

Reconciling Winners and Losers in Post-Conflict Elections in West Africa

Political and Policy Imperatives

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Preface

After a decade of civil wars, West Africa is gradually settling down to rebuilding its post-conflict societies and laying a new foundation for peace. A critical part of this process of post-war peacebuilding revolves around the holding of “watershed” elections that symbolically cement the end of war and another attempt at laying the foundation for the democratisation of post-conflict societies. However, since elections do not take place in a vacuum, and also involve some form of competition or non-violent conflict between parties contesting for power, great care needs to be taken to ensure that the democratic processes are not subverted as this would increase the risk of a regression to violent conflict.

The presentations in this report contain the words and thoughts of a group of scholars, activists and policy actors from West Africa and the Nordic Countries that brainstormed during a Special Panel Debate and Discussions on May 17, 2006 in Accra, Ghana, on the topic: Reconciling Winners and Losers in Post-Conflict Elections in West Africa: The Political and Policy Imperatives. The discussions that followed and the unique insights from that meeting have been distilled in this collection as a modest contribution towards identifying the critical issues and proffering suggestions that will contribute to the deepening of democracy, peace and development in West Africa.

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Executive Summary and Policy Recommendations

After a decade of violent conflicts that affected some countries in the Mano River Union area of the sub-region: Liberia, Sierra Leone, and neighbouring Côte d'Ivoire and Guinea, West African countries have returned to peace and democratic rule. A critical aspect of the post-conflict transition process relates to elections that have been held in the various countries and their implications for the sustainability of the fragile peace and post-war reconstruction.

Of note, is the relationship between winners and losers of elections, not only in relation to those that contest elections, but also those that control power and others who are marginalized and excluded from participating in the political and electoral processes. Some attention needs to be paid to issues of transitional justice and the dilemma that can be raised by the situation in which perpetrators are provided with the opportunity, through the ballot box, to access power. Such a situation raises the need to be able to draw a balance between impunity and justice, and underscores the importance of Truth and Reconciliation Commissions (TRCs) in post-conflict societies.

The international community has an important role to play beyond using elections as an exit strategy. Such a role has to be supportive of regional efforts (by the Economic Community of West African States – ECOWAS) at promoting democratic consolidation, and should not be used as an opportunity to impose external solutions that may undermine national ownership and initiatives for ensuring that the gains of peace are not undermined by poorly managed elections or electoral conflict.

At the national level, the role of the state and its political and electoral institutions is central to the administration of elections and the equitable resolution of any disagreements that may arise from their conduct and outcomes. Political parties are also a key factor in the democratisation process. In West Africa most of the political parties are either institutionally weak or steeped in the politics of patronage

and are dominated by certain powerful individuals, called “political godfathers” in the Nigeria context. The challenge remains how to strengthen West Africa’s political parties to better represent broad political interests and participate fully in the democratic process.

Civil society organisations and the media share some of the responsibility for promoting civic education, social dialogue, and providing information that would ensure that the electoral and democratic processes are fair and equitable, and that the elected rulers respond to demands made on them by the electorate.

In the final analysis, a lot depends on the re-establishment of trust between citizens and their elected representatives, after emerging from a traumatic and conflict-ridden past, where trust was betrayed and the people were violated. This would require evolving a new culture of democracy in West Africa that can guarantee a radical shift from the present pattern of zero-sum politics to new forms of politics that emphasise inclusiveness, social equity and the opening up of the political space for equal participation, representation and choice-making.

Policy Recommendations

There is a need to pay more attention to the issue of dealing with the question of impunity, so it does not often appear as the trade off between the goals of war termination and peacebuilding and democracy.

West African countries and donor countries need to recognise the need for detailed studies of elections, electoral institutions, and financing and electoral democracy in Africa. This will greatly enhance the establishment of an informed basis for democracy assistance/support initiatives that promote national/regional ownership and capacity building programmes.

The need for dialogue has been emphasised. Such dialogues should take place within countries: between the government and the opposition, inter-

party, intra civil society, inter-faith dialogues, and state-society dialogues. On the part of the international community, the dialogue should be multi-layered, including the bilateral, regional and multilateral levels. It should however always recognise the need to refrain from imposing solution drawn from external socio-cultural contexts and historical experiences on Africa.

The international community should provide support directed at promoting inclusive democratic practices and structures. The link between democratic participation, socio-economic and political rights of individuals as well as groups needs to be recognised, so that democracy is not reduced to a symbolic ritual by political elites, which do not give the citizens much of a choice during elections.

Within West Africa, there is a need for states to re-gain the impetus for national and social development. Issues of leadership, civic culture and trust have to be re-negotiated between the states and the citizens. Regional organisations and regional as well as civil society networks have important roles to play

in the evolution of a new political and civic culture that would deepen democracy and peace in the sub-region and the rest of the continent.

Prompt attention needs to be paid to issues of youth and girl-child education, healthcare and employment across the sub-region. There is a need for a strategy to provide a meaningful future for this category of the populace by giving it a stake in society and a role in decision-making. Also related to this is the need for reintegration programmes that go beyond combatants and include the sustainable resettlement of internally displaced people and refugees.

The international community needs to fulfil pledges made to post-conflict states. There appears to be some reluctance to keep promises for support and resources to these countries beyond the short-term. Secondly, there should be the recognition of the need to balance the conditionalities for economic reform with the welfare needs of peoples coming out of conflict, by listening more and respecting their views and priorities.

Reconciling Winners and Losers in Post-Conflict Elections in West Africa: The Political and Policy Imperatives

Carin Norberg

An introductory note

The plenary session of the NAI Conference on Post-Conflict Elections in West Africa: Challenges for Democracy and Reconstruction, held in Accra, Ghana, on May 17, 2006, was devoted to the discussion of reconciling winners and losers in post-conflict elections. The panel was convened partly in recognition of some degree of conflict embedded in electoral contests, identifying the major issues in resolving the disagreements arising from post-conflict elections, debating areas for new research and exploring the various policy options for effectively addressing election-related grievances and promoting free and fair elections as a guarantee for democratic consolidation, justice and sustainable peace at the local, national and regional levels.

The following scholars, civil society activists and experts participated in the discussions: Osman Gbla (Sierra Leone), Kayode Soremekun (Nigeria), Kwame Ninsin (Ghana), Lars Rudebeck (Sweden), Yomi Oruwari (Nigeria), Said Adejumobi (Nigeria), Andrew Ellis (Sweden) and I, as chair.

As the presentations were not prepared in advance, they were spontaneous drawing upon the deep insights of the participants in the areas of conflict and peace, politics and elections in various West African countries. In a few cases, participants drew upon experiences and examples from post-conflict societies in other parts of Africa and the world. This introduction presents a summary of the debates during the plenary session in the context of the theme of 'reconciling winners and losers'. It is divided into three broad sections: the introduction, presentations by the various panellists and the conclusion.

Winners and losers?

Winners and losers in post-conflict elections are both complex and contested notions. On the surface, it appears to be a zero-sum outcome of the electoral contests in which those that obtain most votes

win power, while those with less votes are defined as losers, often to be excluded from the "fruits or rewards of power". In many post-conflict societies there are other important actors/forces that occupy the space(s) between losers and winners, or even exist outside of such boundaries. A case can be made for the victims, those that are excluded from the elections, or lack the opportunity to express any choice. This point was well made by Said Adejumobi who calls attention to the need to transcend a simplistic division of the outcome of elections into winners and losers. Noting that the situation is much more complicated in contexts where perpetrators of human rights violations during wars had won power through the ballot box in post-conflict elections, he argued that the co-existence of victims and perpetrators and the issue of justice for the former, remained a potent challenge in post-war societies.

A challenge that flows from the foregoing is how best to deal with the question of impunity. It was observed that a feature of most post-conflict elections was the trade-off between the goals of war-termination and the goals of democracy-building and peace. The opportunity of providing perpetrators or "men with guns" with access to power through the ballot box in the name of peace could compromise future peace. The case of ex-President Charles Taylor of Liberia (a rebel militia leader turned elected President) illustrates this dilemma. In the run up to the 2003 Accra Peace Agreement for the termination of civil war in Liberia one important ingredient was the space created for Taylor – and the acceptance by the various parties of giving him a "sanctuary" in Nigeria. As time passed the situation has changed and Taylor, now indicted by the Sierra Leone Special Court, has been repatriated from Nigeria and is awaiting trial at The Hague.

This case sends rather confusing signals regarding post-conflict elections and democracy, particularly as it relates to the use of elections by the international community as an exit strategy. It also raises

questions about the participation of perpetrators in post-conflict elections, and how best to handle impunity in societies emerging from violent conflict, depending on the specificities of each case and the balance of forces in the post-conflict situation.

The debate however did not fully focus on the role of the international community in post-conflict elections. But some mention was made about the strategic and national interests that sometimes underpinned its members' engagement in certain post-conflict elections in West Africa often in terms of providing electoral support, democracy aid and lending some international credibility to the conduct of the elections. More emphasis was placed on the various roles played by internal actors and institutions and to some extent on regional actors such as the Economic Community of West African States (ECOWAS). The main policy target groups at national level were identified as being policy makers, political parties, electoral, political and legislative institutions, civil society, and other internal organisations including the security agencies. The role of researchers in identifying, explaining and debating the critical issues was also underscored.

The role of the state

The state, particularly its role as a political actor in the struggles for democracy in contemporary Africa, attracted a lot of attention. This is even more the case in relation to the rebuilding of war-shattered societies, where the state will have to be reconstructed and reconstituted along democratic, inclusive and equitable lines if it is to act as the driver of sustainable peace. While some participants in the panel discussions were of the opinion that the state in West Africa would have to be transformed in order to play a central developmental role in post-conflict societies, there was the suggestion that tapping into pre-colonial history could provide as well some indigenous knowledge and solutions to some of the challenges confronting the state and democratization in West Africa. Those who favoured a transformation of the state argued that in Africa, the state had always served a small political elite, often in conflict with the interests of majority of its people. In their view only a radical change in the nature of the state could guarantee that it could serve the interests of the people and provide an equitable and just basis for democracy and peace.

Some participants drew attention to the need to critically examine the election-democracy link-

age. Alade Fawole argued that liberal democracy had failed in Africa because elections had "disempowered the people". However, Kayode Soremekun drawing on his position that pre-colonial political systems in Africa had some inherent qualities that could be relevant to the quest to strengthen democracy on the continent, pointed at Botswana and Mali, two comparatively successful democracies, which he noted had successfully incorporated elements of the pre-colonial system into their present democratic constitutions. He also suggested that more detailed studies of elections in Africa, including the role of the ombudsman institution should be undertaken

The session also debated the timing of elections in post-conflict states. An important question that was raised had to do with whether such elections should be deferred, to allow for proper state building and reconstruction of society, or if elections should continue to remain a central part of the post-conflict transition process. Even with the cases of post-conflict elections whose outcomes contributed to a regression to civil war (for example Liberia and Sierra Leone), most participants were of the view that free and fair elections were an important step towards the institutionalisation of democratic norms and rules, the processes of national reconciliation and reconstruction as well as the restoration of the legitimacy of the state.

The role of political parties

Democratic elections require political parties with deep roots in society and among the people. But, as Benjamin Reilly points out in a recent paper, "in post-war situations, party politics tends to reflect the social cleavages which created the conflict in the first place"¹. Such cleavages may be ethnic, ideological, regional, religious, or even reflect generational and factional divisions or personal rivalries. Ethnicity often plays an important role and so does political patronage or patrimonialism (as in the case of "political godfathers" in Nigeria presented in several papers to the conference). Political parties should ideally represent political constituencies and interests, engage people in promoting a socio-political vision, and formulate political programmes on which

1. Benjamin Reilly, "Post-Conflict Elections: Uncertain Turning Points of Transition", chapter in forthcoming book: Anna Jarstad and Timothy D. Sisk (eds), *War-to-Democracy Transitions: Dilemmas of Democratization and Peacebuilding in War-Torn Societies*.

basis they participate in elections and contest for public office.

In most of West Africa, political parties, particularly those that are not in power tend to be weak, or revolve around one or a few individuals without clear-cut ideologies or programmes of action – a situation that makes it difficult for them to play their ideal role in presenting clear-cut choices to the electorate, and abiding by the ‘rules of the game’. Often the parties in opposition are fragmented and tend to lack enough resources and access to public media to canvass for votes, and in some cases cannot form formidable political coalitions capable of wresting power from the ruling party. Rather than unite, each party seeks to maximize its own chances at the expense of the other, and thus provides considerable leverage to the ruling party with access to public resources, security institutions and the media, to swing the vote in its favour.

The problem of transforming rebel armies/militias into political parties after long periods of war continues to pose a potent challenge to some African countries. One factor is the general observation that a majority of people have been dispossessed and traumatised during the war period and cannot fully participate in the political process. Another factor is, as was indicated in the debate, that many politicians, including the “new democrats” (that were in some cases ex-militiamen, rebels or soldiers) that owe their positions to their political patrons, wealth or access to arms, hardly feel accountable to anyone but themselves and their benefactors. Many political parties therefore are dominated by such “new democrats” or “strongmen” that have no strong established connections with the people that they purportedly represent. Rather, the parties tend to be political organisations of a “commandist” post-conflict elite intent on gaining power through elections.

The challenge then is how to strengthen the role of political parties in democratic politics. Such a process of equipping political parties to better represent broad political interests and facilitate participation in democratic elections cannot be limited to internal processes or actors alone. Said Ademujobi pointed to the important role that a regional organisation such as the Economic Community of West African States (ECOWAS) is playing, not only in monitoring elections, but also in helping to create adequate space for all political parties in the run up to elections and after. There was a debate on the role of ECOWAS and the political will of its member-states in implementing its protocols related to democracy

and peacebuilding uniformly across the region. It was conceded that states like Nigeria responsible for about 70 per cent of the funding of the organisation had considerable leverage over ECOWAS, but it was equally recognised that ECOWAS operated through other regional networks in civil society that were capable of sending certain messages to regionally influential states, should the need arise.

In her contribution, Yomi Oruwari drew attention to the important issue of political party financing. She argued that there must be clear and transparent guiding principles for the funding of political parties to promote accountability and reduce the influence of corruption in politics and during elections. Of particular note was the need to remove the monetary obstacles to full participation in politics by interested citizens, which would also promote fairness and discourage acts of impunity by rich and powerful candidates or ruling political parties.

A recurring observation by most participants was that the subject of political parties was under-researched in Africa. Therefore a lot more needs to be done in order to explore and understand their history, dynamics, patterns and the ways in which political parties are organised to engage society and seek power, how they perceive their role in relation to the democratic, developmental and peace projects, and represent the various interests and forces in society. It was also suggested that the question about political parties is the key to the future development of democracy in Africa, not only in post-conflict states. Other important issues discussed related to the role of youth and women, violence related to elections and some suggestions for party reform in ways that could advance greater participation in democratic processes.

The role of civil society and the media

Lars Rudebeck raised the important question: How do we move beyond elections to develop a democratic, inclusive society? The question went to the heart of the debate. He noted that legitimacy and trust created and nurtured by engaging people and civil society at all levels, was a critical component of the answer. Other panellists pointed to the weak (sometimes non-existent) interface between the state and the civil society in many African societies as part of the explanation for the rather weak political culture of inclusiveness in state-society relations. The result was often that some social forces were excluded and marginalized in a “winner-takes-all” context, which

in the long run contributed to instability as the winners sought to hold on to power and resources and the losers struggled to turn the tables.

The discussions also touched on the nature of civil society in Africa, noting that not all civil society actors/groups were democratic, but observed that civil society had to build its capacities and broaden its strategies for engaging the state and society in deepening the democratic process. Some participants pointed to the opportunism of certain members of civil society and the need to properly identify those sections of civil society that are genuinely interested in promoting the democratization of society. It was also observed that an important aspect of civil society's agenda related to aspects of accountability and transparency, of enabling the country's people or citizens to elect their representatives and make them account for their policies. But it was also linked to the question of how to deal with the past and issues of transitional justice in post-conflict societies.

Civil society has important roles to play in terms of promoting civic education, sensitizing people to participate in processes of remembering and coming to terms with and healing the wounds from a traumatic past in the spirit of rebuilding their lives and national reconciliation. The case of the Sierra Leone Truth and Reconciliation Commission (TRC) and its important role in preserving the institutional and collective memory for research purposes as well as for access to information by future generations was used in illustrating some of the roles that civil society could play both in contributing to the coming to terms with the past and facilitating the implementation of some of the findings of TRCs. On the role of Special Human Rights Courts operating alongside TRCs, the discussions noted that the Special Court in Sierra Leone mostly caught the "small fish", while only a few "big fish" are being called to account. This experience led most speakers to suggest that Liberia should use the TRC only in addressing issues of transitional justice. The point was made about the need to adopt "country specificity" in dealing with Special Courts. Said Adejumobi noted that such externally-driven and financed institutions achieved little as in the case of Sierra Leone which rather contributed to the creation of a new financial elite, while the judiciary in the country remained in a generally poor state. Supporting the position that a TRC would be a better option for Liberia, Kwame Ninsin also emphasised the need for governments to embark on economic, welfarist and social development programmes that would empower citizens so

that they would be better voters, who are conscious of their rights and obligations, as well as resist the influence of money in politics.

In relation to the media, a lot of attention was focussed on its role as an information actor in society. The discussions revolved around the ownership of media organisations, the implication of the ownership structure for their independence, and media laws in relation to freedom of information. This was linked to the role of the media before, during and after elections. It was noted that in most West African states, the media (radio, TV and newspapers), were largely controlled by the state or its agencies. However, some participants observed that the situation was beginning to change with the licensing of private media (by public/state agencies) and increased access to the Internet. Austin Nwagbara based on his study of media reports of elections in Nigeria noted such reports were often partisan and hardly neutral. This however did not detract from the broad consensus that the media had an important role to play in post-conflict elections, by providing information to the people that would ensure that the electoral and democratic processes would be transparent, inclusive, free and fair. It also had the responsibility of ensuring that elected officials would provide information and answer questions on their policies, and remain accountable to the electorate.

The design of electoral institutions

Andrew Ellis discussed electoral system choice and the design of post-conflict electoral institutions. He noted that in the past twenty years electoral system design had changed from a purely technical subject best left to the technicians to a subject now recognised as being an inherently political process. The electoral systems in operation in West Africa were identified in the debate as one area where more research was needed. One purpose is to better understand the different models of electoral institutions and its consequences for the formation of political parties, the building up of trust for the political system and consolidation of institutions. Some attention was drawn to how electoral systems could best address the challenge of reconciling winners and losers, and the important lessons to draw from West African experiences so far. It was also noted that the attempt to create and consolidate such electoral system institutions is linked to the level of support or opposition from politicians and ruling elites in the region.

Relating to one aspect is the design of the electoral systems, researchers like Larry Diamond and others, view majoritarian systems as being ill-adapted to the needs of countries with deep ethnic and/or religious divisions. Proportional representation on the other hand while having the advantage of including significant political actors in the elected assemblies may contribute to weak governments. The challenge therefore is the degree of mix, or model that best represents the broad interests in a particular country at a given point in time.

The role and responsibilities of electoral commissions were the focus of attention of several speakers. Critical issues identified included the autonomy or independence of electoral commissions, the legal framework guiding their operations, the question of funding, and the participation of political stakeholders in their decision-making and oversight activities. Examples were given from Liberia and Ghana. Several participants also observed the need for more research on electoral administration in the region particularly post-conflict polities. This would provide more knowledge as well as inform various policy options designed to address electoral reforms in West African countries.

Citizenship and identity

The discussions on the role(s) of the state, political parties, political elites and civil society were all linked to the question of national identity and citizenship. The fundamental question posed was: How can the trust between citizens and their elected representatives (government) be re-established following years of violent conflict? Some participants emphasized the importance of creating inclusive political systems and a democratic culture that respects different views, while others underscored the importance of identifying and addressing the roots of conflict in a broad and collective sense.

The discussion of identity as a modality of belonging, claims and entitlements, also noted that it had to do with respecting the rights of minorities and the recognition of gender, age and ethnicity as important identities. In contexts where people had been traumatised during the war and socio-political and economic rights had been abused it was important that identities should be factored into the post-conflict transition processes. As children and youth constitute a large part of the population in all African societies their needs take on a special urgency in the immediate post-war period. Therefore, the

discussions emphasised that post-conflict elections need to address the further victimisation and exclusion of this large segment of the populace, while promoting policies that promote inclusiveness, individual and group socio-economic rights including the reintegration of such people into the mainstream of society. This would also involve attending to their demands for employment, security and education, including peace education and accessible social welfare services.

Apart from children and youth, women were also identified as being a major constituency in post-conflict societies. As part of the effort to promoting equal citizenship and representation in post-conflict societies it was agreed that particular attention should be paid to promoting the participation and representation of women in political parties and parliaments in West African states. Rather than reduce all identities to sources of division and instability, the recognition of identities in ways that make them part of the post-conflict social bargain can become an important part of the reconciliation process. It was observed that the ending of a conflict could also create new space for hitherto marginalised groups as the example of Rwanda had shown. Post-conflict Rwanda was able to elect a parliament with near parity in the equal representation between men and women parliamentarians.

A consensus was reached to the effect that the fundamental issues are hinged upon the incentives for a new culture of democracy in West Africa. The aspect of 'winners and losers' is therefore only a part of that picture. To understand the full ramifications of the process would require further exploration of the ways through which citizens can evolve political modes and systems that would enable them to freely make political choices and have those choices respected. Another recurring issue in the discussions was the need for post-war reconciliation to be based on social equity and trust.

Areas for further research

The panellists and participants agreed that there was a need for more research that would generate more knowledge about post-conflict elections, and provide informed choices for policy makers, regional and international organizations involved in peace and development cooperation work with West African countries. Where some knowledge already existed, the emphasis was on deepening and updating such studies. Some of the themes and issues that

came up during the course of the debates included the following:

1. Elections in Africa: electoral administration, electoral systems, comparative electoral systems, electoral commissions
2. Political parties: formation, funding, representation, ideologies
3. Political elites, leadership, political identities, youth and women, voting behaviour and violence
4. Incentives for a new culture of democracy, civic trust, civic culture
5. Roles of various regional and international actors

Post-conflict elections in Africa

The issue of post-conflict elections in West Africa is very important. Therefore we cannot over-emphasize the relevance of debates on the connections between the people-elections-peacebuilding agenda in one of Africa's most war-ravaged regions in the 1990s, which is just emerging from a traumatic past into a fragile peace amidst transitions to multiparty democracy and economic reconstruction/reform. This is given more impetus when we realise that elections are being held in most post-conflict states in West Africa during 2006 and 2007. In 2007, nine coun-

tries are scheduled to go to the polls including Nigeria, Senegal, Sierra Leone, Mali, Benin, Burkina-Faso, Gambia, Guinea, and possibly Cote d'Ivoire. Most of these countries have either gone through war recently or are dealing with unresolved internal conflicts/insurgencies. Elections in this context are critical not only because of the legitimacy that they confer on the political process, but also as they can either open up, or constrict, the opportunities for popular participation in democratic governance, peace and development. Yet, if elections are poorly managed or subverted resulting in de facto one-party rule or the politics of exclusion, the resultant crisis of legitimacy may spark off a chain of activities that could lead to the regression to violent conflict and the subversion of democratic rule. Addressing elections therefore constitutes an important endeavour in the peace-building processes, which ultimately rests on internal actors, but also requires the support of regional organisations, donors and the international community.

It is my hope that this report will contribute to the on-going debate about the necessary conditions for credible elections to provide both the legitimacy and framework within which peace, democracy and development can thrive in West Africa and the rest of the continent.

PRESENTATIONS

Elections and Sustainable Peace in Sierra Leone

Osman Gblaa

The issue of reconciling losers and winners after elections is a very critical challenge in post-conflict situations where there is need to bring about inclusive governance and sustainable peace. This is necessary if we are to avoid a situation where spoilers may derail the democratisation processes. However, before we go into the intricacies of reconciling winners and losers, there is a need to reflect a little more on the pre-election scenario. There are pre-election situations where there is no level playing field for the various contestants, which in turn reflects on the outcomes of such elections where the 'losers' protest, and if such protests are not properly managed, they could contribute to a regression to violent conflict. It is also important to have institutions that have the capacity to provide redress for the aggrieved parties. Where such institutions are weak, corrupt or partisan, their lack of credibility could also deepen the conflict between winners and losers.

The process of reconciling winners and losers partly depends on the ability of the courts to address post-election grievances particularly among the losers. This is particularly relevant in Sierra Leone where the winner takes all in political contests. For instance, when you look at the local level: the City Council elections were won by the All People's Congress (APC) which is in opposition to the Sierra Leone People's Party (SLPP)-led government at the national level. This has contributed to non-co-operation between the City Council and the national government as they are controlled by opposing parties. This underscores how problematic reconciling winners and losers can be in situations where politics is perceived as an adversarial or zero-sum contest. Yet, the functions of political parties go beyond elections, they include aggregating the interests of citizens, political education and mobilisation, and

acting as a check against the shortcomings or excesses of the ruling party. In this regard, there is a lot of work to be done in changing the attitude of the political class and strengthening the capacity of democratic institutions, including political parties, to promote inclusive post-election reconciliation. Such a change will ensure that future elections will tend to be less acrimonious and facilitate the consolidation of peace and democracy in Sierra Leone.

In conclusion, there is a vital need to focus on the conditions in the pre-election period, the behaviour of political elites and parties that consider elections as political battles to be won at any cost, and the autonomy and capacity of electoral institutions as well as the judiciary to ensure the efficient and fair organization of elections, including redress for aggrieved parties.

Towards a Psephology for Africa, The State and The International Community

Kayode Soremekun

We appear to be limiting discussions to theoretical issues yet, from a 'technical' perspective, it is possible to discern the understudied profile of elections in Africa. We need some form of psephology in Africa – that is, the scientific study of elections. A lot of us have tended to locate our analyses from the colonial to the post-colonial, from the military and post-military periods. How about the pre-colonial period? There are a number of things that we can tap from the pre-colonial dynamics in Africa. This is most important when you look at the few oases of long-term democratic stability in Africa namely Botswana on one hand and Mali on the other. What these two countries did over time was to incorporate some elements from the pre-colonial political culture into the post-colonial democracy.

The challenge lies in how we can look into the pre-colonial dimension and use some of that to enhance the viability of elections in post-conflict societies. Again it is possible to also accuse the parliament of adopting a Manichean worldview, a yes and no situation by talking of winners and losers. Who has really won and who has really lost? In fact the process might be so murky that the loser might be thinking about him/herself as a winner, and vice versa and this takes us to the other dimension of what we call identity. Our research needs to re-examine forms of identity and politics including ethnicity, religion, gender and generation. The more women are brought in to the political process, the better in terms of equitable representation and social progress.

It is also pertinent to ask two critical questions: Where is the African state and what is the role of donors in post-conflict democratization on the continent? My position is that donors are not ultimately responsible for the democratization of Africa. That responsibility belongs to the African people. This observation is relevant to a critical perspective to the international dimensions of the electoral process. There are various strands in the international dimension: the international civil society, international institutions and international capital. Rather than having a common or shared goal, these actors have different interests, which they pursue with regard to their engagement with African states and different aspects of the donor-recipient relationship that binds them together.

For instance, in terms of election monitoring/observation in Africa, it is not uncommon for various international election observer teams to produce conflicting reports. It happened in the case of Kenya in which the Commonwealth Observer Group reported that the elections were free and fair, but another international body was saying the elections were flawed. Even when international observers do return an unfavourable verdict on elections some donor countries either adopt an ambivalent attitude or downplay such reports, once they feel that the governments produced from such flawed elections can assure their strategic and economic interests.

When the role of international capital is critically examined, it is possible to discern some level of cynical manipulation and double standards by the international community in the so-called promotion of democracy and good governance in Africa. An instance that comes to mind is based on first-hand experience in Nigeria during the Abacha military dic-

tatorship (1993–1996). While Canada closed down its embassy in Nigeria in protest against the violation of human rights by the regime, the British and Americans remained in the country, partly because of their economic and strategic interests in Nigeria. Although they condemned the human rights abuses of the military regime and imposed limited sanctions on government officials, including travel restrictions, the US and the UK resisted the campaign to impose sanctions on Nigeria's oil exports, which would hurt their own energy security and business interests. This case, as many others, underscores the need for a more critical, but nuanced understanding of the nature of the international community, identifying those of its members that are really supportive of the democratic project in Africa, and suggesting options on how such engagements can be strengthened.

It is also important to focus on the structure of the electoral process in West Africa. In most cases, the executive arm of government appoints and funds the electoral commission. A situation in which the electoral commission is dependent on the executive, compromises the commission's ability to act as a neutral umpire, which provides ample leverage for the ruling party to undermine or manipulate the electoral process and win elections. Larry Diamond has emphasized the need to insulate the electoral commission from the executive, so that the commission would be appointed by all the parties or by the legislature. However, in most cases the executive arm of government in most West African countries is still appointing electoral commissions. The reasons for this are not hard to find. They can be found in the obvious advantages that accrue to ruling parties, when electoral commissions are tied to the apron strings of the government in power. Unless the electoral commission is autonomous and run by credible officials, the question of the real winners and losers will remain a source of controversy and conflict in West Africa. One solution among others lies in mobilizing the citizens to get the legislatures to enact laws that will free the electoral commissions from the clutches of executive power. It would also be necessary to have a credible judiciary and ombudsman institution in the various countries of the region, that can adequately address complaints that may arise from the political and electoral processes.

Re-Engineering Politics in Post-Conflict Societies

Kwame Ninsin

The issue of reconciling winners and losers in the post-election period can be approached from different perspectives. First of all it should be recognized that elections are very important in a post-conflict period. Elections could in fact establish the ground rules for resolving conflicts in a different way instead of through the barrel of a gun. Thus, elections are very strategic and their management is equally important as a confidence-building measure in post-conflict societies. The outcome of free and fair elections is very important for inspiring confidence among the various winners and losers. While they are a modality for ensuring that all the participants in a conflict situation resolve their differences through non-violent means, elections also facilitate the prospects for reconciliation afterwards, as it is known that there will be opportunities to compete for power in the future.

In order to understand the roots or dynamics of conflict it is necessary to understand the nature of the state or the government. Civil wars or violent conflict in West African states have broken out as a result of the denial of citizenship rights to sections of the populace. People of particular identities could suffer from discrimination or suffer marginalisation with regards to political and socio-economic rights as a result of the monopoly of power by hegemonic groups. Such excluded groups protest and resist their marginalisation from participating in the political process, while seeking inclusion/redress as well as respect for their rights. Such contestations or conflicts must be seen as a struggle to reclaim citizenship rights, using the recognition of group identity to demand equal representation in terms of access to power and resources.

The starting point in re-drawing the political architecture of post-conflict transition(s) should be the writing of a constitution that broadly reflects the interests and inputs of all the stakeholders in society. It has to be a constitution that clearly spells out the rules of the game, guarantees and defines the rights of the people, and the limitations of powers regarding the functions of the state. The constitution should also guarantee citizenship rights and set the ground rule(s) for relating to both the losers and winners in any political environment. This way, it can guarantee the democratic rights of the citizens

and constitute an important tool for securing the peaceful co-existence of all parties in a post-conflict context. The workings of a constitution will depend on whether the government and the political class will adhere to the rules, and relate in a fair and just manner to all parties in the post-conflict situation, including holding elections.

The pertinent question that confronts us therefore is: What kind of policies will an elected government pursue in relation to its citizens to ensure that there is reconciliation, unity, peace and security in the country? It is important to investigate the kind of policies and practices that can promote fairness, justice and the trust of the people in their elected governments. How can elected governments achieve such goals? Does it also imply the pursuit of an all-inclusive policy in the political sphere? For example, how can elected governments ensure that every citizen whether s/he belongs to the winning or losing party or not, has equal rights to meaningfully participate in politics and democratic governance? Do all citizens have equal access to social and economic entitlements available within the community and are the citizens actually recognised as equal members of the community?

The answers to the foregoing questions lie in the development of a new culture of politics if we are to ensure that the elected government will pursue policies that are equitable, representative, and broadly inclusive of all citizens of the countries. By this I mean a culture that respects, not just at a rhetorical level, but also in practice, the equality of all citizens and their wishes; that all citizens have a right within a political community to be recognised as such and to be able to participate in the governance of their country. While elections are important and should be managed well in order to ensure peace and stability in West Africa, a new culture of politics that guarantees that all members of the community have equal opportunities to participate in decision-making and access the resources necessary for 'the good life' must underpin the sustainability of electoral democracy. Once this level of political change is achieved, the likelihood of a resort to non-conventional, extra-legal or violent methods to demand one's rights will be minimized if not completely eradicated.

Building Civic Trust in Post-Conflict Societies

Lars Rudebeck

When election results are disputed, leading to harsh political and economic crisis (as for instance in Guinea-Bissau in 2005 and since)¹ it is obvious that society suffers from a serious lack of trust. This manifests itself at several levels: as distrust within the political system between various key actors, as citizens' distrust of the system, and as distrust between citizens in society at large/in 'civil society'.

In the 1990s, civic trust grew into a key theme of the current discourse on democracy theory, within liberal thinking in political science and sociology. "Social capital" defined as trust was held out as crucial to democracy.² While the issues are clear at the normative level, less is said in the discourse about the actual societal preconditions for civic trust, the processes behind it and the political substance of dealings in civil society, and between it and the state.³ What makes institutions function in such ways that electoral defeat becomes credible in the eyes of losers? Under what conditions can winners be expected to act responsibly, with regard for society at large? Do electoral commissions and supreme courts deserve to be trusted? What about international observers? How credible or serious are their "free-and-fair" verdicts? What if holding high political positions appears to be or actually is the only way for key actors to secure a living? Clearly, the concepts of "political opponent" and "enemy" *ought* not to be synonymous with each other. But what if they actually are synonymous, in practice, as suggested by several participants in this conference?

A critical question is how can citizens empower themselves to be able to politicize civil society around issues of welfare and development, when their daily survival depends upon power-seeking patrons? Conditions of poverty attendant on the unequal distribution of power and wealth in society not only tend to make citizens see their society as unjust, unfair

and insecure, but also to be almost entirely focussed on their daily survival and bare necessities, with little trust in the political system.

Thus, accepting that civic trust at all levels is obviously crucial to social and political stability, the question remains: How does it come about? Clear rules and straight institutions, surely. No system, whether democratic or dictatorial, functions well without clear rules and effective institutions. For constitutionalism to be democratic in a minimalist sense, it is sufficient if the institutional rules are democratic. But for democratic constitutionalism to be democratic in a substantial sense, there is also a need for empowered citizens who are able to hold politicians accountable. Otherwise the chances are slim that resources will be used for the satisfaction of the basic developmental needs of the people. Then trust will be rare, distrust endemic, and democracy vulnerable to say the least. This distrust is also reflected in the relationship between winners and losers after elections, feeding into a cycle of instability and debilitating politics.

The processes and forces of globalisation are also partly compounding the problem of democratization. As long as the global system remains non-democratic, it would be problematic for African countries to democratize on their own people's terms. Democratization concerns in the first place, the 'sovereign' state, implying equalisation of the power to control those developmental resources that can at all times be controlled from within a given country. But if the vital resources are beyond such control, and lie in the hands of outside forces, including donors of development aid, then internal democratisation will be far from resolving the problem of democratic control and favouring civic trust. Still, it is not unreasonable to assume that democratisation within individual countries may, in the long run, also facilitate the growth of democratic relations beyond the national level.⁴

Research suggestions

Clearly, the thematic area now indicated can easily be concretized into numerous more specific research topics, such as the financing of elections, so-called 'democratic conditionality', election monitoring, the role of the judiciary in politics, to mention just a few, all of which fit naturally within the thematic framework of civic trust.

1. See my paper presented to the conference.

2. Cf. Robert Putnam, *Making Democracy Work: Civic Traditions in Modern Italy*, Princeton University Press, Princeton, New Jersey, 1993, a key contribution to the discourse in question.

3. Olle Törnquist, *Politics and Development. A Critical Introduction*, SAGE Publications, London and New Delhi, 1999, i.a. pp. 136 ff. In a recent article Törnquist develops his present analysis moves in an article reporting upon ongoing research: "Assessing Democracy from Below: A Framework and Indonesian Pilot Study", *Democratization* (Taylor & Francis), vol. 13, no. 2, April 2006, pp. 227–255.

4. My reflection in *On Democracy's Sustainability, Transition in Guinea-Bissau*, Sida Studies 4, Sida, Stockholm, 2001, pp. 20–21.

Within the perspective of citizens' trust in the political system, I do emphasize the hypothesis that parliamentary systems might be better suited than presidential ones in addressing the task of building consensus in poverty-stricken, 'post-conflict' African societies. Substantiating that idea would require systematic comparison between the ways in which presidential, semi-presidential and parliamentary systems work in society. Allow me to quote myself from a previous presentation to indicate the type of argument I have in mind:¹

A democratically constitutional state where the citizens themselves decide, actually and effectively, on matters of common concern and significance would be characterised by far-reaching subsidiarity and functional decentralisation: matters of concern to all citizens would be decided at the most general level, matters agreed to be of concern only to the individual would on the contrary be left to her or him, while the majority of issues would be autonomously worked out by large or small groups of citizens at various levels in between, in forms bound by democratically made law and adapted to the type of issue at stake and number of citizens involved as well as to the cultural context.

Under such a form of state, there would for instance be very limited space for the kind of arbitrary presidential rule so prevalent in Africa today, even under democratic constitutionalism. At the national level, parliamentary rule would generally, by opening up opportunities for public debate on national issues and informed consensus, be much more appropriate than presidentialism. The overriding point of such institutional arrangements would be to achieve legitimacy for the democratic form of state by democratically legal means, while securing legality through broadly based social, economic and cultural legitimacy.

Such a form of state, to be sure, is much more a vision or an 'ideal type' than the reality today, whether in West Africa or elsewhere. Approaching it is a matter of complex struggle, through history.

Winners, Losers and Party Politics in West Africa

Yomi Oruwari

It is important to start by noting that the notion of winners and losers in post-conflict elections is best approached from their origins and evolution. Take

1. "Beyond Democratic Constitutionalism: On the twofold meaning of democracy and democratization", in *African Sociological Review* (Grahamstown, South Africa), vol. 6, no. 1, 2002, p. 173, p. 178.

for instance the role of political parties in elections. Most of the political parties appear only to contest elections for the purpose of "winning". Once they lose, they often protest or resort to violence. A lot depends on the electoral institutions that should ensure that the democratic space is created for the political parties to participate freely in elections. The electoral commission is expected to register political parties, collate the voters' register, conduct elections and be a neutral umpire in the political game. But if it is not a neutral arbiter, then the process becomes flawed. The problem is that if the 'winners' seize electoral victory in connivance with an electoral commission sympathetic to the incumbent/ruling party (by manipulating the electoral process), the 'elected government' will neither have legitimacy nor owe allegiance to the citizens of the country. Worse still, such manipulative activities would damage the credibility of the electoral process as well as its outcome.

Those who have "won" are there for their own self-interest. They can either exclude, or co-opt some 'losers' on their own terms. Those that are permanently excluded or cheated out of victory, often protest, and when they get no redress from the constitutionally laid down processes and institutions, the likelihood that they may resort to violence becomes very high. The solution to the manipulation of the electoral process at the various stages: party registration, party primaries, voters registration, and the actual conduct of elections, can be found in the autonomy and neutrality of the electoral commissions, the neutrality of the security forces and the elimination of the influence of money and the "incumbency factor" in party politics in West Africa.

Money politics greatly compromises political and electoral institutions and undermines the democratic process. Incumbent parties with access to state resources are able to divert such resources for the purpose of "fighting" elections. Rich officials operating patrimonial networks are able to exercise a lot of influence over the political institutions, including the party itself, placing their loyalists in strategic positions, sponsoring electoral irregularities and influencing the electoral outcomes in such ways that the voters are strongly influenced, corrupted, intimidated or excluded from participating in elections.

The foregoing underscores the importance of the funding or financing of political parties. Political parties have to be funded, and the money has to come from somewhere. Yet, if the process of funding is not transparent and allows for non-accountability,

then it can easily lead to other forms of political corruption that may subvert the democratic process and contribute to the outbreak of violence. In West Africa (as in other parts of the world), political parties have to be funded to participate in elections. Not much information exists about how the parties in West Africa are funded and their audited accounts in most cases are not accessible to members of the public or legislative committees with oversight functions.

The result is two-fold: parties are hardly accountable to the rank and file of their membership and rich/highly powerful individuals (called political godfathers in Nigeria) dominate the party and decide 'who gets, what, when and how'. This clearly undermines the internal democracy within the party, with wider implications for the party when it eventually gets into power. A party leadership that is not financially accountable to its members is less likely to be accountable to the electorate if it gets into power. This explains why parties tend to be dominated by politicians with links to state power or business interests: local and foreign. It also explains why the executive arm of government that controls resources and the security agencies is able to exercise considerable leverage over the other arms of government (legislature and judiciary).

There is no doubt that the current state of affairs cannot sustain democracy and peacebuilding in the sub-region. The starting point in addressing some of these problems should start from the nature of politics as a zero-sum game in which the winner takes all. It is also important that the role of money should be de-emphasized in party politics in order to put a stop to the 'personalisation of politics', and provide equal opportunities to all those interested in playing politics, while eliminating the corruptive influence of money politics in the political game. This will go a long way in restoring confidence in political institutions, the rule of law and electoral institutions and enable us to move away from 'cash-and-carry politics', which subverts the democratic process and feeds into political apathy, or violence.

Civil society and the media have special roles to play in sensitizing the public to the need to demand full political participation as well as transparency in the working of public institutions. The international community also has a role to play. Very often it acts under the erroneous belief that elections are the final solution to violent conflict in Africa. Also there is a noticeable inconsistency or variance in the level of commitment and resources allocated to the vari-

ous conflicts and post-conflict elections in the continent, often with mixed or contradictory results.

In the final analysis, it appears that the real losers in the post-conflict elections in West Africa are the ordinary people that constitute the majority. They are often too poor and vulnerable, and lack the power and information to choose their leaders. While some of the parties that lose elections may be co-opted by the leaders, the lives of the people at the grassroots level are hardly ever touched except when they are forcibly removed from their lands for foreign investments/development projects or made to bear the brunt of new policies. It is only by addressing this level of society that democracy and peacebuilding can be consolidated on a sustainable basis in the sub-region.

In terms of areas for further research, there is a need to focus on the financing of the electoral system and political institutions in West Africa. Other issues that should be further explored include, the role of unemployed youth in violence, the place of constitutions in democracy-building. Also, globalization and the role of the international community in influencing politics in West Africa, the relationship between impunity, corruption and the subversion of the political process by the members of the political class in the sub-region and the prospects for peace in the future need to be further explored.

Regional Institutions, Peacebuilding and Democratization in West Africa

Said Adejumobi

Being someone from a regional institution – the Economic Community of West African States (ECOWAS), I will address the issue of a regional approach to peacebuilding and democratization in West Africa. The challenges transcend the notion of winners and losers. Several actors and agencies in a post-conflict era could be the winners and losers of the elections, but these could also include victims and perpetrators of human rights abuses during the war, that have to be reconciled after the cessation of hostilities. There is also the majority of the population that have been traumatized and dispossessed and have to start their lives all over again. So, it is not simply a game of winners and losers. There are so many people – either victims or perpetrators, who will simply not participate in the political process and these are people you have to bring on board in a post-conflict era. Our discourse should therefore be-

gin with other actors/agencies involved in the process of post-conflict reconstruction and peacebuilding in Africa.

The major challenges

The first major challenge is how to achieve national reconciliation. How do you bring all the people together as one nation once again? This is extremely difficult, whether you are referring to Rwanda, Sierra Leone, or Liberia. Even in Rwanda today, there is still some fear and apprehension in spite of all the efforts of President Kagame. The second major challenge in a post-conflict society is that of peace and security. How do you guarantee the security of the entire citizenry? The third major challenge relates to the capacity of the post-conflict state to implement policies that provide for the livelihoods and social welfare of the people. Another challenge is that of identity and citizenship. How do you create equal and common citizenship for all the people in a country? Of course it may be difficult to create a homogeneous identity, but you can create a common national identity around the notion of citizenship. If these challenges are not properly addressed, there is a strong possibility of a regression in the future to conflict and war. Part of the consideration in adequately addressing these issues lies in the recognition of the need to go beyond a rather restricted definition of winners and losers in the electoral process.

In the light of the foregoing, sharing the ECOWAS experience is an important step towards exploring the regional perspective to conflict, peace and democracy in West Africa. When the conflict in Liberia commenced in December 1989, ECOWAS came up with an ad hoc arrangement for conflict resolution, and the Economic Community of West African States Monitoring Group (ECOMOG) was deployed to put an end to the violent conflict. In the next ten years, ECOWAS members realised that a more systematic and organized approach was needed to tackle the problem of violent conflict in the region.

In December 1999, ECOWAS adopted the Protocol Relating to the Mechanism for Conflict Prevention Management, Resolution, Peacekeeping and Security. Following this, in December 2001, the Supplementary Protocol on Democracy and Good Governance in West Africa was also adopted. These two major instruments constitute the political and legal framework through which ECOWAS peacebuilding and democratization activities are conducted. Some of the aspects of the Democracy and Good

Governance Protocol are relevant to our discussion on post-conflict elections in West Africa. A component of that Protocol refers to the constitutional convergence principles. These principles are critical to the promotion of democracy and democratic consolidation in West Africa. Some of the features of these principles include:

- i) Zero tolerance for military coups/illegal changes of government within the West African sub-region.
- ii) The notion of separation of powers and the strengthening of the capacity of the parliament and the judiciary because in most cases these are the institutions suppressed by the executive.
- iii) Civil control over the armed and security forces.
- iv) Adequate space and autonomy for political parties to be able to operate.
- v) Free, fair and transparent elections.
- vi) Promotion and protection of human rights.

The foregoing lies at the heart of the framework under which I operate as a Political Governance Adviser at the ECOWAS Secretariat in Abuja, Nigeria. ECOWAS is evolving some policies/actions directed at promoting democratic governance in West Africa. The first relates to the issues of electoral monitoring and strengthening the capacities of electoral institutions. It is extremely important that electoral institutions must have the autonomy and capacity to conduct free, fair, credible and transparent elections.

The ECOWAS Protocol on Democracy and Good Governance has a provision which provides that the organisation has the right to observe elections anywhere in the sub-region, whether the government wants it, or not. So, ECOWAS does not wait to be invited, but only informs the respective countries that its election monitors are coming on an election observation mission. For example, the former president could have stalled the recently much-celebrated elections in Benin Republic. When the elections were going on, he made a broadcast alleging that the elections were not transparent, free and fair, mainly because his "anointed" candidate was losing. But ECOWAS, based on reports by its election observer mission, immediately asked him to withdraw his statement. The (ex) President had no option but to withdraw his statement on stopping the electoral process. On the strength of the ECOWAS position that the electoral process was free and fair, the elections were concluded and the

winner emerged. There was jubilation on the streets of Benin as people happily celebrated that their will as clearly expressed at the polls had prevailed. ECOWAS had given the final word on the elections in Benin Republic, thus paving the way for a similar outcome of free and fair elections in Liberia. However, in the case of the Liberian elections, an incident involving an actor within the international community almost affected the fragile peace in the post-election period.

After the November 2005 run-off elections in Liberia between Ellen Sirleaf-Johnson and George Weah were concluded, and the popular choice had emerged, the EU issued a rather unfortunate statement saying that the support for the new government would be conditional on the repatriation and trial of Charles Taylor. This created some tension within Liberia. ECOWAS responded by noting that support for the newly elected government of Liberia should not be conditional, and that the issue of Charles Taylor's repatriation and trial should come later. This immediately brought down the tension in the country.

As part of its promotion of democratisation in West Africa, ECOWAS has also been supporting the capacity of national human rights institutions in all the countries in the sub-region. It is encouraging those countries that have not done so, to establish national human rights institutions. By doing this, and supporting such institutions, ECOWAS is also able to enhance their capacity and free them from the strong influence of the executive arm of government. Other actions being promoted by the organisation, such as the adoption of a regional approach to anti-corruption measures, the strengthening of the capacities of parliaments, and the promotion of inter-party dialogue will facilitate the deepening of a democratic ethos and peace in West Africa.

Suggested areas for further research

The discussions so far have shown the need to explore some areas for further research. The first relates to political parties and democratic challenges in West Africa. Political parties are critical, in terms of their formation, the interests they represent, their capacity and resources for mobilising the people. They also need to be better understood in terms of the links and the potential for dialogue between political parties in the overall interest of social development, democracy and peace in the various countries. There is also a need to study more countries in terms of the role of political parties in the electoral and

democratic process. What is happening in Nigeria is partly related to political parties being unable to adequately play their role in the democratic process.

Other areas deserving of some research attention include the civil society, peace processes, peacebuilding and post-conflict reconstruction. The role of civil society organisations in peace processes, peacebuilding and post-conflict reconstruction has both national and regional perspectives to it. For example, the West African Network for Peacebuilding (WANEP) made up of West African NGOs, and based in Ghana is a regional body, involved in peacebuilding in the various countries of the sub-region.¹

A lot needs to be understood about the activities and contributions of civil society groups in West Africa to democracy, peace and post-conflict reconstruction, and how such initiatives can be strengthened and sustained. Another important area for further research is leadership and civic culture. For example some of the political problems in Nigeria are partly the result of a perverted leadership. It is therefore necessary to explore the ways through which people can be sensitised and mobilized to struggle for their democratic rights and ensure that elections become a credible and peaceful way of changing leadership. Also some attention needs to be paid to the evolution and role of political institutions such as parliaments, the judiciary, electoral systems and electoral commissions, particularly in relation to the sustenance of peace and the consolidation of democracy.

"Help but do not judge us": Donors and Electoral Assistance

Andrew Ellis

I would like to start by disagreeing to some extent with Lars' view that parliamentarism tends to promote goodwill and dialogue, while presidential systems are hierarchical and authoritarian. Bringing people together in order to create a government that has stability can be difficult in parliamentary systems simply because of the ability to bring the parliament down and have new elections or have a vote of no confidence on the grounds of policy differences. The idea that there is goodwill and established dialogue in parliamentary systems may work, but it may not work.

1. See website of WANEP at www.wanep.org.

Presidentialism also has a number of problems, but there are examples around the world, a prime example being Indonesia, where the presidency as a unifying figure in a heterogeneous society does have a role in holding it together. What we have found looking globally is that it may be more sensible not to pose the question does presidentialism work, but how do you make it work? There are indications from the Latin American experiences about what to do if you want to make presidentialism work. There are three things to do in design terms to make presidentialism work. The first thing is to combine it with an electoral system, which ensures that the president has a substantial bloc, although not necessarily a majority of supporters in the legislature. The second is to restrict or possibly eliminate the ability of the president to go around the legislature or to rule by decree, and the third is to have a relationship between political parties and elected legislators which is neither completely directed nor completely all-powerful. The starting point therefore is for the presidential-parliamentary debate to be opened up and one should look at both options.

A further point is about the financing of political parties and political campaigns. This is an extremely important issue on which some work has been done. But there are three other important financing issues – from the institutional design point of view, to which much less attention has been given. These are the financing and staffing of the electoral administrative/management body, the secretariat of the legislature, and the electoral dispute resolution institution/body. It is no good setting any of these up saying they are independent or have powers of their own, if the executive arm of government controls the tap of the money – either in the amount of it, or determining when they get it. It could be equally dangerous if an overall unified national civil service can determine who works in the secretariat of the electoral administration, the secretariat of the parliament or the electoral court. That kind of civil service structure can be used by the executive as a way of making those institutions ineffective. That independence must therefore be real as well as formal. Although that question may not obviously be on top of the political agenda, it is a good idea to address it during the transition period.

Suggested areas for further research

There is some interesting evidence from the (global) North, that civic education, at least in relation to elections only really has any impact on people that

are, give-or-take a year or two, thirty to thirty-five years old or younger. After that age, people are either voters or non-participants in elections. It would be very interesting to know if researchers find out if the same pattern applies to Africa, or not. There are lots of forms of civic education. It would also be relevant to find out what works and what does not work in the African context.

There is also a need to conduct research into the modalities for legitimizing and increasing the understanding of the role of the opposition in democratic societies. It is also important to be careful not to fall into the state-civil society trap, where the state is seen as an implementing agency, while civil society has the oversight/opposition functions. This position privileges civil society over democratic institutions, and implicitly gives no role to elected bodies, legislative and democratic institutions to play their oversight roles. Moving away from this view is therefore important in addressing the losers' and winners' question.

I have always remembered the member of the election administration in Cambodia who said to me when I first arrived on a design mission for assistance from the European Commission in 1997, "I hope you are here to help us, and not to judge us". I think there is a very strong point that needs to be made in donor circles about the need to move away as some panellists have noted from election observation as the top of the list for money, and move towards dealing with the question of how we support capacity building and sustainable election administration in the long run.

Concluding Remarks

Carin Norberg

We have had an excellent panel debate and I feel proud on behalf of the Nordic Africa Institute to have been part of this exercise because it is also an example of what can be done by groups in a society. We have been talking about NGOs, civil society, social movements, political parties, and the military and from time to time we have talked about the role of academia. Most of you are in academia and I think you have all exercised your role very well by setting aside two and a half days to address these important issues on elections in post-conflict situations. Hopefully, you have also been inspired to continue research on various issues that have been touched upon during this debate. So I encourage

you to undertake independent and critical research on these very important issues in West Africa.

Allow me as a final word to come back to what I said during my opening remarks at this conference. I was referring to the now completed research by the UN Research Institute for Social Development (UNRISD) under the leadership of Thandika Mkandawire which, I think, is extremely important in the long-term. In order to establish an enabling environment for democracy and for democratic institutions we need to think about the social welfare of the people and the first word that I mentioned was distribution. This has come up in many of our discussions: distribution of power, distribution of resources, and distribution of influence in the political process. Distribution is a very important aspect of creating an inclusive society. We have also discussed security, and my second word was protection. Protection in physical terms, but also protection from hunger, protection from illiteracy, enabling and empowering people to take part in the political processes of their countries.

My third word was production. This is of course one of the most important things because we need to survive, we need to work and to make a living in

order to create the resources that would sustain a welfare system and sustain the political processes, political parties, and independent institutions which can oversee the election and political processes. This is necessary so that we are not dependent on a few, who we have here labelled “political godfathers”, in order to implement this.

The fourth and final word was reproduction. Reproduction is about the composition of the society, the demography of society, the situation of women and men as citizens, parents and full members of society. It is also about the possibility of supporting our children and adequately preparing them to meet the future challenges in society. We should also remember that a large majority of the population in Africa are very young and need to be properly nurtured, with emphasis on their education, freedom, security and well-being. We need to take special care of the children, youth and women and create better conditions for them to participate in the development of their societies. I think that we have all benefited from this discussion. I have learnt a lot and I would like to say thank you all for having invited me to chair these discussions.

Conclusions: Beyond Temporary Winners and Permanent Losers

Cyril Obi

Elections are critical to the struggle for power, and an important aspect of the political game that will decide either for better or worse, the prospects for peace or the return to war in West Africa's post-conflict societies. Post-conflict elections are a very important site of international intervention in post-conflict societies. Interestingly, the discussions have projected into 2007, when some very important elections will be taking place in the sub-region. Nigeria will have elections in 2007, which if conclusive will usher in the first civilian to civilian transfer of power since independence in 1960. Sierra Leone is also scheduled to have elections in 2007, which will be the first post-UNAMSIL supervised elections since the end of its civil war. Other countries scheduled to have elections include Mali, Benin Republic, Burkina-Faso, and Gambia. In the same way, Côte d'Ivoire and Guinea may have elections in 2007. These elections will have far-reaching consequences for these countries as well as the sub-region. When one examines the role of Guinea, in terms of the regional dynamics of the recently ended wars in Liberia, even in Côte d'Ivoire and Sierra Leone, and takes into consideration the role of Nigeria in West Africa, the importance of the coming elections can be placed in proper perspective.

As a starting point, elections can be seen as crucial or watershed events in the process of democratization and peacebuilding in West Africa. Elections lie at the core of the transformative processes embedded in the complex transition(s) from conflict to peace. It is therefore very important to deepen our understanding of post-conflict elections. But in order to explain and theorize elections, electoral behaviour and institutions, they have to be located within a broader historical and socio-political context. And this fact has come out of the discussions in this session. We are ending on a very symbolic note and that is one of dialogue. All the stakeholders and actors in society should have a dialogue. Winners, losers, political institutions, regional organizations

– all have to be engaged in this dialogue. We have to talk not past each other but with each other. The whole spirit of dialogue underpins our quest to fashion a way forward whether we are talking about the question of trust, obeying the rules, and playing by the rules – it is all a question of give and take.

To move forward, West African countries need to deal with the challenge of having elections that are inclusive. If you understand how much it costs to stand as a candidate for elections, anywhere in West Africa, the issue of even qualifying to be a candidate in elections already defines who the winner and the loser are. The issue of which political party gets registered and can participate in elections almost determines the winners and losers. Winners and losers may not necessarily be those that win or lose elections, rather the structure and the processes of the selection of who contests, which party contests and how the system routinely excludes certain players from the game, play a determining role.

The fundamental question that arises from the debate is this: How do you deal with the “winner takes all” government and the opposition? What does the opposition do if it wins or loses elections? Should it accept the loss or contest it? How, in the courts, on the streets? By arming itself and then come from neighbouring countries and fight its way to the capital, in the name of the people? In this struggle between the government in power and the opposition, it is often a question of fighting without any rules, a total contest for power. How can the struggle for power be organised without breaking the house of power? How do the ruling parties and the various opposition parties/groups compete for power without breaking the rules so that there will be no real winners or losers, and the people will emerge as the winners? This may indeed sound idealistic, but we cannot run away from it. For until West African countries define only one winner – the people – they will be stuck in the vicious cycle of having temporary winners and permanent losers.

The discussions also did not touch on ideology. Yet ideology, though now a dirty word is critical as the philosophical construct upon which West African societies ultimately rest and an organising principle of our destinies as a people. What is the political ideology of each of the countries in the sub-region, what political ideologies are the political parties based on, whatever happened to Pan Africanism? The danger is that parties are reduced to machines that fight and win elections through a narrow political elite that perhaps lacks a clear social vision hinged upon any real ideology, not even the ideology of capitalism. So a relevant question to ask is, what are the ideas that propel those that contest elections, what ideals drive them beyond the quest for raw power, is there a social vision embedded in their quest for power? What does the word “fight” elections, rather than contest elections really connote? Elections under such terms become the continuation of war by other means. Since it is war and the victorious party takes no captives, the winner takes everything. And if the winner is such a small elite, that is also unstable, it is clear who the losers are.

The state is also a very crucial actor in the discourse on elections. Some have said states have failed. Sierra Leone and Liberia have been referred to as failed states. What really is the state, how is the state being reconstituted in the sub-region? The state in West Africa and other parts of the continent and the world is being reconstituted in response to local pressures, but more fundamentally to shifts in the post-cold war international system. Hegemonic international forces are re-defining the state globally, and the states in Africa are also directly affected. The state in the various West African countries is retreating from the economy, but reinforcing its hold over politics, most times the politics of plunder, and the politics of control. If a political party finds itself operating in such a political terrain where the economic policy terrain has been taken over by external actors: the International Monetary Fund (IMF), World Bank, and the World Trade Organisation (WTO), what economic and social policies can such a party promise and pursue? In a place like post-

war Liberia, in the face of international insistence on liberalisation and privatisation, what can the parties promise and deliver to the people in economic terms? This means that attention should be paid to the macroeconomic and global dimensions of the local terrain in which political parties operate.

The next step is to examine the international and regional dimensions. Given the hegemonic configuration of the world today, which likely forces will support the kind of initiatives that will drive the democratic transformation of this part of the world? Who are the likely allies? How can the influence of hegemonic economic and extractive forces like multinationals or private sector groups that support political parties, but hardly represent anyone outside their business interests be understood in relations to the effort towards the democratisation of society? There are contradictory roles being played by various groups in the international community that will have to be identified, addressed as a part of addressing post-conflict democratization in West Africa.

A note on civil society is apposite here. Some attention has to be directed at trans-border networks in West Africa. Of note is the role of cross-border traders and criminal networks. The latter are relevant to the discussion on the proliferation and the movement of youth-fighters across the sub-region. Some have drawn linkages between the movement of youth fighters and arms across West Africa's borders and the outbreak and escalation of conflicts. In this regard it will be interesting to explore the possibility of the unrest in the Niger Delta affecting the Nigerian elections in 2007.

The practical issues that flow from the foregoing are the following questions: What kind of partnerships have to be built, what forms of engagement need to be undertaken as researchers, policy makers, civil society activists to address the challenges that have been identified. Some attention is also required to the building of networks at national, regional and international levels. Change in West Africa is tied to change at the regional and global levels. The world has become so intimately interlinked that the struggle for democracy has to take place at all levels. However in this context, the point to begin will be from West Africa.

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