

Conference Session 3.1 Conflict Resolution – Pre-Conflict

Some strategies of Conflict Prevention and the need for responsible leadership in human organizations with reference to the recent conflicts in West Africa: A Comparative Perspective

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I. Introduction

In the few years preceding independence and self rule in Africa many Africans and their friends all over the continent and beyond had high hopes and expectations that with political independence and liberation there were lots of opportunities for the indigenous leaders to prove the worth and dignity of the African people. They expected the entire continent to enjoy the fruits of an effective economic and political governance system which would have ensured sustainable economic growth, lasting peace and security and that eventually the African people would fully realize all the potentials that God has bestowed on them as a great nation. However, ordinary Africans are bewildered and seriously disappointed by the outcome of several decades of self rule which is nothing but gross mismanagement of economic resources, rampant corruption, nepotism, political insecurity, decline of state power and authority, endless coups and coup attempts, abject poverty, military and autocratic rule, over staying in power and many more. These and other crisis has dominated the economic, political and socio-cultural environment in post colonial and self governing independent Africa. In fact the crisis have now become the order of the day across the length and breadth of the continent. It is very obvious that the majority of West Africans have now lost or are losing faith and confidence in their political leaders and government systems. These disappointing results and experience have indeed raised serious questions about the quality of the character, mind and leadership attitude of the post independent West African leaders.

The crisis which also include the absence of respect for human rights and the rule of law, as well as the absence of an effective system of transparency and accountability have lead many Africans and some critics of Africa outside the continent to believe and argue that Africans are incapable of ruling themselves and further that the colonial powers may have opted out of the continent prematurely. In some respects certain Africans are calling for or contemplating about the return of the colonial powers to rescue the situation. The most frustrating of all obstacles and problems of African Governance are its persistent and chronic domestic conflicts and leadership crises which have eventually destroyed the foundations of the State in countries like Guinea Bissau and Somalia today, Liberia, Ivory Coast, Rwanda and Brunei and Sierra Leone in the recently passed.

I.1 Nature of the recent Conflicts in West Africa

The vast majority of the conflicts in our sub-region are multidimensional and multifaceted, they are either religiously or ethnically or politically motivated or justified.

- It is very obvious that the Boko Haram problem and the crisis in northern Mali can be directly attributed to and associated with religion and religious reasoning and justifications. As for those conflicts that appear to be ethnically or even politically motivated they are also firmly anchored into religion and religious sentiments and justifications. If we look at the recent conflicts that took place in the mono- river region including Liberia and Sierra Leone conflicts and most recently the Ivorian conflict where people are divided along distinct geographic or ethic lines, we will find that religion is firmly anchored in the root causes of those conflicts. The geographic distinctions in some of the countries are mainly characterized either by a Muslim majority north with a small Christian minority and a Christian majority south with a small Muslim minority on one hand or by an indigenous Africans of a Muslim majority population or Muslims and traditional animists with a small Christian minority or a very organized and economically and politically empowered Afro- American or Afro European Christian minority or a sizable group with a largely

disorganized, uneducated and less developed Muslim majority or an indigenous African population of a Christian and traditional animist majority with a small Muslim minority on the other. Consequently, it is fair to conclude that the root causes of the majority, if not all of the recent conflicts in our region, are constituted by a combination of religious, ethnic and political factors with the former taking the centre stage. However, these three dimensions of the causes of the conflicts in West Africa are interrelated and interwoven in a way that makes it absolutely difficult to distinctly separate them from each other and to be able to fairly and proportionately allocate an exact degree or percentage of the cause of a given conflict to one or the other. In many parts of West Africa particularly in those countries engulfed by the recent conflicts, you would observe that religion, ethnicity and politics are so interconnected and sometimes confused in a way that when one becomes the main cause of a conflict, the conflict will either be fueled by or it comminutes into the other. Today all the ongoing conflicts whether religiously or ethnically motivated, have culminated into politically motivated conflicts and characterized as such in the sense that they are transformed into leadership (political leadership) and governance crisis.

I.2 The Leadership Crisis And Its Various Forms

The nature of the leadership problems in West Africa and elsewhere across the continent keeps on changing from one form to another. During the few years that immediately followed independence, Africa was engulfed in destructive and senseless civil wars, whereas throughout the period of the cold war the continent became a favourite playground for the super powers. This unfortunate situation produced a unique brand of leadership problem for Africa which aggravated the continent's governance crisis. The leaders of this period were giving priority to their own personal or individualistic interests on one hand and on the other, they put the economic, political and strategic interests of their foreign masters and allies above those of the indigenous people whose interests they were exclusively contracted to serve.

In some cases the problems were systematic in nature. While some leaders introduced unpopular and failed Marxist economic policies without the consent of their people, others haphazardly pursued western capitalist economic models and as a result they horribly failed their people. There were other leaders, who by their style of leadership, engaged their countries in senseless and destructive wars, as a result of which they sunk their national economies. Furthermore, those internal conflicts enabled the leaders concerned to loot their national treasuries and therefore exposing millions of Africans across the continent to abject poverty. As a result of economic exploitation, political repression and the eventual failure of the social welfare and public service delivery systems throughout West Africa, millions of Africans are exposed to severe economic hardships, political instability and socio-economic insecurity. As a result of the crisis of the period during the 1970s and 1980s to the end of 1990's most economies in West Africa and beyond experienced dramatic decline and eventual down fall.

Domestic conflicts and civil wars count for more than 70% of the leadership crisis during this period. In 2001 it was estimated that "there was a war in at least one out of three (African) countries and there was only a relative peace in the continent and the situation continued to be tense, either due to ethnic troubles or religious disagreements". (AL MUFRUKI, 2001)

The crisis highlighted above, though sometimes appearing in different forms, continue to exist together with other problems to the present day and they still obstruct West Africa's economic development and progress. These wide ranging problems of governance in modern day West Africa include the following: electoral mal practices, disputes over election results, persistent refusal by incumbent leaders to share power with political opponents, the spread of civilian led autocratic rule and military dictatorships which block all means of democratic and peaceful leadership succession, military coups like the recent coups in Mali and Guinea Bissau, the unprecedented rise of the cost of living and basic commodities at a time when only 4% of national budgets are currently spent on agriculture, the dramatic increase in the cost of fertilizer, the continuous rise in the cost of fuel, the instances of daily power cuts because of inadequate generating capacity or the inability of the state to provide enough fuel for power generators, the absence of potential foreign investors from many countries in our sub-region due to poor infrastructure and communication

facilities, poor human rights records of governments across West Africa. The senseless was that Boko Haram is waging against the Nigerian federation represents a new method, level and timing of religious and ethnic violence in the sub-regional. These and many more other crisis continue to obstruct and sometimes derail the governing process in Africa South of The Sahara, (Richard Dowden, 2008), where the removal of entrenched autocratic civilian and military dictators, has become an impossible task. Similarly efforts aimed at the eradication or even substantial reduction of corruption, nepotism, favouritism and other administrative malpractices have all turned out to be a formidable task holding back socio-economic development and progress in the whole of the West Africa Sub-region. (Richard Dowden: 2008)

I.3 Limited Successes with Mixed Results

The democratic successes recorded by Ghana, Mali and Senegal over the past decades recently in achieving democratic and peaceful leadership succession through free and fair electoral processes represent few but limited positive exceptions to the picture painted above. However, the democratic successes just referred to above couldn't be sustained or properly managed in some of the countries where such successes had occurred. At this juncture let's make a quick mention of recent developments in Mali, Nigeria and Senegal.

Mali

Since Mali became independent from France in 1960, the West African country has suffered from various destabilizing events which include droughts, a series of coups, 23 years of military dictatorship, internal conflicts and rebellions spearheaded mainly by Tuareg rebels in the North and being completely saddled with a chronic budget deficit making it heavily dependent on foreign aid and the money sent home by millions working overseas. With all these problems the former Western Sudanese republic (now republic of Mali) had made significant successes in food production and democratization. Mali is said to be self-sufficient in food production. This is mainly due to the fertile Niger River basin in the southern and Eastern Parts of the country.

Regarding democratization, Mali was able to break with its long years of Military rule when it successfully conducted its first democratic election in 1992. Thus, the first democratically elected president of Mali took power in 1992 and since then the country's democratic credentials and development achievements have continued to grow from strength to strength until the 22nd of March 2012 when Africa's most senseless coup took place in that country. This coup has completely destroyed Mali's new democratic achievements. One of the reasons that make the coup puzzling and Un-understandable is that it came only few weeks before the country's next democratic elections. The coup leaders justified their action by citing the country's inability to defuel the Tuareg rebels in the North. In other words, the coup came in the aftermath of a series of losses suffered by the Malian Army in the face of the Tuaregs, who were apparently strengthened following an influx of weaponry from Libya transported there by the Tuareg rebels who were fighting for Colonel Gaddafi until his death in 2012.

(Timbuktu's Sidi Yahia mosque attached by Mali Militants", BBC news, 2 July 2012; "Mali Tuareg rebels declare independence in the north", BBC News, 6 April 2012, Security Council Press Statement on Mali, 10 April 2012, "Senior UN official condemns 'alarming reports of sexual violence in Mali'", UN News Center, 10 April 2012, UNHCR deeply concerned as Mali crisis worsens).

The biggest question here is, whether the new military rulers who were now heading to northern Mali have been able to reverse the series of losses the country's army had been suffering, before the coup, at the hands of the Tuareg rebels?

The answer is obviously a definitive "NO" in fact, the Tuaregs had registered significant successes in the days, weeks and months that followed the coup as a result of the confusion in which the Central government in Bamako has been thrown and which seriously weakened it.

Demoralized and rendered ineffective by the absence of a strong, strategically focused and capable political and military leaderships, the Malian Army continued to suffer significant losses until the time France decided to intervene.

Thus, on 6th April, 2012, the National movement for the Liberation of Azawad (MNLA) formed in 2011 mainly by armed Tuareg fighters returning from Libya, proclaimed independence. The MNLA fights together with the Islamist group. Ansaradin, virtually captured most of the territories in the North including the cities of ancient Tumbukutu, Kida, Gau and other towns. It worth's mentioning at this juncture that the Tuareg rebels engaged the Malian in a series of skirmishes in the vast desert of the Nation during the 1960's, the early 1990's, and again in 2006.

To conclude, the 22 March 2012 coup has definitely owefully, failed to achieve its stated objective. Thus, as a result of the coup and the ensuing developments relating to the country's Chronic leadership crisis, this vast West African dominion has again been condemned to its usual status of being one of the World's poorest nations despite being Africa's third biggest gold producer. The people of Mali have again suffered serious setbacks in their continuous struggle to end the ever escalating Militancy by the Tuareg rebels who took up arms demanding greater rights for their people since the 1960's and 1970's.

As a result of the renewed conflict and the leadership crisis, the human rights situation in Mali remains in dire situation with latest reports revealing terrible incidents of violations and atrocities against both sides, interference with the rights of individuals and groups, the right to liberty and security of persons, the right to privacy, the right freedom of movement, assembly, association, freedom of speech and other rights violations committed during the renewed fighting in the Northern part of the country.

France and its allies have so far failed to bring back stability and return Mali to normalcy and to democratic constitutional rule while the sub-regional grouping is still undecided about what to do exactly to once and for all and the crisis in that country.

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Nigeria and the Boku Haram Challenge:

Boku Haram is a name for an armed Nigerian Islamist group that is working to implement Islamic law (Shari'a) throughout Nigeria. The meaning of the group's name in Hausa is "Western culture/education – is forbidden". Its full and official name is: Jamatul Ahlis Sunnah lid Dawda wal Jihad. Meaning: the people of sunnah for Propagation and Jihad – Most of its members were students who abandoned their studies and gathered in north-eastern Nigeria, near the border with Niger. Apparently, the group was established as early as 1995 at one of Nigeria's universities; it became more established in 2002 when Muhammed Yusuf became its leader. Initially, the group did not support violence, but in late 2003 it began a comprehensive rebellion against the Nigerian federation. Boku Haram intensified and confined its attacks to police stations in Nigeria. In July 2009, however, Boku Haram waged a bloody five-day battle against the Nigerian security forces in retaliation for the latter's ruinous campaign to prevent Boku Haram from amassing any further weapons or power.

Muhammad Yusuf himself, and hundreds of his followers, were killed in this battle. Since 2009, Boku Haram has increased, refined and diversified its attacks on Nigeria. Instead of one-off attacks, it has begun to systemically attack government institutions, security forces, innocent people and the Christian community using explosive devices, guerilla warfare, assassinations, and suicide attacks in public places like mosques, churches, markets, educational institutions and offices. Boku Haram's stated aim is to overthrow the so-called, secular regime in Nigeria. It is mort ant to point out all this juncture that many those who promote and call for secularism including those who believe that they are secular do not understand the real meaning of the term secularism. According to Al-Attas one only becomes secular, when religion ceases to influence his language and his mind. In order words when religious teachings and concepts do not appear anyway in his daily language or influence his thinking. (S.M.N. Attas:)

Beginning in July 2009 and up to 2013, the group had committed about 200 attackers, killing more than 1000 people. Although its attacks have up to date been centered in northern Nigeria, many fear that it will

also infiltrate southern Nigeria, where the majority of the population is Christian. This conflict could eventually reach other parts of West Africa if it is not comprehensively addressed by Nigeria, and perhaps with the support of ECOWAS, the AU and similar supranational institutions. Boku Haram maintains an 18-member Shura or consultative Council, currently led by the group's Amir, Abu Bakar Shekau, who has two deputies. In addition, in every Province in which the group has a presence, it has appointed an Amir for that province. Many of Boku Haram's rank and files are poor Nigerian youths who have received a religious education (mainly), and young people from the neighboring countries of Chad, Cameroon and Nigeria. Boku Haram is thought to be funded by wealthy businessmen, government insiders, bank robbers and other clandestine groups in Nigeria. (International Institute for Counter Terrorism: 2012)

Senegal

Senegal is one of the most stable and peaceful countries in West Africa. It is the only country in the sub-region that never experienced military rule since the country became independent from France in the early 1960's.

However, Senegal was, shortly before its last presidential elections in 2012, absolutely engulfed in a wave of political unrests which seriously threaten the country's unbroken democratic record. Coming from a sub-region where presidents seek to be crowned kings or life presidents, it was not surprising at all to see the former president Abdoulaye Wade strongly pushing to break the two limits imposed by the constitution sometime in 2011 to enable him run a third term in office as president. Interestingly, when Wade was in the opposition he happened to successfully lobby for a term limit for the term of office of the president of Senegal, but unfortunately for his country, the Senegal constitutional council cleared president Wade in 2011 and declared him eligible to stand for a third term. This manipulation of the electoral process by the president through amendment of relevant laws and support of the country's constitutional council was the reason why political violence broke out in that country in the form of street protests, skirmishes and confrontation between the opposition and the police. It was only divine intervention that saved and avoided Senegal from the fate of the neighboring countries like Liberia, Sierra Leone and most recently Ivory Coast. Former president Wade's manipulations of the electoral processes in order to stand for a third term constituted a serious violation of art. 23 of the African Charter on Democracy, Elections and Governance which deals with illegitimate change of government. This issue is further discussed below. The people of Senegal stood firm and chose to decisively reject Abdoulaye Wade's third term bid and this provided Senegal the golden opportunity to regain its long standing status of being the bright star of African democracy, with an unblemished record of peaceful presidential transitions since the country gained independence from France in 1960.

It is believed that Senegal has been so fortunate, unlike many West African countries, simply because religion has not in any serious way divided the Senegalese people both in politics and society. There are no tensions between Muslims, Christians and traditional animists in Senegal, notwithstanding that the West African nation is predominantly Muslim and that its entire Muslim population is united under or behind strong traditional Islamic leaders. To conclude, the 2012 political and leadership crisis in Senegal and the extent to which they took the country have shown the depth of the seriousness of the fragility, unpredictability, the vulnerability and un-viability of the processes of democratization and the democratic achievements and the political stability and security of the West African international political subsystem. Finally, there is a general tendency on the part of many African analysts of viewing Africa's problems in terms of the excesses of individual dictators and autocratic leaders and their wrong doings. They argue that it was these irresponsible leaders who turned several parts of the continent into killing fields in senseless wars and that only their removal from power, preferably through democratic and peaceful means on a sustainable basis, can make a difference. In other words, a change in government through democratic means is the main pre-requisite for making a fresh start and for attracting foreign investments and economic aids crucial to rescue their economies. (Tunde Obodina: 2000) In 1996 alone the international humanitarian mission to Africa cost more than 3 billion US dollars whereas only one third of this money could have been

used to comprehensively address the entire economic and developmental problems of the warring countries. While the rest of the money could do a lot of good things toward solving not only the sub-regions but also the continent's entire economic and developmental problems

These analysts focus their minds only on how the continent's inept leaders can be removed from power without critically examining this concept of change in leadership in Africa through democratic means. The fact of the matter is that there have been changes of leadership, democratic or otherwise, in various West African countries and beyond but the governance crisis either remain intact or become worse. In the West Africa Sub-region Nigeria alone has changed the country's leadership for about 12 to 13 times since independence but to no avail. There have been changes of leadership elsewhere in West Africa such as Mauritania, Senegal, Mali and Guinea Bissau, just to name a few. Despite such changes of leadership in these countries and elsewhere in our sub-region, governments remained corrupt and ineffective as the pace of economic development become slower than ever before. Thus the notion saying that removing the set of crooked leaders in West Africa is the way forward to solving the sub-region's chronic governance crisis is not precisely correct. In fact, as explained above, removal of inept leaders in many countries only succeeded in shifting power to another set of more corrupt, inept and ineffective leaders. Let's take Guinea Bissau, as an example:

Guinea Bissau

This small actor in the West African International Political Subsystem has so far been the most unstable and under developed territory of the countries of Africa South of the Sahara. It appears that Guinea Bissau is not only a failed state but worse than that because it looks as if the foundations of statehood have never been fully established in the country.

According to article 1 of the 1933 Montevideo convention on the Rights and duties of states, a territory can only become a state or qualified to be a state when it fulfills the following criteria:

- Definite territory
- Permanent populations
- Stable and effective government
- Legal independence or capacity to enter into legal relations and obligations with other states and non state actors as well.

Thus, stable and effective government is what the people of Guinea Bissau have not enjoyed since the advent of independence in the early 1970's. The West African sub-system has also woefully failed to stabilize the situation in Guinea Bissau and therefore become unable to help its people establish and maintain the foundations of statehood, the pillars and principals of sustainable democracy and development. This country is probably the only West African territory which had militarily engaged its colonial masters in a prolonged war of independence that lasted for 13 years before its people unilaterally proclaimed their independence in 1973. Since that historic moment, the former Portuguese colony has been going through successive waves of internal conflicts, violence and insecurity. Guinea Bissau has experienced a period of autocratic and dictatorial rule, four military coups, a civil war, the gruesome murder of its independence leader Amilcar Cabral early in 1973 and four military chiefs of staff and a series of interventions by the West African sub-system. This is a country where no democratically elected leader has ever completed his term in office. After the independence leader Amilcar Cabral was assassinated in 1973, he was succeeded by Luis Cabral who was also overthrown in a military takeover in 1980 led by Joao Bernardo Vieira, the country's longest ruling president. Vieira was also overthrown by the military in the aftermath of another bitter civil war from 1998 – 1999. Vieira bounced back in 2005 when he contested and won the presidential election as an independent candidate. However, he was assassinated

in March 2009, and replaced by Malam Bacai Sanjarré after winning a presidential election that year. Unfortunately, this president died of a long illness two years after his election. Besides its dark historical past and political instability, Guinea-Bissau is rendered more fragile by a weak economy. It is listed among

the poorest countries in the world, with. More than 70 percent of the population living on less than \$2 (two American dollars) a day. It also has some geographical challenges with over 80 islands in addition to the mainland making it an easy prey for drug cartels which have transformed the dysfunctional nation into a narcotic-state. (A. Sanyang: 2012)

The Ecowas's efforts to ensure stability and democracy in Guinea Bissau was dealt a final blow in April 12, 2012 when the military staged one of Africa's most senseless coups in modern times.

Following the death of the country's President Malang Bicia Sanyang, a democratic election was held in March 18, 2012 in which the former Prime Minister Carlos Gomez Junior took a slight lead but fell short of the needed majority. Thus, as he and the people of Guinea Bissau, West Africa and the rest of the world were waiting for the second round or the run of election slated for April 2012, the military irresponsibly, irrationally and in total disregard of the authority of the African Union, the ECOWAS and most importantly that of the United Nations, interrupted the democratization process which was expected to confirm the country's commitment to not only stability and political security but also to asserting its democratic credentials with the above mentioned coup. (A. Sanyang: 2012)

The April 12 military coup was immediately and strongly condemned by large sections of the international community including the United Nations through its Secretary- General, the Security Council, and its Peace building Commission (which has Guinea- Bissau on its agenda, alongside with Burundi, the Central African Republic, Guinea, Liberia, and Sierra Leone). The United States, the European Union, the community of Portuguese speaking countries, Canada and the continental powerhouse, South Africa also condemned the coup, while the World Bank and the African development Bank suspended millions of development programs in the country, to increase pressure on the military leaders. (A. Sanyang: 2012) Up to this time (April, 2013) the West African grouping (ECOWAS) has not been able to put Guinea Bissau back on track. Although the concept of change in leadership particularly through democratic and peaceful means, cannot and should not be totally rejected or discredited, it is high time for researchers and analysts in governance affairs in West Africa to start looking for and focusing on other alternatives.

This paper has identified three principles and it is therefore calling for their utilization as strategies of conflict prevention. The paper further calls for the incorporation of those principles into and by the sub-region's-existing leadership, governance and management structures, mechanisms and strategic institutions both at the individual member states level and at the central or ECOWAS's level. The proposed strategies are:

- **Effective Governance**
- **Legitimate Governance as envisaged by both the African Charter on Democracy, Elections and Governance and the ECOWAS Protocol on Democracy and Good Governance**
- **Protection of Minority Rights**

Finally, the paper underlines the urgent need for all stakeholders and actors within the ECOWAS sub-region to recognise and take into account three fundamental realities of modern day of West African politics if they are serious about achieving lasting comprehensive peace and sustainable development for the peoples of the entire sub-region. These realities are:

1. That whether by incident or by designed or by an act of God, the West African sub-region is inhabited by people of multi-cultural, multi religious, multi-racial backgrounds and people of different ethnicities, political ideologies and even colonial legacies which have become deeply entrenched in their way of life.

The current geo-political, ecological and demographic realities of West Africa are a hard fact that its people have to live with

2. That the proposed strategies can only work if and only if the people of sub-Saharan African in general and their leaders in particular would have changed or at least are prepared to change their attitude to life generally and the way they relate to each other and do things together as a people living within the same geographical unit. In other words, without any meaningful and positive change of attitude by the majority of

the people no amount of principles, strategies or values, no matter how effective, will work or do anything meaningful to solve the current crisis in our sub-region.

3. That in order to have a level playing field all actors and stakeholders in West Africa and even in Africa as a whole in general must ensure responsible and accountable leadership at any level and at any time.

II. THE THREE STRATEGIES OF CONFLICT PREVENTION

This section deals with the three principles that the paper has identified as strategies of conflict prevention, namely: Effective Governance, Legitimate Governance as envisaged by both the African Charter, Elections and Governance and the ECOWAS Protocol on Democracy and Good Governance and thirdly protection of minority rights

II.1 Effective Governance

Governance is the process of decision making which includes how such decisions are implemented, how power is exercised and how citizens have their share. The need and urgency to promote better Government services becomes a major factor leading to the development of the concept of effective governance, sometimes referred to by contemporary researched as good governance or human governance or participatory governance.

Effective governance has become one of the most important strategies, processes, methods and mechanisms of not only conflict prevention but also of conflict resolution. To establish this, it is imperative that I do two things at this juncture.

First: to provide a brief account of the various broad definitions of governance.

Second: to highlight the basic principles, values and essential ingredients of effective governance

Broad Definitions: A couple of international intergovernmental and nongovernmental organizational as well as multilateral agencies that promote and advocate for positive change, human development and progress by connecting countries to knowledge experience and recourses to help them build a better life for their people. Thus, according to the United Nations Development Programmes (UNDP), governance refers “to the exercise of political, economic and administrative authority to manage a nation's affairs. It is the complex mechanisms, processes and institutions through which citizens and groups articulate their interests, exercise their legal rights and obligations, and mediate their differences”.(Sh. Ismail Al – Qudsy & A. Abdrahman: 2011), also A.A. Senghore PhD: 2010)

For the Asian Development Bank (ADB) which is coming from another perspective looking at governance through its contribution toward the economic sector:

“Governance is the manner in which power is exercised in the management of a country’s social and economic resources for development. Governance means the way those with power use that power” (Asian Development Bank, 2007 - quoted in Sh. Ismail Al – Qudsy & A. Abdrahman: 2011).

For, John Graham, Bruce Amos and Tim Plumptre governance is defined as:

“The art of steering societies and organizations. Governance is the interactions among structures, processes and traditions that determine how power and responsibilities are exercised, how decisions are taken, and how citizens or other stakeholders have their say. Fundamentally, it is about power, relationships and accountability: who has influence, who decides, and how decision-makers are held accountable. The concept may usefully be applied in different contexts – global, national, an institutional and community”. quoted in Sh. Ismail Al – Qudsy & A. Abdrahman: 2011).

The Organization of Economic Co-operation and Development in Europe (OECD) describes the concept of governance as “the use of political authority and exercise of control in a society in relation to the management of its resources for social and economic development. This broad definition encompasses the role of public authorities in establishing the environment in which economic operators function and in determining the distribution of benefits as well as the nature of the relationship between the ruler and the ruled” (The Organization of Economic Co-operation and Development, 2008 quoted in Sh. Ismail Al – Qudsy & A. Abdrahman: 2011).

Several other definitions on governance from various international organizations are presented here to give more understanding, as follows:

For World Bank, Governance refers to “the manner in which power is exercised in the management of a country’s economic and social resources.” This definition by World Bank has identified three distinct aspects of governance: (a) that it is the form of a political regime; (b) that it is the process by which authority is exercised in the management of a country’s economic and social resources for development; and (d) that it denotes the capacity of governments to design, formulate and implement policies and discharge functions (quoted in Sh. Ismail Al – Qudsy & A. Abdrahman: 2011) also (A.A. Senghore PhD 2010)

The Canadian Institute of Governance in Ottawa says: “governance comprises the institutions, processes and conventions in a society, which determine how power is exercised, how important decisions affecting society are made and how various interests are accorded a place in such decisions” (quoted in Sh. Ismail Al – Qudsy & A. Abdrahman: 2011).

The International institute of administrative Sciences, describes governance as “the process whereby elements in society wield power and authority, and influence and enact policies and decisions concerning public life, and economic and social development. Governance is a broader notion than government. Governance involves interaction between these formal institutions and those of civil society (quoted in Sh. Ismail Al – Qudsy & A. Abdrahman: 2011) also (A. A. Senghore PhD: 2010).

Finally, the Tokyo Institute of Technology refers to the concept of governance as “the complex set of values, norms, processes and institutions by which society manages its development and resolves conflict, formally and informally. It involves the state, but also the civil society (economic and social actors, community-based institutions and unstructured groups, the media, etc) at the local, national, regional and global levels” (quoted in Sh. Ismail Al – Qudsy & A. Abdrahman: 2011)

As for the African perspective of governance, article 32 of the African Charter on Democracy, Elections and Governance has outlined 8 principles through the operation of which the state in Africa will achieve good political governance. The principles are:

- “Accountable, efficient and effective public administration.
- Strengthening the functioning and effectiveness of parliaments
- An independent judiciary
- Relevant reforms of public institutions including the security sector
- Harmonious relationship in society including civil – military relations
- Consolidating sustainable multi-party political systems.
- Organising regular, free and fair elections
- Entrenching and respecting the principle of the rule of law.”
- on the other hand article 33 of the Charter highlights the principles of good economic and corporate governance as being the following:

- “Effective public sector management
- Promoting transparency in public finance management
- Preventing and combating corruption and related offences
- Efficient management of public debts
- Prudent and sustainable utilisation of public resources
- Equitable allocation of nation’s wealth and natural resources
- Poverty alleviation
- Enabling legislative and regulatory framework for private sector development
- Providing a conducive environment for foreign capital inflows.
- Developing tax policies that encourage investment
- Elaborating and implementing economic development strategies including private public sector partnerships

- An efficient and effective tax system premised upon transparency and accountability”

The African approach to the definition of good governance is more elaborate than the definitions of the World Bank, EU and the government of Netherlands highlighted above. The African definition also obviously recognises the clear distinction between the systemic and the managerial aspects of governance and further that in order to ensure governance the two aspects must be adequately addressed. The elaborate provisions of the African Charter on Democracy, Elections and Governance, it seems to me, have revealed that a huge gap exists between theory and practice when it comes to good governance in many African countries.

The above definitions of governance have clearly indicated that governance multiple meanings but most of those meanings centre around “what might be called a ‘post-political’ search for effective regulation and accountability.” (Sh. Ismail Al – Qudsy & A. Abdrahman: 2011)

Likewise, the various description highlighted above are clearly pointing to the fact that non-transparent, unaccountable restricted and dictatorial governance could be detrimental not only to the internal security and peace of the country but also to national development and the welfare of its people.

What is Effective Governance?

In view of the above description / explanation of the concept and process of governance I shall now briefly highlight the principles, values, institutions and essential ingredients that constitute effective governance. In other for any process of governance to be describe as effective or human or participatory the following principles, values and institutions must be incorporated in the structure and the process of governance of a country or any other entity:

Rule of law, transparency, accountability, popular participation, responsiveness, effectiveness and efficiency, equality, consensus orientation and strategic vision for all the policies and development programme of the governance system of a country, organization or any other establishment or entity

Another attribute to accomplish effective governance is the universal protection of human rights, non-discriminatory laws, efficient, impartial and rapid judicial processes and devolution of resources and decision making authority to local government levels from the center. (Sh. Ismail Al – Qudsy & A. Abdrahman: 2011)

Some other scholars have proposed four characteristics of effective governance – management of government affairs within the rule of law, clean, efficient and trustworthy. Similarly, the United Nations System-wide Special Initiative on Africa (UNSI) 2009) has added other criteria for effective governance, which include: “legitimacy, freedom of association and participation, freedom of the media, fair and established legal frameworks that are enforced impartially, bureaucratic accountability and transparency, freely available information, effective and efficient public sector management and cooperation between governments and civil society organisations.” For some others, effective governance is described as “the effective management of a country’s resources in a manner that is open, transparent, accountable, equitable and responsive to the people’s need; the rule of law; transparency, accountability and effectiveness of public sector management; and an active civil society.” (Sh. Ismail Al – Qudsy & A. Abdrahman: 2011)

The above-mentioned criteria of effective governance, show that there is a major focus by all the different perspectives cited above, on the need for “effective and efficient management of the public sector; cooperation between government, private sector and civil society; and bureaucratic accountability and transparency. In contrast, “poor” or “ineffective governance” can be operated by one country where there is a personalisation of power, lack of human rights, corrupt practices and unaccountable government in practice” (Sh. Ismail Al – Qudsy & A. Abdrahman: 2011)

The Concept of Effective Governance in Islam

The concept of effective governance in Islam in embodied in the Islamic governing principle of al-siasah al-shar’iyyah. (shar’iyyah oriented policies) The word siasah, which is derived from the Arabic root of ‘sasa’,

meaning politics or to arrange, to manage and to rule. The basic purpose of *siasah* or politics in Islam is to arrange, manage and use political wisdom to achieve certain objectives in accordance with the principles and basic tenets of *shar'iyah*. The following paragraphs quoted from Sh. Ismail Al – Qudsy & A. Abdrahman: (2011), have given a perfect explanation of the Islamic political / governing concept of *al-siasah al-shar'iyah* and how it is related and can lead to the realization of effective governance in an Islamic system

“Conceptually, according to Ibnu Qayyim al-Jawziyah (1961), *al-siasah al-shar'iyah* is an act of providing human benefit and protecting them from any destruction, even if the action is not specifically mentioned by Prophet Muhammad (p.b.u.h) and revealed by Allah the Almighty. While Ahmad Fathi Bahansi (1965) states that *al-siasah al-shar'iyah* is the management of Muslim benefits in accordance with the Islamic law (*shariah*). According to 'Abdul Wahab Khallaf (1984) it means to administer general matters for an Islamic state including to promote benefits and protect pupils from any harm in line with Islamic law.

In a more general definition, al-Maqrizi defines it as to carry out good purposes. He also divided *al-siasah* into two categories, namely, “fair or good governance” that must also follow the rule of *syariah* known as *al-siasah al-shar'iyah* and the second category, which is the opposite to *alsiasah al-shar'iyah* known as “bad or unfair governance”, or *al-siasah al-zalimah* (Al- Maqrizi).

However, according to Fathi Uthman (1979), *al-siasah al-syar'iyah* is a term that refers to the practice of administration and constitutional law, the authority of government, including the *caliph* (ruler), *ahlul-halli wa al-Aqdi* (consultative member), right of the individual, public interest (*maslahah ammah*) and others. In this respect, all of these are closely related definitions and indicate that one of the main focuses of *al-siasah al-shar'iyah* is managing government institutions and state resources for the interests and benefit of the public, in line with the rules of *shariah*.

In understanding Islamic administration or management as a sub-concept and practice to *alsiyasah*, Al Buraey (1985) states that the Holy Quran used the term *yudabbiru* in several places. The general meaning is to order, lead, operate, manage, plan, steer, arrange both for economic planning and performing business. According to him, Islamic administration essentially operates through the understanding of the government and the people or what modern political science terms democracy.” (quoted in Sh. Ismail Al – Qudsy & A. Abdrahman: 2011)

Therefore, in order to realize effective governance in Islam the following standard must be met:

First: The system must ensure basic cooperation between the ruler, the administrator and the citizen in governing the country well. In fact, the major objective of *al-siasah al-shar'iyah* is to attain *al-falah* or lasting happiness or felicity and also to avoid destruction or evil (*al-fasad*) as emphasized by the Holy Quran when Allah says:

“And let there be such a group among you, that they may call towards goodness and command what is just and forbid evil. And the very same attained to their goals”. (Ali-Imran (3):104).

Second: the governance structure, processes and institutions must be guided and based on the following values (Akhlaq):

- *Al-Iman* or faith or believe in and hold sovereignty to Allah and His Messenger
- *Al-Amanah* or trust and accountability
- *Demonstration of and adherence to all* good moral and ethical values value
- *Al-Shura* or mutual consultation
- *Al-Hisbah* or prevention and forbidding wrongdoing on one hand and commanding good on the other
- Honesty and integrity in all dealings
- Fair, reliable and honest administration of justice
- Loyalty
- The principle of personal responsibility
- Mutual cooperation

Finally, bad or unfair governance in Islam is not judged based on public complaint or non compliance with the specified indicators *per se* but also when it is not in compliance with the standard of *Shariah* and principles of *al-siyasah al-shar'iyah*. Bad governance is, therefore, considered as sinful.

II.2 Legitimate Governance under the African Charter on Democracy, Elections and Governance and the ECOWAS Protocol on Democracy and Governance

This section deals with legitimate governance as a strategy of conflict prevention as envisaged by two of the most important and most revolutionizing international legal instruments of the African systems. The two instruments have come to address and provide solutions to some of the most difficult and complex issues of governance in modern day Africa. The wide range of governance issues, development and peace strategies addressed by these two instruments are quite comprehensive and relevant enough to pull the continent as a whole and the West Africa sub-region in particular out of the multifaceted problems of management and governance that the African people have been engulfed in for a very long time. The only difference between the two instruments is that the Charter is a continental or an African Union instrument whereas the Protocol is a sub-regional or an ECOWAS instrument. Thus the two instruments are identical in almost every respect and therefore supportive and complementary to each other. Furthermore, all member countries of the Economic Community of West African States (ECOWAS) are also members of the African Union and this makes the two instruments a very powerful and solid piece of international legislation binding on all signatory states. However, given that this paper focuses more on West Africa, I will first deal with the question of legitimate governance as envisaged by the Protocol and Democratic and Good Governance.

II.2.a Legitimate Governance under the ECOWAS Protocol on Democracy and Good Governance

The ECOWAS Protocol on Democracy and Good Governance views the following principles not only as ingredients of a democratic system of government but also as effective strategies and mechanisms for conflict prevention and resolution:

1. Constitutionalism-

The Protocol has tasked the member states of The Economic Community of West African States to incorporate in their constitutions and declare as constitutional principles the following:

- Separation of powers between, the executive, the legislature and the judiciary
- Empowerment and strengthening of parliaments and guarantee of parliamentary immunity
- Independence of the judiciary and the legal profession
- Freedom of the members of the Bar must be guaranteed. However this shall not prejudice their penal or disciplinary responsibility in the event of contempt of court or breach of the law or of code of professional conduct
- Organizing periodic elections which must be free, fair and transparent
- Total rejection of any unconstitutional means of change of government or transport of power and authority
- Popular participation in decision making, strict adherence to decentralization of power and all other principles of democratic governance at all levels of governance
- The armed forces must be apolitical and be under the command of legally constituted political authority
- Secularism and neutrality of the state in all matters relating to religion
- That people are effectively protected from all forms of discrimination
- Political parties shall be formed and given the right to carry out their activities freely within the limits of the law
- That the formation of political parties shall not be based on ethnic, religious, racial, regional and similar divisive considerations

- The freedom of the opposition and the people's free participation in the political process must be guaranteed.
- Member states are urged by the Protocol to adopt a consistent and fair system of financing political parties in accordance with criteria to be defined by the law.
- To guarantee freedom of association, expression and press freedom as well the individual's rights to freely assemble and organize peaceful demonstrations
- Former heads of state shall enjoy special status including freedom of movement. They should also enjoy special benefits compatible to their status as former heads of state

2. Reasonable and fair electoral laws

According to article 2 of the Protocol on Democracy and Good Governance the electoral laws of member states must take into account the following strategies:

- No substantial modification or amendment shall be made to the electoral laws in the last six (6) months before the elections, except with the consent of the majority of political parties particularly, the opposition
- That the dates and periods of the election must be fixed by the constitution or the electoral laws:
- That women should have equal rights with men to vote and be voted for in elections and decision making
- That election management Bodies must be independent or neutral and have the confidence of all political parties
- That each member state must establish a reliable central registration of births and deaths
- That the voter's list is prepared in a transparent and reliable manner with the collaboration of political parties including the opposition.
- That preparation and conduct of elections and announcement of results are done in a transparent and reliable manner
- Adequate arrangements must be made to hear and resolve all petitions and complains relating to the conduct of elections, counting of votes and announcement of results.
- There is need to engage the services of civil society organizations that are involve in the electoral process to educate and enlighten the people on the need for peaceful elections and avoid all forms of violence and conflict
- Candidates who loses the elections must honorably concede defeat to the wining candidates / party
- All holders of public office or power must at all levels refrain from all acts of intimidation, or harassment against defeated candidates or their supporters.

3. Election Observation and Monitoring

The Protocol on Democracy and Good Governance encourages member states to approach the sub-regional body and seek for its assistance in the conduct of national elections of any kind i.e. whether Presidential, Parliamentary, Local Governance, first and second or final round elections. The assistance that a member state may seek from the ECOWAS may take any form particularly in the form of observation and monitoring of elections. In this case the sub-regional system may dispatch an observation or a monitoring team to the country concerned for the purpose of proper observation or monitoring the elections to ensure the proper conduct of such elections.

Election observation or monitoring could serve as an effective strategy for the prevention of post election conflicts. In most cases, observation or monitoring missions which are always requested or invited by the country concerned are acceptable to all stake holders including most specifically opposition political parties. Therefore, if the observation or monitoring exercise is conducted according to the internationally accepted standards, the verdict or views of observers / monitors on the outcome of the election will be accepted by all or the majority of political parties .

Sections II – 18 of the Protocol have provided provisions on how ECOWAS should assist the country concerned in the form of providing observation / monitoring missions and also how election observation missions should conduct the observation exercise.

4. Keeping neutral and non partisan Armed Forces, the Police and Security Forces.

Articles 19 – 24 of the Protocol deal with the role of the Armed Forces, the police and other security apparatus of the State. According to the Protocol, the Army, the Police and Security agents of the State must remain neutral, non-partisan and loyal to the nation as a whole.

- The role of the Armed must be to defend the independence and the territorial integrity of the state and its democratic institutions
- As for the police and other security agencies, their role and responsibility shall be the maintenance of law and order and protection of persons and their properties
- The police and other security apparatus of the state must be under the authority of a legally constituted civilian authority.
- The rights and freedoms of members of the armed forces, the police and other security agencies as part of the citizenry must be protected as provided for by the constitution and the international human rights conventions.
- No member state is allowed to use arms to disperse non-violent meetings / assemblies and demonstrations.
- However, when a demonstration becomes violent, the state can only use minimal or proportional force
- Torture and all other forms of cruel or inhuman treatment must be forbidden
- While carrying investigations the security forces shall not disturb or arrest innocent family members and relatives
- During their training, the armed forces, the police and other security agents must receive instructions on the constitution, their obligation to respect its authority and supremacy, to respect all ECOWAS Principles and regulations, international human rights and humanitarian provisions and principles and to respect all the principles of democratic governance.

5. Poverty Alleviation and Promotion of Social Dialogue

Member states of the Economic Community of West African States signatory to the sub-regional protocol on Democracy and Good Governance have recognized the fact that poverty alleviation and social dialogue are essential ingredients and fundamental requirements for the prevalence of peace and security in any country.

Thus the member states have undertaken as per the provisions of articles 25 – 28 of the Protocol to develop and implement relevant policies and measures specifically designed to substantially reduce poverty and promote social dialogue such measures shall include the following:

- Provision of basic human needs for the population
- Creating an environment conducive to private investment and the development of a dynamic and competitive private sector.
- Job creation and development of the social sector as a priority
- Ensuring equitable distribution of resources and income in order to consolidate national unity and solidarity.
- Creation or organization and strengthening employers' associations and trade unions in each member state and at the level of ECOWAS as well
- As a way of promoting social dialogue in each member country, employers' associations and workers unions shall be holding regular meetings among themselves and with the political and administrative authorities with a view to preventing social conflict

6. Promotion of Education, Cultural Exchanges and Religious Dialogue or Consultation

The provisions of articles 29 – 31 of the Protocol have tasked the secretariat of the sub-regional organization to adopt and implement appropriate measures or policies aimed at promoting the following:

- Education particularly women education at all levels and in all fields of training.
- Regular exchanges of students and academics between member states
- The respect and development of the culture of every group of people in each member state
- The promotion, through periodic meetings, of consultations and dialogues among various religious groups of member states

This particular strategy is very important because education, culture and religion are essential factors for peace, stability and development in our sub-region and beyond. Many of the conflicts of the modern time are either religiously or culturally motivated or have very strong religious or cultural dimensions. So if ECOWAS can mobilize its members and engage its governance institutions to promote education, cultural exchanges and religious dialogue the sub-regional organization will be recording huge successes in its continuous struggle to prevent conflict and social strife in West Africa.

7. Respect for Rule of Law, Human Rights and Ensuring Good Governance

The Protocol on Democracy and Good Governance as per the Provisions of its articles 32 – 39 has recognized the fact that Prevalence of the rule of law, respect for and promotion of human rights, ensuring good governance and guaranteeing press freedom are essential for preserving social justice, for preventing conflict, for guaranteeing political stability, internal security, comprehensive and long lasting peace, strengthening democracy and for good and smooth management of the state apparatus in general.

To ensure rule of law, it is necessary to do the following:

- Promulgation and enactment or legislating good or reasonable, just and fair laws.
- Such laws must be in conformity with the provisions of the constitutions, the international human rights instruments, the country's international obligations including those that are in the ECOWAS Protocol and the remaining sub – regional instruments the African Charter on Human and Peoples Rights, the African Charter on Democracy, Elections and Governance, Constitutive Act of the African Union and similar AU and other International Instruments
- Running a good and reliable judicial system
- Maintaining a good and effective system of administration and good management of state apparatus, smooth running of the state, its administrative and judicial services,
- To ensure human rights and good governance the following measures must be taken
- Member states must ensure accountability, professionalism, transparency and expertise in the public and private sectors
- Member states shall establish or encourage the establishment of independent national institutions to promote and protect human rights
- The Protocol has undertaken to adopt and implement measures aimed at strengthening the capacities of national institutions
- Member states must institutionalize national mediation systems in order to encourage swift or quick settlement of disputes, particularly those that are potentially dangerous
- Each member state must work towards ensuring pluralism of the information sector and the development of the media
- Each member state is urged to be giving financial assistance to privately owned media organizations through an independent national body or through a body or through a body freely established by the journalists themselves.
- Member states must take appropriate measures to fight corruption and manage their national resources in a transparent manner and distribute them equitably

- That the ECOWAS's Community Court of Justice, should be reviewed so as to give it the necessary powers to hear inter-alia, cases relating to violations of human rights, after all attempts to resolve such violations at the national level have failed.

8. Promotion of the Development and Progress of Women, the Education of Children and Youth Development

The Protocol on Democracy and Good Governance has, under the provisions of articles 40 – 43, drawn the attention of all stakeholders working to ensure sustainable peace, security and development in West Africa, that the development and promotion of the Welfare of women, the provision of basic education and training to the children and youths development are essential factors for sustainable development, progress and peace in every human society.

Thus, to adopt effective measures to ensure peace and security and to prevent conflict, each member state must undertake to:

- Eliminate all forms of discrimination, harmful and degrading practices against women
- Guarantee children's rights and give them full access to basic education
- To protect children against trafficking, child prostitution and child labour
- Put in place at the level of each member state and at the level of the ECOWAS Secretariat all necessary structures to ensure the effective implementation of common policies and programmes relating to the education and the promotion of the welfare of women and youth in the whole of the sub-region

To conclude the Protocol on Democracy and good Governance has provided us with strategies and mechanisms that are more than enough for the West African sub-system to substantially do away with its chronic crisis particularly the governance and leadership conflicts. If member states are to apply the provisions of the Protocol highlighted above to the letter, West will very soon emerge out of the current problems of mal administration, bad governance, insecurity, instability, wide spread corruption and poverty in which Sub – Saharan Africa is entirely engulfed.

It is therefore, strategically important for ECOWAS to consolidate its powers, policies and laws, its governance institutions and instruments as a supranational authority so as to bring all member states closer together under its umbrella and ensure that the various strategies and mechanisms of peace and development as well as those of conflict prevention and resolution are adhered to and fully implemented. If this is achieved by the West African Sub-system then it will record an unprecedented achievement and successes in the history of international inter-governmental organizations of the modern time.

II.2.b Legitimate Governance as Envisaged by The African Charter on Democracy, Elections and Governance (ACDEG)

The democratization and security measures provided by the West African Protocol on Democracy and Good Governance can be supported by the relevant provisions of the African Charter on Democracy, Elections and Governance of May 2007, which have provided similar or even more elaborate, more extensive and more comprehensive measures on democratization, responsible leadership and good governance. Thus, art 17 of the Charter deals with the establishment and strengthening of independent electoral bodies'. Art. 18 of the Charter on the other hand provide for Special Advisory missions to strengthen the electoral process and pre-election assessment missions. Likewise, arts 19 and 20 deal with election and pre-election observation missions. According to the Charter this is a key requirement for ensuring legitimacy of modern elections given that the conditions under which the legitimacy of elections are determined do not relate simply to the immediate period around election day, rather they are often set in advance of this period and continue through the dispute resolution subsequent to elections.

Art. 22 of the Charter calls for the creation of a conducive environment to allow independent and impartial domestic NGO / CSO's monitoring exercise, art. 23 deals with illegal means of accessing power. Thus, the article specially states that "illegal means of accessing or maintaining power constitutes an unconstitutional charge of government'.

Similarly art. 23 defines illegal means as: military coups,

- Intervention by mercenaries to replace a democratically elected government
- The replacement of a democratically elected government by armed rebels and dissidents
- The refusal of an incumbent government to surrender power after losing a free, fair and regular election.
- This was what exactly happened in Ivory Coast in 2011 when former President Bagbou refused to surrender power to Alassan Wattera who was declared the winner of a free and fair election supervised by the international community.
- Any change or revisions of the constitution or any legal instruments particularly the electoral laws in a manner which is arbitrary or which infringers on the principles of democratic change of government.

Lastly, art. 25 has mandated the AU's Peace and Security Council the authority to determine whether there has been an unconstitutional change of government in a given country (E.R. Mc Mahon: 2007)

Finally, article 32 of the African Charter on Democracy, Elections and Governance has outlined 8 principles through the operation of which the state in Africa will achieve good political governance. The principles are:

- "Accountable, efficient and effective public administration.
- Strengthening the functioning and effectiveness of parliaments
- An independent judiciary
- Relevant reforms of public institutions including the security sector
- Harmonious relationship in society including civil – military relations
- Consolidating sustainable multi-party political systems.
- Organising regular, free and fair elections
- Entrenching and respecting the principle of the rule of law."
- on the other hand article 33 of the Charter highlights the principles of good economic and corporate governance as being the following:

- "Effective public sector management
- Promoting transparency in public finance management
- Preventing and combating corruption and related offences
- Efficient management of public debts
- Prudent and sustainable utilisation of public resources
- Equitable allocation of nation's wealth and natural resources
- Poverty alleviation
- Enabling legislative and regulatory framework for private sector development
- Providing a conducive environment for foreign capital inflows.
- Developing tax policies that encourage investment
- Elaborating and implementing economic development strategies including private public sector partnerships
- An efficient and effective tax system premised upon transparency and accountability"

To conclude, the two African instruments keep focus and attention on democratization, responsible leadership and good and effective governance for all generations of the African people. They both contain many good clauses that encourage their respective member states to take wide range of measures to promote democracy and responsible governance. The two instruments are quite important because each has been drafted to response to African contexts and realities and it so happen that West Africa enjoys full membership in both instruments albeit in two deferent capacities i.e. regional and sub-regional levels. For this to happen effectively, particularly here in West Africa there is need for ECOWAS's mechanisms, its implementation and enforcement institutions to be strengthened and enhanced. The best and the most realistic way of ensuring this is for the member states particularly, the leading actors, to increase, regularize and strengthen their commitment, material, financial, moral and political support to the sub-regional

government and also for the latter to consolidate its authority and supremacy over all individual governments of each and every member state. Thus the sub regional government and central authority must be better empowered and more equipped financially, materially, politically, institutionally and morally.

II.3 Protection of Minority Rights as a Strategy of Conflict Prevention

Protection of Minorities and minority rights is a very important strategy of conflict prevention in all forms of human organizations particularly within the nation state setting of Africa's modern day politic, usually when minority rights are violated in any country that becomes a clear sign of an imminent conflict.

Although in all the conflict prevention and conflict resolution literature, there is nothing like "one-size-fits all model" or one strategy for conflict prevention and peace keeping, but the vast majority of the literature seems to have a consensus on the effectiveness, reliability and viability of protection of minority rights as a strategy of peace keeping and conflict prevention. There is also a general coconscious in the existing conflict prevention literature that disregard for minority rights lies at the hearts of many conflicts of the modern time.

The Minority Rights Groups International in its 2007 report, cited the conflicts in Sudan's Darfur region, Chechnya, Kashmir, Kosovo and Sirilanka as some of the words most bitter, prolonged and devastating conflicts which were all fueled and fought over ethnic, linguistic and religious or cultural issues of minority groups. (MRC Report: 20 July, 2007)

The key areas where concrete action is necessary for the protection of minorities of any category or type or class and for conflicts to be prevented include the following:

- Issues of identity
- participation – whether it is in political, economic socio-cultural and religious spheres of national development or nation building
- land rights and land ownership and allocation
- justice in general and access to justice in particular
- equality i.e. equality before the land and equal protection of the law
- non-discrimination and protection from torture, degrading or in human treatment or punishment

III. The need for Responsible Leadership

Leadership in the political and governance sense of the term is "the capacity in a person or in a group of persons to inspire confidence and thereby regard for himself or themselves to guide and govern the followers. "(A.K. Chaturvedi: 2006)

Thus, a leader is one who shows the way to his followers and carries them all together behind him.

For Dr. Maurice O. Dassah of Cape Peninsular, University of Technology of Cape Town, South Africa (2010), citing Mark & Pless (2009: 539), responsible leadership is a values-driven and principles-driven relationship between leaders and stakeholders who are connected through a shared sense of meaning and purpose through which they raise to higher levels of motivation and commitment for achieving sustainable and responsible change".

It follows from the above exposition that a responsible leader is one who lives by the values and principles of responsible leadership which include the following:

- Acting with integrity
- Caring for others, for his/her people
- Demonstrating good ethical behaviour in everything he / she does or says
- Managing the affairs of the people responsibly
- Respect for his people at all levels
- Honesty and trustworthiness
- He / she must not allow impunity at any rate or level or in any form.
- Transparency in everything concerning the management and governance of his / her people

- Providing equal opportunity for all his / her followers
- Sacrifice and altruism in the interest of his / her followers

Responsible Leadership and Governance in Islam

The concept of responsible leadership and good governance together with its component rules, principles, mechanisms and institutions was epitomized or incorporated in the median speech delivered by Abubacarr Siddique (RA) when he was elected to succeed Prophet Mohammed (SAW) as the first khalifa (leader of the Muslim community) after the death of the Prophet (SAW). Most of the conventional principles of responsible leadership and good governance and the liberal democracy principles of democratic governance were in one way or the other embodied in that historic speech by the first Khalifa of Islam.

Thus, modern concepts like government by law or constitutional rule, respect for human rights and fundamental freedoms of individuals, independence of the judiciary and the legal profession, transparency and accountability, popular participation, devolution of power and decentralization of authority, responsiveness to the basic needs of the masses and etc were directly or indirectly included in Abubacarr Siddique's madden speech which by all accounts could be described as the first major policy speech by a Khalifa in the political history of Islam. The speech reads as follows:

“I have been chosen to rule over you, though I am not the best among you. Help me if I am right; correct me if I am wrong. The weak among you will be strong until I have attained for him his due... and the strong among you will be weak until I have made him give what he owes... Obey me as long as I obey Allah and His prophet; if I do not obey them, you owe me no obedience”. (quoted in I. Sacranie: 2003)

According to Iqbal Sacranie this was a remarkable statement for any leader to make. In the case of Abubacarr, he defined a unique form of an Islamic social contract with his citizens. He set out the basis and the limits of his authority as well as the duties of his citizens.” (I. Sacranie: 2003). In his opinion the speech highlighted several important pillars or areas which are critical to good governance and responsible leadership.

The areas highlighted constitute the main framework within which the Islamic polity operates

First: In this speech the newly elected Khalifa accepted the position of a leader of Islamic world with remarkable humility as demonstrated by the following paragraph of the speech: “I have been chosen to rule over you, though I am not the best among you”.

Abu Bakar did not only define the basic principles of leadership, but also he acknowledged that he was just one of a number of companions of the Prophet, all of whom had the same worth of qualities and that being selected as their leader did not make him a better Muslim or a better person, rather, this should be considered a heavy responsibility on him.

Second: the new Khalifa defined governance as an on-going relationship between leader and people.

Leadership creates duties for the citizens as well as obligations on the leader, when he said “Help me if I am right; correct me if I am wrong”. In other words this part of the speech recognized that governance is a participatory process, a participatory relationship between governors and governed whereby the citizens actively participate in the governing process. The speech views transparency on the part of the leader, open government, free flow of information, an informed and educated public and the institution of mechanisms and processes of accountability, as prerequisites or necessarily elements of responsible leadership and good governance

Abubacarr's polity, as Iqbal has observed, “requires genuine engagement and partnership between ruler and citizen. It is a system of mutual obligations and duties that recognises rights and responsibilities. In short Abubacarr is calling for a society that incorporates the essential building blocks of democracy, yet expands beyond the forms we have become used to. It challenges us to go further to achieve distinctive ongoing forms of participation.” (I. Sacranie: 2003).

Third: this part of Abubacarr's speech, “The weak among you will be strong until I have attained for him his due... and the strong among you will be weak until I have made him give what he owes.”, shows that delivery of social justice has since been, a central concern and a major priority of Islamic governance. In

other words, a “just and cohesive society cannot be maintained in the face of glaring inequalities – whether in economic resources or access to services”. (I. Sacranie: 2003).

A good example of this is the institution of zakat, which is a tax on wealth to help the less fortunate and also the principle of justice, which requires that all should be equal under the law, regardless of their wealth or status. (I. Sacranie: 2003).

Fourth: the last part of Abubacarr’s speech recognized the concept of limited government and thus set out the basis and limit of his authority. “Obey me as long as I obey Allah and His prophet; if I do not obey them, you owe me no obedience”.

The new Khanifa affirmed in this part of the speech that his authority as head of the Islamic state derived from his implementation of the commands of a higher authority. Thus so long as he fulfils his part of the contract he deserves support and loyalty, but If he deviates or fails to deliver he can expect to be held to account by his citizens.

To conclude Abubacarr speech has clearly established the fact that there could be three major challenges of leadership for Muslim leaders from present time i.e. the challenge of leadership legitimacy, effectiveness in working to achieve national development economic, intellectual, political and cultural progress and the challenge of failure to deliver their people or communities from injustice. This last one is clearly demonstrated by the apparent inability of Muslim governments and their international inter governmental and nongovernmental organization to effectively address the seemingly endless injustices committed against Muslims in Palestine, Kashmir, Chechnya, Iraq and elsewhere across the globe. (I. Sacranie: 2003).

IV. Conclusion:

This paper has raised serious concerns about the seemingly endless and un-resolvable national and trans-national conflicts and the ensuing leadership and governance crisis of the West African sub-region.

The apparent inability of the major players and the leading actors of the contemporary international political system such as the United Nations, the African Union, the ECOWAS and the former colonial powers of the countries engulfed in the crisis, to decisively and comprehensively or substantially contain the situation is another great concern raised by the paper.

The article therefore, concluded that an appropriate, effective and an everlasting solution to the crisis must be found by all means and under all circumstances. This, the paper believes, is absolutely necessary so that the multifaceted and multi dimensional problems of leadership and governance in West Africa will go for good and be replaced by internal security, Political stability and comprehensive lasting peace accompanied by sustainable economic growth or national development and prosperity of all individuals and groups in Africa - South of the Sahara desert. The article also clearly recognizes the fact that whether by incident or by designed or by an act of God, the West African sub-region is inhabited by people of multi cultural, multi religious, multi-racial backgrounds and people of different ethnicities, political ideologies and even colonial legacies which have become deeply entrenched in their way of life.

The current geo-political, ecological and demographic realities of West Africa are a hard fact that its people have to live with

In view of the above arguments and given the urgency of the need for a solution to be found, the paper is proposing some solutions to the problem and while doing so, the article identifies three strategies that it believes, could be used as effective strategies of conflict prevention. The proposed strategies are:

- Effective Governance
- Legitimate Governance as envisaged by both the African Charter on Democracy, Elections and Governance and the ECOWAS Protocol on Democracy and Good Governance
- Protection of Minority Rights

The paper argues very strongly that if these strategies, it is proposing are incorporated in to the political processes, the governance structures and the enforcement mechanisms and institutions of the West African sub-system, particularly at the level of the individual member states, the conflicts and the ensuring crisis will definitely completely or substantially disappear forever. However, the proposed solutions and

strategies advanced by the paper are obviously premised on the assumption that the people of sub-Saharan African in general and their leaders in particular would have changed or at least are prepared to change their attitude to life generally and the way they relate to each other and do things together as a people living within the same geographical unit especially. In other words, without any meaningful and positive change of attitude by the majority of the people no amount of principles, strategies or values, no matter how effective, will work or do anything meaningful to solve the current crisis in our sub-region.

Finally, the paper calls for ECOWAS's mechanisms, its implementation and enforcement institutions to be strengthened and enhanced. The best and the most realistic way of ensuring this is for the member states particularly, the leading actors, to increase, regularize and strengthen their commitment, material, financial, moral and political support to the sub-regional government and also for the latter to consolidate its authority and supremacy over all individual governments of each and every member state. Thus the sub regional government and central authority must be better empowered and more equipped financially, materially, politically, institutionally and morally.

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