these issues thus came to a head on December 3, 2009, when Dadis Camara was shot and wounded in the head by a member of his presidential guard. In the ensuing chaotic

²⁶ (Réseau des Femmes Africaines Ministres et Parlementaires de Guinée, REFAMP-GUINEE),

²⁷ (Réseau des Femmes du Fleuve Mano pour la Paix, REFMAP)

political environment, he was evacuated to Morocco for medical treatment, and the following month on January 12, 2010, he was in turn unexpectedly taken to Ouagadougou, the capital of Burkina Faso to recuperate. Prior President Blaise Compaoré who had been appointed as the regional mediator in Guinea's political crisis by (ECOWAS) instigated this strategy(Koko 2010).

6.2.1 Guinea and its Neighbours in the Mano River Union

Guinea covers an area of some 245,857km² and borders Guinea-Bissau and Senegal to the northwest, Mali to the north and east, Côte d'Ivoire to the southeast, Liberia and Sierra to the south, and the Atlantic Ocean to the west as illustrated by Figure 6.2. The source of the River Niger also lies in the Guinea Highlands of southeast Guinea. These complex overlays of borders consist of the Mano River Basin (Union) region within the ECOWAS region.

The Mano River Union (MRU) was created in 1973 by an agreement between Liberia and Sierra Leone. Guinea joined in 1980, and Côte d'Ivoire joined in 2009. Its main aim is to improve the socio-economic conditions within the Union. It has a permanent Secretariat based in Freetown, Sierra Leone, with affiliate country offices located in Guinea-Conakry, Monrovia-Liberia, and Abidjan-Côte d'Ivoire(Sawyer 2004, Silberfein and Conteh 2006).

In 2000, the MRU adopted its 15th Protocol on Joint Cooperation on Defence, Security, Internal, and Foreign affairs. The 15th Protocol calls for the creation of a joint security committee and other mechanisms to monitor border security and related issues.

As noted with the civil wars of both Liberia and Sierra Leone, violence often spreads rapidly from one country to the other thus border security is crucial, as refugees induce humanitarian crises and puts pressure on social services at the borders.

There are extensive cross-border linkages and dynamics in the Mano River Union (MRU), based on ethnicity, and a complex web of shifting military and political alliances established over the years among the MRU governments.



Figure 6.2: Political Map of Guinea

Source: Map No. 4164 Rev. 4 United Nations, Department of Field support, Cartographic Section, August 2014; <http://www.un.org/Depts/Cartographic/map/profile/guinea.pdf>

The MRU countries share similar histories, heritage, cultures, and ethnic groups, with symbiotic relationships along artificial borders existing between Guinea and Liberia, Sierra Leone and Liberia, and Guinea and Côte d'Ivoire (Arieff 2010). Cross-border Security issues in the MRU highlights the regionalisation of these domestic conflicts in the Mano River Basin where conflicts are intertwined and have shown the potential to spill-over and destabilise neighbouring countries (Williams and Haacke 2008, Ettang, Maina et al. 2011).

Inadvertently, though different dynamics are responsible for instability diffusing beyond the MRU into other parts of West Africa in contemporary times, all these conflicts further hinder regional peace, whilst mutating and complicating efforts aimed at finding lasting peace across the sub-region (Sawyer 2004). This view helps in assessing policy-making, and causal factors of intra-state conflicts in West Africa (Koko 2010, Ettang, Maina et al. 2011).

Despite tensions in cross-border relations in the MRU, people and goods (both legal and illegal), move between the long and porous borders, albeit with lengthy delays at the border posts or the threat of bandits at the informal crossings. Depending on the security situation,

mass movement of populations between the MRU countries can tax the host country's resources and create conflict with the local population. Guinea, for example, has endured the most of the influx of refugees from war in Liberia, and then Sierra Leone, and in recent times Côte d'Ivoire.

These large population movements have contributed to the political destabilisation of Guinea, affecting negatively on the fabric of society by building resentments among largely unemployed and through militants who arrived with the refugees (Danny 2011, Coffie 2013).

Undoubtedly, the violence in neighbouring countries had an effect on the political stability and economic indicators of Guinea, though Gberie (2001) and Francis (2009) insist Guinea took political and economic advantage of the refugee situation and also assert that the violence in Guinea has had little to do with politics, governance, or Lansana Conté. It has much, if not everything to do with Taylor's quest for economic wealth and advantage. The conviction of former Liberian Charles Taylor for war crimes in Sierra Leone is a very visible indication of the role played by one head of state in the destabilisation and conflict of another country (Jörgel, Utas et al. 2007).

There is an argument to be made for how domestic conflicts are also regional in perspective especially with respect to the MRU dynamics. For instance, there is the argument that, the war that began in Liberia in 1989 relate to the outbreak of civil war in Sierra Leone in 1991, and to the fighting, that broke out in Guinea in 2000. Cross-border attacks from Sierra Leone and Liberia into Guinea in 2000–01 and the involvement of Liberian and Sierra Leonean fighters in Côte d'Ivoire's war in 2002 further shows the interlinked nature of peace and security in the four MRU countries.

Whilst different dynamics are responsible for the instability today radiating beyond the MRU into other parts of West Africa, the conflicts in the MRU menace regional peace and complicate efforts to find a lasting peace across West Africa. The potential spill-over of a conflict in any of the MRU countries is detrimental to peace in the others and in West Africa as a whole. These conflicts have produced refugees and internally displaced persons (IDPs) across the whole of West Africa (Adedeji 2004).

Noting the interconnectedness of conflicts in West Africa, policy makers have argued for a holistic approach to security policy in Sierra Leone, Liberia, and Guinea, also known as the Mano River states (Sawyer 2004). Meanwhile, apart from Liberia, Sierra Leone and Cote

d'Ivoire, less remarked on in recent years are the links between Guinea and its unstable neighbour to the northwest Guinea-Bissau. Guinea-Bissau in addition to an insurgency against the Portuguese colonial government from the mid-1960s through to independence in 1974, experienced an army mutiny that spiralled into a wider conflict in 1998 and 1999 (Yabi 2010, Hoffman 2013).

Thus, any significant effort to appreciate the dynamics of individual conflicts must analyse both national and sub-regional dimensions. Governance in Guinea has to improve if the fragile peace and stability in the MRU is to be sustained. Rehabilitation and reconstruction (including livelihood support for productive economic activities) must be intensified and accelerated. However, porous borders and extensive cross-border ethnic alliances make security an on-going priority, reasons why Guinea has always been in a state of war, but been in war.

Guinea's resilience against breaking out into full-scale conflict continues to attract varying reasons. According a Yaya Keita²⁸, Guinea's challenges should not be deemed as a conflict situation. In an interview he said 'What I want you to know is that, this seeming stability is just fragile peace, and remember the old cliché, lack of war does not mean there is peace and stability, but because we are always comparing ourselves to the chaos happening with our neighbours, we protected this seeming peace and gradually became 'politically lazy'.

In discussions with Guinean MPs, the overriding perception was that, the 2010 presidential elections are generally regarded as the first free and fair elections since independence in 1958, and mark a decisive moment in the transition from military to civilian rule in Guinea. For others, Guinea will be unable to achieve stability and peace as long as its borders are not secure and the military has not been reined in.

According to Guinean EMPS²⁹, in contemporary times however, Guinea's political relations with its neighbours have stabilised but the problems we still have with our neighbours are a wide range including:

- An undisciplined military
- Border demarcation and attendant land disputes
- Civil strife

²⁸ Interview, June 2013

²⁹ Interviews with a cross section of Guinean MPs during fieldwork in May-June 2013, Abuja, Nigeria

- Small arms and light weapons
- Harassment of women at the borders
- Youth unemployment (economic migrants)
- Child trafficking
- Drug trafficking
- Illiteracy/untrained border officers

6.2.2 Status of Conflict

Thus, Guinean confounds policy makers and pundits alike and most, especially in light of analyses which strongly suggest direct correlation of 'neighbourhood effects' with the onset of civil conflict as espoused by Hegre and Sambanis (2006:529, 532-3). This assertion of a symbiotic relationship between the beginning of war within the framework of neighbourhood conflicts is one of pure intuition especially in sub-Saharan Africa where we can trace such links in West Africa, the Horn of Africa and the Great Lakes region, which have dominated research and have influenced policies on Africa's many security challenges (Francis 2006, Francis 2009).

Theoretically, regional armed conflict may contribute to the onset of civil war through a range of causal mechanisms. Cross-border refugee movements may destabilise the host state by altering its ethnic composition, creating a burden on economic resources, spreading disease, and indirectly causing inflation due to aid flows (Salehyan and Gleditsch 2006:335). Refugees may also become a target for cross-border rebel recruitment (Adepoju 2001). Transnational ethnic ties can lead actors in one state to act 'in solidarity with ethnic kin' in another (Salehyan and Gleditsch 2006:336).

If a country's government backs anti-state rebels in a neighbouring civil war, the neighbouring government may retaliate by financing an insurgency across the border. Despite these events, overtime, Guinea's latent conflict status is because, it has continually remained relatively stable as compared with its neighbours. Though, there is continuous debates about its complicity in some of these neighbouring conflicts (Koko 2010, McGovern 2012).

According to Madeleine Thea (former ECOWAS MP, Guinea), Guinea has essentially always been the 'tranquil one in a bad neighbourhood; saddled with warring parties, north,

south and east' everywhere is war'. Several resultant factors lends credence to this assertion as for instance neighbourhood conflicts can inundate the sub-region with small arms and light weapons, mercenaries and decommissioned soldiers who may search for new work after the neighbouring conflict has ended. In agreement, Ike Ekweremadu, Speaker of the ECOWAS-P intimated that 'one can even begin to conceptualise how ex-combatants have now graduated from mercenaries for hire into mercenaries for rent³⁰.

The Chair of the Committee on Political, Security Affairs of the Parliament emphasised these challenges thus.

'No sooner had the people of Africa, and especially Guineans let out a sigh of relief, for successfully sleep-walking their way out of a major bloodbath, than the leaders of Côte d'Ivoire, like in a 4×4 relay race, seized the baton to keep the continent's perennial disease in season, as conflict was inherited from Liberia into Sierra Leone' (Alfred Kwame Agbesi, Interview May 2013).

6.2.3 Governance structures

The governance structures of the MRU are severely fractured. As well as beyond the loss of lives and livelihoods and the physical destruction of infrastructure, there persist issues of disarmament, demobilisation, reintegration (DRR) of ex-combatants, repatriation, resettlement of refugees and the internally displaced, reform of the military and security forces, and social reconciliation of militarised societies.

These thus impact directly on Guinea and its efforts to establish a democratic functioning state (Picard and Moudoud 2010). According to Picard and Moudoud (2010) governance debates in Guinea are donor stimulated and sporadic and it was only from the mid-1990s that pressure from international donors ensured a much more engaged debate.

Past governments did not develop surviving governance institutions. Thus after the assassination attempt of Dadis Camara, the CNDD replaced him with General Sékouba Konaté his vice president and prompted initiated transitional arrangements for elections.

³⁰ He explained that whereas in active conflict years these mercenaries' sign up for specific incursions as for instance, plot and implement a coup d'état to either topple a government or cause confusion for any faction that paid the highest. These mercenaries have now aligned themselves to specific faction leaders and will sign for a tenure of about three months or a year at a time where they are treated like a kind of army (for lack of a better analogy.)

This resulted in the political agreement known as the Joint Declaration of Ouagadougou inaugurated on January 15, 2010. The main features of these transitional processes included; the political settlement of a government of national unity (GNU), security sector reform, appointment of a Prime Minister and the inauguration of a quasi-legislative body, to be known as the National Transitional Council (CNT)(Conseil National de la Transition (CNT)); also, it agreed that presidential elections would take place within six months and set up reform of the defence and security forces (Arieff 2010).

In tandem, ECOWAS established an International Contact Group for Guinea (ICG-G) and together with development partners helped to monitor and implement the new proposals. The ICG-G specifically played a prominent role in mediating the conflict between civil society groups and government (Carvalho). Thus after lengthy electoral processes President Alpha Conde, a long-standing opposition leader and head of the political party Rally of the Guinean People (RPG) won the ballot in December 2010.

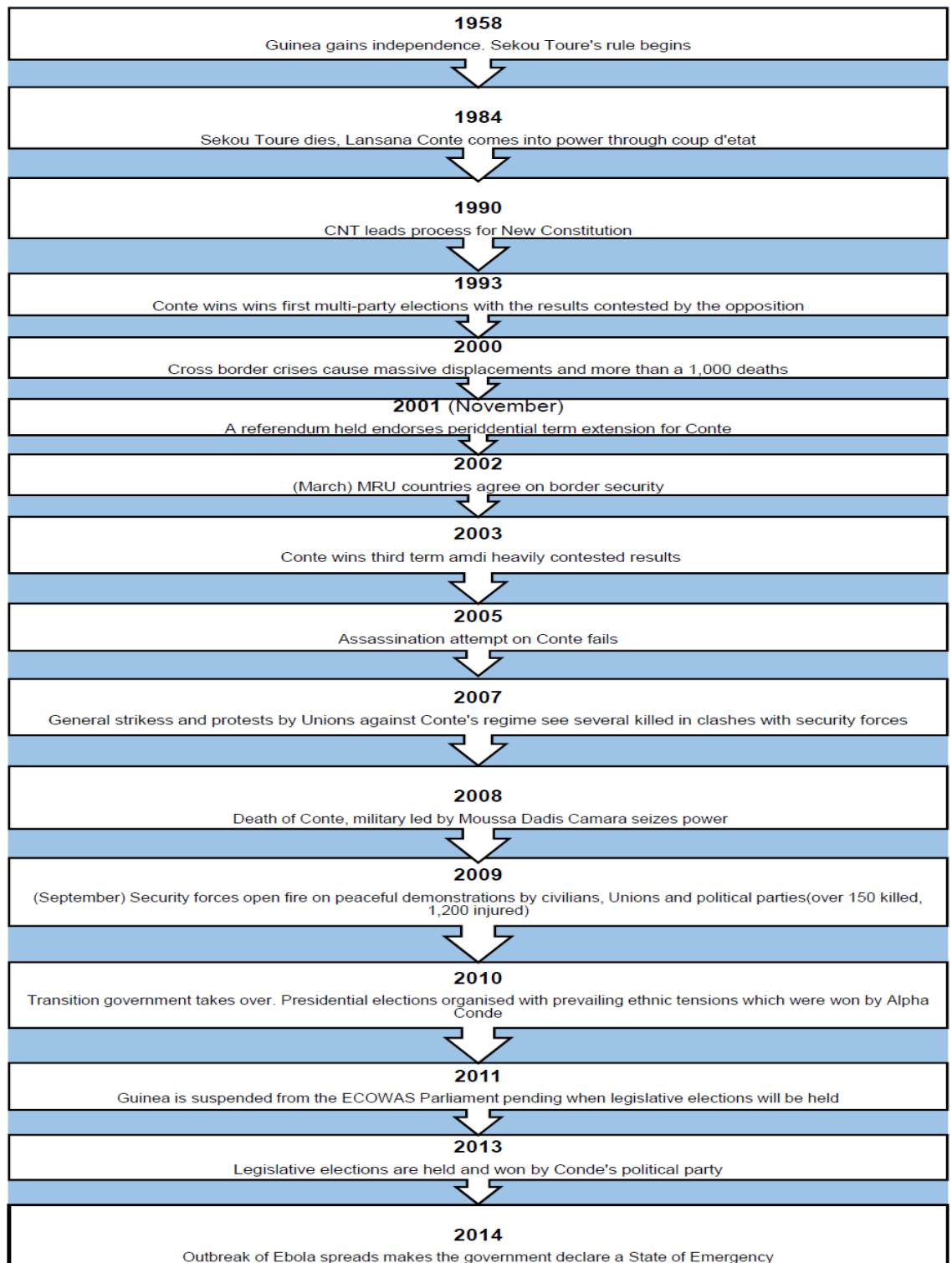


Figure 6.3 .Major Political transitions/event in Guinea 1958-2014

Sources:(Adamolekun 1976, Gberie 2001, Arief 2009, Arief and McGovern 2013, Camara, O'Toole et al. 2013, Bah 2015) BTI 2014 at <http://www.bti-project.org/reports/country-reports/wca/gin/2014/index.nc>; Inter-Parliamentary Union www.ipu.org; ECOWAS-P Resolution on Guinea 2011.

6.2.4 National Transitional Parliament (CNT)

‘The CNT is not equivalent to a parliament in its jurisdiction. It written laws that state that they only have legislative functions until the election of the National Assembly, Thus they have no control no real oversight functions like a real parliament. The Constitution has to grant you both legislative and oversight before you can be recognised as a parliament, and it is non-existent’. Dr Alhassane Makanera (Political Activist), Dean, Law School, University of Sonfonyah)³¹.

The CNT was expected to revise Guinea’s electoral laws and the constitution, but it had no specific mandate and its authorities were not publicly detailed. Nevertheless, it was generally tasked with creating conditions for an early return to constitutional rule based on the rule of law, individual freedom, and principles of good governance, through the establishment of consensual constitutional, organic, and electoral laws. However, it was constrained in many aspects least not being the fact that contrary to the true nature of parliaments, the people do not directly elect its members and therefore lacked legitimacy.

However, it gathered strength from the composition of its members who were a broad section of the social and political strata of the country. Rabiadou Sérah Diallo, a prominent trade union leader, was the head of the CNT, inaugurated with 155 members representing political parties, trade unions, civil society groups, and other socio-economic demographics. Members of the CNT were referred to as MPs and grouped into nine committees, reminiscent of a working Parliament, although “*we have **only advisory powers***” stated an MP.

Against this background the CNT became a benchmark for leading Guinea’s return to democratic rule as it was the main forum where consensus could be reached by people representing citizens, and with these limited powers it was able to achieve some policy goals.

First in April 2011, the CNT adopted a new constitution for Guinea that included several provisions whose implementation will increase respect for human rights and promote good governance: establishment of an independent national human rights institution; requirement

³¹ Phone Interview, June 2013,

of public asset declarations by the president and ministers; and the creation of a Court of Audit mandated to conduct yearly financial audits of public institutions, and strengthen the independence of the High Council of Judges, responsible for discipline, selecting and promotion of judges³².

Second, on September 9, 2011, Guinea's Transitional National Council (CNT) approved a new mining code, repealing the law of 1995 and establishing the legal framework comprehensively governing mining projects in Guinea. The new code significantly increases the share of state ownership in the mining industry, extending a 15 percent share of future mining projects to the GOG, without financial compensation. The GOG also has the option to purchase up to an additional 20% of each project. New tax breaks and other financial incentives encourage projects to include a processing facility such as an alumina refinery, aluminium smelter, or steel mill. The 2011 code also includes new measures designed to protect the environment, stimulate local development, fight corruption, and increase transparency in the sector. Although much of the code outlines the conditions under which future mining projects will be established, it also contains provisions that apply to companies already operating in Guinea.

Third, Guinea's long-delayed legislative polls³³ were pushed to September 24, 2013. The observation mission of the Economic Community of West African States (ECOWAS), made up of 100 observers led by former Togolese prime minister Edem Kodjo, Crisis has become a permanent condition in Guinea Over 2,000 local civil society observers will be deployed to observe the election, of which 980 are long-term observers.

The African Union, the Economic Community of West African States, the Mano River Union, the European Union and local Embassy and Consulate staff will also be sending international observers. The Independent National Electoral Commission's Training and Accreditation Department is responsible for accrediting observers. The CNT is also aware of: the security difficulties at Guinea's borders; widespread human rights violations, committed in particular by the security forces, and the impunity of their presumed perpetrators (aided by the unwieldy nature of the State's administrative structure and the

³² For more analysis see www.hrw.org/world-report-2011/guinea

³³ Also see IRIN Africa, 'GUINEA: The missing parliament'; <http://www.irinnews.org/report/96260/guinea-the-missing-parliament>

army in particular); border demarcation; youth unemployment; the status of women; child trafficking to Liberia and Sierra Leone; and drug trafficking.

In discussions for this study, the Chair of the Defence Committee foregrounded issues of cross-border security and the Committee's relationship with the work in the MRU and the MRU Secretariat.

The CNT is aware of the MRU and its work, but MPs do not know what role they can play, as they feel that procedures and processes are convoluted and unclear. Activities are centred on the Executive, leading MPs to feel they are being excluded from the governance processes. MPs have not had any formal presentation on the MRU or the 15th Protocol. Only a handful of MPs heard about it through a seminar held by the MRU shortly after it was created. MPs asserted that they have a potentially major role to play in mitigating cross-border insecurity that has been a constant threat to stability in Guinea and greatly contributed to the nation's political crises. MPs are just unclear on how to proceed and need guidance and support.

The CNT can work with the MRU structures in helping to implement the 15th Protocol. They can provide information through seminars, conferences or a working session with MPs for them to understand the protocols and processes. This would be particularly beneficial during the orientation for new MPs and the new parliament.

The CNT also needs skills training on conflict prevention and management to help Guinea regain peace and stability.

Guinea remained³⁴ suspended from the regional organisations until 2013 when the political transition ended with the parliamentary elections of September 30, 2013. The new 114-seat parliament was elected for a five-year term on 28 September, three years after the 2010 presidential election, and included 19 women.

The ruling *Rassemblement du peuple de Guinée* (RPG) had 46.5% of the seats in the new parliament (inaugurated on 13 January 2014), the *Union des forces démocratiques de Guinée* (UFDG) 32.4%, the Union des forces républicaines (UFR) 8.8 % and 12 other

³⁴<http://www.africom.mil/newsroom/article/6416/policy-statement-us-welcomes-ecowas-suspension-of->

parties 12.3%. The two main opposition parties may form a counter-force to monitor government action.

The new parliament should also help calm the political scene and increase social cohesion. But lingering tensions include the refusal of the *Parti de l'espoir pour le développement national* (PEDN) to take up its two seats, disputes among the parties represented and the issue of local elections due in 2014.

Date/Year	Structure	Speaker	Men	Women
September 28, 2013	Unicameral/114	Claude Kory Kondiano	89	25
June 30, 2002-2008	Unicameral/114	Aboubacar Somparé	92	22
June 11, 1995-2002	Unicameral/114	Boubacar Biro Diallo	106	8
1980-84		Damangtang Camara		
1974-January 27, 1980	Unicameral/210	Jeanne-Martin Cisse	125	25
1968-December 27, 1974	Unicameral/150	Leon Sylvestre Maka		
1964-January 1, 1968	Unicameral/75 5 years	Damantang Camara		16
1958-September 28, 1963	Unicameral/75 5 years	Saifoulaye Diallo		14

Table 6.1 Guinea's National Assembly trajectory

Sources: IPU Parline Databases (http://ipu.org/parline-e/reports/2131_E.htm); (Gates, Akyeampong et al. 2012, Camara, O'Toole et al. 2013)

6.3 Formal latent Conflict prevention initiatives

6.3.1 Ordinary Sessions

Deliberations on the situation in Guinea have always preoccupied discussions at the ECOWAS-P as far back as the initial Sessions since it was inaugurated. During the First Session of the ECOWAS-P for instance, then Deputy Executive Secretary of Political Affairs, Defence and Security, General Cheick Oumar Diarra in presenting activities of the Executive Secretariat reiterated for the notice of parliamentarians 'the civil wars ravaging certain countries of the Community'.¹

In reviewing the report the issues deliberated responded to 'Regional Peace and Security-conflicts in the Mano River Union Region (Sierra Leone, Liberia and Guinea); Cote d'Ivoire, Guinea- Bissau and the Mechanism for Conflict Prevention, Management and Resolution; and the Moratorium on light arms'.² There were however, no active discussions on what specific or general issues parliamentarians should employ to resolve the situation. It was all at the Executive level who were mainly driving the process as the first session of the parliament.

Suffice it to state that, this was a significant step in developing how the parliament will work going forward as these can be called information sessions by the Executive whenever parliament is to hold sessions, these have been instituted and continue until date. But most importantly was that, at this time, the departments of the parliament itself were not established thus even the report generated at this session was by the Executive Secretariat and there were also no discussions on what role the parliament can play in resolving the Guinean challenges, though they were duly informed of the crises.

Thus, at the Second Ordinary Session of 2001 then Executive Secretary of ECOWAS at the Official opening of the Session presented on the security situation in the MRU comprising

¹ Page 5; Report of the First Session of the ECOWAS Parliament for the year 2001, Abuja, 1-7 June 2001, ECOWAS Parliament, Abuja, 2001

² Ibid. Page 6

Guinea, Liberia and Sierra Leone and how efforts were being made to restore confidence amongst the three Heads of State to work together in resolving the situation.³

Referred to Committee sittings as agenda item number 6 'conflicts in the sub-region' the Parliament that ...'its Bureau should dispatch a delegation immediately to the Heads of State of the Mano River Union to show the Parliament's support of the reconciliation process' .⁴ Here, the parliament was examining the sub-regional aspect of the crises and not singling out Guinea and as Liberia and Sierra Leone both had transitional justice processes, it was captured as essential to the discussions.

Meanwhile at the First Ordinary Session of 2002 the Speaker explained away the inability of the Parliament to send a delegation as stated in the preceding session by stating that:

'Despite the Parliament's stated wish to play a part in resolving this crisis, it was unable to undertake the planned parliamentary enlightenment and goodwill missions owing to the inadequate financial and material means at its disposal. Nevertheless, Parliament sought to give support to on-going efforts and initiatives by writing letters to...President Lansana Conte...to commend...actions'.⁵ Following, the Committee on Foreign Affairs, Cooperation, Defence, and Security in consideration issues referred to it discussed amongst others the 'role of Parliament in conflict prevention, management, and resolution in West Africa'.⁶

Meanwhile during the First Ordinary Session of 2003, deliberations referred to the Joint Committee on Foreign Affairs, Defence and Security/Laws, Regulations, Legal and Judicial Affairs were preoccupied with the resurgence of fighting in Liberia and its impact on its neighbours especially Guinea⁷. To this end, even Guinean MPs were more concerned about how this will affect them, and called for swift action to curb the situation. Liberian MPs who at the Session were actually stranded, as they could not return home and Nigeria

³ Page 6; Report of the Second Ordinary Session of the ECOWAS Parliament for the year 2001, Abuja, 24 September-12 October, 2001, ECOWAS Executive Secretariat, Abuja, Oct, 2001

⁴ notes from Committee Sittings on Thursday 27-Saturday 29 September 2001; Page 3-4; Page 10; Report of the Second Ordinary Session of the ECOWAS Parliament for the year 2001, Abuja, 24 September-12 October, 2001, ECOWAS Executive Secretariat, Abuja, Oct, 2001, Rev. 1

⁵ Page 23; B.Peace and Security Issues 1. The Situation in the Mano River Union; Report of the Session, First Ordinary Session of the Parliament, 28 May-17 June, 2002, ECOWAS Parliament, Abuja

⁶ Ibid. Page 65

⁷ Pages 27-28, Report of the 2003 First Ordinary Session of the ECOWAS Parliament, 28 May-13 June 2003, Abuja

indicated their willingness to support them until they can return, though the fate of their families was going to be in a balance.⁸

During the Second Ordinary Session in 2003, the country report for Guinea in an overview of the security situation indicated the borders were calm and existing good prospects for peace because of positive developments in the Mano River region, whilst at the same time, Liberia reported it was still at war with no Parliament working. When the Executive Secretary presented the report on the security situation, there were instances non-reconcilable to those reported. These inaccuracies received debates with MPs calling for the country reports to be factually accurate to reflect the real situation on the ground.⁹

By the time of the First Ordinary Session of 2004, Guinea was still reporting reduced tensions at its borders with Liberia and Sierra Leone as well as hope for lasting peace. The report reiterated 'the positive turn of events in the other two States of the Mano River Union is very encouraging and contributes to the maintenance of security at the south and south-west borders of Guinea. Today, we commend the rebels' disarmament process in Liberia and wish that it should continue and end in the integration of the rebels into other activities of national life'.¹⁰

However, Guinea had ratified pertinent Protocols including A/SP.1/12/01 on Democracy and Good Governance supplementary to the Protocol relating to the Mechanism for Conflict Prevention, Management and Resolution, Peacekeeping and Security¹¹, which was significant with respect to its own security challenges.

During the First Ordinary Session of 2007, Guinea's main report captured the postponement of legislative elections because of internal violence¹² and for the first time, there was no mention of regional crisis. It was therefore quite expected when the ECOWAS Commission reported to the Parliament during its Second Ordinary Session of 2007 about improvement in the region emanating from resolution of crisis in Guinea and supported Peacebuilding

⁸ *ibid.* Pages 29-31

⁹ Pages 18, 40-41, 55; ECOWAS Parliament Report of the Second Ordinary Session of the Year 2003, 19-30 September, Abuja. Also transitional processes were being undertaken in Liberia which MPs were unaware of as contained in verbatim reports Pages 6-14, Official Report of Proceedings, Monday, 22 September 2003

¹⁰ Page 3, 'Security Situation' in Country Report for Guinea, First Ordinary Session for 2004, 6-15 May, ECOWAS Parliament, Abuja

¹¹ Pages 17-18; Report of the First Ordinary Session for 2004, 6-15 May, Abuja, ECW/PARL/1/2005/04

¹² Page 16, Report of the First Ordinary Session for 2007, 15-28, May, ECOWA Parliament, Abuja

initiatives in Cote d'Ivoire, Guinea-Bissau, Liberia, and Sierra Leone¹³ which all border Guinea.

The Committee on Political Affairs, Peace, and Security in its sitting during the First Ordinary Session of 2008 took the initiative of developing a Terms of Reference and scheduled a delocalised meeting on the 'Review of Guidelines for Election Observations Missions in West Africa', with Conakry, the capital of Guinea as the venue. This was also to evaluate existing practices, propose relevant criteria to conform to best practices and establish principles for the conduct of Election Observation Missions. Critical to Guinea was the participation of the Transition Monitoring Group and the Guinea Electoral body.¹⁴ Meanwhile the Guinean MPs also reported calm and relative security along the Guinea's borders but called for action on drug trafficking which was becoming a major obstacle and should be tackled through coordinated regional efforts. In addition, its national parliament was yet to discuss the Convention on Light Weapons and Small Arms, associated materials, but this will be effected during its final sitting.¹⁵

Following, the Chairman of Guinea's Electoral Commission presented the challenges and prospects of conducting elections at delocalised meeting and reiterated the importance of Guinea ratifying the 2001 ECOWAS Protocol on Democracy and Good Governance. Emphasis was placed on existing challenges, which include financial constraints; conducting elections deemed credible by the international community and prevailing socio-economic crises, which have which have led to the undermining of state authority.¹⁶

The challenges enumerated by Guinea in the preceding Session's country report resounded positively with the address made by the President of the Commission at the opening of the Second Ordinary Session of 2008 with the statement of a regional conference to be organised to map out a strategy to combat drug trafficking and its impact in the region.¹⁷ At this Session however, Guinea reported challenges with domestic security opposite to tranquil border situation and the postponement of elections from 2008 to 2009 by the Independent Electoral Commission. However, it was made clear that community spirit is

¹³ Page 8, Report of the Second Ordinary Session for 2007, 19-29 September 2007, ECOWAS Parliament, Abuja, ECW/PARL/1/2008/04

¹⁴ Page 29; First Ordinary Session 2008, Report of the Meeting of the Committee on PAPS, 13-23 May, 2008, Abuja,

¹⁵ *ibid.* Page 13

¹⁶ Pages 10-11, Report of Delocalised Meeting of the Committee on PAPS, Conakry, guinea, 21-25 July 2008

¹⁷ Pages 9-10; Report of the Second 2008 Ordinary Session of the ECOWAS Parliament, Abuja, 10-26 September 2008

resurging after all the efforts in resolving the crisis by ECOWAS and the Speaker was urged to visit the country to further consolidate these gains.¹⁸

Updating the ECOWAS-P during the First Ordinary Session of 2009, Guinean MPs stated how internal strife had finally given sway to chaos when following the death of President Conte there reported a 'change in government which brought to power the National Council for Development and Democracy, led by Captain Moussa Camara'.¹⁹

In discussing issues before they are referred to the relevant Committees, the occupation of Yenga a town in Sierra Leone by Guinean soldiers was raised,²⁰ and the MPs in response reported that, they had already discussed this with relevant authorities in Guinea. Also, meetings had already taken place between the Chiefs of Staff of the armies of Guinea and Sierra Leone and it was only because of upcoming elections that had hindered further pursuit of the issue.²¹ Meanwhile there was a Joint Commission of the committees on PAPS and NEPAD, African Peer Review Mechanism (APRM) Commission which recommended that with regards the 'coup d'état in the Republic of Guinea; the Joint Commission through the draft resolution invites the military leaders to restore constitutional order and the rule of law'.²² There was also the recommendation that there should be dialogue between the different armies of both Guinea and Sierra Leone about the occupation of Yenga under the ambit of ECOWAS and the Mano River Union.²³

By the time the First Ordinary Session of the Parliament was taking place in 2010, the parliament had already passed two critical resolutions on Guinea²⁴ and was looking to consolidate these gains with respect to the pervading challenges. The efforts of the parliament even received commendation from the President of the ECOWAS Commission when he stated that '...deserves praise for the initiatives it had taken to manage poetical crises, most notably in Niger and Guinea' and recalled the resolutions the Parliament had passed with respect to these countries' situations.²⁵

¹⁸ *ibid.* Pages 25-26

¹⁹ Page 18; Report of the First 2009 Ordinary Session of the ECOWAS Parliament, Abuja, 12-27 May 2009, ECW/PARL/11/2009/04

²⁰ *ibid.* Page 26

²¹ *ibid.* Page 27

²² *ibid.* Page 39

²³ *ibid.* Page 40

²⁴ Page 4(20); Report of the First Ordinary Session of the Parliament for the year 2010; Abuja, 19 May-03 June, 2010; ECW/PARL/11/2010/04

²⁵ *ibid.* Page 43(437)

At the Session, Guinea's country report essentially captured the situation in situ; that the political situation was much improved given that the Ouagadougou Agreements were being implemented and a government of national unity underpinned by a National Transition Council was established. As well, a constitutional order had been restored and presidential elections were being scheduled for June 27, 2010, which was just the end of the same month as the Session. Security was also touted as improved with a programme on reforming the security agencies being undertaken with the assistance of the AU and UN.²⁶

During debates, it emerged that people that went missing during the protests in Guinea had become a subject of investigations; launched by the county and another by the ICC. However, on the latter, the MPs reported that it had returned the issue to the Guinean government to undertake. Thus, it was hoped that, these investigations would lay to rest the issues surrounding the women violated and the missing persons.²⁷

Following, the report of the Ad hoc inter-parliamentary committee set up to undertake the missions were considered and adopted without amendments as well as the Resolutions that were passed.²⁸ But at the Second Ordinary Session of 2010, the Parliament from the recommendations of the Ad hoc Committee issued a Supplementary resolution on the political process in Guinea highlighting amongst other issues an urgent appeal to the Guinean political elite to demonstrate restraint and focus on dialogue and consensus building to resolve the crises.²⁹

The First Ordinary Session of the Parliament in 2013 also ushered in the beginning of the Parliament's tenure as a third legislature and there was a specific on the political situation in the Republic of Guinea. Suffice it to state that, Guinea was suspended at the time from the Parliament as it had still not carried out legislative elections, and the CNT had overstayed its legitimacy thus, it was only to be re-admitted after legitimate legislative elections. The main crux of the existing crises lay in the repeated postponement of legislative elections and the emanating dynamics as discussed above.³⁰ In finding a viable

²⁶ Page 23; Report of the First Ordinary Session of the Parliament for the year 2010; Abuja, 19 May-03 June, 2010; ECW/PARL/11/2010/04

²⁷ Ibid. Page 39

²⁸ Ibid. Page 62

²⁹ Second 2010 Ordinary Session of the ECOWAS Parliament, Abuja, 16-30 September 2010; Meeting of the Ad hoc Parliamentary Committee on the Political Situation in Niger and Guinea, Abuja, 27 September; Supplementary resolution on the political process in the Republic of Guinea (See Appendix 6 for full Resolution)

³⁰ Meeting Report of the Joint Committee; PAPS/NEPAD and APRM, Abuja, 13 and 14 May, 2013, First Ordinary Session of the ECOWAS Parliament, 6-21 May, 2013, Abuja

solution, the Director reported that, ECOWAS and the international community will have to convince stakeholders in agreeing a date for the elections and other procedures to ensure that the election are considered credible, and legitimate enough for the citizenry to have confidence in governance. To do this, the plan is to send what the Director called a 'high powered delegation to mediate so as to avert the outbreak of fresh crises.'³¹

In deliberating these challenges, the MPs articulated that in order to avert the political impasses from deteriorating into further crises, ECOWAS needed to provide a platform under which it can break the deadlock and the parliament could then support with parliamentary diplomacy.

There was need to also be mindful of the sovereignty of Guinea and make sure to enforce the provisions of the Protocol on Conflict Prevention, Management and Resolution, Peacekeeping and Security, and the Supplementary Protocol on Democracy and Good Governance relating to the statutory convergence criteria.

The Joint Committee then recommended a parliamentary fact-finding mission in conformity with the Rules of Procedure establishing the functions of the standing committees of the Parliament.³²

6.3.2 Fact-finding/Peace/Negotiation/Mediation Missions

On the recommendation of the First Ordinary Session 2002, the Parliament sent a delegation to the Mano River Union³³, which then reported its findings at the Second Ordinary Session 2002. The team led by the Chair of the Committee on Foreign Affairs, Cooperation, Defence and Security, Mao Ohuabunwa³⁴ were tasked with visiting the MRU with the terms of reference to undertake a fact-finding mission to the three MRU countries and to report findings to the Parliament with recommendations. The guideline to help achieve this was drawn up as follows:

³¹ Ibid. Pages 4-5

³² Ibid. Page 5

³³ Only the delegation's work in Guinea will be emphasised

³⁴ Other members included Deputy Speaker Oumarou Sidikou; ECOWAS MPs from Guinea, Liberia and Sierra Leone; Abdoulaye Bathily(MP); Gabriel Dumi(MP); Khairat Abdul-Razaq(MP); Mrs. Halima Ahmed(Secretary-General) and Chief Vincent Gbemudu, Political Adviser to the Speaker, Page 25; Report of the 2nd Ordinary Session, 3-13 September 2002; ECW/PARL/V/1/2003/04, Abuja

All MPs from the MRU in the ECOWAS-P hold a consultative meeting and develop programmes and plans of actions; consultations with major stakeholders comprised as Heads of State and Governments, Parliaments and National Assemblies, Opposition Party Leaderships, Civil Society Movements and traditional leaders. Also, visit refugee/IDP camps and hold meetings, hold review meeting after each country visit and prepare a report.³⁵

The mission's report was regarded as one of mixed results especially as regards the issue of easing tensions and establishing a climate of trust amongst the region's leaders.³⁶

Substantively, the delegation's visit to Guinea (July 21-25, 2002) helped to glean information crucial to understanding the challenges in the country. Parliamentarians collected information after all their meetings pointing to the perception that the conflict was 'exacerbated by the personality and ego problems between Presidents Lansana Conte (Guinea) and Charles Taylor (Liberia). Allegations were also made to the fact that Guinea was a territory used to grant passage and support to the LURD rebels who seek to overthrow the latter.³⁷ There was also the all-pervading sense of Guinea never going to be at peace unless Liberia especially was also at peace. For instance in meetings with stakeholders in Guinea³⁸ several issues came to the fore from officials in government, women groups, MPs, and civil society organisations.

It emerged that, there was perception of Liberia being the instigator of the crisis in the MRU and emphatically the Foreign Minister reiterated that this has even been reported to the UN in an independent report and sanctions on Liberia were because it was implicated as guilty and promoted by neither Guinea nor Sierra Leone. Overwhelmingly, all stakeholders discussed the 'Charles Taylor factor' and when MPs enquired on best ways of resolving issues with him an array of views were tabled including bringing diplomatic pressure to bear on him as he was the 'root' of the problem.³⁹

³⁵ Pages 1.2; Summary Report of the fact-finding mission of the MRU Parliamentarians of the ECOWAS Parliamentarians on the crisis in the MRU sub-region

³⁶ Page 26; Report of the 2nd Ordinary Session, 3-13 September 2002; ECW/PARL/V/1/2003/04, Abuja

³⁷ Page 5; Report of the Peace/Fact-finding mission to the Mano River Union States (Sierra Leone-Liberia-Guinea), ECOWAS Parliament, August 2002

³⁸ *ibid.* Pages 27-45; meetings with Francois Fall (Minister of Foreign Affairs); Moussa Solano (Minister of Interior and Security); Leadership of the Mano River Women Network; Religious Councils; President of the National Assembly and MPs; Lamine Sidime (Prime Minister of Guinea)

³⁹ *ibid.* Page 33

Therefore in feeding back to the ECOWAS-P during the Second Ordinary Session 2002, the delegations indicated that they had secured a commitment from President Charles Taylor (Liberia) in principle to hold a meeting with 'his elder brother' General Lansana Conte of Guinea.⁴⁰ In addition, MPs from the three MRU countries were to meet to discuss ways of achieving stability restoring cooperation amongst themselves as regards peace and security issues.

At the same time, the Speaker intimated that following completion of the mission by the MPs, there would be report forwarded to the Heads of State; especially President Abdoulaye Wade as then serving Chairman of ECOWAS; President Amadou Toumani Toure(Mali) because it was identified that the LURD rebels agreed to hold talks in the Malian capital, Dakar or Freetown; President Gnassingbe Eyadema as the longest serving ECOWAS Head of State and then President Olusegun Obasanjo as Head of State of the host country for the ECOWAS-P.

An initial step already taken was a meeting held with the Vice President of Nigeria, Alhaji Atiku Abubakr in the absence of the President and thus as soon all, the Heads of States were briefed then the Parliament will draw up plans for resolving these crises.⁴¹

Findings and recommendations passed onto the parliament needing action were undertaken in a second mission to the Mano River Union in 2003 during which there were frank discussions held with President Charles Taylor, Prime Minister of Guinea, Foreign Minister of Guinea, Parliaments of Guinea and Liberia, Opposition party members and Civil Society Organisations (CSOs).⁴²

With particular respect in the case of Guinea, were meetings with LURD; Parliament, Foreign Minister, Prime Minister, national chapter of Mano River Women's Network (MARWOPNET) and representatives of opposition political parties all of Guinea.

In opening statements, the Speaker of the ECOWAS-P briefed the meeting on activities held prior which had culminated in the present endeavour and emphasised the appreciation of the parliament to Presidents Charles Taylor and Lansana Conte for endorsing the efforts of the parliamentarians. Also, he entreated the LURD delegation to make reasonable and realistic demands and to state their grievances honestly and sincerely so they could be

⁴⁰ *ibid.* Page 26

⁴¹ *ibid.* Pages 27-28

⁴² Report, Second Mission to the Mano River Region, February 5-8, 2003; and March 9-18, 2003

resolved amicably.⁴³ Other Parliamentary officials, the Inter-Religious Councils, and the chair for the meeting Dr. Nana Pratt on behalf of MARWOPNET made similar appeals.

The Speaker subsequently declared the negotiations open, and stated that these would take place in camera. The following organisations/officials were part of the process; members of the ECOWAS-P; the Speaker's entourage; Inter-Religious Council of Liberia (IRCL) four delegates; Inter-Religious Council of Sierra Leona (IRCSL) four delegates; MARWOPNET four delegates; MRU Ambassadors; Civil Society Movement four delegates; LURD all members and six Observers.

This closed-door session began with the LURD appreciating the opportunity to participate in what they described as an historic meeting.⁴⁴ In addressing the meeting, LURD gave an overview of their interpretations of the crisis, which they stated were caused by President Charles Taylor.

First, they claimed he launched the civil war in Liberia, which led to all the atrocities being witnessed in the MRU. They insisted, that even when ECOWAS sponsored elections on July 19, 1997 under the Abuja Peace Accord Charles Taylor flouted the tenets of that Accord. He did not see to restructuring the army and had declared that he 'would not share power with anyone and would use guns to defend his democracy'. Unfortunately, these utterances did not receive any condemnation from ECOWAS, AU, nor UN. Most allegations were levelled against Charles Taylor and this then prompted the actions of LURD who aim to remove President Taylor by military and political means and create a friendly democratic environment and form a government of national unity.⁴⁵

LURD submitted two documents reflecting their position and a revised political agenda and these were to form the basis of a question and answer session between them and other participants in the closed session.

In responses to twelve questions put forward to the LURD all reflected issues with Charles Taylor and why his ascendancy to the realms of power in Liberia does not augur well for peace in the MRU. For instance, in response to the first question 'what does LURD require in order to bring an end to the conflict?' elicited the following answers:

⁴³ *ibid.* Pages 9-10

⁴⁴ *ibid.* Page 13

⁴⁵ *ibid.* Page 15

'Charles Taylor is the problem. Taylor was not elected under the constitution of Liberia, but under special arrangements put together by ECOWAS under the Abuja Accord. Charles Taylor reneged on the Abuja Accord by expelling the ECOMOG forces before they could complete their assignment. In addition, Taylor, by carrying out an attack on innocent civilians on Sept 18, 1998, where several were killed or forced into exile, had sounded the drums of war'.⁴⁶

The address provoked pertinent discussions on two levels; first delegates appealed to LURD to be more realistic in their demands and consider the suffering masses whilst the other was pleas for them to lay down their arms and respect Taylor as the democratically elected President whilst negotiations ensued. They were commended for attending this meeting as it demonstrated their resolve to achieving peace.⁴⁷

Significantly, the main outputs from the meeting were LURD's Position Statement, LURD's Revised Political Agenda, Communiqué of the Freetown Meeting and LURD's 9-point Agenda for Peace as presented in Appendix 13.

The Communiqué served as an agreement on how the parliament and LURD will progress in future negotiations whilst the 9-point Agenda for Peace tabled their demands which made great progress in contributing to a situation which had hitherto been in stalemate.

Following, there was a two-pronged approach to the way forward; the Communique was issued as a Press Release whilst the meeting resolved that the 9-point Agenda for Peace will be discussed with President Taylor, and then a comprehensive report forwarded to seek counsel of Presidents Conte of Guinea and Kufuor of Ghana (then ECOWAS Chairman). The meeting ended with much optimism for a solution to the crisis.⁴⁸

The second part of the mission was undertaken from March 9-18, 2003 covering meetings in Liberia and Guinea. In Liberia were with the Inter-Religious Council of Liberia; Joint meeting with both Houses of Liberia's Parliament; ECOWAS Citizens Union; Liberia chapter of MARWOPNET and Civil Society Movement. In Guinea meeting were held with the Parliament; Director General of the Foreign Ministry; The Prime Minister; national chapter of MARWOPNET and opposition parties representatives.

⁴⁶ *ibid.* See the full transcript of the Q & A, Pages 16-20

⁴⁷ *ibid.* Page 20

⁴⁸ *ibid.* Pages 21-22

Crucial to the outcomes of the process was the meeting with President Taylor where the Speaker summarised the efforts undertaken by the Parliament most especially the meeting with LURD. The Speaker indicated this had been a request from President Taylor to find out 'what they wanted' and that they had obtained an eight point agenda⁴⁹ and other documents containing the information, which had been forwarded prior to the meeting. The Speaker also informed President Taylor of briefings with the ECOWAS Chair President Kufuor and indicated that, the parliamentarians after meeting with him will be in Guinea to hold meetings with President Conte and brief him too. He also enquired if he was going to attend the peace conference being scheduled by the International Contact Group on Liberia (ICGL) on the issue.

In response, President Taylor expressed thanks for the efforts of the parliament but added that as had already been briefed about the meeting with LURD in Freetown there was no need for further information. However, on the meeting in Mali, the Liberian government was working with the ICGL and as such; he will be available for the meeting as well as hold talks with his Malian counterpart. In addition, this will be a peace conference including the government, LURD and all other stakeholders⁵⁰. On the position of LURD and the solution to the crisis, President Taylor maintained that:

'...the Liberian problem is complicated and is not limited to problems between the Government and the LURD. Had this been the case...the problem would have been long solved...there are larger interests behind the LURD that must be a part of the settlement before any meaningful peace could be achieved. ...should President Conte of Guinea, make up his mind to disallow rebels from using Guinean territory to stage attacks on Liberia, the war would be over'.⁵¹

Emphatically, President Taylor further stated that, if he and President Conte met one on one, in a candid manner the conflict will be over. This is because, the seeming animosity between them stemmed from misleading information to President Conte indicating that he was supporting Guinean dissidents against the Government of Guinea. He even went as far to declare that, Guinea could send troops to even 'search the length and breadth of Liberia and arrest any dissident they find'. Thus in his estimation, a meeting will put all rumours to rest.⁵²

⁴⁹ *ibid.* Page 37, the original was 9-point it is not clear at this stage which of the demands has been relegated

⁵⁰ *ibid.* Page 38

⁵¹ *ibid.* Page 38

⁵² *ibid.* Pages 39-40

On the way forward, MPs put forward some issues for clarification from President Taylor on people who will be allowed to participate in the Mali conference and whether he will accept the outcome. President Taylor intimated that, as long as the outcome does not contravene the Constitution or laws of Liberia he would accept them but would not be willing for an interventionist force unless such a force is a designated capacity building one aimed at enhancing the effectiveness of the armed forces. Agreeably to him, was also the scope of Liberians welcome to attend, including those in self-exile as well as and political parties registered in Liberia.⁵³ In closing remarks, the Speaker appealed to President Taylor to impartially study the demands of LURD with a view to objectively forming genuine opinions.⁵⁴

In Guinea, the delegation commenced their mission by first meeting with the Parliament of Guinea to brief them on progress so far and discuss innovative ways of approaching a meeting with President Conte. Expressing the full support of the Guinean Parliament, it was agreed that MPs should be bold and candid with the President who was supportive of the efforts of the Parliament.⁵⁵

Ultimately, the mission gathered from various meetings in Guinea on the second leg of the complete programme, gathered critical perspectives vital to resolving the crisis. It was recognised that Guinea is uniquely placed in several ways.

Also, LURD rebels have an affinity with its border and thus it must play a role not just to be at peace as a country, but also to bring lasting peace to the region, and by extension to the whole of West Africa. In addition, that dialogue was indispensable especially a bilateral meeting between Presidents Taylor and Conte,⁵⁶ and a need for more openness and frankness at Peace Summits if the root cause of the conflicted are to identify and lasting peace established.

⁵³ *ibid.* Page 39

⁵⁴ *ibid.* Pages 41-42

⁵⁵ *ibid.* Pages 49-50

⁵⁶ *ibid.* Pages 49-Meetings with Parliament of Guinea; Foreign Minister (represented by the Director General, Thierno Habib Diallo); national chapter of Mano River Women's Network; opposition parties who boycotted elections

6.3.3 Extraordinary Sessions

The first mission's report precipitated an Extraordinary Session in November 2002 (this is the first of its kind in the history of the ECOWAS-P), as the issues could not be exhausted during the Ordinary Session.⁵⁷

The main agenda included 'latest development in the MRU Peace Process'. To this, the Speaker stated that 'one of the things that has motivated the Heads of State and Governments to establish a Parliamentary representation in the Community is; to enable the institution assist them in finding solutions to the problems in the sub-region, particularly, the peace and security problem'.⁵⁸ The session was thus very important to ensure the optimal function of the parliament.

The Speaker reported that, there was an emerging confidence from actors in the region on the capacity of the parliament to bring about lasting peace to the MRU. This was brought to the fore when he had the opportunity to meet with President Lansana Conte of Guinea during which he 'observed the willingness and commitment of the latter to dialogue with his counterparts and even host in Guinea, an inter-parliamentary conference on Peace in the Mano River region'.⁵⁹ Suffice it to state that, it is well established that Conte considers meetings of such nature anathema to Guinea's sovereignty and will usually not meet anyone, nor agree to talks, this was therefore considered progress as it will indicate the parliament's role as positive and vital.

At this session, the issue was then referred to the Joint Committee on Foreign Affairs, Defence and Security laws, Regulations and Legal and Judicial Affairs to deliberate during its sitting and report with recommendations. The report recognised the initial memorandum forwarded to the Heads of State on the issue and the feedback from the Chair of MRU parliamentarians, which indicates progress in the process as a main stakeholder President Lansana Conte, was now open to engagement.⁶⁰

Following, the ECOWAS-P passed a Resolution on the issue calling on all Heads of State in the region to help with the dialogue process between Liberia and LURD as this has direct impact on Guinea, and the MRU sub-region. Then advised the Bureau of the Parliament to

⁵⁷ See Extraordinary Session Report, 11-15 November 2002, ECW/PARL/BUR.VI/1/2003/03, Abuja, Mars 2003

⁵⁸ *ibid.* Pages 3, 5-6

⁵⁹ *ibid.* Page 6

⁶⁰ *ibid.* Page 24

take advantage of the current acquiescence of the Guinean President to initiate processes that will lead to lasting solution⁶¹.

However by 2009, Guinea was back in the discussions of the parliament as it was at the brink yet again and there was the need to help contain the situation. Thus, after all other progressive initiatives to help with Guinea's numerous transitions from slipping into full-scale war, yet another initiative had to be advanced by the parliament.

Another Resolution was passed at the First Extraordinary Session of the Parliament in October 2009 on the political situation in Guinea, which was exacerbated by the peaceful protests organised by *Forces Vives* on September 2009 in Conakry and the violent response meted out to civilians by the military junta.

The parliament therefore resolved as presented in Table 6.2:

6.1 Informal latent conflict prevention initiatives

6.1.1 Networks

Due to porous borders within the MRU there is evidence pointing to the importance of the control of people, rather than the control of territory as vital to politics. Exploring this relationship, Jörgel, Utas et al. (2007) discuss existing mutual relationship between a patron ('Big Man') and his network as core to how the state functions. Therefore, to be able to achieve and maintain power is to control an extensive network, bringing politics, economics and hard security into a collective. These informal structures underpin and correlate to the importance and real use of formal ones. Whereas none of the formal transparent mechanisms at either state or regional level can function without the support or authorisation of informal networks, and external factors including peacekeepers, business interests and donors also function as 'Big Men' and connect to national and regional informal networks(Jörgel, Utas et al. 2007).

⁶¹ ibid. Pages 25-26

a. Expresses deep condolences to the people of Guinea, especially the families of the victims of the mayhem;
b. Condemns in its entirety the brutal killings and maiming of innocent and defenceless civilians by the military junta in the Republic of Guinea;
c. Condemns in unequivocal terms, the sexual abuse and violence against women, publicly perpetrated by the military junta;
d. Firmly believes that the killings and other violent acts committed against the innocent and defenceless citizens were premeditated, with the aim of suppressing their dissent to military rule in their country;
e. Holds the CNDD and its collaborators responsible for the killings of peaceful citizens and the sexual abuse and violence against women;
f. Calls for the immediate and unconditional release of all detainees, arrested in connection with the peaceful protest of 28th September 2009;
g. Calls on ECOWAS, African Union and the United Nations to initiate, with the assistance of the Prosecutor of the International Criminal Court (ICC), an international investigation into the events leading to the killings of the citizens;
h. Appeals to the ECOWAS, the African Union and the United Nations to immediately deploy an International Intervention Force in Guinea, to protect its citizens;
i. Calls on the International Community to support the International Intervention Force, when it is established;
j. Calls instantly on the ECOWAS Authority of Heads of state and Government and the International Contact Group on Guinea, to immediately remove the military junta in Guinea;
k. Calls for the formation of an interim civil Government of National Unity, that will conduct General Elections in the country within ninety days;
l. Calls on the ECOWAS Authority of Heads of State and Government to ensure complete a total compliance by all Member States, with the Constitutional Convergence principles as contained in article 1 of the Supplementary Protocol on Democracy and Good Governance

Table 6.2 Resolution of the First Extraordinary Session on Guinea 2009

Source: Compiled by author using data from ECOWAS-P Extraordinary Session Report 2009

Thus legitimate brokers of peace inevitably deal with these in their bid to help form-to-form separate, 'clean' forms of governance yet continue to deny these alliances. Thus in this area the ECOWAS-P can be said to be an outlined legitimate broker of peace and an important player for improving security in Guinea. According to the Speaker of the ECOWAS-P:

'...this is because, to bring about real change, we have avoided using the lenses of donors who view these 'Big Men' only from a 'rational choice' as to secure their positions, these 'Big Men' only use networks to extend solidarity within a moral framework. We have effectively mapped out who the specific

players are and engage with them on pertinent issues as, and when the need arises' (Ike Ekweremadu, May 2013).

6.1.2 Initiatives in the MRU

In its capacity as a parallel and collaborative sub-regional body, political fortunes of Guinea have improved somewhat under the ambit of the MRU. Under the auspices of the Mano River Union Peace Forum (a permanent forum of 24 civil society representatives from Liberia, Sierra Leone and Guinea (6 from each country, representing youth, religious leaders, traditional rulers, women, human rights/democracy campaigners and the media), there are efforts to advocate for peace, monitor events, and make informed representations to governments and inter-governmental bodies.

The MRU is also for the purposes of creating expertise of regional constituency for conflict prevention and resolution across physical, social, and ethnic barriers. With a schedule of regular meetings in each country has been established in which members identify issues for advocacy and closely monitor the security situation. They then feed this back to the Forum's Secretariat, based in Freetown, Sierra Leone, so it has access to the most up-to-date information and analysis, and can act as an early warning mechanism for the region (IPA 2002, CIVICUS 2011).

Notable successes of the Forum of the MRU include the drafting of the Liberian Peace Agreement (2003) and a workshop for MRU parliamentarians and government officials, which resulted in the formation of the network of MRU Parliamentarians to foster peace. The MRU Peace Forum also works to create networks (with media, women, and young people) that include representatives from all over the region, to promote understanding and develop skills to address the conflicts within and between their countries. Media practitioners also collaborate with the MRU and have now developed an informal network, which is used to exchange information, crosscheck facts and provide mutual moral support in a political climate that does not always welcome freedom of the press.

In the year 2000, the MRU adopted its 15th Protocol on Joint Cooperation on Defence, Security, Internal and Foreign affairs aimed at working for the maintenance of peace, security and stability of the member states in that sub-region. The 15th Protocol also calls for the creation of a joint security committee and other MRU mechanisms to monitor border security and related issues. Thus with the establishment of a Joint Security Committee (JSC) in the 15th Protocol, security coordination is deemed the primary mission of the MRU.

According to Dr. Makanera⁶², the MRU complements the work of ECOWAS in the sub-region and it is very important to the uniqueness of the four countries in that union. That 'the relations between Liberia and Guinea are relations of compulsory complementarity because it is firstly; the Guinean territory encircles Liberia from the north-east to the South and more importantly because most of the ethnic groups in Liberia are found in Guinea.

A salient challenge being the employment of youth as rebels and combatants in the MRU wars, an initiative called the Mano River Union Youth Parliament (MRUYP) is regarded as a viable institution that will help to transform the fortunes of young people in the sub-region. This sub-regional network is comprised of young peace builders, students, journalists, development practitioners, and human rights activists within the MRU countries advocating for peace, human rights, and the development of young men, women, and their communities. The MRUYP is an initiative of the West African Youth Network (WAYN) in collaboration with the Open Society Initiative of West Africa (OSIWA) and the United Network of Young Peacebuilders Sierra Leone (UNOY) Sierra Leone).

The idea of the youth parliament is deemed a direct reaction to the marginalised position of youth; they are hardly involved in the peacebuilding process and or not considered as positive actors. In this conflict-torn region, efforts continues on support of peacebuilding initiatives of women and civil society, but no comparable efforts were made to invest and promote the role of youth leaders, who not only represent an enormous potential for change in post-conflict situations, but often also are the key actors in the community development and social transformation among their peers.

6.2 Assessment of the Initiatives

In interviews, CSOs, practitioners, academics and MPs, there was a tendency to concentrate on prospects for both the national and regional parliament, and the individual institutions building upon each other's strengths and sharing experiences. In analysing these relationships several factors are crucial for assessing the initiatives undertaken.

Security Sector Reform (SSR)

Security sector reform in Guinea has been a major challenges due to several factors including, the size and mandate of the military, the existence of militias and 'gendarmeries'

⁶² Phone Interview, June 2013,

who are an eclectic mix of former combatants, ex-rebels and activists loyal to serving presidents who get co-opted into the military with no commensurate levels of training.

However, most initiatives of the parliament are not aimed at DDR though it is explicit from the responses of all the stakeholders that potential threat of violence from ex-combatants makes Guinea's relative stability unsustainable.

Thus to ensure a measure of SSR effectiveness, Guinea needs to undertake implementation of policies outlining civilian oversight of the defence sector through parliaments and other democratic institutions as well as the justice sector. As these are resource dependant and time based, it requires acute coordination and support from multi-donor funding to be committed by ECOWAS and the international community.

'...in societies experiencing democratic challenges like a lack of an elected parliament, you would expect CSOs to be the alternative or the institution that will help restructure and bring sanity into our politics... n'est pas? CSOs are the bane of Guinean society; first they pretend to be critiquing the government whilst they are secretly collecting money from them. Second they pretend they are not interested in politics yet they all contest our seats, unseat us and then get into governance, especially those from the President's tribe...and most of them just support the President to sign dubious mining contracts from which they get kickbacks. All these are problems that makes Guinea unstable. Anything can happen at any time. We may have peace, but as you know, the absence of war does not mean there is peace...non?' (Madeline Thea, Member of the CNT/Former member of ECOWAS-P, Guinea, Interview May 2013)

Thus comprehensively, approaches must comprise of various stakeholders including so-called 'Big Men' who wield unofficial authority for if formal arrangements are to be effective, then informal initiatives must be effectively integrated to yield positive results and make direct outcomes a certainty in the search for social stability and security(Mazov 2010) .

Parliamentary Mandates

The regional parliament apart from its missions and other interventions also sensitised members of the CNT on issues of working together with appointed MPs who may be former actors in the crises. This is aimed at helping transition parliaments and their members be able to work around negotiations and power-sharing arrangements when there is a

deadlock from democratic elections. As well, to make it possible for MPs of such backgrounds to submit themselves to transitions processes like reconciliation commissions of courts and not claim parliamentary immunity as it effectively establishes distrust between the parliaments and citizens.

Finally, as these are temporary positions, how they work will receive deserved support even if the members are nominated from organized civil groups or appointed in as much as they work fairly; as they will be considered the broad based forum for national dialogue in returning the country to peace times.

Elections and the Electoral Law

Electoral systems and laws in Guinea have been subject of many crises thus to be able to effectively establish a regime of a legitimate election system, ensure election monitoring and deal with electoral fraud to command legitimate elections, parliament is critical in determining the representative framework that carves out how diverse groups can participate in decision-making.

Diversity and ethnic proclivities have hindered democratic development in Guinea thus their inclusion through parliamentary advancements on electoral laws will help with conflict prevention and improve the success of sustainable initiatives for peace.

The confusion of these terms is dangerous as countries, being afraid of outside interference, sometimes refuse election “observers” because they mistake them for “monitors”. *Observation* is a rather passive activity, even though it can be constructive in interference. A *monitor*, on the other hand, can give binding instructions and his role is interventionist and preventive. Finally, a *supervisor* administers elections de facto like an election official.

Mediations/Negotiations

The question whether Elders could play the role of observers and of mediators at the same time and how far they can go in advising is a difficult one as the role of observers includes enhancing voters’ confidence in the process and calming voters and election officials through their presence. In the real world it may not be possible to be rigid about what an observer may do. Yet, in principle they should not interfere.

Relationships with CSOs

Discussions with civil society members indicated that Guinea as a member of ECOWAS is more related with issues of governance at the Executive or parliamentary level and thus chooses when and how to involve CSOs in the implementation of the protocols. Most CSOs are on the side-lines until it is convenient for the government, or ECOWAS through the government to invite them for their input.

Yet, as non-political actors they intimated that they know the full extent of the social challenges affecting the average Guinean, these include, the appalling situation human rights at the borders, security forces perpetuating abuses with impunity; common place of sexual and gender-based violence and harmful traditional practices such as female genital mutilation(FGM). Additionally:

‘...there is widespread coercion and corruption, no viable legislature yet, no independent judiciary...communities along the borders are unaware of their rights and are therefore unable to exercise them adequately, and CSOs lack the capacity, confidence, and funding to carry out programmes with robust strategies to promote human rights’ (Victoria Saidu Kamara, former Second Deputy Speaker, EMP, Sierra Leone, Interview, June 2013).

Suffice it to state that, it was evident most CSOs envisage a vital role in partnership with the legislature, but the challenge lies in the fact that the CNT is not regarded as representative or credible as a parliament, and only an elected National Assembly will have the legitimacy to lead on this issue.

Additionally, it is clear that civil society’s tumultuous evolution and development in equal measure, mirrors the country’s political history. The foundation years were undefined with no strategic visions and missions delineating their focus, instead, they were fragmented and had mandates reflecting general issues. Consequently some evolved into political parties, whilst others organised to defend a myriad of marginalised and vulnerable groups or became human rights organisations. However, this was effective as it heralded a new legal regime providing guidelines⁶³ for civil associations and NGOs in Guinea.

Throughout the numerous transitions and regimes changes in Guinea, CSOs continue to help in maintaining stability on varied issues confronting the country’s borders. These

⁶³ Guinea’s NGOs Law (L/2005/013/AN) of July 4, 2005

include human rights violations; ex-combatants; demarcation of borders; farmers versus pastoralists; proliferation of small arms and light weapons; youth unemployment; Youth employed as mercenaries and paid by rebels; ethnic manipulation by politicians; over centralisation of power in the capital resulting in a disconnect of the centre from the periphery on political development amongst others.

However, CSOs continue to be fraught with logistical challenges hindering them from working to their full potential. For instance, Guinea's Independent National Human Rights Institution set up in 2008, remains largely understaffed, lacks financial resources, and has no powers to investigate human rights violations. Thus, human rights actors have not yet found an appropriate space to advocate for the respect of human rights and bring human rights issues to the forefront of public debate.

Political actors

Distinctively, there are identifiable operational levels of interaction between the executive level of ECOWAS, the ECOWAS-P, the UN, France and civil society groups in the political dynamics of Guinea. However, these partnerships cannot be said to be enhanced or well-coordinated and thus there are lots of overlaps, unilateral as well as complementary processes which attempts to unpack may yield less fulfilling results.

Significantly, deciphering the impact of the ECOWAS-P may be quite complicated. A case in point is that, cumulatively, from deliberations with MPs and other stakeholders, the evidence of a confusion of the ECOWAS and MRU protocols, as well as the ECOWAS-P and what role it could play with the CNT. Whilst some referred to them as playing similar roles, others viewed the MRU as a replacing body for ECOWAS, or at best a complementary body, whereas for the parliament, the notion was that until the National Assembly was reformed the ECOWAS-P probably cannot be playing any significant role.

However, there was a pervading sense of knowledge of more of the ECOWAS text which was regarded as clearly communicated but not the MRU texts. There clearly is evidence of the ECOWAS Parliament's input for durable peace in Guinea, but the confusion of the role of the two organisations especially from the side of the MRU, is not helpful in attributing successes or failures or indeed different kinds of research one intends to undertake.

6.3 Conclusion

This chapter has examined the political dynamics of Guinea against the backdrop of instability from its neighbours. The chapter has argued that the status of conflict in Guinea is latent though it has predominantly been recipient of numerous refugees and cross-border incursions. Given the security concerns and the declining political governing structures, the ECOWAS-P has had to sustain the debates and discussions on returning the transitional parliament to full status by engaging the main stakeholders and making decisions that are bold in the face of a very strong Guinean executive.

The chapter also examine the historical dynamics of governance in Guinea, and how the parliament has had to use formal and informal initiatives to engage political actors in Guinea, and in this way reiterate how this significantly affects Guinea's relative stability and finally gives an assessment of initiatives undertaken as well as inherent challenges.

7. Chapter Seven: Sierra Leone-Post-conflict Case Study

7.1 Introduction

Sierra Leone's civil war (March 27, 1991- January 18, 2002) effectively created a catastrophe of epic proportions in the body politic of the country in terms of the legacy it left behind. These include up to over 50,000 people (out of the six million population) dead, millions displaced (Black and Sessay 1997, Lawrie and Van Damme 2003, Gberie 2005) and maimed whilst the refugee situation engulfed neighbouring countries, and the whole of West Africa (Francis 2012, Harris 2014). But ironically, Sierra Leone continues to be regarded as an international success in terms of conflict prevention.



Figure 7.1: Flag of Sierra Leone

The conflict has attracted considerable research with different focuses; some examining how the conflict happened blurring the lines between war and peace transitions in the official period of 1991-2002; whilst others concentrate on the post-conflict period of the proceedings of the hydra headed transitional justice mechanism of the proceedings of the Truth and Reconciliation Commission (TRC) and the Special Court for Sierra Leone (SCLSL) with attendant analysis resulting in copious publications.

Perceptively, though Sierra Leone has garnered academic scrutiny, with respect to its relationship with the UN, ECOWAS, America and British interests in the war years in selected research, including Danny Hoffman(2011), examining an integration of the conflict within the wider Mano River wars; Lansana Gberie's (2005), 'A Dirty War in West Africa: The RUF and the Destruction of Sierra Leone' and David Harris's 'Sierra Leone: A Political History'(2014). In addition, David Francis's works on peace and security (2001, 2006, 2006) as well as the political economy of Sierra Leone' amongst others. However, it can be argued that research on Sierra Leone, is still incomparable with Rwanda and Somalia in Africa, and similar crises in other parts of the world in this post-cold war era.

Additionally, in its post-conflict environment, Sierra Leone continually confronts a myriad of challenges comprising drug trafficking, armed robbery, corruption, economic mismanagement, poverty and exclusion in the political processes amongst others.

However, though there have been attempts at establishing what the main integration body ECOWAS undertakes on these levels, with respect to what specific bodies such as the ECOWAS-P has engaged the country on with respect to democratic consolidation, the literature is silent.

In contemporary times, Sierra Leone is to all intents and purposes increasingly stable. Thus this chapter examines how the ECOWAS-P has engaged Sierra Leone with respect to its conflict prevention agenda. The purpose is to attempt expanding areas of legislative research concerning effectiveness of implementation of post-conflict initiatives. Studies on Sierra Leone overtime examine the national parliament, or the UN impact on policy-making, are minimal and deficient on decision-making at the ECOWAS level. Substantively, the chapter examines decision-making with the, albeit limited mandate and other initiatives of the ECOWAS-P on consolidating democracy. The aim is to evaluate the exact work undertaken and to what extent these initiatives are effective for the post-conflict peacebuilding of Sierra Leone.

7.2 Sierra Leone in Context

Sierra Leone is bordered by Guinea to the north and east, Liberia to the southeast, and the Atlantic Ocean to the west and southwest (illustrated by Figure 7.2). The country shares over 300 kilometres of densely forested border with Liberia, and its military and security forces are stretched thin to cover even the primary crossing points.

Sierra Leone's protracted civil war (1991–2002) began as a conflict on the border with Liberia. With the outbreak of the Liberian Civil War (1989–1996), 80,000 refugees fled neighbouring Liberia for the Sierra Leone border. This displaced population, mainly children, also doubled as a recruiting ground for Sierra's Leone Revolutionary United Front (RUF).

The RUF, supported by Charles Taylor's National Patriotic Front of Liberia (NPFL), attempted to overthrow the Sierra Leone government of Joseph Momoh. The resulting decade long war claimed more than 50,000 lives, countless atrocities, and a terrible legacy of abuses of human rights. Since the war, almost 72,500 former combatants have been disarmed and the country has re-established a functioning democracy (Gberie 2005). Ultimately, Sierra Leone was subjected to three coup d'états (1967, 1992 and 1997) a counter-coup in 1968, and an attempted coup in 1971 (Harris 2014).



Figure 7.2: Map of Sierra Leone

Source: Map No.3902 Rev.5 United Nations Department for Peacekeeping Operations Cartographic Section, January 2004

The main protagonist of the war the RUF, justified their action by stating that, they had been contesting power following many years of repressive governance (Abdullah 1998, Cornwell 1998). Inadvertently they ended up negatively impacting civilian populations (Richards 1996), because by 1995 Sierra Leone was effectively a failed state by all development indicators (Park 2006, Betancourt, Borisova et al. 2010, Denov 2010). This was ironic since the same citizenry on whose behalf RUF pledged to be fighting were now in a political and economic quagmire (Abdullah and Muana 1998, Abdullah 2004, Bangura 2004).

Therefore for Fithen and Richards (2005:123) 'the RUF represents a paradox. It claimed to have ambitions for a more just society, and yet ended up a random and arbitrary killing machine'.

Scholars including Van Damme (1999) whilst noting the extensive human atrocities that were committed insist that these were characterised by differing intensity in phases and reflects in how human rights violations were documented. Thus Phase One comprised a conventional warfare; Phase two Guerrilla warfare, Phase three power struggles and peace efforts (Van Damme 1999). The Sierra Leone Truth and Reconciliation Commission (SLTRC (2004) also supports this position as it establishes that the later stages of Phase 2 and early part of Phase 3 were the most intense and violent part due to proliferation of conflict actors, which had engulfed the whole country (SLTRC 2004 3A:325).

Additionally, even though the war is described in a decade long narrative, it had also benefitted from punctuated bouts of relative peace underpinned by signed peace accords. Collectively the five peace accords are; the Abidjan Peace Accord (1996), Conakry Peace Plan (1997), Lomé Peace Accords (LPA) (1999) and Abuja I and II Accords (2000 and 2001).

Relatively, these can be classified as ceasefire periods, which facilitated the repatriation of refugees back home when it was calm; to be subsequently displaced when conflict resumed. For instance the Conakry Peace Plan and the Lomé Peace Accord recognised the scale of displacement and was specific on the return of Internally Displaced Persons (IDPs) and refugees.

At the same time, the Lomé Peace Accord stands out as an agreement aimed at ameliorating the conflicts and a tool introducing reconciliation in terms of its provisions on negotiated power-sharing arrangements. Ultimately, the UN Mission in Sierra Leone (UNAMSIL) and the efforts of ECOMOG a formal declaration of peace was made in January 2002.

A Truth and Reconciliation Commission (TRC) was set up in Sierra Leone to establish what happened in the civil war and give people the opportunity to speak about their pain and loss or confess their wrongdoings as means towards national reconciliation. Alongside the TRC was the Special Court for Sierra Leone established to try those people who bear the

'greatest responsibility'¹. These processes eventually led to the trial of Charles Taylor (at the ICC in The Hague), former President of Liberia for war crimes in Sierra Leone².

However, Sierra Leone's on-going stabilisation and consolidation process is continually threatened by the many interwoven trans-boundary conflicts across the Mano River Union (MRU). Each of the MRU countries is also struggling to cope with difficult conflicts within their borders. Serious cross-border problems remain to be solved in the MRU, including further stabilisation of war-ravaged, but now pacified Liberia, the political-military stalemate in Côte d'Ivoire as well as the uncertain outlook for the regime in Guinea.

According to Solomon (2004) these conflicts are regional in nature and succinctly puts it thus:

'The conflict in the Basin has created fighters without borders. LURD fighters from Liberia had been crossing into Sierra Leone over the southern border. They also crossed into Guinea using the northern axis. Many are elements from Sierra Leone's RUF who opted out of the disarmament process and went with Sam 'General Maskita' Bockarie to fight alongside Taylor. Others are mercenaries for hire, and all these people are young and unemployed'.

Sierra Leone continues to grapple with challenges emanating from porous borders, which harbour corrupt officials aiding and abetting smuggling and small arms proliferation. These border personnel also lack basic equipment and logistics to enhance service delivery.

The insecurity and vulnerability of women traders who ply the 'unofficial' border crossings is enhanced by arbitrary levies demanded by both official and unofficial personnel. At the same time, there is high unemployment among the youth generally and specifically in the border areas, many of whom are ex-combatants. Most of them are quite engaged in informal or illicit trade such as drug peddling, small arms, smuggling of commodities and there are no initiatives from central or local government officials to address the situation. In interviews with MPs to discuss if there were any targeted initiatives aimed at the youth, and perceptions on progress, one of them responded thus:

¹ This term has been subject of great debates among scholars

² His trial is still on-going

'Agreed...we have a very young population in Sierra Leone. The interesting issue is that, we can look at two youth scenarios. You have those that fought in the war and because of that became "adults" overnight'. Then you have those who were born during or immediately after the war and have not had a good education because we are rebuilding; then you now have those who think they are adults and were victims of the war when they were young and so deserve more attention. But the bitter truth is that, every Sierra Leonean is a victim of the war. Even if you were a perpetrator, an ex-combatant, a child soldier, a rebel or whatever. I believe we are all victims of the war, and we all deserve better. So the youth are a special case but so is everyone else...'
Augustine Bockarie Torto, Interview, May 2013).

However, MPs also claimed that though the scenario maybe as described above there have been many initiatives and programmes by both the national, regional and donor partners aimed specifically on the youth, which has yielded positive results.

7.2.1 Conflict years

Causes of the Civil War

Conflicts in the MRU region are rooted in history, territorial claims, and colonial legacies of dysfunctional states and authoritarian institutions. According to Sawyer (2004), Solomon (2004) and Silberfein and Conteh (2006) these were exacerbated by returning residents in Liberia and Sierra Leone from civil wars, while tensions between the countries over territory which go back to independence have resulted in a mutual air of mistrust amongst the three nations. Additionally, spill-over from situations in Cote d'Ivoire, Guinea-Bissau, Senegal, and The Gambia has made peace in the region extremely fragile.

The consensus in the literature is that misrule under the All People's Congress regime (1968-1992) is largely to blame for fostering the conditions that led to state failure and violent conflict in Sierra Leone (Richards 1996, Gberie 2005, Olonisakin 2008, Davies 2010, Kabba 2011, Cole 2012, Mahony 2012, Harris 2014). This begins with President Stevens (1968-1985) regime under policies that perpetuated his rule and generated wealth for himself and his clients (alluvial diamond resources), but ultimately weakened the state and made it vulnerable to the seditious external influences which catalyzed the war.

Political crises ensued when the opposition withdrew from the 1973 general elections, citing violence resulting in the absence of a parliamentary opposition. Then in 1978, Stevens established a one-party system of governance, and followed this up with establishment of a land policy regime anathema to the land tenure system(s) of the southern district of Pujehun³ (Richards 1996, Richards 1998:12-15, Keen 2005:39-47, Peters and Kitchen 2011:11;241). Additionally, mistrust of the army made Stevens keep it ill-equipped and set up a parallel unit which was better trained made up largely of his ethnic Limba.

However, Kandeh (2004) and, Mustapha and Bangura (2010) emphasise fiscal crises due to fiscal profligacy, corruption and a non-strategic subsidy regime that enabled state collapse and promoted the conflict.

These were supported by several developments:

First, Sierra Leone hosted 1980 Organisation of African Unity (AU-now African Union) Summit, which consumed up to a year's national budget. This was further compounded when a conspiracy theory emerged alleging that the Central Bank governor who had subsequently died, was murdered for opposing these expenditures. Including fallouts with resources that were to revert to the State after the conference and sharp increase in the staple rice in 1986 (Davies 2010).

Second, is the highlighted issue of isolation and marginalisation of rural youth as another cause of the war. Government policies are urban-biased and leave out the productive southeastern regions, which were coincidentally pro-opposition. In 1985, Stevens literally handpicked General Momoh to succeed him as President but by then, all the economic indicators had become unreliable. The challenges Momoh faced seem daunting and insurmountable. Momoh had to resuscitate a collapsed economy and rebuild democratic structures and institutions but scholars including Kpundeh and Riley (1992) contend that conditions worsened as Momoh surrounded himself with ethnic Limbas, alienating other ethnic groups whilst continuing to implement policies which could not build back the economy nor promote social cohesion. The measures Momoh adopted included a failed Structural Adjustment Programme in 1989 and in 1991, just as President Joseph Momoh's strategy was to diffuse the political tension by scheduling 'free' elections after years of one-party governance, the country plunged into civil war.

³ The campaign suppressed a rural uprising provoked by electoral violence. Later, and unsurprisingly, the RUF rebellion attracted voluntary enlistment from that region.

The main catalyst of the civil war, the group calling itself the Revolutionary United Front (RUF) crossed into Sierra Leone from Liberia with the aim of ousting Momoh. In the literature, the RUF's ascendancy can be traced from 1980s Libya where they trained as revolutionaries, which included Charles Taylor of Liberia and Foday Sankoh, a former Sierra Leonean Army officer. According to Richards (1996), Abdullah (2004), Peters and Kitchen (2011) the war is also a retaliation by Charles Taylor's due to the Sierra Leonean All People's Congress (SLPC) government's support to ECOMOG's intervention in Liberia. Thus in turn, Taylor helped Sankoh's violent insurgency with the offensives dubbed 'Operation Pay Yourself' or 'Operation No Living Thing'(Gberie 2005:118-132).

Different armed factions were clandestinely recruiting the refugees as fighters for: Liberians United for Reconciliation and Democracy (LURD), Armed Forces of Liberia (AFL), Movement for Democracy in Liberia (MODEL), were all actors with varying and vested interests Richards (1996:2-4) and Abdullah and Muana (1998:56-57) and (Peters and Kitchen 2011:217) .

In addition, inflow and circulation of small arms and light weapons clearly contributed to the increased conflict and abuses against civilians by the governments and armed groups. These also facilitated the formation of new-armed groups and the use of ill-disciplined fighters, including mercenaries. For example there were civilian rebellions, which materialised into the 'Kamajor' militancy movement ostensibly to complement the efforts of the country's army further complicating the hypercritical relationships between the state, civilians, the militia and the standing army (Adebayo, Adesina et al. 2012).

There was massive discontent associated with the lack of democratic institutional building and the citizens ultimately blamed the army as the main instigator of the war which set in motion a regime of coups, counter coups, negotiations, mediations, and many initiatives to mitigate the situation finally culminating in the deployment of ECOMOG by ECOWAS (Tuck 2000, Kabia 2009, Arthur 2010).

Conclusively, the literature on the causes are also varied and interpreted from various angles. Some scholars ascribe the blame on ECOWAS' intervention in Liberia using bases in Sierra Leone to launch as the cause(s). That invariably, this prevented Charles Taylor's National Patriotic Front of Liberia (NPFL) from taking over the governance and served to infuriate him thus it was revenge that made him helped trigger the war in Sierra Leone. For instance Zack-Williams and Riley (1993) reiterates that 'the NPFL never forgave the

government of Sierra Leone for these raids. Taylor swore to avenge these interferences in Liberia's internal affairs'. Researchers including Abdullah (1998) Bundu (1997), and Abdullah and Muana (1998) however attribute other reasons of this invasion suggesting that this was inevitable whether Sierra Leone participated in the Liberian war or not as the main protagonists consisting of Foday Sankoh's RUF and Charles Taylor's NPFL had a pact committing support to each other in a bid to oust their governments respectively.

7.2.2 Accords/Agreements as Forms of Peace

The Lomé Peace Agreement (LPA) granted blanket amnesty to all the fighters on both sides of the conflict. The amnesty provision of the LPA stated:

'To consolidate the peace and promote the cause of national reconciliation, the Government of Sierra Leone shall ensure that no official or judicial action is taken against any member of the RUF/SL, ex-AFRC, ex-SLA or the Civil Defence Force (CDF) in respect of anything done by them in pursuit of their objectives as members of those organisations, since March 1991, up to the time of the signing of the present Agreement'.⁴

Under the LPA, Foday Sankoh was given the mandate for the oversight and control of trade ministries and agencies responsible for the diamond trade, as well as elevated to a status commensurate with the vice president of Sierra Leone (Gberie 2005:143-153, Pham 2006:122-123).

After several unsuccessful peace negotiations and accords and nearly losing control of the capital to the rebels in early 1999, the war finally and slowly came to a close through the signing of a peace accord between the government and the RUF in Lomé, Togo, in July 1999.⁵ It was accepted, at the time of the signing of the LPA, that the RUF would not have signed the agreement if there had been any prospect of legal action being taken against its members.⁶

⁴ Article IX (3) of the Peace Agreement of 7 July 1999. See www.sierra.leone.org/lomeaccord.html.

⁵ Hayner, P. "The Sierra Leone Truth and Reconciliation Commission: Reviewing the First Year", (ICTJ: Case Study Series January 2004) p. 1.

⁶ See Solomon Berewa (former Attorney General, former Vice President of Sierra Leone); "Addressing Impunity using Divergent Approaches: The Truth and Reconciliation Commission and the Special Court", in Truth and Reconciliation in Sierra Leone: A compilation of Articles on the Sierra Leone Truth and Reconciliation Commission, UNAMSIL, Freetown, 2001 (hereinafter "Berewa,

The LPA also made provision for an immediate ceasefire, a stable democratically elected government, transforming the RUF into a political party, enabling members of the RUF to hold public office, enabling the RUF to join in a Government of National Unity through cabinet appointments, setting up a Special Fund for War Victims and creating a Commission for Consolidation of Peace that would ensure that all structures for national reconciliation agreed upon would be carried out and maintained in a timely manner⁷.

The full amnesty granted in the LPA concomitant with the creation of the TRC made it clear that the truth and reconciliation process was deemed as restorative justice as an alternative mechanism to criminal prosecutions and punitive justice.

The creation of the Truth and Reconciliation Commission; Article XXVI of the LPA reads as follows:

1. A Truth and Reconciliation Commission shall be established to address impunity, break the cycle of violence, provide a forum for both the victims and perpetrators of human rights violations to tell their story, get a clear picture of the past in order to facilitate genuine healing and reconciliation.
2. In the spirit of national reconciliation, the Commission shall deal with the question of human rights violations since the beginning of the Sierra Leonean conflict in 1991.

This Commission shall, among other things, recommend measures to be taken for the rehabilitation of victims of human rights violations⁸.

Despite the promise held by the LPA, there were major problems with the implementation of the peace agreement, with violations from both sides. These manifested in April and May 2000, when the RUF fighters in the east and northern parts of the country refused to disarm and rather attacked UN peacekeepers and took about 500 hostage. These prompted demonstrations on May 8, 2000 against Foday Sankoh at his residence where security personnel shot and killed approximately 20 demonstrators. Civilians were incensed at this action and called for Sankoh and the RUF to be stopped and brought to justice. This apparent non-cooperative attitude of Sankoh to the peace processes according to Tejan-

Addressing Impunity using Divergent Approaches”), at page 55. See also Alhaji Dr. Ahmad Tejan Kabbah, current President of the Republic of Sierra Leone; testimony before TRC Thematic Hearings held in Freetown, 5 August 2003, at paragraphs 34 and 35 of the transcript.

⁷ See the Articles in the Lomé Peace Agreement. See www.sierra-leone.org/lomeaccord.html .

⁸ Ibid. Article XXVI.

Cole (2003) and Zack-Williams and Riley (1993) were deliberate attempts to destabilise the transitional arrangements because Sankoh was unsure of his electoral fortunes. This prompted his arrest, whilst the RUF did not win a single electoral seat.

Consequently, President Kabbah sent a letter of petition to the Secretary-General of the UN in which he requested that members of the RUF be tried:

[W]ith regard to the magnitude and extent of the crimes committed, Sierra Leone does not have the resources or expertise to conduct trials for such crimes... [A special court is required] to try and bring to credible justice those members of the Revolutionary United Front and their accomplices responsible for committing crimes against the people of Sierra Leone and for the taking of United Nations peacekeepers as hostages.⁹

The Secretary-General's report issued on October 4, 2000 called for the establishment of a court not by Security Council resolution, as had been implied in President Kabbah's letter, but by agreement or treaty between the UN and the Government of Sierra Leone.¹⁰

Although the Government initially wanted a Court to prosecute one faction, the UN was of the view that the Court should prosecute all persons that bear the greatest responsibility. In November 2000, yet another ceasefire agreement was signed between the Government of Sierra Leone and the RUF, in which they reaffirmed their commitment to the LPA.¹¹

The impending establishment of the Special Court raised certain questions about the amnesty granted in the LPA. When the LPA was adopted in 1999, the Special Representative of the Secretary-General (SRSG) of the UN appended a hand written statement to his signature on the document, which read, "The United Nations holds the understanding that the amnesty provisions of the Agreement shall not apply to international crimes of genocide, crimes against humanity, war crimes and other serious violations of international humanitarian law."¹² This reservation by the SRSG, apparently meant that the

⁹ Letter dated 12 June 2000 from President Alhaji Dr. Ahmad Tejan Kabbah to the United Nations, addressed to the Secretary-General Kofi Annan. See TRC Report Vol. 3B, Chapter. 6 p. 366.

¹⁰ See the "Report of the Secretary-General on the Establishment of a Special Court for Sierra Leone," UN Doc. S/2000/915.

¹¹ See relevant articles of Ceasefire Agreement 10 November 2000. See www.sierra-leone.org/ceasefire1100.html.

¹²The statement by the UN SRSG does not appear in the text of the Agreement as it was published by the United Nations (UN Doc. S/1999/777). The Commission was however given sight of a copy of the Lomé Peace Agreement to which the statement was appended in handwriting. See TRC Report Vol. 3B, Chapter. 6, p. 364.

“full amnesty” granted to all fighters was in fact not so “full.” Indeed this was made clear after the signing of the agreement between the UN and the Government of Sierra Leone on 16th January 2002, which stipulated that:

‘There is hereby established a Special Court for Sierra Leone to prosecute persons who bear the greatest responsibility for serious violations of international humanitarian law and Sierra Leonean law committed in the territory of Sierra Leone since 30 November 1996’.¹³

The Statute of the Special Court actually went further in Article 10, to rescind the amnesty given, “an amnesty granted to any person falling within the jurisdiction of the Special Court in respect of the crimes referred to in Articles 2 to 4 of the present Statute shall not be a bar to prosecution.”¹⁴ In effect by agreeing to be bound by the Statute, the Government of Sierra Leone had declined to be bound by the amnesty provision in the LPA.

Following, critical UN, ECOWAS, and British involvement enabled a robust peacebuilding process whilst the LPA helped to end cessation of hostilities and initiated the formation of the new government of national unity, and requested, as planned, an expanded role for ECOMOG and UNAMSIL. The World Bank, and other donors from the international community have also continually worked with the government(s) investing in long-term projects aimed at integrating ex-combatants and improving the economy.

However, there have been arguments by some scholars that essentially the LPA was flawed right from its inception considering the concessions that were granted to the Foday Sankoh and the RUF and was also a poor agreement to which other parties should not have adhered. Scholars argue that Kabbah was just interested in any deal, and as far the intentions of the RUF goes; ‘...they would sign just about anything’. That Kabbah made it possible for Sankoh to gain amnesty and the control of diamonds, and become relevant in the governance of the country which was essentially what he was seeking in the first place. However, Hawley (1999) also agrees that, with the dynamics of the situation, it would also

¹³ See Agreement Between The United Nations and The Government of Sierra Leone on the Establishment of a Special Court For Sierra Leone, 16, January 2002. See www.sierra-leone.org/specialcourtagreement.html.

¹⁴ Articles 2-4 refer to crimes against humanity, war crimes, and other serious violations of human rights law See Special Court Statute 16, January 2002. See www.sierra-leone.org/specialcourtstatute.html.

have been impossible to ignore the RUF, as that would have meant ignoring the reality on the ground.

According to Stedman, Rothchild et al. (2002) the LPA should be deemed as a compromise document, which aimed to be inclusive, but was not. The TRC report echoes this when it reiterates that the LPA followed the power -sharing paradigm of peace negotiations because neither side had the military capacity to defeat the other (SLTRC 2004 3A). To this end, no party was apportioned any blame and there was no public nor explicit acknowledgement on the causes of the war, and the LPA focuses more on promises and manifest content. Discussions in the literature are varied with some maintaining that to some extent, the interrogation of Lomé is inferred and interpretative and this is legitimised by the recommendations of the TRC.

Subsequently, President Kabbah officially declared the country's civil war over on 18th January 2002 and lifted the four-year state of emergency, ahead of the general elections in May. The UN also enthusiastically announced that the disarmament of 45,000 fighters was complete. In May, elections were held and overseen by NGOs to ensure that they were free and fair. President Tejan Kabbah won an overwhelming 70% victory. Sierra Leone's transition from a brutal civil war to an ostensibly peaceful democracy was the result of a peaceful negotiated settlement. At the time of Sierra Leone's transition from a state of war to peace there were two transitional justice mechanisms that were to address the legacy of the past, to ensure accountability, justice and promote reconciliation amongst others- the TRC and the SCSL.

7.3 Post-conflict environment

Hitherto, the Liberia conflict precipitated the formation of ECOMOG as a peacekeeping force and up to this point had not been deployed in Sierra Leone. But on June 27, 1997 ECOWAS Foreign Ministers held a meeting in Guinea-Conakry and promulgated a three-tier approach of consisting of sanctions, dialogue and ultimately the use of force to strategically countermand the coup d'état and its effects. Following, a Summit of the Authority in Abuja from August 28-29, 1997 a Decision was taken to expand the mandate of ECOMOG's action to cover Sierra Leone. Finally, the UNSC Resolution 1132(1997) endorsed ECOMOG's policies and thereby granted it more legitimacy in undertaking its

actions against the AFRC/RUF in the years following after brokered negotiations failed to be sustained.

In a bid to provide a comprehensive framework, the Authority at their Summit in Lomé, Togo on December 10, 1999, established the 'Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping, and Security'. This has also been conceptualised into the 14 Components of the ECOWAS Conflict Prevention Framework (2008) (ECPF).

In total, Sierra Leone was brought back to the path of peace after a war spanning 10 years, two transitional justice mechanisms internally, one externally, and the intervention of ECOWAS in a myriad of ways. There is an optimistic future for sustaining democracy in Sierra Leone and in an interview with Brima Kamanda he reiterated that 'after three successful democratic elections we can say that 'Never again will Sierra Leone be plunged into such decadence'¹⁵.

The post-conflict peacebuilding commenced in 2002 but UN peacekeepers departed in 2005 and Sierra Leone's post-conflict environment has been sustained by several successful elections. Beginning with the optimistic reforms initiated by President Kabbah when he won in May 2002 and finally told a relieved nation that '*war don don*¹⁶' and democracy has returned to Sierra Leone. As to whether the situation represented a stable foundation for the country's future was to be evaluated into the immediate years following the conflict.

To this end, continuous external support helped Sierra Leone make a seemingly successful political transition from conflict to its current state. Successful elections conducted in 2002 and 2007, 2012, which also saw the opposition win elections as rarely experienced in Africa convinced political pundits that indeed Sierra Leone is consolidating its democratic gains. Though, the government still relies heavily on foreign aid and finances half of the state budget.

Post-conflict Sierra Leone is also wrought with difficulties; the UN's Human Development Index continually ranks Sierra Leone at 176 out of the 177 countries surveyed or in the last four cases. Arguably, there is political stability but this has been replaced by the endemic

¹⁵ Interview, May, 2013,

¹⁶ Literal translation from Creole is 'the war is over'

low-level insecurity associated with widespread-armed robbery, banditry, and corruption. For instance, in 2007, newly elected President Ernest Bai Koroma commissioned a presidential transition team to report on the state of the economy and corruption and mismanagement was reflected as permeating every level of society, from the ministers to schoolteachers. Alternatively, this can be interpreted as the new normal for Sierra Leoneans.

7.3.1 Prevailing governance structures

Sierra Leone receives wide ranging donor aid and support from the international community aimed at rebuilding and strengthening state structures and institutions and promoting democracy, again. These include bilateral and multilateral institutions and a variety of development oriented organisations. These organisations are present and active in the country, contributing to the post-conflict agenda and in most instances lead the processes. Many of the initiatives focus specifically on electoral and elections support and strengthening parliamentary development. There is however the pervading issue of what happens 'after they are gone' and the state assumes complete responsibility for all these initiatives it would have inherited.

The politics of peace in Sierra Leone is predominantly determined by the normative framework and practices of contemporary international peacebuilding missions. The indicators used for these include liberalised reforms, democratising civil society support and core components of the state-building projects. These were all in a bid to provide a viable post-conflict environment but some scholars view these as not necessarily connected to the realities of post-conflict Sierra Leone. This is because, arguments have surfaced calling into question the relevance and complementarity of these with respect to the country's complex political history, troubled national economy, deeply fractured society, and ruined environment.

Many challenges anticipated and articulated include discussions centring on the aftermath of the UN withdrawal and when the international community whittles down its human resource base and the country has to take over all its institutions and lead on major development strategies. In addition, there is the notion that local priorities and strategies were not employed in the peacebuilding programmes in the immediate post-conflict environment and the efficacy and appropriateness of the international support might leave a vacuum, which could itself become a source of conflict.

'Local people were not consulted in most of these post-conflict peace processes. I am a Chief, and as such I am an embodiment of the traditions of the paramountcy, however, though I am a law maker and a traditional ruler, I do not know any program aimed at community peacebuilding...I think something like that happened in Rwanda¹⁷? Not Sierra Leone...I was in no position to initiate as I was not a chief by then and afterwards it all seem like the political elites had high-jacked the progress to peacebuilding plans, as a way...I think, of legitimising themselves as leaders. May be not to appear before the people as servants' (Brima Victor Sidi Kebbie, EMP, Sierra Leone, Interview, May 2013)¹⁸.

7.4 Parliament of Sierra Leone

The Sierra Leone Parliament (also called House of Representatives) is the country's supreme law-making body. It is a unicameral legislature comprising the Speaker, 112 Ordinary Members and 12 Paramount Chiefs. It was inaugurated as a Legislative Council, characteristic of other former British colonies (1863), but was renamed House of Representatives in 1954.

Sierra Leone's parliament of the first decade of independence (1961-70) is nominally referred to as the 'golden age'. This is because it symbolises a defining moment in the development of the parliament a prominent forum for promoting dialogue, active debates on the economy and building infrastructure in a nascent democracy and passing laws as a functioning legislature¹⁹ determined to structure and lead the country's post-independence development plans. Contrary to norm, these active political debates became a source of conflict between the majority and minority caucuses in the House; cooperation between the parties was non-existent and their relationship(s) were severely fractured, tenuous and antagonistically partisan.

Following, the elections of 1967 served as a watershed moment in the country's parliamentary history. First, the results giving the All People's Congress (APC) a slim

¹⁷ Referring to the Gacaca System of Rwanda

¹⁸ He is also a Paramount Chief and the younger brother of Kamanda

¹⁹ Few women opted for elective parliamentary office due, in part, to the extreme violence that characterised elections. However, the Sierra Leone Parliament had made history in 1957 when it welcomed its first elected female member, the Honourable Paramount Chief Madam Ella Koblo Gulama of Kaiyamba Chiefdom (Moyamba District). Six years later, Madam Ella Koblo Gulama set another record when she was appointed Minister without Portfolio. She became the first female Cabinet Minister in West Africa in 1964.

majority, over the Sierra Leone People's Party (SLPP) were highly disputed; and secondly, whilst these post-elections tensions intensified the army took advantage and staged a coup d'état, and immediately dissolved parliament. Though Parliament was reinstated and reconvened in 1968, the fractious political rifts widened and MPs became increasingly non-cooperative and uncompromising.

Subsequently, the Parliament's development was significantly impacted on April 19, 1971, when the MPs declared Sierra Leone a Republic and promptly voted for an executive presidency system. Thus the serving Prime Minister Siaka Stevens, transformed into President Siaka Stevens, wielding very wide executive powers.

According to Bangura (2004:13-40) and Davies (2010:60-61) this paradigm shift set in motion a decline in the powers of the parliament almost mirroring the phenomenal rise in the authority of the President. Consequently, the 1978 Constitution adopted by Parliament effectively established Sierra Leone as a one-party state with the APC as the only legitimate political party. It was only the wave of democratisation from the late 1980s and early 1990s which revived the ideals of multi-party democracy in Sierra Leone as was evident in many developing countries after the Cold War.

Thus President Joseph Momoh creditably set up a constitutional review commission in October 1990, to review the tenets of one-party rule enshrined in the 1978 constitution with the aim to open up the political space and promote dialogue and good governance (Reno 1998:121, Davies 2010:60). The Commission's report (submitted January 1991) recommended amongst others; re-instituting multi-party system governance, and a viable separation of powers between the three branches of government (legislative, executive, and judiciary). The Parliament approved this constitution in July 1991, however the course, conditions, and triggers for war were already in motion.

Therefore, as a coup d'état was staged and the civil war began promptly afterwards, these events severely truncated the parliament's development and activities. For instance, in a bid to restore semblance of peace and a democratic environment it is argued Sierra Leone bowed to domestic and international pressure and prematurely held the 1996 February and March elections (Pham 2006:115, Olonisakin 2008). These elections were characterised by aggravated attacks by the RUF in a bid to stop these elections and this was the era of the notorious amputations dubbed '*long sleeves*' or '*short sleeves*' depicting the extent of forced and barbaric amputations carried out on civilians in response to the SLPP campaign slogan '***the future is in your hands***'. As many as fifteen political parties participated which was a

first in Sierra Leone and Ahmad Tejan Kabbah's SLPP won and became President (Riley 1996, Gberie 2005, Pham 2006).

As this was a period in which a lot of Sierra Leoneans were still IDPs or refugees the electoral commission had to come up with ingenious ways to make the elections representative enough, and also legitimate. Thus, MPs for instance were elected through a proportional representation (PR) system and this served as a catalyst for election of women into the House²⁰.

The year 1996 looked as though it could be ideal for stability in Sierra Leone but was also short-lived as another coup d'état on May 25, 1997 disrupted the democratic process. In a rare move some MPs defied the dissolution of the Parliament and rather denounced the coup, calling it an illegitimate takeover and demanded the return of the ousted President Kabbah. Finally constitutional rule was restored in March 1998.

The formal conclusion of the war in 2002 is the turning point for returning long-term democracy sustaining efforts at consolidating peace. This made it possible for general elections to be conducted in a relatively peaceful atmosphere, under a modified PR arrangement. The SLPP again emerged as the majority party in Parliament and served in that capacity for five years.

The 2007 national elections were the first since the war for which the government was fully responsible (so-called 'second generation' elections) seen as a precursor to political, social, and economic recovery. The new Parliament became Sierra Leone's most diverse as it was also elected under a single-member constituency system of voting.

'The mistake in the past was to have this winner take all mentality; then following the early post-conflict elections, we had this mentality of 'it is our turn to eat' but now we recognise that, a parliament is about compromises and agreeing to disagree, especially as the whole of ECOWAS has invested social capital...into the country. My optimism rest in the fact that, remarkably, the current parliament has a lot of young, budding and well-educated politicians...it is safe to say, our parliamentary development is coming full circle...? (Brima Victor Sidi Kebbie, Interview May 2013).

²⁰ Subsequently their numbers increased in 2002 when PR became expanded and has been steadily increasing up to the current parliament.

Period	Political Dispensation
1961-1967	Democracy
1967-1968	Military Regime
1968-1971	Emerging Democracy
1971-1978	Restricted Democratic Practice
1978-1991	One-party State – All Peoples' Congress
1991-1992	Multi-party Transition
1992-1996	Military Regime
1996-1997	Emerging Democracy
1997-1998	Military Regime
1998-2002	Emerging Democracy
2002 - 2012	Democracy

Table 7.1: Chronology of Sierra Leone's Parliamentary Development

Source: Compiled by author using data www.ipu.org; (Hills 2011, Harris 2012, Jalloh 2013)

Thus the November 17, 2012 presidential and parliamentary elections were thus critical in the democratic and post-conflict peacebuilding development of Sierra Leone for several reasons.

First, the 1991 constitution establishes that the election of the president and the legislature are to be held every five years, and this had been adhered to from the end of the war in 2002 when the country returned to constitutional rule. Second, The National Provisional Ruling Council (NPRC) the junta which took power in April 1992, handed over to a democratically elected government of the (SLPP) in 1996; then SLPP in power for two consecutive five year terms (1996- 2007), handed over to President Ernest Bai Koroma and his (APC) party in 2007. Thus these two dominant parties had both been in power and opposition reflecting a democratic trend hitherto not experienced in pre-war times.

Third, the Sierra Leone National Electoral Commission (NEC), announced nine presidential candidates, 602 nominees from various parties for parliamentary elections, and 1,624 nominees for municipal/local council elections as duly registered for the 2012 elections.

Fourth, the NEC had however instituted measures with the help of ECOWAS and other partners in the build up to the elections, which were geared towards ensuring a free, fair campaigning period and credible and legitimate elections. These were aimed at pre, during and post-elections conflict management as well.

These measures included the introduction of a Biometric Voter Registration System (BVRS) to help ensure the principle of 'one vote per person' as depicted by the voter distribution setting in Figure 7.3; establishment of an Electoral Offences Court; establishment of a special military force to be deployed on election day to work in partnership with civilians; the use of a 'Situation Room' by the National Elections Watch (NEW) as a coordinating and information Centre for all results and all election related news; as well as the development of an Integrated Elections Security Strategy.

Additionally, a joint AU-ECOWAS assessment mission initiated a pre-election fact-finding mission to Sierra Leone in September 30-October 5, 2012²¹ as a strategy to help ascertain anticipated challenges that might threaten the conduct of the November 2012 elections in a bid to act as an early warning try to neutralise these before the polls. Following, ECOWAS then dispatched 150 election observers comprising MPs, CSOs, NGOs, and donors Community to monitor, observe and report on the conduct of the polls.

According to EW country manager, in spite of all these measures;

'The 2012 electioneering campaign still had all the ingredients of bickering, accusations and counter-accusations by supporters of various parties as well as candidates but the elections were successfully undertaken. The major challenges rested on polarization of the media along partisan lines; Electoral Violence; Ethnicity and Gender disparity; Fear and Intimidation; Lack of adequate voter/civic education by the NEC. Some parliamentary candidates of the main SLPP party were disenfranchised by delaying their cases in court until

²¹ In conformity with Article 11 of the Protocol Relating to the Establishment of the Peace and Security Council (PSC) of the African Union and as part of the implementation of the Decision on the Report of the Panel of the Wise on Strengthening the Role of the African Union in the Prevention, Management and Resolution of Election Related Disputes and Violent Conflicts in Africa, adopted by the Assembly of Heads of State and Government of the AU, held in Sirte, Libya, in July 2009,

the lapse of the deadline for nominations. This prevented them from being nominated and thus their political aspirations remain dormant. However ECOWAS played a vital role in supporting all the electoral aspects to their logical conclusion' (Claude Kondor, country manager, EWD, Guinea and Sierra Leone, ECOWAS Commission, Interview, May 2013).

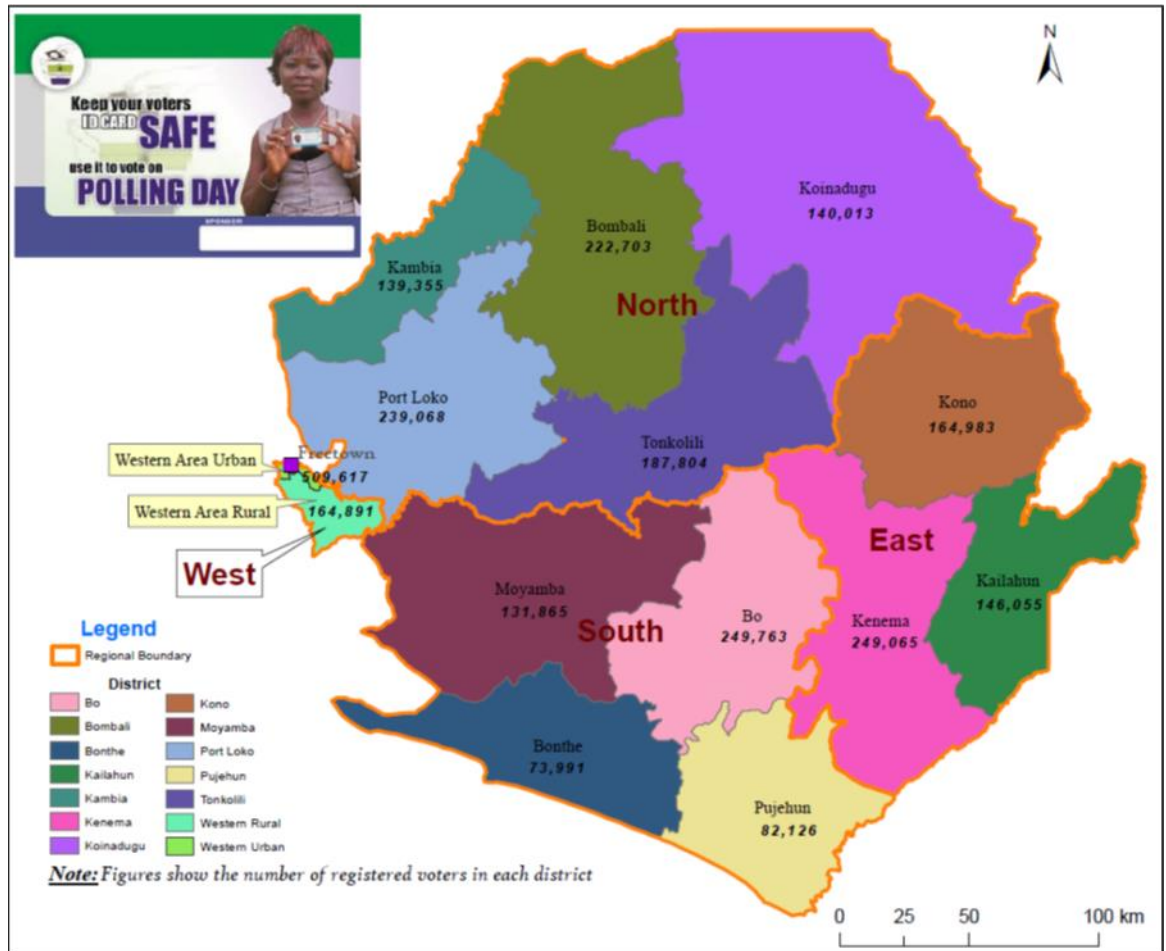


Figure 7.3: Voter Distribution-November 2012 Elections

Source: ECOWAS Early Warning Report (Confidential) for Sierra Leone, November 2013, reproduced with permission from the Early Warning Department, ECOWAS Commission, and Nigeria

The Parliament elected from the November 2012 elections is the Fourth Parliament (2012 – 2017) of the Second Republic of Sierra Leone, and the fourth since constitutional rule was restored in 1996 in compliance with section 74 (1) of the 1991 Constitution of Sierra Leone.

It comprises of only the two most prominent political parties representation, that is the SLPP (42 seats) and APC (67 seats), a total of 15 women and 12 Paramount Chiefs²².

The Parliament has 32 constituted Committees made up of seven (7) House related Committees including those designated for specific tasks such as vetting of appointees by the Office of the President and a Legislative Committee to analyse draft Bills. Three (3) are finance related committees (Public Accounts Committee (PAC), Finance Committee and the Transparency and Accountability Committee), whilst the remaining twenty-two (22) are subject related oversight committees covering different MDAs (Ministries, departments and Agencies) in the executive²³, Committee Sittings are open to the general public, a strategy aimed at broadening the democratic space for participation.

Sierra Leone's Parliament against the background of the dynamics within which it exists cannot be said to be one that can perform its traditional as in its post-conflict context, it is an unusual political environment in which it has to operate.

'It would be easy to perceive parliament as being important in the post-conflict agenda, if it had a vibrant opposition, but parliament is not going to be significant over the next two years, if the MPs do not work harder towards citizens' participation in conflict prevention activities. Some Civil society members have been accused by MPs of overstepping their mandate in implementing programmes but we all know that it is because the MPs feel CSOs write winning proposals and that the resources were intended for parliament's peace work, but this is not the case...We have formal and informal relationships with parliament, and we do our best, sometimes we succeed in collaborating with them, at other times, it falls apart and we go at it alone...but relationships have improved...for a while now....' (Chukuemeka

²² For more on Sierra Leone's Parliaments over the years , see http://ipu.org/parline-e/reports/2281_A.htm

²³ Each Committee is headed by a Chairman and a Deputy Chairman and generally has 16 members with certain exceptions. The Committees in the Parliament are serviced by 14 Committee clerks, which imply that most of the clerks manage at least two committees. One positive aspect is that generally Committee meetings are open to the public. See more at <http://www.parliament.gov.sl/AboutUs/History.aspx>

However the MPs responded that indeed:

‘Some CSOs overstep their mandate by trying to be an alternative government and dictate to MPs how to make decisions on specific bills. Sometimes, it is evident some donors use CSOs to drive their agenda in parliament, while others are caught up in the political game’, and gradually discredit sitting MPs and contest incumbents, win and leave their CSO jobs and come to parliament on the pretext of, “we have been peace practitioners, so we do not only talk, we can do the work as well”; we know them, we can name them in parliament...’
(Brima Kamanda, Interview May 2013)

Additionally, other MPs intimated in discussions that, the challenges emanates from the effect of truncated parliamentary development in the context of the conflicts the country has endured from independence. That many laws have been passed by preceding Parliaments, whereas newer legislatures end up passing similar or same on issues without recourse to prior relevant legislation amendments. Therefore, Sierra Leone's regulatory framework is in some cases contradictory, making access to justice difficult and the outcome of recourse unpredictable. This has made the current parliament wary of passing legislation on regional or sub-regional treaties without thorough research, and as such the ECOWAS laws are well internalised.

‘The Parliament of Sierra Leone recognises itself as having a formal and legal relationship with the ECOWAS Parliament because it is signatory to the Revised Treaty, the Protocol establishing the Parliament and also because the parliament has been able to work consistently with the parliament on several issues especially to consolidate it democratic gains in the post- conflict environment up to the present’ (Victoria Saidu Kamara, Interview, June 2013),

7.5 Formal Conflict Prevention initiatives

ECOWAS-P members in various discussions emphatically affirm how they help to guarantee conflict prevention by promoting conflict-sensitive legislation. These include laws covering a range of issues which cause or trigger conflicts as has been experienced or through the MRU associated conflicts.

ECPF Components	Benchmark (National) Legislation	
Democracy and Political Governance Early Warning Preventive Diplomacy	The Electoral Laws (Amendment) Act, 2002 The Electoral Laws Act, 2002 National Revenue Authority Act 2002 National Electoral Commission Act, 2002 National Commission For Privatization Act 2002 Political Parties Act, 2002 Political Parties (Amendment) Act, 2002	National Security And Central Intelligence Act, 2002 Parliamentary Service Commission Act 2007 National Drugs Control Act, 2008 Anti-Corruption Act, 2008 Environment Protection Agency Act, 2008 Constitution Of Sierra Leone Amendment Act 2008 Public Elections Act 2012
Human Rights and the Rule of Law	Anti-Human Trafficking Act, 2005 Anti-Money Laundering Act, 2005 Child Right Act, 2007 The Persons With Disability Act 2011	Sexual Offences Act 2012 Geneva Convention Act 2012 Human Rights Commission Of Sierra Leone Act, 2004 Residual Special Court For Sierra Leone Agreement Act 2012
Media	Right To Access Information Acts 2013	
Peace Education	Education Act, 2004	
Natural Resource Governance	Mines And Minerals (Amendment) Act, 2004 Petroleum Exploration Act 2011 National Minerals Agency Act 2012	
Security Governance	National Security And Central Intelligence Act, 2002 Armed Forces Of The Republic Of Sierra Leone (Amendment) Act, 2003 Anti-Money Laundering & Combating Of Financing	Terrorism Act 2011 Anti-Money Laundering & Combating Of Financing Terrorism Act 2012 Arms And Ammunition Act 2012
Practical Disarmament	The Sierra Leone National Commission on Small Arms Act 2010	
Youth Empowerment	National Youth Commission Act 2009	
Women, Peace and Security	Domestic Violence Act, 2007	
Cross-Border Initiatives	Anti-Human Trafficking Act, 2005 Refugees Protection Act, 2007	

Table 7.2 ECPF Components and National benchmarks

Source: Analysed and developed by author using data from the ECPF and enacted laws by the Parliament of Sierra

At every level is the 'Democracy and Political governance' sector whereas other mainstreamed themes include issue of equality and equity in the distribution of resources, access to education, and employment opportunities.

In several discussions, Sierra Leonean EMPs variously reiterated how the ECOWAS-P's emphasis on the tenets of the ECPF has helped the country to gradually focus on conflict prevention legislation at the national level. In discussing this correlation as represented in Table 7.2 within the context of the 14 components of the ECPF, it is evident that laws are attuned to the main ideals of the ECPF and indeed other international benchmarks.

Clearly, some Acts make an explicit correlation while others are implicit and thus difficult to clearly determine. For instance, it is easy to impute a correlation between the regional guide employed at the national level in moving forward laws aimed at improving and strengthening elections, and overtly political components. However, for a critical component like 'early warning' is not easily determined under a particular framework as it comprises of multiple actors but needs to be located centrally. It cuts across good governance and could also be translated as early warning for issues arising out of the other components like natural resource governance for example, indiscriminate felling of trees in an area, or sale of blood diamonds, or lack of equity in the educational sector which in this case are all triggers that can plunge the country back to war. Thus early warning is relevant beyond only 'physical' conflict.

Additionally, the manager responsible for Sierra Leone's Early Warning at the ECOWAS Commission Claude Kondor expressed scepticism at the capacity of the EMPs to adequately link these components, or deem it a role they play:

'I am not saying it is ambiguous, I am just saying it has multiple implications and this complicates the work of MPs, and their understanding of issues. This makes it cumbersome communicating with MPs at both the regional and the national level since you cannot determine who 'you should give the information to. at the same time the information is usually technical and confidential... MPs feel the need to share information easily and as such you are not sure if you should entrust sensitive information to them. Also, the reporting lines at the Commission are clear, and MPs are not in my line of reporting back... We only inform them, and early warning means more than just passing on information or being in the know. Sometimes even in early warning situations it is still like

a war zone and there is not much an MP can do in those circumstances without an army unit support, or the executive...unfortunately, sometimes, the MPs themselves are even part of the problem' (Claude Kondor, Interview, May 2013).

7.5.1 Ordinary Sessions

Since its inauguration, challenges with peace and security in Sierra Leone has consistently been presented in the ECOWAS-P's sessions as intricately linked to the whole of the MRU, especially with the notion of an instigating role by Liberia. This is prominently reflected in activities and initiatives employed by the ECOWAS-P and at the national level there are also advanced country-led and specific initiative aimed at establishing a relationship with the parliament in an 'individual' capacity and not as an MRU sub-region.

EMPs affirmed that by virtue of their representational function, their sphere of competence includes mediation enabling them to facilitate dialogue, carry out sensitisation and public outreach programmes aimed at promoting tolerance, social cohesion, and cultural partnerships in their countries and national constituencies. However, in spite of their best efforts and willingness in these ventures, mediation gets impeded by lack of access to technical and financial resources, and sometimes misunderstanding on the exact role of the EMPs as they sometimes imbibe the role without the essential experience needed.

As the main business of the ECOWAS-P commenced coincidentally with the era when Sierra Leone had just returned to democratic governance related reports are focused on consolidation of democratic ideals. Additionally, the formal declaration of the end of the war in January 2002 signalled a new beginning for Sierra Leone thus for instance the First (March 2009) and Second (September) Ordinary Sessions contained country reports with the following introduction:

'Sierra Leone is peaceful and continues to show an unflinching commitment to the ideals of ECOWAS and other international organisations to which she is party. The Country has in this vein tabled a bill establishing a Youth Commission in the course of domesticating and implementing the ECOWAS

youth policy'¹. It goes on to relate that, the 'political situation in the country is peaceful except for a few isolated cases, and then the outstanding issue of Yenga. Mostly laws that were enacted or in the process, as well as institutions being established were also communicated. These included the Environmental Protection Act, Chieftaincy Bill amongst others².

Sessions spanning 2010-2013 however, report processes centred on ensuring free, fair and credible elections thus these were focused on signing of Memoranda of Understanding (MOUs) by dominant political parties leading up to the elections, and other stakeholders on electoral preparedness to keep general security trending positively.

7.5.2 Fact-finding missions

Initiatives undertaken in the ECOWAS-P are subsumed under, and characterised by sub-regional approaches in the MRU since its establishment. As early as 2002, the ECOWAS-P undertook the first mission to the region (Guinea, Liberia and Sierra Leone) with regard to the issue of convincing the LURD to return to the efforts of mediation and negotiations that had stalled, and also to ascertain the grievances they had which led to their disengagement from the processes.

This initiative had been supported because, CSOs, UN, AU, and national MPs raised concerns on the exacerbating situation, and this needed to be checked. At the same time, it could also halt democratic integration ideals of ECOWAS in the region.

Thus, against this background, the parliament mandated the MPs undertake the mission led by the Speaker at the time with specific terms of reference and a methodology on how to execute the mission.³ Members of the mission⁴ were equipped with an approved seven day schedule to engage the following stakeholders:

¹ 2nd Ordinary Session, Abuja, 07-22 September 2009, Sierra Leone Country Report

² Ibid. Country Report

³ ECOWAS Parliament 2003 Annual Report themed 'The Community Parliament: For Peace in the West African region; and democratisation of the integration process Pgs. 11-18

⁴ Comprising twelve MPs (two women and ten men from Guinea, Sierra Leone and Liberia)

Sierra Leone (July 17-21 2002)⁵

- President Ahmed Tejan Kabbah (at the Presidential Lodge)
- Deputy Foreign Minister
- Members of Parliament
- Staff of Ministry of Development and Economic Planning⁶
- National Electoral Commission (NEC)
- Civil Society Movement

This was the preliminary mission that secured a commitment from the Inter-Religious Council of Liberia to participate in the LURD meetings in Freetown (February 5-8, 2003). In the same meeting LURD then articulated their grievances, while the MPs discussed modalities for a peaceful resolution by convincing them to agree to dialogue.⁷ The association with the Inter-Religious Council was also very strategic as they were tasked with acting as the main contact with the LURD, and ended up ensuring that the negotiated safe passage was available till they arrived in Freetown. Prior, then Speaker of Parliament, Ali Nouhoum Diallo requested free access for the LURD delegation through Guinean territory to which the government obliged, which then President of Sierra Leone, Ahmed Tejan Kabbah agreed as the venue for the meeting.⁸

A critical recommendation emanating from the first mission discussed in parliament was to make imperative a meeting between the 'two warring parties' which are the government of Liberia and the LURD of Sierra Leone to negotiate their differences⁹. This outcome is a credit to the parliament as the stalemate between LURD and the Heads of State had made progress to resolving these crises more protracted. This thus precipitated the need for the second mission to the MRU region.

The parliamentary delegation embarked on the second mission by paying courtesy calls to the diplomatic missions of Ghana, Guinea, and Nigeria to discuss the nature of their mission. Specifically, expectations advanced by LURD, and also share updates on the parliament's achievements. The respective ambassadors unanimously supported the

⁵ Mission Report Pgs. 1.12-1.14

⁶ Ministry responsible for integration

⁷ Page 3 Mission Report: Second Mission to the MRU region; February 5-8, 2003; March 9-18, 2003

⁸ Page 3; Mission Report: Second Mission to the MRU region; February 5-8, 2003; March 9-18, 2003

⁹ Page 2; Mission Report: Second Mission to the MRU region; February 5-8, 2003 and March 9-18, 2003

peaceful resolution initiatives of the parliament and were subsequently invited to participate in the meeting.¹⁰

The delegation also called on then Vice President of Sierra Leone, Dr Solomon Barewa¹¹ to express the ECOWAS-P's gratitude for the logistical support and use of facilities in hosting meetings. In response, the Vice President reiterated the firm resolve of Sierra Leone in not only maintaining peace, but also ensuring other countries like Liberia become peaceful. Once, again, the notion of Liberia being the instigator of conflicts was once again inherent in the speeches, as explicitly articulated by the Vice President:

‘...despite the fact that the war in Sierra Leone was a direct result of Sierra Leone’s acceptance to allow ECOMOG to use its territory as a launching pad for its activities in Liberia, and for freely accepting Liberians refugees into their homes. This time Sierra Leone would give its utmost support but would also do everything to guarantee its hard-earned peace and stability’. Adding that, the issues should be resolved through dialogue’.¹²

At the meeting including stakeholders from the ECOWAS-P, MRU MPs and LURD. After deliberations yielded positive outcomes as Joe Gbala the LURD representative signed a Communiqué in the presence of Sheikh Kafumba Konneh (Liberia Inter-religious Council) and the Reverend Moses B. Khanu (Inter-religious Council of Sierra Leone) committing to re-engage discussions whilst communicating their grievances. This is celebrated as a major achievement for the ECOWAS-P because it was at a period that LURD reengaged with notions of seeking peaceful resolutions which they deemed had been complicated by meddling executives of the region creating a trust deficit.

According to Bernadette Lahai¹³, current issues are that of consolidating democratic gains rather than reporting conflict within the MRU. This is because there are recognised political spots that act as triggers. For instance ‘Yenga is still an outstanding problem, especially as

¹⁰ Page 5; Mission Report: Second Mission to the MRU region; February 5-8, 2003 and March 9-18, 2003

¹¹ This was on behalf of the President Tejan Kabbah who was at that time performing the Hajj Pilgrimage in Mecca, Saudi Arabia; Page 5-6 Mission Report: Second Mission to the MRU region; February 5-8, 2003 and March 9-18, 2003

¹² Page 6; Mission Report: Second Mission to the MRU region; February 5-8, 2003 and March 9-18, 2003

¹³ Former member ECOWAS-P (2008-2011), Deputy Minority Leader, Parliament of Sierra Leone (2012-2017); Interview June 2013

elections are coming up, what happens in terms of registration and voting with such a porous border is bound to be a melting pot of great conflict’.

7.5.3 Electoral governance



Figure 7.4: Political Party Representation Elections 2012

Source: reproduced with permission from the Early Warning Department ECOWAS Commission, Nigeria

The area coded green is the political stronghold of the SLPP mostly populated by the Mende ethnic group of the opposition leader Julius Maada Bio. The red area also holds more political fortunes for the APC party populated by the three ethnic groups Temne, Limba, and Loko of President Ernest Bai Koroma who was then the Illustratively, this is indicative of the fact that both political parties relatively have equal voter support, though allegedly each party continue to make inroads across the political divides. It can however be illustrative of voting being done along regional and ethnic affiliations in Sierra Leone.

According to Claude Kondor:

‘Also, some of the potential opposition candidates whose cases were delayed in court by the Judiciary quickly denounced their parties and joined the ruling party. Their cases were decided quickly and they got party symbols to run for the ruling party’.

As presented in Table 7.2 ECPF Components and National benchmarks, it is evident that several national legislations and initiatives were undertaken to ensure elections and related activities do not become a trigger for disturbing the peaceful dispensation the country has enjoyed the end of the war.

7.6 Informal Conflict Prevention initiatives

7.6.1 Networks and CSOs

Sierra Leone’s civil society traditions are not well developed but the prospects of democratisation especially in the post-conflict environment propelled many activists and organisations to establish a landscape and create opportunities all aimed at rebuilding the country (BTI 2010).

However, EMPs indicated that collaboration with various CSOs ranged on issues including; training women as policy advocates; helping to create confidence in the government’s Poverty Reduction Strategy Papers (PRSPs) agenda and communications strategies on citizen positive ownership of the national development processes. These were important because:

‘...Poverty is crippling our potential and if Sierra Leone is to become relevant in the world’s economy, we need support and help to get back on our feet. We are continually at the bottom of all development indicators...These therefore puts us in a vulnerable position as everyone is ready to offer help, we are not complaining; help is good, but not all help is good help for the country, that is where the challenges are hidden’...’ (Bernadette Lahai, Interview, May 2013)

The general consensus emphasised CSOs as a knowledge base and learning outcomes partner. This is because their mandate and areas of expertise vary from projects at the

country's borders, within the MRU to thematic governance sectors locating them at the core of receiving first-hand information from grassroots.

Additionally, they demonstrate commitment to the issues of conflict transformation and non-violent communication by setting up parallel committees to work with local communities and security personnel on various issues to reduce tensions in border areas and on ethnic issues.

However, CSOs continue to confront challenges in working to their full potential and these include access to resources, low political leverage with CSO leaders employing the strategy of 'activism' rather than process or dialogue. Also the political environment creates the impression of some CSOs as 'favourites' of the political leadership, when they are not political, and benefit from political patronage. This tends to hinder the integration of civil society's differing views into political processes as its limited and lacks credibility.

EMPs raised concerns on the challenges of collaborating with CSOs over time in Sierra Leone. The relationships after several elections steadily created an emerging pattern which questions CSOs neutrality and levels of mistrust persistently cloud these interactions, which is a setback in the nascent MP-CSOs relationship. Conversely, CSOs harbour reservations on capacity of MPs to perform their duties creditably and relatedly MPs perceive CSO leaders as scheming to oust them, and take over their seats in parliaments.

'Most of these NGOs and CSO leaders come to Parliament under the pretext of collaboration only to exploit our weaknesses and use it to campaign for our seats. If you like do the maths of how many CSO leaders were elected to Parliament in the 2007 elections, or even 2012, there are a lot of them so now we are wary of any initiatives they propose. We prefer to propose and then they can join us, after all we are all working in the interest of Mama Salone' (Brima Kamanda, Interview, May 2013).

Additionally, a main challenge articulated by CSOs are their activities; uncoordinated and fragmented. Inherently these imply problems with accountability, with most having no clearly defined sphere with organisations working over any sector that attracts funding or deemed as the new area to explore.

7.6.2 Early Warning

The ECOWAS early warning system (ECOWARN) generated graph presented in Figure 7.5 demonstrates the developments in the political and security situation in Sierra Leone (January - October 2012). The months of March and April have an upward turn as this was the period when UN supported Sierra Leone war crimes court sitting at The Hague, completed proceedings and convicted former Liberian leader Charles Taylor of aiding and abetting war crimes in Sierra Leone, and amassing millions of dollars in arms trade. A slight rise in May is interpreted as due to political tensions among the youth and the opposition parties impacted more by the visit of UN Security Council members to Sierra Leone to hold discussions with political stakeholders.

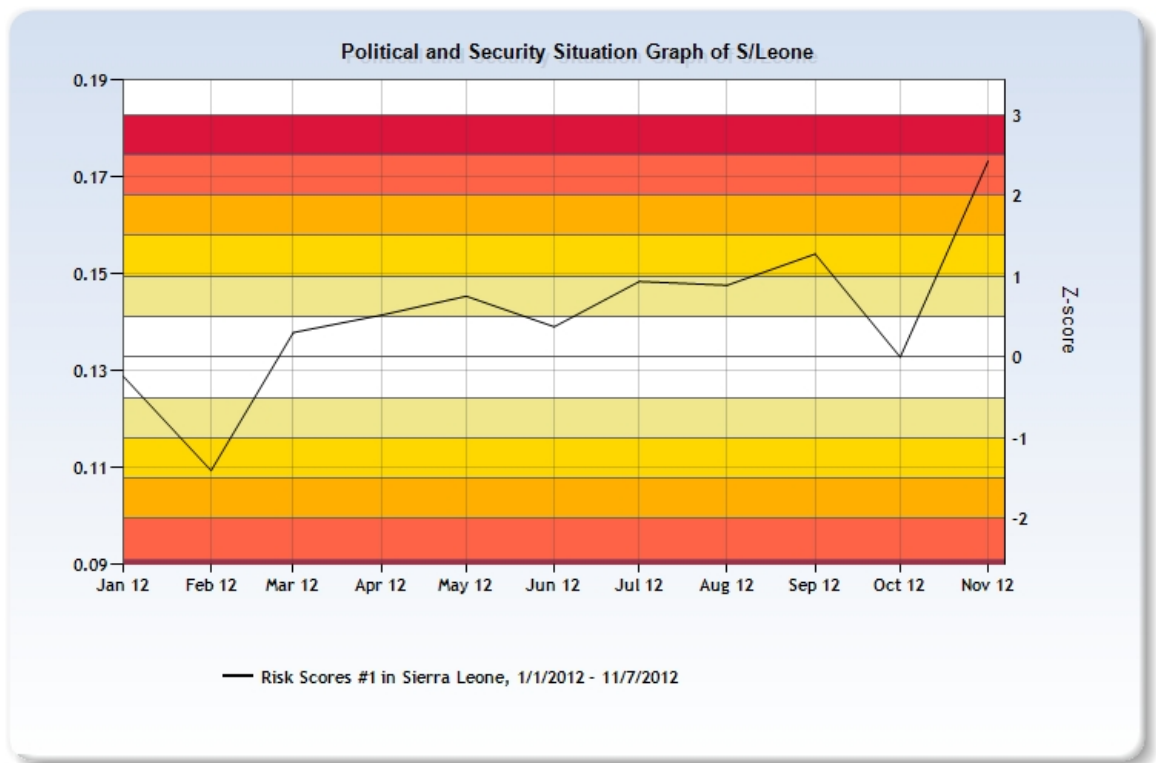


Figure 7.5: Political and Security Situation Graph

Source: EWS Department, ECOWAS Early Warning Report (Confidential) for Sierra Leone, November 2013 reproduced with permission

Reflective of election year dynamics, an undulating trend emerged from June to August as the era was characterised by increases in nomination fees for political contestant announced by the Chairperson of NEC advancing agitation among political parties, as well reactions to the establishment of an Electoral Offences Court to cases of election related misconducts. The sharp rise in October (27 and 28) is registered because political violence

flared up between rival party supporters in the Kono district leaving ten people gravely injured. The movement of the graph into the pink zone portrays warning with a potential to touch the red which is the 'danger zone' and at this stage if there is delay in addressing the threats and challenges raised by the ECOWARN report then serious conflict can occur.

7.7 Assessing effectiveness of these initiatives

There is evident correlation on commitment to translate the regional level conflict prevention activities and strategies into national laws, and adapt to Sierra Leone's context. This was more pronounced in all discussions as EMPs asserted that, as a post-conflict country, diligence in monitoring these laws was core to their duty to prevent reoccurrence of war.

These efforts are also well reflected in sensitization missions undertaken at the country level to educate the populace about the ECOWAS-P as well as communicate the need for maintaining peace. Additionally, these opportunities are used to push for curricula improvements in the educational system on peace education beginning with basic levels.

The outstanding estimated issue is how to measure the impact of various peace- building or conflict prevention programmes within which the national parliament has had to work. As against the backdrop of the atrocities that occurred, there are a myriad of actors, peace agreements, accords, then transition related agreements and then post-conflict frameworks as depicted in Table 7.3 all serving to put pressure on MPs at any given time on how to proceed and measure progress. The parliament with no set framework has to be subjected to existing evaluations usually undertaken from the CSOs, INGOs or donor with their own set indicators and areas of emphasis.

Institution	Strategies/Support
African Union	Political Stability DDR Assistance
ECOWAS	SSR DDR Election Monitoring and Observation Training Parliamentarians (National and Regional level) Training/networks on Small Arms and Light Weapons Collaborative programs with CSOs
International Agencies (some bilateral; JICA; DfID; DANIDA; GIZ and others)	Parliament Contribution to UNDP DDR and other programs Construction/Reconstruction of damaged infrastructures
Research and Academics (including KAIPTC; Parliamentary Centre; DCAF)	SSR Training Conflict Prevention Training Institutional and Administrative Research databases Gender Training Support to Women Caucuses

Table 7.3: Major Actors and Strategies on Post-conflict Peacebuilding

Source: Compiled based on research and analysis undertaken on the respective institutions

Progressively, the political landscape keeps improving and renewing itself; cronyism and the old patronage systems have unravelled with respect to urban versus rural politics and these hopefully will yield positive democratic results into the future. Significantly, there is an outstanding question bordering on a cliché; 'what do we do after they are gone?' This question borders on the consequences of what to expect with the impact of the withdrawal of development partners most especially the UN organisations and other western. Incredibly, by 2008 most of these international donors had scaled down or pulled out but still supported the country in the elections for 2012. At the same time, some of the organisations have also reviewed their mandates to continue support in various development programmes.

The elections of 2012 proved a bigger test for the fledgling democratic structures of Sierra Leone as it served to build on gains from the two previous elections. Contrary to public opinion, it did not generate into electoral fall outs and crises that had been witnessed in Togo in a preceding election in the region and as such, the assumption is currently held, that the people and politicians of Sierra Leone, collectively recognise that, ultimately, the

peace and stability of Sierra Leone depends on their collective commitment and action to progress.

As relates to SSR, Sierra Leone's immediate past places advances difficulties with the development of a comprehensive security framework because of the role of the different players discussed above. Therefore, the ECPF presents the best approach as it merges all the experiences from the different sectors in context to West Africa. Sierra Leone's immediate post-war era's security was regarded as more important than any other political or economic indicator, but gradually the focus has shifted to a framework of a security-development nexus (Duffield 2001, Duffield 2014) encapsulated in the ECPF.

This simultaneous nexus according to (Berdal 2009) acknowledges that security and development 'are mutually reinforcing and need to be pursued in parallel' (Berdal 2009:96). However, several challenges hinged on how to legislate on cultural practices, for inasmuch as there is a regional framework for governing prevention initiatives, cultural practices permeate all levels of the social life and as such are critical. These include the practices of female genital mutilation and Secret Societies, which continually prevail despite several activities aimed at ending them.

At the same time, Sierra Leone still grapples with its resource endowment challenges and the most sustainable approach currently being utilised by MPs is employing the regional framework together with traditional leaders and communities. Additionally, prevailing existing security threats include persistent of militia command structures, paramilitary some of which have coalesced into private security companies, outstanding Special Court indictments, pervading youth unemployment, unreformed cultural practices and traditions, entrenched chieftaincy structures and the re-emergence of the north-south political proclivities.

Nevertheless, these threats have failed to materialise to the degree that has been forecasted by academics and political pundits and this could be an indication and testament to the will of the citizenry to make democratic strides into the future, and nor trigger a reoccurrence of the past.

These are more in line with arguments presented by Graben and Fitz-Gerald (2013) to comprise the inclusive involvement of community members for development and construction projects; the use of culturally responsive practices in community building;

leadership that is directly connected with the community; and the combination of traditional and local development practices with western and governmental practices.

7.8 Conclusion

This chapter discussed Sierra Leone in its post-conflict context by giving a background of its conflict years and its prevailing structures. There was also an exegesis though formal and informal activities on how national legislation has benefitted from regional level framework. Additionally, there is an assessment on these initiatives and the inherent challenges that are predominant as the country continues to consolidate on democratic gains.

8. Chapter Eight: Analysis and Research Findings

8.1 Introduction

This chapter presents the analysis and findings from measuring the processes and practices of the parliament through the effectiveness tool. The previous chapters discussed the efforts of the ECOWAS-P towards conflict prevention at the institutional and country level determining the way policy has worked, and how these innovations are sometimes informal, and maximises normative strengths. Drawing on these inferences including respondent's views, this chapter also focuses on other stakeholder accounts on different aspects of conflict prevention.

Admittedly, utilising empirical evidence is challenging but in in this context, it is less limiting to operationalize the tool in this way by availing the evidence articulated by MPs and stakeholders leading to the core of what is practiced and experienced. Additionally, it evaluates the extent to which the parliament is effective or not, and assesses the implication of applying the tool. The chapter also discusses the questions raised in this research and factors affecting effectiveness.

Therefore it discusses these in **Section 8.2** Applying the tool for measuring effectiveness while **Section 8.3** Assessment: A tool for measuring effectiveness? Discusses the viability of developing this kind of tool. **Section 8.4** makes normative evaluations and **Section 8.5** evaluates the prospect of the parliament for conflict prevention within the context of its power, and new prospects for strengthening these and **Section 8.6** presents the conclusion.

8.2 Applying the tool for measuring effectiveness

This tool does not claim to solve the practical problems of how to measure legislative effectiveness at the regional level. Thus it is necessary to delineate the parameters under this measurement is undertaken.

First, the effectiveness of the ECOWAS-P as an institution under total West African integration is not the focus here, nor is its institutional effectiveness on the content and quantum of ECOWAS legislation.

Second, in keeping with the effects of its normative strategies institutionally, the focus is on how the Parliament's derives content and effectively carries it out through procedure, implements, and measure outputs.

Third, the intention here is not to proffer conclusions about the ECOWAS-P's effectiveness in conflict prevention in comparison to the other collective ECOWAS institutions, but rather to develop the parliament's relative effectiveness under its institutional framework and mandate as provided for under the Revised Treaty, and what it normatively practices.

Finally, the main dependent variable for the analysis is thus the change resultant in the content of the intentional activities initiated by the parliament in their bid to prevent conflict, effectively. Therefore, this is envisaged as commencing from identifying the need until the final stage of capacity, though different parts can be applied separately depending on the nature of the issue at stake; the preferences and behaviour of the EMPs during each stage can be considered as the changes with the potential manifestations of making the issue effective or otherwise.

There is no single formula for achieving effectiveness. Every context presents its own unique challenges, to each is brought an in-depth understanding of the key issues and considerations. Additionally, there is a readiness to adapt our approach and find a new way of working. This means a solution informed by the results of many different projects yet also entirely appropriate to the project in hand.

To enable the measurement of effectiveness of conflict prevention, this research developed an effectiveness tool conceptualised as detailed in chapter four; and the findings were developed in its six category indicators of Need; Fit; Resources; Evidence, Innovation and Capacity. In this chapter, the effectiveness tool is applied to the ECOWAS-P, and case studies of latent and post-conflict scenarios in Guinea and Sierra Leone respectively as illustrated in Figure 8.1:

Need	Fit	Resources	Evidence	Innovation	Capacity
<p>N1.How are the needs of stakeholders identified</p> <p>-Processes and activities; Agenda, Country reports, Debates, committee reports,</p> <p>-ECPF is a policy framework on implementing conflict prevention in decision making</p> <p>N2. Consultation</p> <p>-Report(s), Resolutions, Decisions are delivered to Commission</p> <p>N3. Research</p> <p>-Feasibility studies, employing consultants,</p>	<p>F1. Assessment of the policy implemented</p> <p>-proposals for change and or additions are debated and taken into account</p> <p>-In consonance with the regulatory framework(s)</p> <p>-All documents corresponding to the dialogue and discussions are included in the final decision as background documents</p> <p>F2. how viable was it vis a vis other initiatives</p> <p>-Level of efforts in terms of Time, Opportunity and resources are discussed to agree on the final action</p>	<p>R1. What were the necessary resources</p> <p>R2. How were the following resources utilised (IT, Staff, Training, data ,technical support, finance, intelligence reports and others)</p> <p>-Logistics coordinated by Secretariat Staff so not time consuming or difficult</p>	<p>E1. Review of the evidence on what works or worked, with whom, where,</p> <p>-Involving stakeholders who not EMPs in the process</p> <p>E2. Where/what are the outputs?</p> <p>-Mission Reports</p> <p>-Commitments from Executive leadership for improved democratic processes</p> <p>-Fulfilling role of advisory and consultation to the Executive Commission</p> <p>E3. Were these cost effective?</p> <p>-Juxtaposed against escalating conflict</p> <p>-Constituting EMPs into a committee with a head of delegation cuts down larger costs</p>	<p>I1. How were the activities, events actioned?</p> <p>-Missions(Physical presence)</p> <p>-MPs from the particular countries/sub-region play key roles</p> <p>-Meetings held with both/all sides aggrieved</p> <p>-Communication with national personnel to help facilitate</p> <p>I2. Was there a plan of activities?</p> <p>-Terms of Reference</p> <p>-Itineraries based on travel days are communicated prior</p> <p>-Meetings are held initially with stakeholders who will complement before the parties</p> <p>-Learning from other experiences or similar ones are considered</p> <p>-EMPs also adjust the policy framework to be able to undertake their role as it is not explicit</p> <p>I3. An implementation framework?</p>	<p>C1. who were the preceptors of the initiatives</p> <p>-EMPs</p> <p>-CSOs</p> <p>-ECOWAS Commission</p> <p>C2. What is the internal expertise used?</p> <p>-members of Parliament</p> <p>-Staff</p> <p>-Leadership</p> <p>-Roles are clearly defined and specified</p> <p>C3. and for what?</p> <p>-Activities and actions which are valid for implementation</p> <p>C4. To what extent were external sources used if any?</p> <p>-Stakeholders in the context (countries) or CSOs who could help mediate</p> <p>-Training on SSR</p> <p>-Training on Conflict Prevention</p>

Figure 8.1 Applied Effectiveness Tool

Source: Tool applied by author from the developed effectiveness tool in chapter three.

8.2.1 Need

Were the needs of stakeholders identified through consultation and research?

This norm can operate formally through processes of the parliament's benchmarks which are natural tools; as for example the addresses of the ECOWAS Commission President at the opening of sessions; plenary and committees agenda; country reports; extraordinary sessions; delocalised meetings; fact-finding missions and verbatim and committee reports. An example of some of these initiatives are presented in Table 8.1: Delocalised Meetings: Summary of normative conflict prevention initiatives.

These executive addresses include updates of community progress, status of treaty obligations and achievements; emerging areas of challenges and what other bodies are working on to improve integration benefits to the region and the parliament's own internal processes. Additionally, as there is no explicit procedure for referrals from the executive to the ECOWAS-P, sometimes these addresses may also contain explicit referrals on specific issues to the parliament for advice. Subsequently, these are adopted into the agenda and in turn referred to the appropriate Committee to deliberate and report back to the plenary in the form of either *Resolutions, Recommendations, or Decisions*.

This strategy though opening spaces for participation by the EMPs however, misses the opportunity of engaging and consulting with citizens more broadly on specific needs and only benefit from the EMPs representation of ideas and thus the sources of change cannot be guaranteed as a true reflection of what is needed in the region, but rather what the EMPs deem as the appropriate approach for the region.

Committee	Issue(s)
Joint Committee on PAPS/NEPAD and Africa Peer Review Mechanism, Katsina State, Nigeria, 28 July-1 August 2009	Trade in illicit drugs and its effects on security and political stability in West Africa
Implementation of the ECOWAS texts on peace, security, democracy and good governance, Cotonou, Benin, 30 March-6 April 2012	Electoral Norms and Standards,
Joint Committee on Trade Customs and Free Movement-Legal and Judicial Affairs-Administration, finance and Budget Control-Economic Policies, Abidjan Cote D'Ivoire, 06-10 November 2012	Evaluation of the Negotiations on the Economic Partnership Agreement(EPA)
Committee on Education, Science, technology, Youth, sports and culture/Committee on Communication and Information Technology, Accra, 13-17 November, 2012	Religious tolerance and harmony in the ECOWAS sub-region, essential factors for development, peace and stability
Joint Committee on PAPS/NEPAD and Africa Peer Review Mechanism/Human Rights and protection of the Child, Dakar, Senegal, 20-24 November 2012	The ECOWAS Mechanism for Conflict Prevention; The role of the ECOWAS Parliament

Table 8.1: Delocalised Meetings: Summary of normative conflict prevention initiatives

Source: Compiled by author using data from various ECOWAS-P Reports

8.2.2 Fit

Assessment of the policy implemented-how viable it was vis-a-vis other initiatives

This is a determination of the appropriate strategy agreed upon after deliberations on implications of that specific option, as against alternatives. Debates are typically vibrant and animated over options with MPs demonstrating skill and expertise in convincing the House on the plausibility of the strategy, and why a particular one is more amenable, in terms of cost and effectiveness.

As resolutions and decisions of the Parliament passed to the Authority are not legally binding, there is an overriding need to be as strategic as possible within the ambit of the mandate of the parliament. The parliament thus employs strategies including, fact-finding,

mediation, negotiation, public forums and high level meetings. A specific tool re-echoed by EMPs is the opportunity to utilise parliamentary diplomacy through these strategies. Parliamentary diplomacy thus encompasses feasible approaches which ultimately help construct the real causes and challenges being experienced in the sub-region. It is also an opportunity for EMPs to learn directly at the sources and through parties to the conflict, stakeholders as well as CSOs which sometimes are bystanders in the conflict but are keen to have issues resolved and as such are able to dispassionately discuss solutions and other issues to help the situation. Ultimately, recommendations are based on knowledge of the right information devoid of partisan politics.

8.2.3 Resources

What were the necessary resources; IT, Staff, Training, data, technical support, finance, intelligence reports?

‘At best, we just make the decision on what is needed to be done and leave the logistics aspects to the administration’. Thus, when a decision is made either at the plenary, by the Bureau or at the Committee meetings, the Clerk attached to the Committee or the Bureau Manager is then tasked to work out the budget (together with the DAF), and plan other logistics with the Head of Administration. For instance if there is travel involved they would have to make all the travel, accommodation, schedule the meetings and also advice on other departments or people to involve in mediation attempts in the field...’ (Brima Kamanda, Interview, May 2013).

The secretariat of the ECOWAS-P generally supports all the activities of the parliament and when decisions are made on issues that involve budgeting and logistical support for travel, related budgeting is undertaken. The parliament does not determine its own budget but receives its funding from the Commission usually apportioned by the Council of Ministers.

This is an area of contention between the parliament and the Commission, as ideally the norm is for the parliament to determine the budget of the organ, but rather it does not even have the mandate to determine its own budget. However, countries report on the status of the Community levy as part of their country reports presented at Sessions making it possible for those in arrears to be sanctioned, or encouraged to settle so as to enjoy the full benefits of membership.

Meanwhile, in the instance of a country Mission, the particular Clerks for a Committee(s), hold meetings and draw up a budget for logistics, which is reviewed by the Chair of the Committee(s) before it is forwarded to the Director, Administration and Finance (DAF), for clarifications before approval.

The staff also prepare the individual itinerary of EMPs, as well as briefs and are responsible for ensuring that each participating member is scheduled to depart from their respective country of origin to the meeting venue; be available for the duration the programme and subsequently after the programme.

Additionally, the Clerks and documentation centre personnel have the onus of acquiring documents from either the Commission or any such body within the ECOWAS set up from which it needs to update briefs. In such instances letters from the Speaker or other officials of the parliament or informal connections facilitated by senior staff are utilised. There are also processes to ensure that all documents are translated into the three official languages.

8.2.4 Evidence

Review of the evidence on what works or worked, with whom, where, and was it cost effective? Where/what are the outputs?

The analysis for evidence was based on entire systems, policies, protocols, mechanisms and other related tenets of the institution covering conflict resolution. These included the approaches, strategies and initiatives undertaken by the parliament at the regional level as well as the two country case studies. Moreover, in all interactions EMPs reiterated that their role as ‘implements of peace in the sub-region’ is gradually being accepted and recognised by ordinary citizens.

Importantly, reference was always made to the fact that:

‘in view of what we have to work with, there is a lot of evidence to suggest we have even worked beyond what we were expected...or in this case not expected to achieve’...we had to improvise and the results is there for all to see¹. When we meet stakeholders and hold meetings we communicate a

¹ (Meeting 1, Committee, May 2013).

simple message... Coup d'états are no longer fashionable and you will not be having any friends in the international community to support such an initiative², so the best is to cooperate so we negotiate some power-sharing or other issues... because it is only when you lead the country back to democracy that you can play a better role...' (Brima Kamanda, Interview, May 2013).

Evidently, successfully political outcomes such as elections, and dialogues on critical political tensions have been resolved in Ghana, Liberia, and Sierra Leone, however, Guinea, Guinea-Bissau, Mali, and Niger remain key challenges. Similarly, there is progress on areas including drug trafficking, electoral monitoring, trade disputes, the ECOWAS Caravan on monitoring joint border posts, peace education and monitoring the harmonisation of community laws.

Tenure	Resolution/Decision	Issue/Country
First Legislature	ECW.PARL/RES.1/Nov/02	Mano River Region
	ECW.PARL/RES.2/June/03/	Liberia
	ECW.PARL/REC.1/June/03	Guinea-Bissau
Second Legislature	ECW/PARL/Res.7/Oct/09	Relating to the Political situation in the Republic of Guinea Relating to Regulation C/REG...06/10 on the Political Situation in Guinea and Niger
	ECW/PARL/Res.8/June/10 Supplementary resolution on the political process passed in the September 27, 2010	
Third Legislature	Resolutions of the ECOWAS Parliament on the Political and Security Situation, February 2013	Republic of Guinea-Bissau Republic of Mali

Table 8.2: Summary of conflict prevention Resolutions passed

Source: Compiled by author using data from various ECOWAS-P Reports

In summary, efforts that were reiterated by EMPs included; joint committees to monitor intelligence and security issues; harmonisation of security laws at the regional level;

² There is a widely held belief that Burkina Faso, Mali, Niger and The Gambia were all funded and supported variously by Muammar Qaddafi (Libya) and his toppling brought turmoil to these countries

promotion of good governance; supporting regional legislation to ban small arms and light weapons; framework to monitor porous borders; information sharing on immigration; capacity building on intelligence gathering; and provision of direct support to national parliaments to monitor and prevent crises.

'The parliament also continues to play its advisory and consultative role diligently as this is what will ensure that we attain full powers in due course...'
(Victoria Saidu Kamara, Interview, June 2013).

During the May 2013 Session for instance, there were referrals from the Commission to parliament on issues including; the 'ECOWAS Security and its Administrative and General Conditions on Social Arrangement'; the 'Supplementary Act on Social Dialogue Forum'; 'the Regional Action Plan on Youth Employment; the Regional Action Plan against Child Labour'; and the 'Draft Supplementary Act relating to the Establishment and Implementation of Joint border posts within Member States' which are all critical areas for preventing conflict in the region.

8.2.5 Innovation

How were the activities, events actioned? Was there a plan of activities? An implementation framework?

The Parliament as a product of the revised treaty, is a new institution in the integration project which has had to play 'catch up' with respect to conflict prevention initiatives that are being implemented at national, regional and international levels.

Thus its 'in-house' processes like country reports, and delocalised meetings are opportunities for follow ups in Committee meetings, as well as those scheduled for off Session sittings to enable in-depth discussions. Then, if there is need for further discussion it is referred to a delocalised meeting agenda which were in-depth discussions and decisions can be undertaken usually outside of Session and in a 'neutral' location.

The second opportunity for innovation is contained in the 14 components of the ECPF 2008. As this codifies all aspects of security, both human and 'hard' security issues in the sub-region, it widens the spectrum of actors and this gave impetus for a more effective way of undertaking conflict prevention activities. Thus EMPs are able to contribute by putting issues in perspectives at both national and regional levels.

The third innovative approach is the decision by the Parliament to develop strategic plans from 2010. An EMP echoed that, 'before the plan we operated on an adhoc and flapping approach-blowing wherever the wind takes us' (Singo Ayitou Bruno, EMP, Togo, Interview May, 2013).

Thus the Bureau holds planning sessions with staff to develop long-term strategic plans guiding the work. These receive support from donors³ in terms of technical advice in making the document outcome based and result oriented. Although this document is usually encompassing all aspects of the parliament's work, conflict prevention reflects prominently in activities envisaged as it is regarded as a sine qua non to development of the region. Thus apart from the Strategic Plan for 2010-2015 for instance, there is also a regional mid-term work plan, whilst work plans for Sessions, Extraordinary Sessions and Delocalised meetings all emphasise various aspects of conflict prevention.

As the parliament is mostly on recess when there are escalating conflicts it also plays catch up on advancing strategies. Thus other strategies employed include Communiques and Press Releases communicating the position of the parliament on particular issues on conflict. For instance, these strategies were employed immediately the crises in Mali escalated as the Executive handling of the situation was deemed unsuccessful fruitful results (Gowan 2012, Gowan 2013, Willis 2013). Thus the ECOWAS-P complemented efforts by initiating a fact-finding mission to decipher the scale of the problem. Their report thus gave an overview, the prevailing situation and opportunities for resolutions.

The consensus was that, understanding the context of the Malian was central and strategic to dialogue. Thus identifying the main actors, sources and partners for all the stages will enable a comprehensive approach for a sustainable solution.

According to the EMPs, the crises in Mali were serious as it was one of the few African democracies though the structural problems are compounded with the crisis emanating from the war in Libya in 2011. This led to subsequent rebellions of the Tuareq rebellion (2012), a coup d'état and an Islamist takeover of Northern Mali. Ultimately, intervened military which most EMPs deemed 'premature' and now Mali is even now variously referred to as 'West Africa's Afghanistan' (Solomon 2013).

³ DCAF, Freidrich Ebert Stiftung (FES), EU, Parliamentary Centre and also ECOWAS Commission

As a participant observer in the meeting of the Committee on PAPS, the report from the mission to Niger and Mali⁴ generated great debate. Indications were that, entry and access were facilitated and safe because the ECOWAS Commission officials and some troops were 'already on the ground' so they were able to schedule meetings.

However, there was a stalemate in dialogue processes as the Tuareq faction from Niger had pulled out of the discussion. Thus the EMPs set about informally trying to negotiate with some of the factions for their return. This they reported led to some illuminating issues as they realised on arriving at the meeting with the Tuareq faction that one of the leaders ironically was a member of the ECOWAS Parliament⁵ who had taken arms and vacated his position. This was however regarded as a window of opportunity to appeal to him to convince the Tuareq to return to the negotiating table.

Thus, as colleagues they were able to mediate, bringing his group back to the negotiating table, but this according to McGregor (2013) was also worrisome as it could be politicised as an EMP using position of power to create havoc. The findings so discussed resulted in draft recommendations, subsequently passed as resolutions during the final plenary to help address the impasse⁶.

To reiterate, other spaces within which the parliament ensure it is being relevant in conflict prevention in the region include; parliamentary diplomacy, negotiation, mediation, sanctions, lobbying fact-finding missions, media engagement and a developed gender strategy.

8.2.6 Capacity

*Who were the preceptors of the initiatives? What is the internal expertise used?
To what extent were external sources used if any? And for what?*

'We have participated in many experience sharing forums, workshops and study visits to the Canadian Parliament, EU Parliament and Pan-African

⁴ Fact-finding Mission Report, Mali and Niger, 2013

⁵ Alghabass Ag Intallah, (EMP Second Legislature) split from Ansar al-Din and formed Mouvement Islamique de l'Azawad. He is considered crucial in determining the outcome of the conflict in Northern Mali.

⁶ (Meeting 1, Committee, May 2013).

Parliament(PAP) and this has helped us to focus on what exactly pertains in order to curb conflict. This has led us to the realisation that, we need to be proactive, thus every MP being sworn into this parliament quickly recognises that and keeps abreast of trends...anticipating challenges and adapting as we move along...At the same time we have had enviable partners who continue to collaborate significantly with us in this area of training...' (Simon Osei-Mensah, Interview, May 2013)

Reminiscent of parliaments, EMPs are from different professional backgrounds thus diversity is rich, yet, at the same time, there are existing challenges on issues of expertise like conflict. Thus, in as much as EMPs receive training and may have experience understanding regional issues bordering on peace and security, other criteria are used when designating delegations to undertake missions; including gender, nationalities/language, professions, years serving as an MP, are all considered.

Following, composed list is audited by the house leadership adding or subtracting EMPs they deem qualified according to the criteria; whilst the head of the delegation is determined including the added criteria of it being the oldest serving EMP on that list.

Subsequently, a meeting is convened involving the agreed members and staff to discuss terms of reference and logistical arrangements, roles and responsibilities assigned and Clerks ensure follow up activities are implemented. Agreement is also secured on commitment of the EMPs on their availability for the period of the activities as it will be when their national parliaments may not be on recess, and as such backup may be needed to be envisaged in case some cannot keep to the agreed schedule.

8.3 Assessment: A tool for measuring effectiveness?

What this tool has proven to also be useful for, is the ability to measure at the national level, and also prove that variables that affect the regional level can be devolved to the national level. However, at the regional level, some of the indicators under for instance, need, capacity and innovation, present empirical findings that blur the responsibility between national and regional.

It was prudent to include a separate indicator for resources and be specific about finances because perceptively, the parliament does have budget concerns. It is recognised that this measurement is undertaken under the assumption that there is an inherent democratic deficit as well as the fact that this might not be appropriate for well-developed regional parliaments (as they do not normally harbour an issue of lack of resources in the sense that developing ones do). It also emerged that policy power is not definitive of legislative effectiveness as the parliament has innovatively circumvented this role of no mandate to institute informal processes as demonstrated in Chapter Five: 'An ECOWAS of States to an ECOWAS of People'? Assessing institutional effectiveness in conflict prevention.

Additionally, this tool and the cases it has been applied to cannot be representative for all regional legislative assemblies in Africa, but clearly demonstrates that such a model and its associated indicators can be applied and the kind of implications to be anticipated as results. The tool has ultimately made it possible to reveal both successful and unsuccessful benchmarks as it provides simultaneous information on several aspects of the parliaments work important for the measurement.

The tool indicatively has advantages in its utility in several ways:

- The tool is universal and can be applied as indicators for past activities or, to herald new activities
- It provides information on all the six perspectives simultaneously thus it can combine the disparate elements of the parliament in a singular report; whilst maintain its efficacy as a tool which can be applied by individual perspectives
- It helps to contextualise and limit the measures pertinent to the parliament and as such ensures visibility for the few factors of success
- It is also a tool that necessitates teamwork and involvement of all the cross-professional staff as well as the core EMPs
- The tool ensures a logic and strategic approach in communication and information as relates to the parliament's work

According to Wahlke (1962) and Blomgren and Rozenberg (2012), legislatures of a regional nature would cease to exist as institutions without a minimum of consensus about norms. Thus continually the institutional framework of the ECOWAS-P has been bound by informal institutional rules as well following the tenets obliging them to the Revised Treaty and Rules of Procedures. In this way, the Authority and Commission will concentrate on issues with a

reflex responses and real time most especially in emergency periods; whilst the parliament works on long-term policy which can guide processes into the future.

8.4 Normative evaluation: which factors affect Effectiveness

'Instead of thinking about policy as a routine engagement between certain public officials and a settled retinue of established interests, we are now forced to consider how a single system is constructed from semi-independent institutions and actors linked by resource agreements, joint agreements, joint projects and cross-border engagements ... it is really composed of pads of unequal size, each contributing to a characteristic policy 'footprint' (Considine 2005).

Empirically this research confronts a multitude of normative challenges at both national and regional levels. The importance of national policy outputs becomes apparent as the country narratives include ECOWAS level activities, but sometimes these do not explicitly separate activities of ECOWAS-P, nor the executive body.

Notably, this research did not set out to examine all the possible sources and causes of effectiveness, as it was more focused on the theme of conflict prevention and not institutional legislative performance, and also not all issues would have occurred in the period being studied. Thus, empirical evidence upholds both the extrapolations expected from the questions and those regarding the level of effectiveness as illustrated by the application of the effectiveness tool.

A number of themes come to the fore in an effort to unearth different understandings and arguments around the issues and specifically how these impact the conflict prevention agenda⁷. It is also apparent that issues about effectiveness are framed in direct correlation to the fears and hopes of debates around the conflict prevention implementation agenda itself. There was a lot of prominence and increase in issues around the newness of conflict prevention and its attendant expectations for asserting peace and stability in the region, and how as a new phenomenon it is difficult to measure its effects.

⁷ Apart from the themes discussed in this chapter, other issues bordered sovereignty, role of elections and drug trafficking.

CSOs were quick to point out identifiable 'contradictory aspects of the ECPF' as for instance aspects dealing with elections. For others the perception was that, some conflicts are caused by MPs. 'EMPs who are also politicians first... sometimes are found doing the work of 'conflict mongers' 'rather than peacebuilders' was how it was stated⁸. However, positive impacts of the conflict prevention agenda were eulogised including promises about its prospects and potential to do more once regulation is much clearer with an improved mandate for the parliament.

Evidently, most EMPs had a generic outlook on all the challenges that affect the parliament. But areas of consensus as problems to be expected because it is 'new' include; extent of the impact of work, awareness creation, information, communication and dissemination of the parliament's work.

The main influencers in the parliament is what the researcher calls 'the Big Four' Nigeria, Ghana, Senegal and Cote d'Ivoire. Their sphere of influence is reticent and present in all the negotiations, missions, configurations of Committees and debates in the Plenary, with Nigeria wielding some power of exceptionalism (Mazrui 2002).

Legislative committees work within a complex framework and as such it is challenging to evaluate their effectiveness; but, committees are also the pulse and heartbeat of legislative effectiveness. As noted by Longley, Ágh et al. (1997) and Strøm (1998), legislative committees have become important centres of power in democracies around the world.

Therefore, committees adopt reports in sittings before being tabled at the plenary level for the Committee of the Whole adoption. There are instances that members will be unclear about an issue or not be willing to have it passed but as witnessed by the researcher during participant observation the Speaker requested loudly 'those in favour of, say aye' and there was mostly no dissent and reports were adopted. This same process is also undertaken for passing Resolutions and Decisions. However, observing, it was obvious there is need to vary this approach as some members were resolving their 'ayes' based on 'en bloc' by country, lingua grouping, or cronyism (some countries are considered friends with others, as for example, Ghana and Guinea, or Ghana and Nigeria).

Interactions and observations at the ECOWAS-P also highlighted some issues of political machinations amongst EMPs. Apparently, delocalised meetings scheduled in particular

⁸ Chukuemeka Eze, Interview, June 2013,

countries convey more meaning than just the intended objectives, therefore committee chairs are actually lobbied for these meetings to be held in their respective countries. This according to EMPs afforded them an opportunity to be recognised and acknowledged at the national level through the media by their peers, their constituents, CSOs, NGOs, central government, and the donor agencies.

Thus EMPs put forward reasons why their countries should be selected as host. Arguments include 'we have not hosted any delocalised meeting' or we have never hosted any delocalised meeting of ...'that (respective) committee'⁹ seeking to hold the meeting. Additionally, it is considered a means of revenue for businesses and EMPs as they will also receive allowances. But ultimately, it helps to communicate some of the work of the ECOWAS-P as members interact with the national MPs and citizens at these forums. In several discussions EMPs cumulatively drew attention to areas they deemed as endorsement of their effectiveness, as well as factors hindering their capacity as presented in Table 8.3.

These included the role of mediator (through parliamentary diplomacy) and provision of forums for dialogue and interactions with national parliaments to monitor crisis/engage in negotiations (as for example in the cases of Niger and Guinea). General reflections also reiterated the irresponsibility of some politicians in the sub-region who purposively incite conflicts and fan social tensions which ultimately generate armed violence, in several instances Nigerian politicians were indicted as culpable.

'In a bid to in order to serve their personal interest especially during electioneering campaigns, some politicians employ divisive and provocative expressions on campaigns platforms by deliberately and openly declaring support/arming certain militias, rebel groups or other components to best serve their interest or display affinity and conformity in terms of ethno-religious ties' (Chukuemaka Eze Executive Director, West Africa Network for Peacebuilding, Ghana, Interview, June 2013).

Additionally, other EMPs alluded to the trend of politicians of neighbouring countries being culpable by disregarding existing territorial borders and national sovereignty, with the aim to either erode the legitimacy of the government in place, or promote conflict by destabilising

⁹ Example of an argument made by Ivorian representatives, Plenary session, ECOWAS-P, Abuja, May 2013

especially on ethno-religious ties with certain groups. Thus enforcing of the rule of law is indispensable if the ECOWAS-P is to help stem the repercussions of armed violence in the sub-region. For instance, the parliament can lead the way by emphasising the establishment of 'fast-track' style electoral courts set up following occurrences of electoral violence. At the same time, an effective implementation should complement efforts especially at the local level on laws concerning artisanal weapons production.

A summary of the role of EMPs and challenges indicated as inherent obstacles to effectiveness more generally, and on conflict prevention are presented in a SWOT format in Table 8.3.

In comparison with the EU Parliament, some EMPs pointed out that considering the developed level of its member states, and continuous progress in reforms it has acquired a high level of cooperation, working to make the integration scheme a success and that is why it is unique. Therefore, a high level of cooperation amongst members is deemed *sine qua non*, if an integration project to ensure all the policy competencies are beneficial to the region. Therefore, the parliament must be supported to realise its full potential rather than the Executive and other organs treating it 'like an orphan' or the 'proverbial step-child' usually unwanted and being an afterthought in the scheme of things.

Therefore, the ECOWAS-P remains a contributory legislative actor able to initiate, advice and amendments on ECOWAS legislation through consultation in a manner politically substantive to the conflict prevention agenda. Second, the ECOWAS-P will be successful when it attains the status of full mandate and be able to offer technical amendments and clarify the wider ECOWAS integration project. Third, it is able to present a united front in terms of progress towards enhancement of its powers and this should remain so after that stager and that will consolidate its stance on actions initiated towards other institutions; the Commission, and Council will not be able to 'bull doze' their way through decisions. Finally as presented in Appendix 14: Compendium of conflict prevention initiative, the ECOWAS-P has been effective within the confines of its mandate in leading processes with parliamentary diplomacy in the region in a way that gives it latitude and credibility to able to do so even though it accrued this status through its own norms and interpretation of the documents which gives it its power.

Table
8.3:

Strengths	Weaknesses
<ul style="list-style-type: none"> • Regional leader instrumental in building community • Capacity building for national parliamentary development • Monitor harmonising of laws • Pursue coherent policies on CP at the national level • Working to implement regional policies • Strengthen regional mechanisms on CP 	<ul style="list-style-type: none"> • Legislative overload • Plenary too long • Discussions can be too general • Distractions-too many side meetings • Meetings outside Session times • Session • ns affect country level sittings • Parliament not unilateral and this affects morale as sometimes there are no tangible results
Opportunities	Threats
<ul style="list-style-type: none"> • Enhancement of mandate • Inclusion in ECPF • Formalise working relationships with CSOs, Donors, Networks, Platforms • Role in Security Sector Reform 	<ul style="list-style-type: none"> • Constitutional frameworks • Eclectic parliament rituals and symbols influence • Strong national executives • Sovereignty issues

Summary role of EMPs in conflict prevention: SWOT Analysis

Source: Compiled by author using data from Interviews and focus groups

8.4.1 Institutional structure for the ECOWAS Parliament and how it affects decision-making

Even though at independence, national parliaments were set up and judiciaries were supposed to be independent, these did not lead to the establishment of democratic governance in post-colonial Africa. Claude Ake (1996) sufficiently argues that after independence African leaders became preoccupied with a false sense of development which demanded a false sense of unity and the postponement of the quest for democracy.

The parliament as a 'new parliamentary institution' formed by the revised treaty is inherently challenged as it has to operate within the hierarchy of authority in the general ECOWAS structure, already mandated with decision-making. However as discussed in preceding chapters, establishment of the ECOWAS-P increases the supranationality of the ECOWAS project. Thus overtime, its powers and mandate will increase. Though, there is resistance with respect to strong national Executives, the Authority has benefitted immensely from referrals passed on by the Commission which the parliament deliberates on, and forwards advice. The final decisions however, are made by the Authority and Council.

8.4.2 Competing regional parliamentary bodies

West Africa out of all the regions of Africa is a good example of Anglo-French rivalry, through institutional and competing regionalisms (Crowder 1964, Olonisakin 2000) (Aning 2004). As a region of experimental regionalism since the 1960s, the coming into force of the Mano River Union (MRU); Economic Community of West African States (ECOWAS), the Union Monétaire Ouest Africaine (UEMOA) with similar objectives (Lavergne 1997) into the 1990s. The sub-region is also the one crucially hampered as it has the highest number of International organisations (Mwamadzingo 2001:2-7) but in practical terms, the three organisations named above are the main actors tasked with developing regional policy on economic, political, peace and security issues.

Thus ECOWAS was also created to among other things facilitate the relationship between the region's Anglo- and Francophone countries by overcoming the language barrier and

incorporating previous initiatives such as UEMOA and BCEAO into one overarching organization; but this has not yet been achieved (Adebajo and Rashid 2004).

Unfortunately, ECOWAS has not managed to stem this rivalry of overlapping memberships as depicted in *Figure 8.2*, but only work in a compromising stance to the mutual benefit of each group. For instance, a cursory glance at the pattern of discussions held at the parliament, and sometimes how these groups pander to the ‘inner voices’ in their political development are reminiscent of positions akin to their former colonial paths. According to Adeniji (1999) and Ibrahim (2003) language barriers shaped by the configuration of colonialism entrenched a vertical link with formers powers disadvantaging horizontal relationships with neighbouring states, across the Anglophone-Francophone division.

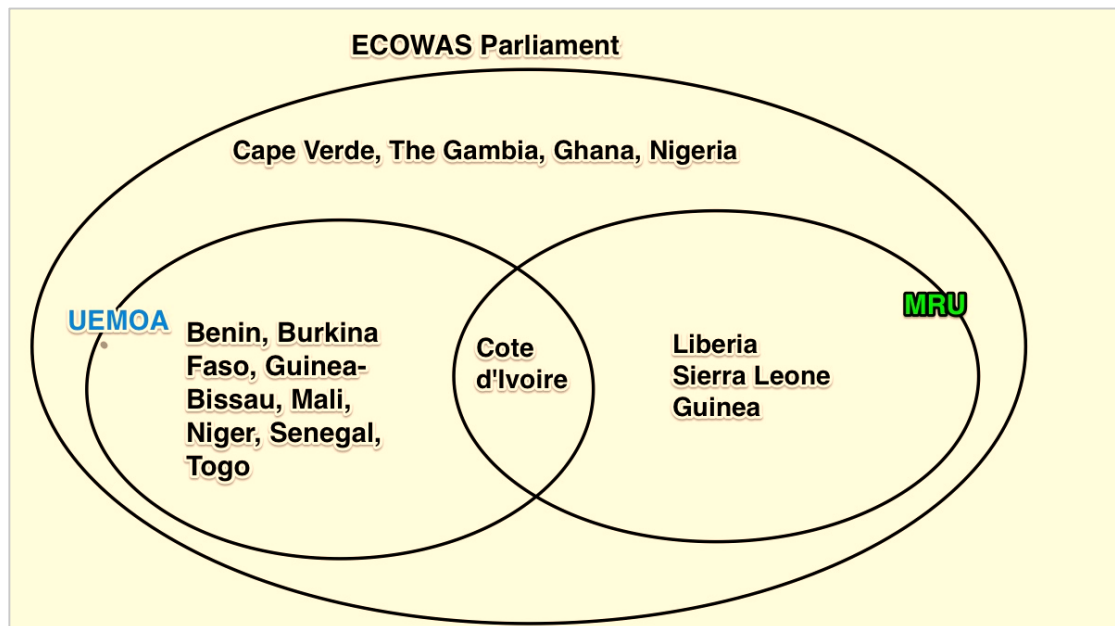


Figure 8.2: Overlapping Membership of ECOWAS Parliamentarians

Source: Developed by author using data from membership affiliations

‘Whether these other bodies affect West Africa’s integration lies in the answers. The answer differs depending on which body you are questioning. First, when ECOWAS was created, it was done for everyone though there were other small groupings so when you look at it like the Venn diagram, ECOWAS is on top and the others MRU-four countries so they could opt for it as a cell within ECOWAS so it means they could create a bloc... so that things like electricity or something they could group themselves according to that kind of project implementation. But policy harmonisation is not for these groups but projects and programmes

they can harmonise as blocs within the sub-regional framework, and harmonise all of us into one policy areas...but when it comes to implementing then we say let us constitute ourselves into implementing blocs; marketing, production, and so on...' (Dr. Toga McIntosh, Vice President, ECOWAS Commission, Interview, May 2013).

These contending bodies occupy the integration space in West Africa as illustrated in *Figure 8.2*. However in 1997, it was agreed that by 2004 ECOWAS should be the only REC for West Africa. UEMOA, was thus to operate primarily as a monetary zone within the statutes of limitation (Alabi, Alemazung et al. 2011). However, this has also not been achieved.

The Vice president of the Commission in a discussion on whether these bodies were competition and how this impacts ECOWAS shared these reflections:

'Now, when we hold a meeting to discuss the common internal tariff and UEMOA goes to their meeting and say it is not in our interest to do so, they come back with different proposals. When we get to the place of contribution for ECOWAS, they come with something 'crazy'. They say we UEMOA countries we pay 1% to UEMOA, 0.5% to ECOWAS and then GH or Liberia pay only 5% of their tariff income to ECOWAS so that is not fair. So they have come with the proposal that all the countries must pay 1.5% and they took the proposal to their UEMOA heads of State meeting, came back and now want to 'push it down the throat' of ECOWAS. So we had a meeting 3 or 4 weeks ago on the subject matter. We had our management meeting and our Commissioner for trade met in Ghana and the Anglophone group disagreed.

So at the management meeting when it was brought our President informed the President of UEMOA, then he said UEMOA will boycott the meetings of ECOWAS ministers unless there is joint recommendation to that 1.5% proposal for every country there will be not meeting. But this will be difficult because when it comes to the council of Ministers they will not take it. But the ECOWAS Commission President did not want a confrontation and they are both francophone so they have brought it to the Council of Ministers 1.5%. So when we get there the Ghanaian, Liberian, SL ministers and others better be clear in their minds themselves because if they insist on this, then there will be a caveat that the extra 1% that comes from a country X, must now finance the projects in that country, so it like taking your money and putting it in a pool to do your

projects/infrastructure but not to put it in a common pot where for instance Guinea can come and take, or another can come and utilise.

If the Anglophone makes the point that they do agree but that extra 1% must be contextualised for the specific country's projects, because looking at county sizes for instance, Nigeria and Ghana most definitely has a bigger 1% share than say Togo or Benin, so it should be for the respective countries and not in the pot for everyone's spending. This approach might not yield the results the francophone want. So this is where we are...' (Dr Toga McIntosh, Interview, May 2013).

The scenario in *Figure 8.2*, results in conflicting political agenda as well duplication of efforts causing a drain on regional and national resources. Some EMPs rationalises the others as building blocs to a stronger ECOWAS-P, but when the question was put before them on the fact that the parliament itself is not yet with a full mandate, then the responses lacked aspiration.

8.4.3 Resources

The resource endowments needed for effective implementation were defined as a critical influence on how effectiveness was envisaged. EMPs emphasised this scarcity asserting that the institution contends with narrow implementation plans because of inadequate resources allocated by the Commission.

Stakeholders understanding of issues was also dictated by this resource availability and it was explicitly stated by staff and CSOs that as the Commission 'controls the purse' it has more leverage and its effective rather than the parliament. However as stated by (McGhaughey and Cieri 1999) availability of resources could rather propel a common pattern of development despite differences in politics, ideology and culture.

According to the Director of Administration and Finance(DAF), the practical financial challenges which makes it difficult for the parliament to attract parallel funding from partners, or undertake bilateral programmes hinges on a number of high cost of logistics. The fact that:

'West Africa is a high risk flight region with expensive airfares this tends to affect the budget of the parliament immensely. The added challenge is the reluctance of the EMPs to fly economy and rather first or business class, which drains the coffers. The irony is that, the small aircrafts used by some airlines have just a thin curtain separating classes, yet they insist on this and it is even an informal rule of procedure which has been co-opted into their conditions of service...'
(John Azumah, DAF, ECOWAS-P, June 2013).

The other issues contending resources are viewed as development partners challenge with paying allowances when EMPs are invited for training especially in other countries out of Session, challenges with media and technology at the Secretariat and Information and communication on work of parliament (awareness) from the centre (regional) to periphery(member states).

8.4.4 Relationship with other ECOWAS bodies

The ECOWAS Commission was the institution tasked to implement the project/ECPF and the parliament has been finding its way into it; thus sometimes they hold meetings and discuss/wondering why they are not for example in the negotiations and mediation missions set up by the Commission. But in my opinion what they fail to understand is that, being a member of a negotiation or mediation mission is not established by any Treaty; so they cannot dictate how these issues should be carried out. For example, if there is a problem in Guinea, is not everyone in the government of Guinea that is going to listen. The reason why in the protocol there is the Council of the Wise, is to pick up people who are known in member states to help undertake conflict prevention/resolutions missions...'.(Dr Lat Gueye, Interview, May 2013).

These sentiments notwithstanding, suffice it to state that the ECOWAS-P's mandate makes its sovereign in its power and actions, and it does not and cannot 'usurp' the Executive's power. The protocol establishing the Parliament states that:

'...representatives shall enjoy Parliamentary immunity in all Member States of the Community. Therefore, no Representative may be prosecuted, summoned,

arrested, detained or sentenced on account of opinions expressed or vote case [sic] by him in the exercise of his duty...' (ECOWAS 1994, Article 9 (1)).

However, these concerns do not take cognisance of the Parliament's supranationality or the ECOWAS Declaration of Constitutional Principles, which in principle binds all member states with respect to 'separation of powers between the Executive, Legislature and Judiciary' by the '*empowering and strengthening of parliaments and the guarantee of parliamentary immunity*'¹. The Vice President of the Commission also emphasised how the Parliament is perceived in relation to some ECOWAS bodies thus:

'But have you noticed that over the years increasingly they have tried to carve out a mandate in conflict prevention for themselves?...fact-finding missions, debating issues and passing some resolutions and passing them onto the Commission?...Interestingly, what they think they want to do is sanction and endorse for the President not to go to war, or come to them for the mandate to do that or to deploy troops, or co-decision to establish that before we go to Mali, the parliament must sit and agree or disagree, that is what they are looking for but in the current dispensation and as the treaty stands that is not going to be possible...If the SC in New York, waits for the General Assembly to meet before they go to war in Syria, Egypt e... that will be tedious...' (Dr Toga McIntosh, Interview, May 2013).

8.4.5 Democratic deficit

The ECOWAS Revised Treaty of 1993 is what has set this process in motion and now it is left with national governments and parliaments to do a bit of national constitutional engineering to benefit from gains, as well, this will also trigger various procedural and normative changes at the national level which together will forge a bigger and stronger community' (Ike Ekweremadu, May 2013).

There is no universally accepted definition of the 'democratic deficit'. These are as varied as the nationalities, academic and intellectual positions and preference of researchers,

¹ Protocol A/SP1/12/01 on Democracy and Good Governance

commentators or scholars contributing to the field. To this end, Weiler and Wessels (1988) observantly outlined what they called a '*standard version of the democratic deficit*' in the mid-1990s. They argue for a set of widely-used arguments than a particular definition attributable to a single figure or group of scholars. However, this significant addition far from laying the debates to rest, have overtime been subject of more diverse arguments. Additionally, authors including Moravcsik (2003), Follesdal and Hix (2006) and Majone (1998) add valuable contributions to these debates. Cumulatively, these can be categorised into five main claims to help define and discuss democratic deficit in the ECOWAS-P; representation, credibility, accountability, legitimacy, and elections.

'The Parliament is the Assembly of Peoples of the Community. Its members represent all the peoples of West Africa' (Preamble of Protocol, ECOWAS-P).

An important dimension of **representation** is the associated evolution of the ECOWAS parliament itself. This includes the mode of election, as members are *indirectly elected* since its inauguration. The current formulae developed and included as a clause in the Rules of Procedures of the parliament advises every national parliament to 'appoint' the MPs and make sure there is diversity and representation reflective of the composition of the national parliament.

Thus, members reflect gender, minority and majority political party representation². Indicatively, the Parliament's powers in decision-making have been increasing in the context of the extension of majority voting in the Council, as a means to enhance the democratic quality of the Union ECOWAS-P (2012). Article 7 of the Protocol provides that members be elected by universal suffrage, however as 2002 was its inaugural year, it was regarded as a *take-off stage* and was thus made up of MPs elected by their colleagues at the national parliaments to sit in the ECOWAS-P.

Yet, up to its third tenure ending 2015, it is still a non-elected parliament continually making the parliament a subject of debate both in national parliaments, by civil society organisations, and in its own sessions. According to the Speaker of the Parliament, whilst this mode of election of MPs is contrary to the provisions of Article 7, it nevertheless should be considered as a temporary measure, pending the time when the statutory conditions

² See Rules of Procedure Protocol Page 7 (nature of mandate) and A/SP.3/06/06 amending Protocol A/P.2/8/94 relating to the Community Parliament

allowing for elections by universal suffrage are put in place by the competent authorities of the community.

'We have been working diligently towards this goal from the inception of the parliament and I will have you know that, in the Supplementary draft pertaining to the Enhancement of the powers of the parliament. We have advanced a different framework to effect this issue and consolidate our legitimacy'...' (Ike Ekweremadu, Interview May 2013).

The issue of representation is invariably interlinked with **citizen participation** in the democratic processes of the parliament and how information dissemination influences the sub-region. Here, the new approach may be more inclusive as it will give the opportunity to the citizenry to indirectly participate in choosing their MPs, but at least it will be one in which they participate. This will also help address the vital issue of the transition problem underpinned by the non-permanent nature of the parliament's membership. The attrition rate raises issues of stability of the parliament, subordinating it to the pace of changes at national parliaments.

'This happens, every time there is a national parliament's election somewhere in one of the 15 member states we lose members... sometimes these MPs are critical to ongoing negotiations, mediation or indeed leading some sort of progress on the development of the parliament. As soon they lose their national seat(s), we automatically lose them in the ECOWAS Parliament... sadly so... and believe you me, there is almost always an election every year in one of the parliament, after all, we are *nous somme quinze*' (sic)' (Bruce Ahli Komla Apenya, Former EMP, Republic of Benin³).

In the first instance, as members representing the elected parliaments of their respective countries, it has a mandate to represent the entire population of ECOWAS on issues pertinent to human security (Longley 1996, Terlinden 2005, Magbagbeola and Onoja

³ Interview with Bruce Ahli Komla Apenya Former MP representing Benin;(May 2013) *Nous somme quinze* (French)-translated as 'We are fifteen'(English) is a popular phrase MPs use when there is need for consensus and some of them seem to be dragging the debate on voting on an issue. Komla Bruce was a also quite a lively character of the parliament as he would occasionally wind up the House by insisting on speaking English (though he is french) when he is addressing the Committee of the Whole because according to him, English is a more dignified and refined language than French, This was always subject of debates and arguments though good natured amongst MPs. Other language cohorts also argued from their perspective. At such a scenario during a session, the Speaker stated that 'he was a former UN translator who clearly misses his job'.

2008, Draman 2009). Secondly, with its participation, there is a renewed assurance of a regional democratic and sustained effort at achieving peace and security in an otherwise conflict prone region.

Even though one of the core functions of a Parliaments is **law making**, by virtue of the consultative and advisory nature of the ECOWAS-P it does not typically make laws. Rather, it passes resolutions and recommendations on to the Authority and Council of Ministers. Through this, it helps address and improve laws addressing armed violence. This also inevitably means that is not business as usual as in the case of a typical parliaments' where **oversight responsibility (accountability and transparency)** is on two levels; one to ensure that the implementation of governments' policies and programmes are in consonance with state laws; or secondly, that budgetary allocations are distributed equitably and fairly. These instances maximise parliaments' contribution in adjusting budgets and facilitation efficiency in conflict prevention. However as the ECOWAS-P is not a typical parliament it has had to develop of normatively to make its impact felt and be relevant in preventing conflict in a region that is otherwise synonymous with conflicts.

Many CSOs continue to question the parliament's democratic credentials and insists that as long as it is not an elected body then it is in deficit as its true ideals are not being adhered. However, the EMPs also insist that the creation of the parliament is in itself a democratic ideal and it not only some aspects of its work that makes deficient but that as an institution it must also evolve....'Rome was not built in one day...' thus it is systematically reaching its potential.

A transition problem also lies in the transient nature of the parliament's membership with the attrition rate raising issues of stability of the parliament, which suffer as it is subordinated to the pace of changes at national parliaments. Thus its role should be seen as that of 'democratising' a supranational decision-making process originally conceived as a 'dialogue' between an independent Commission, promoting the common interest, and the Council, bringing together national interests. Passing resolutions, by which the Parliament and the Council must agree on the basis of a Commission proposal, is now to become the 'ordinary legislative procedure' of the Union (ECOWAS).

The ECOWAS integration project demonstrates increased executive power, reminiscent of strong national executives, but this neither correlates to a strong regional parliament, nor to a decrease or increase in national parliamentary power. At the regional level, there is a correlating deficit inherent in a 'community-national-level' relationship with the citizenry's

perception of the lack of direct elections eliciting issues of legitimacy and credibility on the part of the MPs.

Expectantly, as representatives of the regional electorate, EMPs awareness of the needs and hopes of their constituents are at the national and regional levels. Thus, there is the need of a fair representation of the population in terms of gender parity including minority groups. As regional representatives the MP channel top-bottom and bottom-up communication as well as facilitate centre-periphery issues. To this end, there are many partnerships with NGOs, INGOs and organisations dedicated to parliamentary development at both the regional and national levels. Ownership issue-local/grassroots voices missing.

8.4.6 Impact on national parliaments' law making

Even though the research was primarily on the regional level, respondents variously tended to examine the national level in some instances highlighting that, the national level were the building blocs for the regional so their development in terms of coherence on conflict prevention is as much important as the regional level in effective implementation.

Some respondents also highlighted that, an even bigger threat to impact of their work, is the effect of uneven national parliamentary practices and development across the region. Insisting that though these national parliaments were not the direct inputs for the regional processes, and were underpinned by strong executives, partisan practices, it would have been impactful if these were streamlined as this would have been a good launch pad for a strong coherent emerging regional parliament, even if it lacks well-defined subsidiarity.

Reflective, it is pertinent to note that there were varying dynamics the researcher gathered from these meetings. At the national level coherence is more difficult due to two reasons; in the first place parliaments are at different levels of development and reform of their conflict sensitive laws. For instance, each country views conflicts correlating with the level and gradient of violence experienced, so you will find that a country like Senegal might not be very committed to promulgating conflict prevention laws of a very high focus, whereas Cote d'Ivoire or Sierra Leone might.

The second reason is that institutionally the parliaments are also at different levels and embody practices and norms reflecting their political history with norms adapted to as a

result so you will find the French speaking countries embodying familiar patterns of the French parliamentary system, the same for the English speaking and Lusophone countries. At the same time, they also contain attributes of some cultural elements thus these national practices inconsistency somewhat impacts on their work and outlook. In the final analysis these eventually become subservient to the regional scenario. For example, the ECOWAS framework, mechanisms and guidelines were developed through a pragmatically collective approach, so for the countries to harbour individualism bears direct effect on progress.

Meanwhile, others opined that, given the circumstances under which the regional parliament was established it stands to benefit from the epistemic influence from the national level with respect to coherence in conflict prevention as the national nuances could help strengthen the regional level. However this assumption elicited various responses with others disputing that 'nothing follows a logical flow in ECOWAS' and reiterated that this might be down to the complexity of the national policy arena.

'Executives have been afraid of strong parliaments in their countries for long, so naturally, they do not want to deal with strong parliaments, whether national or regional, a parliament is a parliament no matter the level...that is why we are facing the current challenges' (Yaya Keita, former EMP, Guinea, May 2013)

These do not 'even operate like a vertical continuum from CSOs, national parliaments and other organisations in an upward strait to the regional level' (Program Officer WACSOF, June 2013). This lack of coherence might also be due to lack of resources and limited access to the ECOWAS-P. Additionally, others argued that logically weak national parliaments are by implication translated into arguments for the weak and 'non-law making' nature of the regional parliament.

8.4.7 Principle of subsidiarity

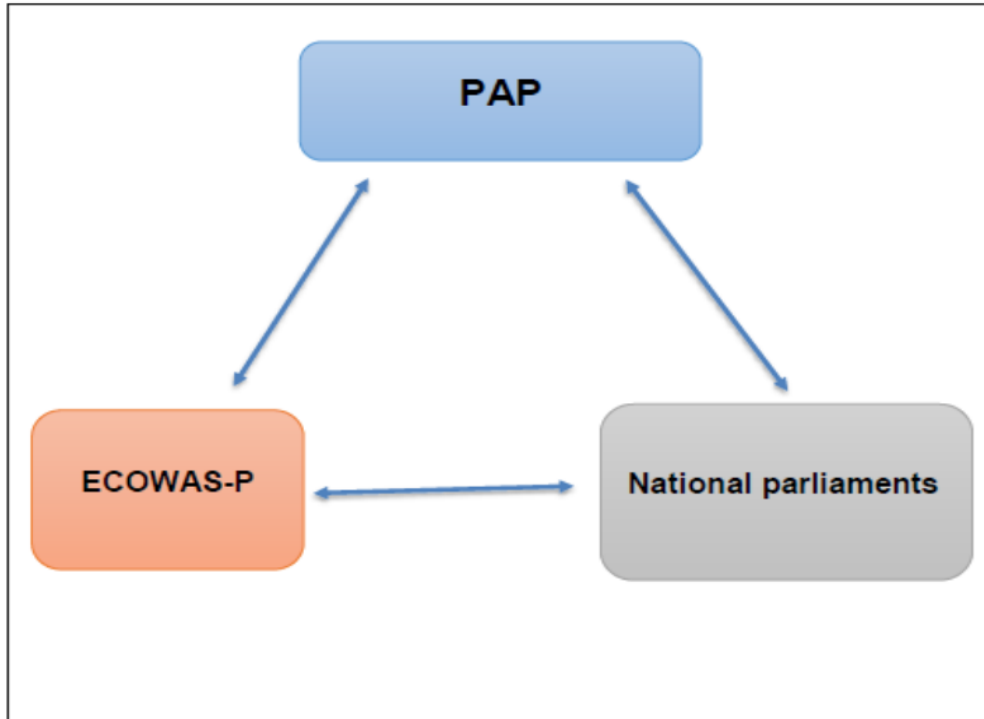


Figure 8.3: Principle of Subsidiarity

Source: Developed by author using data from Treaties and Protocols

The principle of subsidiarity lies at the heart of the debate on UN, AU, RECs relations, resurfacing at regular intervals. Two fundamental principles are in tension when dealing with conflicts on the African continent as well as globally. First, authority is drawn from the global to the local level, with the UN Security Council as the source of origin.

The Pan-African Parliament provided for under the 1991 Treaty establishing the African Economic Community was inaugurated in March 2004, by Article 17 of The Constitutive Act of the African Union, as one of the nine Organs provided for in the Treaty Establishing the African Economic Community signed in Abuja, Nigeria, in 1991. Thus the regional parliaments are as formed out of the RECs all maintain a direct relationship with the Pan-African Parliament (PAP) on one level, and then national parliaments also maintain a direct relationship with the PAP on another as outlined in *Figure 8.3*.

Thus the PAP has parallel relationships with both institutions. As of March 2008, there are forty-seven (47) African Union Member States, each represented by five (5) parliamentarians at the PAP.

Ultimately, ownership runs in the opposite direction from the local to the global level, where proximity is a decisive factor. These lines of authority, accountability and ownership follow each other closely, but are strengthened in opposite directions.

8.5 Prospects

Importantly, what parliament is doing, can do better and what it is capable of doing are all aspects central to the effectiveness theme because sustainability is important for ensuring effectiveness. To reiterate, the ECOWAS-P possesses consultative and advisory powers which range in competencies from debates, inquiries, recommendations, referrals, proposals and passage of resolution on specific policy issues.

However it has an opportunity to occupy an explicit role in the Mechanism defining its role in complementing all the other collective peace and security bodies especially the Council of Ministers, Early warning system(ECOWARN), Mediation and Security Council, Office of the Special Representative, and Council of the Wise. This will effectively make it more strategic as a tool for preventing both intra and interstate conflicts because it will become as a nexus for all the processes, relaying information and ensuring action much quickly than the current bureaucratic processes.

8.5.1 Contemporary issues in conflict prevention

The ECOWAS region is continuously faced with challenges and sometimes in the bid to find solutions, other problems arise, conflict is very dynamic and fluid in these parts. However there are areas they could be leading as regional priorities apart from governance, such as climate change, human rights, counter-terrorism and drug trafficking. The latter has become a major challenge because the governance deficits emanating from within some of the ECOWAS countries'. (Dr. Toga McIntosh, Interview, May 2013)

In the ECOWAS sub-region, three endemic security issues which undermine peace and stability include drug trafficking, proliferation of small arms and light weapons(SALW) and the rise of terrorists groups like Boko Haram(Nigeria) and Al Qaeda(Mali and Niger). These are areas the ECOWAS-P is engaging stakeholders and effectively collaborating and

sharing information to compliment efforts of the executives of national governments to monitor borders.

The advantage is to strengthen cooperation in conflict prevention and early warning, combat proliferation of small arms and anti-personnel weapons, formulate and implement anti-corruption and money laundering policies.

Also, EMPs asserted that, 'some of the guns used in the sub-region can even be described as mercenaries in themselves' in the sense that, these guns have been used from Liberia, Sierra Leone, Nigeria and other conflict areas and get 'recycled' by bandits, rebels in guerrilla tactics and warfare across the sub-region. This was discovered as a result of a program to trace and register guns through a collaboration of some CSOs and ECOWAS and these findings were unearthed.

There have however been some improvements with MPs collaborating with others on the platform of SALWs internationally and at the domestic levels to help mitigate this phenomenon.

Additionally, there is a lack of parliamentary scrutiny of the defence budgets in national parliaments and as the mandate of the ECOWAS-P stands, it does not also oversee the defence expenditure at the regional level. This contains inherent challenges in the regional context. Meanwhile some EMPs actually articulate a danger in parliament scrutinising the defence budgets as defence is sacred' thus briefings or information on spending patterns could suffice.

8.5.2 Supplementary Draft on the Enhancement of Powers

'Convinced that the Community Parliament as a forum for dialogue, consultation and consensus for representatives of the people of the community, can effectively promote integration' (Protocol A/P2/8/94).

The ECOWAS-P is an environment for a different kind of politics and dynamics of governance in West Africa. Apart from dealing with myriad of issues plaguing the region, it also has to contend with issues of mandate, gender, language and 'sub-regions' like the

MRU and UEMOA subtle power relations. However, in the formal structure of ECOWAS one can appropriately say minimal supranationalism was built into it from the beginning.

Suffice to say that, since 2002, the supplementary draft protocol on enhanced powers for the parliament advocates more astute powers (ECOWAS Parliament) which are still receiving reviews aiming for final certification by the end of the current legislature. But, as the Vice President of the ECOWAS Commission puts it, 'treaty amendment is a long process and must be undertaken with caution, taking into consideration, finances and other resources needed, so that this does not suffer the fate of the revised treaty of 1993'.

Since its inauguration, the Parliament's powers in decision-making have been increasing in the context of the extension of majority voting in the Council, as a means to enhance the democratic quality of the Union. Its role has been seen as that of 'democratising a supranational decision-making process originally conceived as a 'dialogue' between an independent Commission, promoting the common interest, and the Council, bringing together national interests. Passing resolutions, by which the Parliament and the Council must agree based on a Commission proposal, is now to become the 'ordinary legislative procedure' of the Union (ECOWAS 1993, ECOWAS-P 2012).

'We want to be relevant in law making, and with a view to the new challenges emerging because of the nature of conflicts confronting us, as well as the existence of post-conflict countries' we need to make policy more relevant to our context' (Haddy Nyang Jagne, EMP, President of ECOFEPA, The Gambia).

However, the supplementary draft protocol on enhanced powers for the parliament advocates more astute powers (ECOWAS Parliament) which are still receiving reviews aiming to be have final certification by the end of the current legislature. According to the EMPs a lot of progress has been made and the goal is to have it passed before the end of the tenure of the third legislature.

'The enhancement of the powers of the Community Parliament remains top of the agenda of this Third legislature and I am highly encouraged by the progress we are making on this matter...' (Ike Ekweremadu, Opening Address, Ordinary Session of the ECOWAS-P, May 2013).

A multidisciplinary Experts Meeting was held in April 2013 at which the Speaker presented a 'Road Map' adopted to guide the processes gradually till it culminates in the final

presentation of the final act for consideration by the Authority. In December 2014, the draft was finally approved by the Authority but will be implemented from the fourth legislature beginning in 2016. These are presented in

Non-mandatory: No obligation to refer to Parliament
<ul style="list-style-type: none"> • Creation of community institutions • Membership, sanctions, suspension or exclusion of Member • States • Defence, peace and security policies • International agreements with cost implications for Community institutions, finances or litigation
Mandatory: Obligated to seek Parliament's opinion
<ul style="list-style-type: none"> • Revision of the ECOWAS Treaty and its Annexes • Community Budget • Annual audit reports of community organs • Adoption and review of community texts related to human and financial resources • Confirmation of Statutory Appointees with exceptions • Cooperation in the area of radio, television and other media links • Science and technology • Interconnection of energy networks • Measures related to free movement, right of stay, residence and establishment of Community citizenship • Promotion and protection of human rights • Promotion and protection of women and children's rights • Community sectoral policies on education, public health, environment, agriculture, community mining, monetary integration, community citizenship, culture and tourism and defence, peace and security • Community measures on prevention of corruption, financial delinquency and cross-border crimes • Youth and sports

Table 8.5: Mandate on Referrals

Source: Compiled by author using data from (ECOWAS-P 2002, 2006, Boré and Henkel 2015).

Advisory/consultative	Mandatory	Co-Legislation	Co-Decision
Opinion that is not binding	Binding Decision on organ that sent request	Joint decision-making with the Council of Ministers	Joint legislation with Council of Ministers
<ul style="list-style-type: none"> • Interconnection of telecommunications Systems • Interconnection of communications links and telecommunications networks • Cooperation in the area of radio, TV and other media links • Scientific and technological Research • Common educational Policy • Youth and sports • Community culture and tourism policy • Social integration 	<p>Community measures related to corruption, financial crimes, free movement of citizens, community citizenship and monetary integration</p> <p>Protection of human rights and fundamental freedoms Appointment of statutory appointees, with some exceptions</p>	On matters related to ECOWAS economic and monetary integration policies, including the Community Budget	Exercised only in matters related to ECOWAS economic and monetary integration policies

Table 8.6 Procedure and Process on Referrals

Source: Compiled by author using data from (ECOWAS-P 2002, 2006, Boré and Henkel 2015).

Function	Prior Treaty and Protocols	Supplementary Act
Decision-making	Advisory opinions only, provided in specified areas Opinions were not mandatory for Community institutions	Simple opinions, mandatory assent and limited Co-decision and co-legislation powers
Oversight function	No official provision of such powers offered to Parliament	Through office of Parliamentary ombudsman, confirmation of statutory appointees, mandatory and Non-mandatory referrals
Budget Oversight/powers	Parliament had no role. Council of Ministers only had the power to approve income and expenditure of the Community	Parliament to exercise co-decision powers with the Council over the budget
Mode of election	Direct Universal Suffrage – as provision was never implemented, representatives were selected from among MPs in National Assemblies	Representatives to be elected from among citizens by National Assemblies acting as electoral colleges
Election monitoring	Parliamentarians participated in the process, though role was not officially recognised by treaty	Parliament to nominate a number of representatives to participate in missions
Conflict prevention and management	Role not officially recognised but Parliament was in the past involved in some ECOWAS efforts to resolve conflicts	Parliament to be involved as observer in meetings of the Mediation and Security Council. May request the Commission President to activate conflict management mechanism

Table 8.4: Progression: Consultative/advisory to limited co-decision/legislation

Source: Compiled by author using data from (ECOWAS-P 2002, 2006, Boré and Henkel 2015).

Non-mandatory: No obligation to refer to Parliament
<ul style="list-style-type: none"> • Creation of community institutions • Membership, sanctions, suspension or exclusion of Member • States • Defence, peace and security policies • International agreements with cost implications for Community institutions, finances or litigation
Mandatory: Obligated to seek Parliament's opinion
<ul style="list-style-type: none"> • Revision of the ECOWAS Treaty and its Annexes • Community Budget • Annual audit reports of community organs • Adoption and review of community texts related to human and financial resources • Confirmation of Statutory Appointees with exceptions • Cooperation in the area of radio, television and other media links • Science and technology • Interconnection of energy networks • Measures related to free movement, right of stay, residence and establishment of Community citizenship • Promotion and protection of human rights • Promotion and protection of women and children's rights • Community sectoral policies on education, public health, environment, agriculture, community mining, monetary integration, community citizenship, culture and tourism and defence, peace and security • Community measures on prevention of corruption, financial delinquency and cross-border crimes • Youth and sports

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Source: Compiled by author using data from (ECOWAS-P 2002, 2006, Boré and Henkel 2015)

Advisory/consultative	Mandatory	Co-Legislation	Co-Decision
Opinion that is not binding	Binding Decision on organ that sent request	Joint decision-making with the Council of Ministers	Joint legislation with Council of Ministers
<ul style="list-style-type: none"> • Interconnection of telecommunications Systems • Interconnection of communications links and telecommunications networks • Cooperation in the area of radio, TV and other media links • Scientific and technological Research • Common educational Policy • Youth and sports • Community culture and tourism policy • Social integration 	<p>Community measures related to corruption, financial crimes, free movement of citizens, community citizenship and monetary integration</p> <p>Protection of human rights and fundamental freedoms Appointment of statutory appointees, with some exceptions</p>	On matters related to ECOWAS economic and monetary integration policies, including the Community Budget	Exercised only in matters related to ECOWAS economic and monetary integration policies

Table 8.6 Procedure and Process on Referrals

Source: Compiled by author using data from (ECOWAS-P 2002, 2006, Boré and Henkel 2015).

8.6 Conclusion

Regarding policy objectives, EMPs are motivated to secure policy outcomes in the Parliament as close as possible to their personal, or sub-regional (language) preferences. Whereas with concerning incentives and benefits, and the role the EMPs play in the legislative trajectory of the region, one can identify major roles:

- a) Conduits for capacity building and enhancing their career in regional politics
- (b) Avenue for consolidating and strengthening conflict prevention initiatives
- c) A strategy to gather impetus in the quest for greater achievements in development of the region
- d) As an opportunity to train for higher positions in national politics, especially if their party is in government, or, as a way of 'getting rid of hard core' opposition members if their government is in opposition and training ground for a career in national politics; as a reward after a career in national politics
- e) An opportunity to make long-term career in legislative politics relevant by forming networks, platforms and working together as former and service EMPs with national parliaments in sharing learning, experiences and helping build legislative democratic practices across the region, nationally and regionally.

'The role of an EMP is multi-layered; we are supposed to know all the tenets of treaties, protocols, resolutions, and decisions amongst others at the regional level. Meanwhile at the national level, a myriad of national, regional and district laws equally exist plus our obligations to constituents, and the country. We are expected to be well versed in all these...it gets to a point you tend to increase in your level of effort and commitment to one of these more than the other...we are only human'. (Ike Ekweremadu, Interview, May 2013)

As the parliament was set up after all the framework for conflict prevention was initiated, it has had to work in a post-facto environment of continuing/employing legal frameworks, laws and protocols which it was not part in initiating. Thus it works within a bureaucracy that is enabling, and disabling at the same time. Thus it should be regarded as a normative force, tasked with the responsibility of steering interactions between states, the citizens within the states and the region, and more nominally, the state(s) and the external environment (international community). It thus, provides the cross cutting platforms and activate instruments viable for the prevention of armed violence and help negotiate critical spaces to mediate conflicts where they occur and avoid escalation.

9. Chapter Nine: Conclusions

9.1 Introduction

This research sought to explore the effectiveness of the regional legislature in conflict prevention and therefore emphasised the importance of employing empirical measurement tools in regional parliaments. These can serve as tools for legislatures to utilise in assessing effectiveness for policy areas, institutional level and thus enhance their legitimacy and improve performance.

The first half of this research interrogated the phenomenon of regional parliaments as viable democratic institutions which are new and understudied especially in Africa, and as such are being undermined (Salih 2013). The research extended on the propositions of normative institutionalism insisting on a more autonomous role for political institutions, affecting and getting affected by society (March and Olsen 2006), and thus argues that, the parliament in recognizing its place in mediating conflicts is advancing alternative effective ways than the use of force.

This has enabled it to develop a normative approach in the overall context of the conflict prevention environment by assuming a mandate on the framework. This thesis demonstrates normative institutionalism as an appropriate new intuitionist approach the parliament employs and normative claims about groups' democratic agency it makes. However, this relates to the behavioural dimension in bringing about change. The challenge is different for developed regional parliaments such as the EU Parliament, as it is for underdeveloped ones like the ECOWAS-P where there needs to be concerted efforts on building a strong interest in its work to enable it demand better performance from the political institutional set up of the main integration organ.

Chapter five discussed the ECOWAS-P under formal and informal functions and demonstrated an inclination to focus on procedures and processes in determining outcomes. Since effectiveness is related to institutional capacity, and can be absolute or relative the analysis includes a contextual view of perceptions as an introspective assessment of how stakeholders perceives the parliament's work. Notably, trust in political institutions closely correlates with public perception of the ethics and morality of the people leading it (Lipset and Schneider 1987) thus if there is high expectations then it might fall below the public's expectation, however, in this context, there seem to be no high

expectation thus, modest achievements are still recognisable as opportunities upon which the institution can build.

Chapters six and seven illustrated two dimensions of conflict prevention; latent and post-conflict at the country level. This exhibits the regional-national level dynamics inherent in attempting to measure impact and in implementation. In chapter eight the causal relationships and indicators linking the parliament's legislative performance to the policy area of conflict prevention is demonstrated using the effectiveness tool as a frame work of analysis. The framework suggests that any effectiveness tool for developing regional legislatures must focus on tracing processes, procedures to achieve responsive outcomes and at the same time maintain a contextual lens in evaluating these democratic processes.

The framework also leads to conclusions about normative factors that impact effectiveness and could lead to either an increase or decrease in effectiveness as these emanate from the context within which the parliament works, and could harbour elements of legitimacy. These are discussed under normative evaluations coalesced as the questions raised in this research.

Significantly, any evaluation seeking to relatively measure outputs, outcomes through procedures and processes undoubtedly raises questions about the reliability of the indicators. Utilising qualitative indicators alone cannot be indicative of success in a regional legislature's implementation. Thus as presented in chapter three, the theoretical lens is boosted by the empirical tool developed. This Effectiveness Assessment Tool offers a suggested framework for measuring effectiveness as it will be cost effectiveness, and covers a lot of the baseline and follow through issues required to ensure a coherent implementation that will achieve the intended outcomes.

Appropriately, this research uses 'suggested' because the tool is a novel ideal which can be a potential framework for measuring effectiveness. The viability of its adoption by the parliament is not a question that can be answered in this study, as it will require decision-making at the institutional level. However, this research advocates the idea that this can be promoted as a tool for measuring effectiveness at the regional parliamentary level. Though this could mean political discussions to agree by consensus, it could be adopted and adapted by other researchers, and indeed the parliaments and will become refined with use.

This chapter also presents a summary of policy implications and recommendations at both national and sub-regional levels in **Section 9.2** with **Section 9.3** comprising directions for future research and **Section 9.4** presents the conclusion.

9.2 Policy Implications

9.2.1 National Level

Evidently, in order to ensure community involvement, the ECOWAS-P will have to engage grassroots participation. This is a critical mass in its quest to achieve and positively wield full law-making powers. Citizens' participation in decision-making processes, invariably leads to a better understanding of the parliament's work, and articulate the efforts of the parliament beyond the corridors of policy makers into the domain of ordinary citizens. Ultimately, the ECOWAS-P can then play a major role in reshaping the influence of the community on conflict prevention as it becomes adequately equipped.

Outreach programmes developed and implemented systematically will increase awareness on their activities within the member states. These can include radio programmes, workshops and seminars on various issues coordinated with the desk officers of the ECOWAS-P located in the national parliaments. This helps with visibility of the parliament's work as its physical site in Abuja (Nigeria) means it is restricted in terms of reach geographically. Thus Desk Offices, as well as delocalised meetings when held in member states are strategies and activities utilised which brings the work of the parliament to the citizens.

Additionally, sharing information on the ECOWAS-P's position on particular policy areas in conflict prevention and how these can be mainstreamed into the law making processes of the national parliament are a clear strategy to impact effectiveness. Similarly, agreements made with feuding factions on referral from the Authority, or those undertaken on the initiative of the ECOWAS-P should be lodged with the Court of Justice to make it consent judgement in order to ensure it becomes legally binding. There is need for greater synergy with other organs to help it achieve visibility and recognition for its role.

The ECOWAS Parliament and national parliaments need to develop mechanisms to strengthen their collaborations and foster the flow of information by establishing effective and functional ECOWAS country offices at the national level while ensuring the presence

of national parliamentary delegations within the ECOWAS headquarters at the regional level. Though these exist at a minimal level, it is their integration into the administration of the parliament in terms of reporting formats that is being bemoaned.

9.2.2 Regional Level

In this context Salih (2013) proposes that the emergence of regional parliaments as the legislative branches of AEC integration should only be explained against the backdrop of the challenges confronting African societies and states. This, he reiterates, should not come as a surprise that the founding of these RECs coincided with the democratic resurgence of the 1990s, under considerable internal and external pressures and development aid conditionality. Salih also explains that these parliaments are ill-equipped to fulfil their potential as viable parliamentary bodies and should be categorised as 'legislatures without legislative powers' with 'over promised and under delivered mandates'. In discussing this position with a cross section of EMPs, the Chair of the PAPS Committee, succinctly stated:

'The wheels of a viable democratic and law-making parliament may be turning slowly, or slower...but at least they are turning and we look forward to the day when we will attain the status of a full law-making parliament with all the powers and mandate...' (Brima Kamanda, Interview, May 2013)

ECOWAS as an institution has a lot of questions regarding its supranational nature and democratic deficits. Thus establishing a parliament is not enough to guarantee that these ideals will be met, but the processes, mandates, decision-making and role played in policy implementation may well serve as a platform from which such issues will regain legitimacy and credibility in governance in West Africa.

Inherently, the ECOWAS-P faces supranational challenges in executing its mandate within the framework of working with the fifteen countries. The mandate of the parliament in relation to the general set up of the sub-regional body; how it executes, implements and monitor policies; and its processes are crucial for ensuring that conflict does not erupt in the member states. Significantly, these processes ensure effectiveness because according to Wang (2005) and Wehner (2006) legislative capacity holds a direct causal relationship in the sense that effectiveness is a direct consequence of a legislature's oversight capacity.

The main agenda for conflict prevention is as encapsulated in the ECPF and barring contradictory interpretation of the policies, opportunities for policy regulating conflicts would be greatly improved with minimised costs if all member states adhered to the regional approaches. Therefore, whilst cooperation has been key for decades in the region, the parliament is deemed as an injection of functional impetus to the whole integration agenda. This is because it expanded the credibility of ECOWAS as an institution, which worked for the people of the region, and not only at an elite level of executives.

The need for new strategies underpinned by the increasing role of the parliament was echoed by many respondents throughout the research. These they maintained, will bring in dynamism on old security approaches to conflict prevention which have exceeded saturation and as such are not effective. However, the caveat was that, if EMPs are to be included in crucial conflict prevention, then the processes must be streamlined to be comprehensive so every institution knew where it should start and end so that collectively they will get the processes right. Additionally, the need to continuously undertake research into the area of regional parliaments was emphasised and that as exemplified by this research, many such will be undertaken to establish the real essence of regional parliaments, not to be overshadowed by national parliaments.

As this tool was the first of its kind to be applied to the parliament's work the researcher also relied on the interviews, documents and participant observation notes to undertake the measurements. Thus it is still an early tool that will need to be applied several times before it may be adopted.

The executive Presidents in West Africa are sometimes unwavering during dialogues and discussions on crises in their respective countries as this is sometimes classified as 'interfering' in the internal affairs, or usurping the sovereignty of that country. Notably, the Guinean President, Alpha Conde due to his attitude towards Guinea's political development from 2008 is considered inflexible on political negotiations as well as promoting spaces for political opponents or civil society. Thus, EMPs on missions are sometimes 'not welcome' in these countries as the Presidents make it known that their role is considered as 'meddling'.

Considering how executives of governments in the ECOWAS region wield a lot of power, be it constitutional or unconstitutional, for parliaments to be effective in conflict resolution, its place as the institution central to law making and maintaining constitutional order must be recognised and entrenched. This will enable judicial independence, demanding

executive accountability, and carrying out its legislative role and oversight functions effectively. Unequivocally, this translates to gains in economic development and makes citizens positive about sustaining security and stability for their own safety and livelihoods.

On the balance, EMPs can work creatively and be innovative about their role in conflict prevention by employing parliamentary diplomacy within the frameworks of their national constitutions or in their regional mandates. For instance with the CNT as the transition parliament of Guinea, the ECOWA-P and the CNT worked together to creatively occasion viable elections and help elect MPs who can best serve the country and sub-region.

To a large extent the role and impact of the media as the 'fourth arm' of governance in West Africa's body politic has become a budding free media has catapulted into being a voice for the vulnerable, and also a cause of strife in society. Thus in an instance like a mediation process, a lot rests on depends on the way it covers a conflict and the role of stakeholders. As the media is capable of distorting mediation efforts or supporting it, it always useful to agree on a 'charter' of sorts to guide their reportage. EMPs agree on the necessity to plan a communication strategy, collaborate closely with the media, and disseminate this information into the member states. In tandem, the challenges the parliament faces in terms of mediation roles are not limited to issues of partisanship at national levels, limited mandates, 'aged/archaic constitution(s); political party dynamics as well as electoral processes being 'high-jacked' by elites.

This is because, it is recognised that there is an interconnection between the success of the mediation process and the level of neutrality and objectivity of the parliament's approach; favouring the interests of a particular conflicting party or group immediately jeopardises mediation processes, and this should not be the perception any particular media will communicate as this will be mischievous and can cause unrest and distrust thereby derailing the processes. West African parliaments tend to be out of reach and out of touch with many local and remote areas within the borders of their country. Parliaments should therefore implement a communication strategy at the constituency level to create closer relations with the people.

One more area is in operationalising the EWS, through which the ECOWAS Peace Exchange could be promoted as an effective tool for regional parliaments because it has potential to become a dedicated platform to facilitate subsidiarity monitoring through the provision of advice and information gathering in member states. Moreover, to respond to the need for some role at the early warning level because of their proximity to the population,

this could help with coordinating information gathering within the different subsidiarity monitoring systems in each Member State, at both regional and national levels ensuring that ECOWAS main legislative proposals then ensures visibility of the results of these subsidiarity analyses.

Additionally, the ECOWAS Peace Exchange platform could become an effective tool for cooperation between regional parliaments in Africa. Indeed, this is critical as these relationships are nascent and this tool could benefit from the need for closer cooperation on issues of shared concern across different parts of Africa. ARPs could therefore bring ECOWAS closer to the citizens through the EWS and peace exchange by conveying dynamic debates on the limits of the legislation with respect to the principle of subsidiarity from the regional to national.

9.3 Directions for future research

Regional parliaments are emerging as viable areas of research and thus there are windows of opportunities for scholars to expand into ARPs. The research terrain on African legislatures whether regional, national or municipal are scarce, far and in between on both specific aspects of parliaments and general within the political processes of the continent, region and nations. Therefore, as with any research projects, the findings highlight several avenues for further research. There are five clear paths for which this research could provide a baseline study. The first two relate to further testing of the theoretical framework to time ranges, policy areas and further or other cases. The third relates to the importance of the regional governmental structure of ECOWAS for the policy area; the fourth is building a knowledge base on the parliament by undertaking research on perception and disseminate findings widely, and the fifth envisions further exploration of some of the more surprising finds relating to the spread of new ideas and norms.

Indicatively, some of these might take a lot of social engineering to achieve because the most logical approaches to studying any aspects relating to the ECOWAS-P would be to employ both theoretical and empirical techniques and apply to a particular policy area of parliament.

The application of the theoretical framework to a different policy area or a wider time period would be one direction for further research. It would be a logical next step to expand to include study on climate change and terrorism policy in specific member states or at the

regional legislature's level. This thesis covers the first three tenures of the legislature thus, further research after the parliament achieves six or more tenures would be very fruitful as it would be facing greater endogenous or even exogenous pressures on policy areas worth studying. In some ways, focus of this research on conflict prevention created an artificial barrier in examining other pertinent policy areas though this was necessary for the limitations of a doctoral thesis, expanding the policy remit would be quite a useful contribution to academic scholarship.

Another area would be to examine the link between legislative performance and effectiveness, a more neglected field in several policy areas as reiterated through this study which has an undeniable influence on peace and stability on populations in the region and as shown in Figure 2.1 on the dynamics of parliamentary development and performance types of parliament, a study on what type of parliament the region has will also serve to impact its effectiveness as espoused on several discussions.

As discussed in Chapter five, the parliament without a mandate on conflict prevention has demonstrated its uniqueness in helping to improve this policy area and thus constitute an alternative to the executive wing, thus a comparative approach on both the parliament and executive on conflict prevention since the former's creation could be very fruitful as ECOWAS has faced greater pressures at the executive level while the parliament may have been largely immune to them because of its mandate, but has begun to gain attention on this role.

This study also raises several important questions about the role of regional policy-making that merit further exploration. Particularly, this is important for disseminating new ideas and closing the gap between policy outcomes and policy outputs. As explored in Chapter eight, and to some extent Chapters six and seven, the regional legislative structure played an important role with peace processes and developing policies within the space of its existence. The involvement of EMPs is also crucial for the transfer of ideas from the regional to the central bodies and national bodies. Further, after the creation of central legislations even by the executive, the outcomes of the policies are strongly affected by the implementation for which governments of the member states bear the greatest responsibility. This continues to lead in difference in policy outcomes especially with regards to conflict prevention approaches from the regional to the national level. The role of the regional parliament in central policy making and in implementing centrally issues legislation in the area of conflict prevention would lead to a much greater understanding of processes of policy change in ECOWAS and provide contrast to the executive body.

Varying debates have continuously occupied the arguments around issues of national parliaments' participation in the political systems of integration schemes. Thus it will be prudent for these questions to be asked by researchers on two levels; what is the role of national parliaments in the political process of the ECOWAS integration scheme and the role of national parliament in the ECOWAS Parliament. These would help widen the debates whilst aiming to objectively situate supranationality and sovereignty on a level beneficial to researchers and political processes under integration schemes in Africa. On another level the performance of the legislature in totality can be undertaken as per the guidelines of Mezey's (1979) 'how much policy power' question to include a much more recent question proposed by Arter (2006) as to the 'how' with an emphasis on process and overall structure of legislative influence. These could be in comparative nature on African regional parliaments, or comparatively on national parliaments of the respective regional parliaments to their contexts.

There are also debates about whether we observe declines in 'parliamentarisation' (Benz 2005). Significantly, the arguments abounds and Norton (1993) observes that this challenge is on two levels; in as much as parliaments of this nature have come to the political processes on integration late, they can also be in effect losers in the processes (Maurer and Wessels 2001:17-19). Despite these debates, normatively the role of these parliaments are now formally acknowledged and research will thus boost their role and relevance for politics, democracies and in understanding legislative ideals at the regional level.

Finally, the ideas and discursive scripts explored in the country case study chapters and also chapter 8 merit much greater treatment. The empirical findings indicated a clear pattern of this being elite actors demonstrating their commitment and awareness of established scripts when employing phrases equivalent to 'we are effective'... 'because'... 'but'... and continue to propose ideas they are aware are unacceptable go goes beyond their mandate. These findings merit further documentation and research especially for such a sensitive policy area as conflict prevention. This is linked to the finding of the disproportionate effect of the parliament's action who entered the policy arena with new ideas and agenda for change as deviation from the accepted ideas and scripts and as such cause rippling effects and changing norms. Distinctly, this can be seen on the international level with the spread of the script asserting that 'prevention is better' and there must be alternative actors which are not studied in detail in this thesis.

Thus, there is need for improved and increase research in various areas but this should also be explored in a way that will be appropriate and relevant to parliamentary development

and not just to fill the void or gap. Additionally, appearing related to conflict prevention is the need for changing perceptions of the parliament's role and this could have huge ramifications for regional efforts regarding how the regional citizens view the impact of their input and this deserves significant attention.

9.4 Conclusion

'We are effective in conflict prevention if we are being judged by the extent of our mandate, and with respect to how innovative we have been in carving out a niche for ourselves. Give us a few more years and we shall perfect what we have now'. Ike (Ekweremadu, Interview, May 2013).

Evaluating any aspect of an institution nested within a regional integration scheme is an inherent complex and difficult task. This is because of the multi-layered nature of its functions and the aggregate regional variables to which it subscribes, further complicates any attempted assessment. The theoretical landscape on regional parliaments is also scant and thus compounds the difficulties especially for ARPs as the literature does not widely encapsulate their activities.

However, normative assumptions that can be applied to ARPs as part of regional integrations schemes include the ideals of 'cooperation, interdependence, wealth creation, peace and security' and as such helps to validate the application of a normative framework in the discussions. This lends credence to the idea that employing a single theory cannot possibly adequately explain the phenomenon hence the utility of developing the effectiveness tool. Similarly, there is no specific agreement on what constitutes the definition of regional parliaments, and this thesis does not prescribe a homogenous approach either; rather it discusses the characteristics and approximates a contextual definition. It however, posits that the ECOWAS-P example, presents significant highlights into ARPs and other regional parliaments globally.

In comparison, the remarkable evolution and development of the EU Parliament as solitary directly elected supranational assembly in the world, serves as an inspiration for the EMPs in thinking on the possibilities the parliament can offer democracy and peace in West Africa.

There is general consensus amongst EMPs, staff and CSOs working on ECOWAS related issues in the region on the challenges posed by the limited mandate of the parliament. Thus, there are attempts to continuously work towards the attainment of full powers whilst working in a way that ensures best practice for such processes. Evidently, the parliamentary diplomacy deployed by the ECOWAS-P was also backed by the use of force in attaining peace for Sierra Leone. It will be premature to conclude that the ECOWAS-P is the institution within the integration set up that is most competent, or has undertaken the activities in the region to prevent conflict. However, it is fair to state that it has set precedents which are positive developments for ensuring a new agenda for security. Ultimately, the parliament provides another avenue to articulate security concerns, dialogue and undertake alternative and complementary action to help consolidate peace and security.

In this respect, EMPs noted that, developing along the lines of the functioning model of the East Africa Regional Parliament (EALA) is not suitable for the West African context. Rather, forging ahead with the experiences of West Africa and increasingly demanding changes to the founding protocols will ensure much more prudent results.

There have also been sessions organised with the PAP at the African Union and the third ECOWAS Legislature from 2011 echoes that it is poised as the best opportunity going forward as it will utilise the strategic plan developed to further consolidate gains and increasingly maintain a visionary agenda.

The more central and recurring theme in all the discussions was the clarion emphasis by EMPs that, relational power dynamics between the parliament and the ECOWAS Commission more specifically was an endemic and systemic challenge. In this regard, the notion that the Commission sees the parliament as an institution aiming to usurp its powers of decision-making, implementation and more critically the distribution of regional resources.

There is a relational power structure relationship between the three-lingua groupings of francophone, Anglophone and Lusophone. These sometimes creep in when some resolutions need to be passed or motions are brought to the House and affects the effective consideration of the parliament's work. In contrast to the EU Parliament for instance, there are no political party bandwagon approaches possible, but rather a matter configuration of different kinds of power that can often determine the relation between parliament and other ECOWAS organs, as well as also between it as an institutional and national parliaments and executives.

In the framework of these dynamics where the parliament is in de facto controlled by the Commission, Council and the Authority it has made its oversight typically non-rigorous and this makes all MPs feel strongly about posing and remaining a united front when it comes to issues concerning the parliament with respect to the other ECOWAS organs.

But a notable contradiction in all this is the undertones of competition of the duplicating legislator roles that some ECOWAS-P MPs have as members of the UEMOA parliament. The other MPs who are non-members actually believe this affects their effective working and impact and reach of the parliament and if not handled diplomatically will easily degenerate into a viable obstruction and cause gridlock when it came to issues affecting francophone West Africa.

However, Salih (2013) insists that the 'ECOWAS Parliaments' limited influence over the executive branch is typical of other regional parliaments,(ECOWAS-P 2006) other examples include the and CEMAC and UEMOA all in Africa. These are also ill-equipped to fulfil parliamentary functions and the only area where they have a measure of success is leverage of democratic gains from the national to the regional level(:156-157).

Meanwhile at the Commission, there is an opposite tendency when it comes to perception of the parliaments work in conflict prevention. Oversight for them is blunted through the way the parliament is seeking to enhance its powers, internally and externally. It is also asserted that the parliament is not 'trying to work within the tenets of their mandate as stipulated in the treaty documents'.

The ECOWAS-P is in many ways still consolidating, transitioning, transforming and trying to accrue powers to be an effective legislature. Thus under the terms of its current mandate, it is fulfilling or exercising its role as a parliament for democratic development. However, at the stage that is envisioned as part of the much larger context of the broader tenets of economic and political dimensions, its enhanced powers will help assume effective legislative and democratic oversight functions to be the viable democratic organ in the region.

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Appendices

Appendix 1: Taxonomy of African Regional Parliaments (ARPs)

Parliament	Membership	Physical Location	Inaugural Year	Mandate	Number of MPs/Mode of election
Pan African Parliament http://www.pan-africanparliament.org/	Each of the 54 AU member states (Africa except Morocco).	Midrand, South Africa	March 18, 2004	Advisory and Consultative powers	230/Appointed
Union Economique et Monétaire Ouest Africaine (UEMOA) Parliament(P-UEMOA) http://www.uemoa.int	Benin, Burkina Faso, Côte d'Ivoire, Guinea-Bissau, Mali, Niger, Senegal, Togo.	Bamako, Mali	1994	advisory and facilitation of debates on integration	40/appointed
East African Legislative Assembly (EALA) http://www.eala.org/	Burundi, Kenya, Rwanda, Tanzania, Uganda	Arusha, Tanzania	November 2001	EAC Treaty 1999	52/Indirectly
South African Development Community Parliamentary Forum (SADC-F) http://www.sadcpf.org/	Angola, Botswana, Democratic Republic of Congo, Lesotho, Malawi, Mauritius, Mozambique, Namibia, South Africa, Swaziland, Tanzania, Zambia, Zimbabwe	Windhoek, Namibia	September 1997	Article 9(2) of the SADC Treaty	56/Appointed(Membership also varies from 3,4 or 5 delegates per member state)
Inter-Parliamentary Union of the Intergovernmental Authority on Development (IGAD) (IPU-IGAD) http://igad.int/	Djibouti, Eritrea, Ethiopia, Kenya, Somalia, Sudan, Uganda, South Sudan)	Djibouti, Djibouti	November 28, 2007		Conference of the Speakers of Parliaments
Réseau des Parlementaires de l'Afrique Centrale (REPAC) (Network of Parliamentarians of the Economic Community of Central African States) (ECCAS) http://www.ceeac-eccas.org/	Angola, Burundi, Cameroon, Central African Republic, Chad, Congo, DRC, Gabon, Equatorial Guinea, Sao Tomé & Principe	Malabo, Equatorial Guinea	June 2002	June 2002	55/Appointed
ECOWAS Parliament (ECOWAS-P) http://www.parl.ecowas.int/	Benin, Burkina Faso, Cape Verde, Côte d'Ivoire, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, Togo	Abuja, Nigeria	November 2000	ECOWAS Revised Treaty 1993 Advisory and Consultative powers	115/Appointed

Appendix 2: Interviewees- ECOWAS Members of Parliament

Name	Country/Role/Position
Ike Ekweremadu	Speaker of ECOWAS Parliament 2011-2015 (also Deputy Senate President of Nigeria)
Simon Osei-Mensah	First Deputy Speaker, also Member, Committee on Economic Policies, Ghana
Brima Kamanda	Sierra Leone, Former Chairman, Parliamentary Select Committee on Political, Security and Social Affairs
Brima Victor Sidi Kebbie	Sierra Leone, Member of Parliament
Augustine Bockarie Torto	Sierra Leone, Member of Parliament
Georges Bada	Benin, Member of Parliament
Haddy Nyang Jagne	The Gambia, President, ECOWAS Female parliamentarians network (ECOFEPA)
Nkechi J. Nwaogu	Nigeria, 2nd Rapporteur, Committee on PAPS
Shirley Ayorkor Botchway	Ghana, Vice-chairman : Committee on Nepad and the African Peer Review Mechanism
Daniel Botwe	Ghana
Alfred Kwame Agbesi	Ghana, Chairman, Committee on PAPS
Frederick Opare-Ansah	Ghana, 2nd Rapporteur, Committee on Administration, Finance and Budget Control
Apekey Assewouwokan	Togo, Member of Parliament

Appendix 3: Interviewees- Former ECOWAS Members of Parliament

Name	Country/Role/Position
Madeline Thea	Guinea, Member of ECOFEPA, PAPS
Yaya Keita	Guinea
Bruce Ahli Komla Apenya	Togo
Victoria Saidu Kamara	Former EMP, Sierra Leone, First Deputy Speaker, Second Legislature, 2006-2010
Benedict Lahai	Sierra Leone
Stephen Balado Manu	Former Chairman, Committee on PAPS
Singo Ayitou Bruno	Togo

Appendix 4: Interviewees- Clerks of the ECOWAs Parliament

Name	Committee/role
Dr. Kabiru Garba	Bureau Manager
Mr. Some Bertin	Committee Clerk
Mr. Souleymane Mamane Harrisou	Committee Clerk
Mr. Oumarou Dicko	Committee Clerk

Appendix 5: Interviewees- Administrative Staff

Name	Position/Role
Mr. John Azumah	Director of Administration and Finance
Mrs. Chinwe Adelekan	Head of Documentation Centre
Head of Communication Legal Officer	

Appendix 6: Interviewees- Officials of the ECOWAS Commission

Name	Position/Role
Dr. Toga Gayewea McIntosh	Vice President, ECOWAS Commission
Dr. Abdou Lat Gueye	Director, Early Warning Directorate
Mr. Claude Kondor	Analyst/Country Manager of Sierra Leone and Guinea, Early Warning Directorate
Mr. Okey Uzochina	Policy Analyst, Department of Political Affairs, Peace and Security/DCAF representative to the ECOWAS-P
Sunny Ugoh	Office of the Financial Controller of ECOWAS Institutions

Appendix 7: Interviewees- Civil Society Organisations

Name	Position/Role
Chukuemaka Eze	Executive Director, West Africa Network for Peacebuilding, Ghana
Program Officer	West Africa Civil Society Forum (WACSOF), Nigeria
Rasheed Draman	Executive Director, African Centre for Parliamentary Affairs (ACEPA), Ghana
Dr Alhassane Makanera	Political Activist and Dean, Law School, University of Sonfonyah

Appendix 8: Other meetings

Focus Groups 1	ECOFEPA
Focus Groups 2	Administrative Staff
Session	Committee Meetings
Session	Plenary

Appendix 9: Interview Questions

Parliament Staff

- What is your position and role?
- Briefly describe the objectives of the Secretariat?
- What do you think are the advantages of the parliament's role in conflict prevention?
- Is the parliament modelling after the EU? How is it not/How is it? What are the similarities and differences?
- What do you think are the main challenges the parliament has in undertaking conflict prevention activities
- When did they start embarking on missions, preventive, negotiations, mediations, conflict prevention when? In which session and how did this evolve? Nature of the issues
- How did they agree to the 14 components, are they mainstreamed in the countries? How, when, by whom, with which resources wondered whether more could have been said about the history of conflict in West Africa as part of this introduction.
- What are the nature/kinds of conflicts that you support the MPs to work on now
- Describe the nature of the relationship between the parliament and other ECOWAS bodies?
- What kinds are decisions are made at the parliament?
- How is the Parliament funded? What kind of budgetary system do you operate?
- What is the nature of the leadership of the Parliament? How are they elected?
- Please outline the specific procedures and processes through which MPs are appointed/elected to represent their countries

Members of the Parliament/Committees

- What is your position/country and role?
- Describe the ECPF in your words? What is its purpose?
- To what extent are the conflict prevention initiatives of the parliament helping the situations in your country?
- Which departments/institutions does the Parliament collaborate with at the country level?
- What is the process for alerting the parliament to a situation needing prevention
- What issues are considered worthy of prevention?
- What are the causes of conflicts in your country?/referred to the committee

- What is the nature of these conflicts?
- What do you think are the advantages of parliament in conflict prevention?
- What do you think are the main challenges the parliament has in undertaking conflict prevention activities?
- Will you say your work in conflict prevention is effective? No/Yes; Why? How
- What have been the benefits of conflict prevention in your country
- How will you answer this question, the parliament does not have capacity to effectively prevent conflict? Why?
- What is the nature of the activities you partake in as an ECOWAS parliamentarian that are supported by the Parliament at the national level? Give a specific case and how you participated, will you say it was effective and why?
- What do you think of the long-term impact of the ECPF?

- How do you communicate proceedings from the parliament to your national parliament? How are you 'elected' to serve as an ECOWAS MP?
- How will you respond to the allegation that, the lack of direct elections makes your representation on the regional level compromised?
- What skills have you learned/gained on this level which you use on the national level? Give a case where you directly employed these skills?
- How will you describe the current status of conflict in your country
- What is your perspective of the nature, aetiology and scale of conflict in your country
- Please outline the specific procedures and processes through which you are appointed/elected to represent your country/ or serve on a committee
- What is the role of your committee on conflict prevention? Mandate? If your mandate does not indicate a role for you why are you undertaking conflict prevention activities
- In your view who makes the real decisions for ECOWAS, the parliament or the Authority, why? What is the nature of the decisions made here; is it by majority rule/consensus; what informed this framework
- What role do you play as an MP during the session(s)?
- What is the most recent issue on conflict prevention the parliament undertook in your country? What was the outcome? What happened? Why is the parliament increasingly being supported on conflict prevention activities?

<p>Civil Society Organisations</p>
<ul style="list-style-type: none"> • What/how does your organization work on conflict prevention in West Africa? • What specific programme(s) do you carry out in Guinea/Sierra Leone? • Do you work on any components of the ECPF? Which ones? In what ways and with which organizations/persons/institutions? Give a brief description of your activities • What do you know about the parliament's work on conflict prevention? • Do you collaborate with them? No/Yes, Why/How • To what extent will you consider the work of the parliament as effective, give concrete examples/reasons for your response? • What do you think are the advantages of parliament in conflict prevention? • What do you think are the main challenges the parliament has in undertaking conflict prevention activities? • What do you think are the prospects for the parliament and conflict prevention in West Africa/ Guinea/Sierra Leone
<p>Other Organs of ECOWAS</p>
<ul style="list-style-type: none"> • In what ways does your organization work with the parliament? • What are the official protocols/mandates for this relationship? • Specifically on conflict prevention, what is the contribution of your organization to the Parliament work if any? Follow ups: if No/Yes, which organs do you rather work with? Why not the parliament? In what ways can you work with them? • What do you think are the advantages of working with the parliament in conflict prevention? • What do you think are the main challenges the parliament has in undertaking conflict prevention activities? • What is your opinion on the regional integration process in West Africa: difficult? What is wrong/right and why? • Is regional integration only for the developed countries? • What is the future of the parliament? ECPF • In your estimation are decisions made at this level effective, how, why

Appendix 10: Competence of the parliament

Article 1 of the Protocol A/P2/8/94 relating to the Community Parliament comprising 'Definitions' presents '*Member of Parliament*' or '*Members of Parliament*' to mean one or more representatives elected in accordance with Article 7.

'Parliament' means the Community Parliament established in accordance with Article 13 of the Revised Treaty and Article 3 designates 'The House of Representative of the Peoples of the Community shall be designated: 'Community Parliament.

'Representative' or 'Representatives' is the title of a member or members of the Community Parliament.

Article 6 outlines the competence of the Parliament:

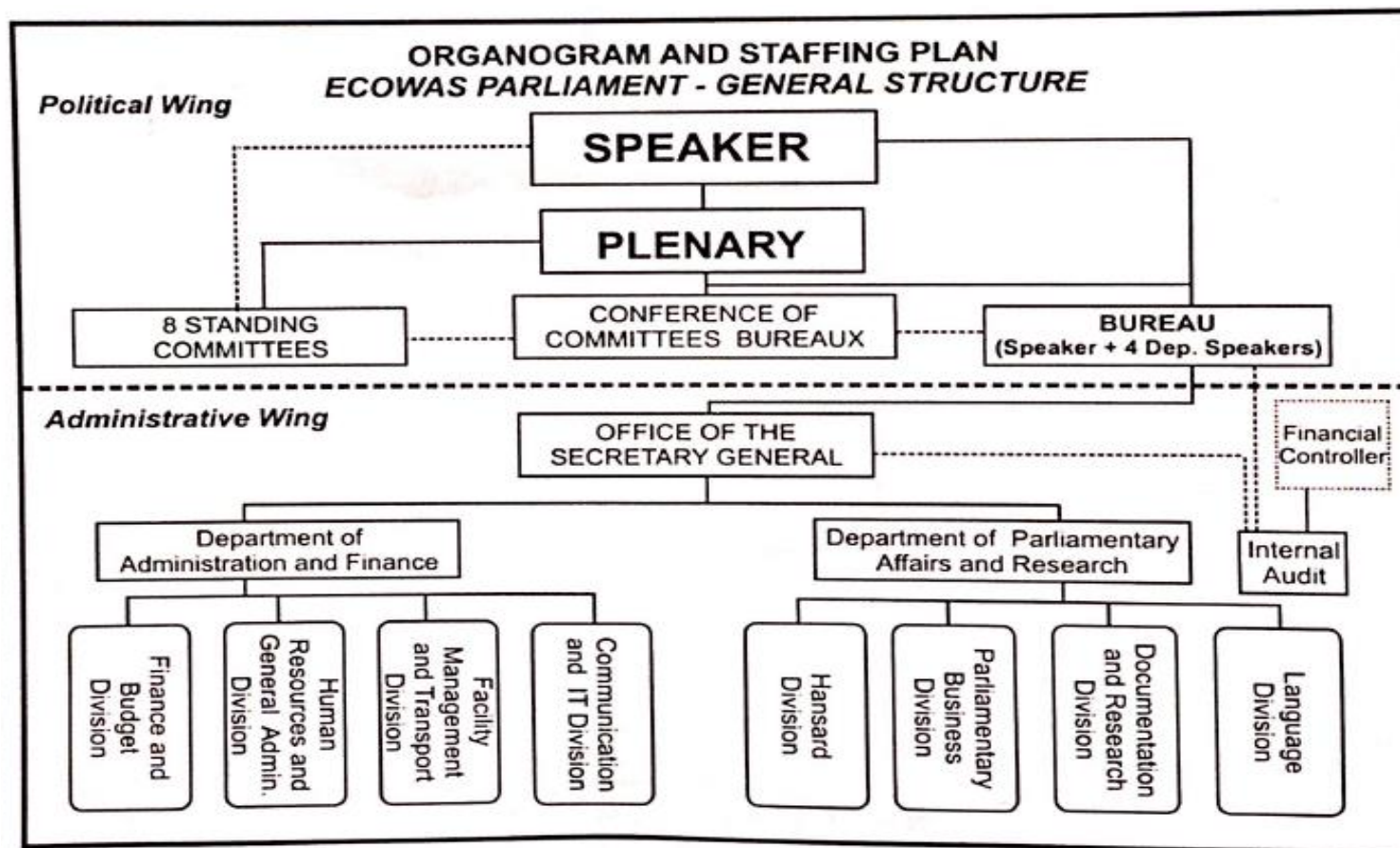
Article 6(1) 'The Parliament may consider any matter concerning the Community, in particular issues relating to Human Rights and Fundamental Freedom and make recommendations to the Institutions and Organs of the Community'.

Article 6(2) 'The Parliament may be consulted for its opinion on matters concerning the Community' in the following areas:

- a) interconnection of the communications links between Member States so as to make free movement of persons and goods effective
- b) interconnection of telecommunications Systems to form an effective Community network with the maximum possible number of extensions to the rural areas to make them more accessible
- c) interconnection of energy networks
- d) increased cooperation in the areas of radio, television and other media links within the Community and between the Community and the rest of the world, development of national communications Systems to form an integrated, effective Community System with its own programmes

- e) public health policies for the Community
- f) common educational policy through harmonisation of existing Systems and specialisation of existing universities; adjustment of education within the Community to international standards
- g) youth and sports
- h) scientific and technological research
- i) community policy on environment
- j) Treaty review
- k) Community citizenship
- l) social integration
- m) respect for human rights and fundamental freedom in all their plenitude

Appendix 11: Organogram of the ECOWAS Parliament



Source: ECOWAS Parliament (2006:44)

Upon the recommendation of the consultative meeting of the Mano River Union Foreign Ministers held from 13th — 15th August 2001 in Monrovia, The Joint Security Committee (JSC) convened a meeting in Freetown on the 22nd-23rd August 2001.

The Ministers responsible for Foreign Affairs, Security, Internal Affairs, Defence and Justice, attended the Freetown meeting. Also in attendance was the Mano River Union Secretary-General. The JSC thoroughly reviewed the prevailing security situation in the Mano River Union.

At the end of their deliberations, the JSC:

-Reaffirmed its political will despite the past difficulties to do everything possible to rebuild the confidence of the three member states of the MRU so that peace and stability can be restored in the sub-region.

To achieve this goal, the Committee decided as follows:

To put an end to end to the endemic problems of dissidents, armed groups and other paramilitary forces involved in the destabilisation of state(s) of the sub-region, the Committee recommended that all such groups and individuals be apprehended and turned over to their country of origin taking cognizance of the general acceptable norms in the international community.

a. To enforce the compliance of all member state of the Mano River Union within the existing legal framework through an effective implementation of the Non-Aggression and Security Cooperation Treaty Signed in Freetown on November 20, 1996 and the 15th Protocol to the Declaration of the Mano

River Union on Defence, Security, Internal and Foreign affairs, signed in May 2000 in Conakry.

- b. To implement the deployment of Joint Border Security and Confidence Building Units along their common borders;
- c. In collaboration with international institutions and the MRU Secretariat, the three member states agreed to create material and psychological conditions that would encourage the repatriation of refugees to their respective countries of origin;
- d. To re-establish, as soon as possible, in the secured areas, the Free movement of goods and people;
- e. To create an effective programme on information education and communication for the benefit of their respective populations on the culture of peace and the objectives of sub-regional integration;
- f. To establish a network of frequent contacts and exchange of security intelligence and other relevant information in the area of security among member states,
- g. To encourage member states to pursue the ongoing disarmament process in the sub-region.
- h. Expressed its commitment to seek the necessary financial support in order to make all the organs of the MRU operational.
- i. That the Mano River Women Peace Network continues with their efforts of restoring and consolidation peace and stability in the sub-region;
- j. Noted with satisfaction the atmosphere of cordiality and understanding that characterised their discussions;

k. That the JSC would reconvene in Conakry on September 8, 2001 to further deliberate on other pertinent issues preceding the meeting of the Foreign Ministers on September 10, 2001;

l. Expressed its profound gratitude to the government and people of the Republic of Sierra Leone, particularly the head of state, Dr. Alhaji Ahmad Tejan Kabbah for the warm reception, hospitality and the excellent working conditions that contributed to the success of their deliberations.

Done at Freetown on August 23, 2001.

* The retired soldiers, some of whom joined as early as the 1950s, will get three months' severance pay with the UN financing two-thirds of the overall cost, announced by Defence Minister Delegate Abdul Kabele Camara on state television. The retirements were effective from 31 December 2011.

1. That the ECOWAS Parliament and the LURD have agreed to continue the Dialogue commenced, and to maintain contact through the inter-religious Councils of Liberia, Sierra Leone and Guinea;
2. That the ECOWAS Parliament has agreed to actively pursue a peaceful settlement to the crisis in Liberia;
3. That the LURD has agreed to commit itself to the peaceful resolution of the crisis within this year 2003;
4. That the LURD has agreed to commit to a dialogue with the Government of Liberia at a place and a time to be arranged and facilitated by the ECOWAS Parliament, the Inter-Religious Councils of Liberia and other International agencies.

LURD 9-point Agenda for Peace

1. Negotiations of a ceasefire and to end all hostilities in the Country
2. Deployment of an international stabilization force by ECOWAS and the International community
3. Establishment of a transitional Government of National Unity
4. Disarmament, demobilisation and reintegration of all combatants into civil society
5. Restructuring of the Military and the Paramilitary forces before elections
6. Repatriation and resettlement of refugees and the internally displaced persons

7. Population census before elections
8. Restructuring of the elections commission with members of legally registered parties and civil society organizations
9. Considering the efforts of the Inter-Religious Councils of Liberia, Sierra Leone and Guinea, MRU/Women's Peace Network, LURD has resolved to recognise them as the medium through which ECOWAS and the International Community can reach LURD on the Peace Process.

Strategies	Areas
<ul style="list-style-type: none"> • Negotiations • Mediations/Arbitration • Parliamentary Diplomacy • Study Missions • Fact finding Missions • Select Committee Meetings • Plenary Meetings • Ad Hoc Committees • Delocalised Meetings • Peace missions • Election observations missions • Public Forums/Sensitization missions • High Level meetings • Goodwill missions 	<ul style="list-style-type: none"> • All the ECPF components and specifically including: <ul style="list-style-type: none"> ✓ Electoral disputes and reforms; ✓ Post-conflict/Peacebuilding initiatives, i.e.: Reconciliation Commissions, Special Courts, and Tribunals; ✓ Chieftaincy disputes; Cultural norms and customs; ✓ Energy security issues (oil, gas, solar, water, climate); ✓ Land reforms; ✓ Border disputes; ✓ Compliance to international treaties and conventions; ✓ Political development; ✓ Constitutional reform/Guiding to referendum.
Outputs	
<ul style="list-style-type: none"> • Establishment of the Mano river Parliamentarians for Peace, 2002 • Peace mission, July 2002 to the MRU • Peace Mission by ECOWAS MRU Parliamentarians, August 2002 • Speaker of ECOWAS Parliament meets President Lansana Conte of Guinea, August 2002 • Meeting of the Speaker with representatives of the Liberian Inter-Religious council • Referrals from ECOWAS Commission • LURD peace agreements 2002 • Supplementary resolution on the political process passed in the September 27, 2010-Republic of Guinea 	<ul style="list-style-type: none"> • Recommendations • Resolutions/Decisions <ul style="list-style-type: none"> ✓ ECW.PARL/RES.1/Nov/02-Mano River Region ✓ ECW.PARL/RES.2/June/03-Liberia ✓ ECW.PARL/REC.1/June/03-Guinea-Bissau ✓ ECW/PARL/Res.7/Oct/09-Relating to the Political situation in the Republic of Guinea ✓ ECW/PARL/Res.8/June/10-Relating to Regulation C/REG...06/10 on the Political Situation in Guinea and Niger ✓ Resolutions of the ECOWAS Parliament on the Political and Security Situation, February 2013-Republic of Guinea Bissau and Republic of Mali

Appendix 14: Compendium of conflict prevention initiatives



First 2014 Ordinary Session

Abuja, 19 May – 03 June 2014

Draft Agenda

1. Roll-call of Members
2. Swearing-in of New Members
3. Speaker's Opening Speech
4. Consideration and adoption of the draft Agenda and the draft Work Programme
5. Consideration and adoption of the Work Programme of Ad Hoc Committees, Standing Committees and Joint Committees
6. Consideration and adoption of the draft Work Programme of ECOWAS Parliament for the second half of the year 2014
7. Consideration and adoption of the draft Report of September 2013 ordinary Session
8. Presentation of the Report of the President of ECOWAS Commission on the State of the Community
9. Presentation of Country Reports
10. Consideration and adoption of Reports of Ad Hoc Committees, Standing Committees and Joint Committees
11. Any Other Business