

REQUIEM FOR DEMOCRACY?

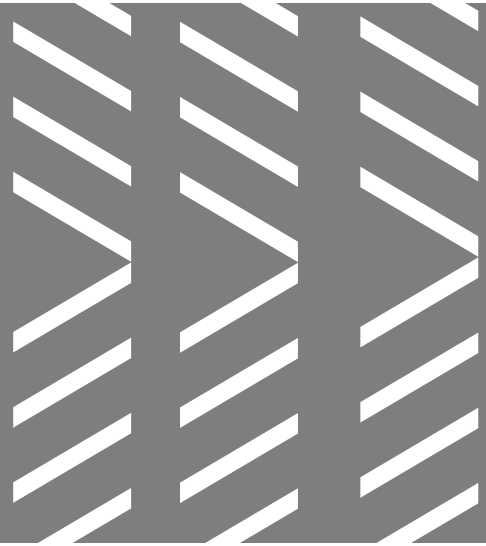
Interrogating Democracy Decline in West Africa¹

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TABLE OF CONTENT



Part 1

TRAILS OF DISTRESS

01

Part 2

ANATOMY OF THE PROBLEMS

04

Part 3

A FIGHT WORTH WINNING

06





TRIALS OF DISTRESS

On September 5, 2021, the military ended the eleven-year 'reign' of Alpha Conde in Guinea. The coup was led by Colonel Mamady Doumbouya, the head of Guinea's Special Forces. The military have since received assurances of cooperation from the major opposition party, the National Alliance for Change and Democracy (ANAD), and the Convergence for Renewal and Democracy in Guinea (COREDE) led by Mamadou Sylla.² The National Front for the Defense of the Constitution (FNDC) which was the foremost

organization contesting Conde's illegitimate tinkering of the constitution for a third term in 2020 have also announced support for the military leadership. These declarations of support have largely echoed popular sentiment amongst Guineans who had grown frustrated with the leadership of Conde and the manipulation of the electoral process to keep him in power.³

The democratic slide in Guinea did not start in 2021. The coup is a culmination of gradual but fatal erosion of democratic values and hollowed out electoral process predetermined to re-elect Conde as President. By the second half of 2019, political tension in Guinea had reached fever pitch following clear pointers that Conde was planning to amend the constitution to grant himself a third term in office. What followed was targeted harassment and detention of voices that tried to challenge the President's actions.⁴ The judiciary, firmly under the control of President Conde and the Constitutional Court, was willing to sign off on a flawed constitutional amendment document which did not accurately reflect what was approved in a March 2020 referendum. The Electoral Commission held a non-inclusive election (parliamentary and referendum⁵) in March 2020 despite a disputed

1. The author acknowledges the research support of Paul Adeyeye and generous access to internal advocacy and policy briefs on democracy in West Africa granted by the Open Society Initiative for West Africa (OSIWA)

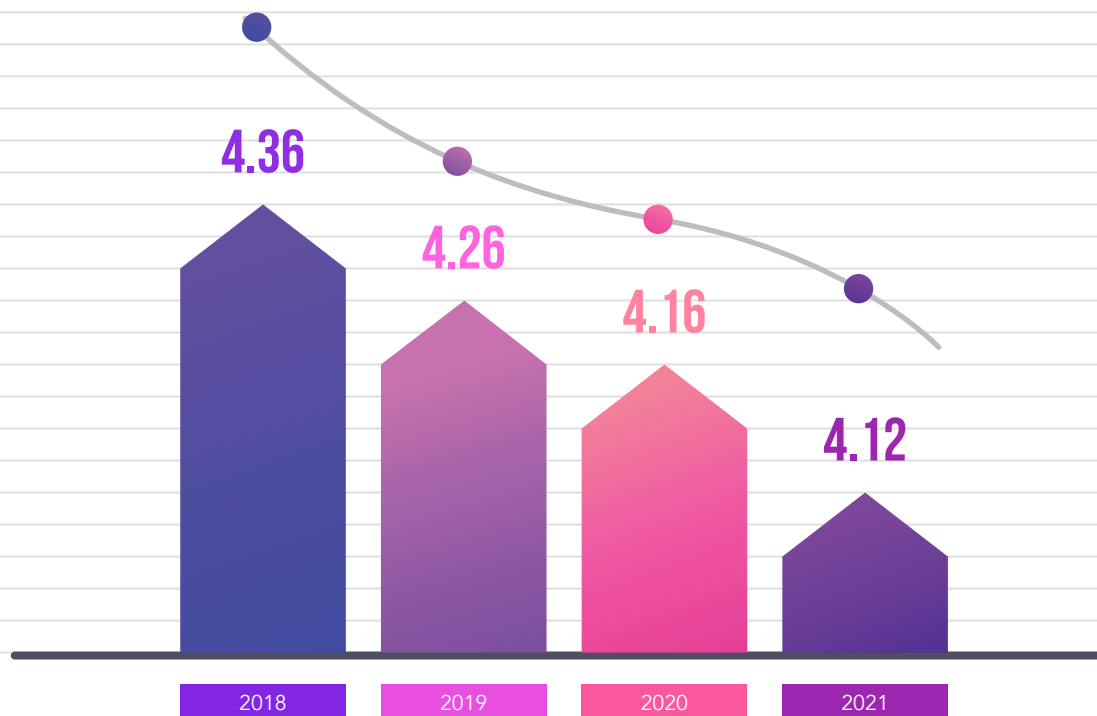
2. Associated Press Television News, "Guinea Opposition Hopeful On Government Overthrow" Updated 7th September, 2021, <https://www.republicworld.com/world-news/rest-of-the-world-news/guinea-opposition-hopeful-on-government-overthrow.html>

3. Katarina Höjje, "Uncertainty in Guinea after military coup removes Alpha Conde," September 11, 2021, <https://www.aljazeera.com/news/2021/9/11/uncertainty-in-guinea-after-military-coup-topple-alpha-conde>

4. Francois Soudan "Alpha Condé vs. the opposition: Unmasking the power struggle" <https://www.theafricareport.com/23714/alpha-conde-vs-the-opposition-unmasking-the-power-struggle/>

5. Alix Boucher, "Defusing the Political Crisis in Guinea," April 28, 2020, <https://africacenter.org/spotlight/defusing-political-crisis-guinea/>

A GRAPH SHOWING THE DEMOCRACY INDEX OF THE ECONOMIC INTELLIGENCE UNIT



voter register, which the opposition had deemed as lacking in credibility. A presidential election, held in October 2020, granted Conde his coveted third term ⁶.

Guinea is not an isolated case of coup d'état in 2021 in West Africa. On August 18, 2020 in Mali, the government of Ibrahim Boubacar Keita was forced to resign by the military with a transitional government established. Coup leader Assimi Goïta initially served as Vice President ⁷ but ten months later, he removed the President and Prime Minister and assumed full control. This is the third coup in Mali in the last decade ⁸.

Democracy in West Africa, and Africa in general, has been on a worrying decline in the last five years. The democracy index of the Economic Intelligence Unit (EIU) shows that democracy declined globally in 2019.⁹ The average score for Africa fell from 4.36 in 2018 to 4.26 in 2019, its worst score in over a decade.¹⁰ The index is based on five sets of criteria: electoral process and pluralism, civil liberties, the functioning of government, political participation, and political culture.¹¹ In 2019 Togo, Niger and Guinea were ranked as authoritarian while Mali, Sierra Leone, Gambia, Nigeria, Côte d'Ivoire, Senegal and Burkina Faso are ranked as hybrids; halfway between authoritarian rule and democracy.¹²

In 2020, Freedom House reported that the region that showed the fastest decline in political rights and civil liberties was West Africa.¹³ This is within the context of a global rise in authoritarianism and

6. BBC News, "Guinea elections: Alpha Condé wins third term amid violent protests," October 24, 2020, <https://www.bbc.com/news/world-africa-54657359>.

7. Ruth Maclean, "Mali Appoints New President After Military Coup", Published September 21, 2020, Updated October 9, 2020, <https://www.nytimes.com/2020/09/21/world/africa/mali-president-coup.html%20/>.

8. Emily Cole, "Five Things to Know About Mali's Coup", August 27, 2020, <https://www.usip.org/publications/2020/08/five-things-know-about-malis-coup>; Beverly Ochieng, "Mali's coup leader Assimi Goïta seizes power again", May 25, 2021, <https://www.bbc.com/news/world-africa-57239805>.

9. Economic Intelligence Unit, "Democracy Index 2019", 2020, <https://www.in.gr/wp-content/uploads/2020/01/Democracy-Index-2019.pdf>.

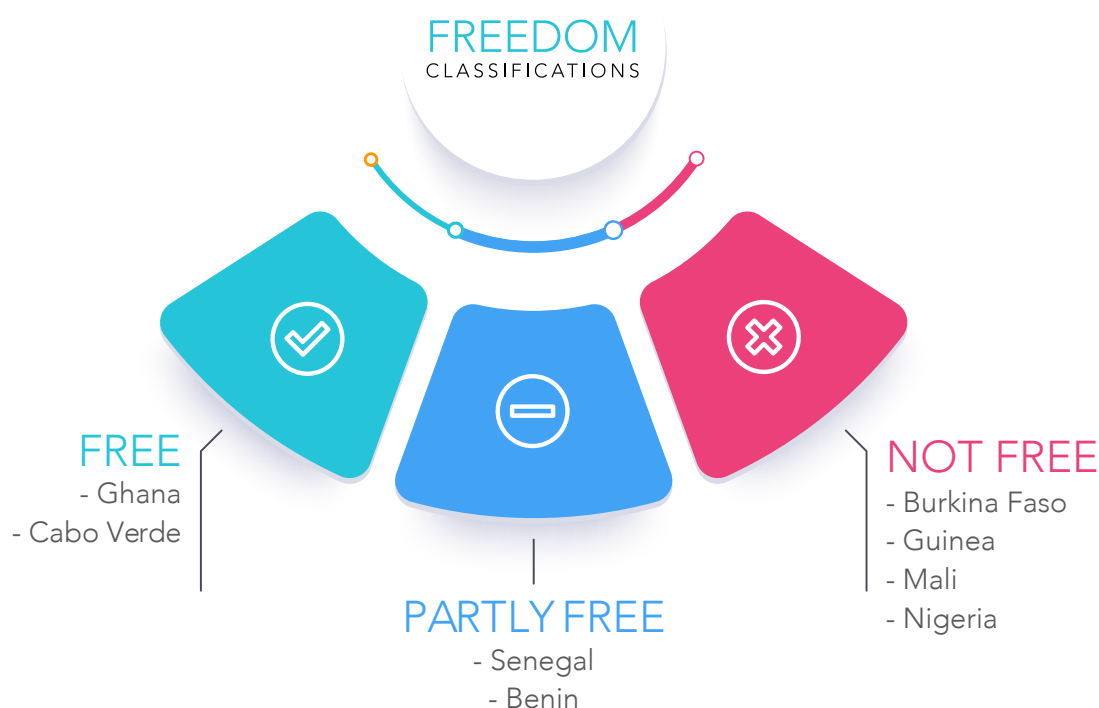
10. Ecofin Agency, "2019 ranking of democracies in Africa according to the EIU", 23 January 2020, <https://www.ecofinagency.com/public-management/2301-40885-2019-ranking-of-democracies-in-africa-according-to-the-eiu>.

11. Ibid

12. Club of Mozambique, "2019 ranking of democracies in Africa according to the EIU," January 24, 2020, <https://clubofmozambique.com/news/2019-ranking-of-democracies-in-africa-according-to-the-eiu-150820/>.

13. Jon Temin and Isabel Linzer, "West Africa's Democratic Progress is Slipping Away, Even as Region's Significance Grows", March 19, 2020, <https://freedomhouse.org/article/west-africas-democratic-progress-slipping-away-even-regions-significance-grows-0>.

AN ILLUSTRATION SHOWING THE FREEDOM CLASSIFICATIONS CURATED BY THE FREEDOM HOUSE



decline of democratic values in countries like United States. Of the 12 countries with the largest score declines around the world no fewer than five were in West Africa—Benin, Burkina Faso, Guinea, Mali, and Nigeria.¹⁴ In Freedom House’s classifications of Free, Partly Free, and Not Free countries, Senegal and Benin fell from free to partly free status, leaving Ghana and Cabo Verde as the only two countries classified as free in the region.¹⁵ For a continent that was once the bastion of democratic progress,¹⁶ the current realities are worrying. Besides the worrying information provided in this index, dangerous personalization and manipulations of procedural democracy for the benefit of incumbents have taken place in Togo, Benin and Cote d’Ivoire.¹⁷ In Senegal, similar concerns are being raised about the trajectory of Macky Sall’s administration, especially its intolerance toward alternative voices and the consolidation of state power across the three organs of government.¹⁸



BESIDES THE WORRYING INFORMATION PROVIDED IN THIS INDEX, DANGEROUS PERSONALIZATION AND MANIPULATIONS OF PROCEDURAL DEMOCRACY FOR THE BENEFIT OF INCUMBENTS HAVE TAKEN PLACE IN TOGO, BENIN AND COTE D’IVOIRE.

14. Jon Temin, “Democratic Trends in Africa in Four Charts”, April 17, 2020, <https://freedomhouse.org/article/democratic-trends-africa-four-charts>.

15. Jon Temin and Isabel Linzer, “West Africa’s Democratic Progress is Slipping Away, Even as Region’s Significance Grows,” March 19, 2020, <https://freedomhouse.org/article/west-africas-democratic-progress-slipping-away-even-regions-significance-grows-0>.

16. Nic Cheeseman, “Democracy in Africa: success stories that have defied the odds”, July 23, 2019, <https://theconversation.com/democracy-in-africa-success-stories-that-have-defied-the-odds-120601>.

17. Jon Temin and Isabel Linzer, “West Africa’s Democratic Progress is Slipping Away, Even as Region’s Significance Grows”, March 9, 2020, <https://www.justsecurity.org/69084/west-africas-democratic-progress-is-slipping-away-even-as-regions-significance-grows/>.

18. “Freeing Senegal? Where Next as Democracy Falter”, Control Risks, accessed October 6, 2021, <https://www.controlrisks.com/our-thinking/insights/freeing-senegal-where-next-as-democracy-falters>.



ANATOMY OF THE PROBLEMS

The global and regional framework for protecting democracy is failing and the undue reliance on process against substance of democracy has shielded democratic despots for too long. In Guinea for instance, several attempts were made by regional authorities and key diplomatic missions in Guinea to restrain the worst impulses of Conde and have him not go for third term or at the very least have a credible election with fair playing field for all candidates and political parties. However, he rebuffed these overtures without consequences. He understood that if he was able to manipulate the process of constitutional reform and elections to his favor, the world would not pay attention to the substance of the process. However, by undermining the process for democratic governance and electoral inquest, Conde emboldened the military to strike.

But Conde's fall from grace is the exception. In Cote d'Ivoire, President Ouattara secured a third term for himself after protracted legal debates in an electoral process that fell short of basic principles of fairness. He has, so far, got away with it, with regional bodies papering over the fundamental flaws of the process and its grave consequences for the country's post-civil war reconciliation. When President Talon of Benin, through dubious legislative and executive manipulations, secured for himself a one-party parliament that made his re-election a forgone conclusion, it also did not get much push back from regional bodies or the wider international community. The loud voices of dissent in Republic of Benin were not being listened to.

The Economic Community of West African States (ECOWAS) and Africa Union are committed to promoting democratic governance in principle, but their record in practice has been mixed. In many instances the conspiracy of silence and unwillingness to call out fellow heads of state publicly have made their response to instances of creeping authoritarianism tepid. The eagerness to overlook electoral fraud and manipulations so long as a 'winner' emerges is worrying. The approach to what qualifies as electoral democracy has always been the periodic ritual of voting without any deep interrogation of the substantive content of the voting process or underlining structural framework within which voting has occurred.



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HIGH LEVELS OF POVERTY HAVE NOT HELPED EITHER. UNEMPLOYMENT AND POVERTY IN THE REGION ARE AT UNSUSTAINABLE NUMBERS. PEOPLE ARE FOCUSED ON SUSTENANCE AND SURVIVAL...

State capture has become a major tool that is used in countries in West Africa to weaken opposition and alternative voices. Weak institutions and endemic corruption have made cooption easy. With firm control over state resources and institutions, incumbents can do as they please. As a result, elections have a predictable outcome. While the country can lay claim to being a democracy, the fundamentals of the state are beholden to one individual without any meaningful oversight neither by the judiciary nor the citizens.

High levels of poverty have not helped either. Unemployment and poverty in the region are at unsustainable numbers.²⁰ People are focused on sustenance and survival and often excuse governments political actions if they take care of their immediate nutritional and financial needs. Politicians are also deviously weaponizing poverty especially during elections where votes are brazenly bought. In many contexts the election process has become and an industry of sorts with some citizens competing to get the best personal advantage out of the process at the expense of credible elections. This polluted process throws up ineffective leaders that create the same vicious cycle of procedural democracy without substantive value.

But increasingly as long as there are elections, no matter how imperfect, the rituals of voting have been infused with a magically cleansing wand that validates the outcome irrespective of the underlining misnomers that erode and stifle citizens voices and their choices. Authoritarian democracies make it difficult for citizens to have faith in the electoral process or for alternative views to be heard. Elections from such distorted framework are not credible. Sadly, condemnations of such processes are rarely strong.

20. . Global Employment Trends for Youth 2020: Africa”, accessed October 6, 2021, https://ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/briefingnote/wcms_737670.pdf ; “More poverty despite economic growth”, accessed October 6, 2021, <https://www.dw.com/en/africa-more-poverty-despite-economic-growth/a-52840817>.



A FIGHT WORTH WINNING

Despite its imperfections and challenges, West Africans still prefer democracy above other forms of government. Afrobarometer result shows a clear preference for democracy and the respect of fundamental rights.²¹ Democracy has a chance of survival if the people see reasons to protect it. The need to support the work of social entrepreneurs and civil society groups working to build the agency of citizens and amplify voices is critical in this regard. So too is global solidarity for democracy. Countries, groups, and individuals dedicated to promoting democracy must work to grow a global support system that strengthens the voices and actions of activists in weak democracies and authoritarian regimes. With the level of global democratic decline, building a much more enduring framework of global solidarity that goes beyond traditional partners and insulated from national interests and questionable compromises will be key.

The role of the regional bodies in calling out these tendencies of authoritarianism and imposing some meaningful consequences for bad behavior is crucial. The African Charter on Democracy, Election and Good Governance (African Charter on Democracy) and the ECOWAS Supplementary Protocol on Democracy and Good Governance have clear obligations on members state to protect and promote democracy. There is therefore the urgent need to interrogate the template for election observation and democracy monitoring to focus on substantive and fundamental predicates of electoral democracy and reduce the focus on election day events and rituals. It is also equally important to evolve within the regional system a clear standard of response that calls out and punishes authoritarian manipulations of these commitments.

Article 23 (5) of the African Charter on Democracy prohibits any amendment or revision of the constitution or legal instruments, which is an infringement on the principles of democratic change of government. It views this as an unconstitutional take-over of power. In practice however, countries have been able to skirt around this provision using their control over their parliament and/or citizens. Illegal and dubious manipulation of the constitution for personal benefit of an incumbent cannot be excused as an internal process of law making outside the purview of external scrutiny. There must

21. "Democracy", accessed October 6, 2021, <https://afrobarometer.org/surveys-and-methods/survey-topics/democracy-0>.

be a clear red line drawn by regional bodies to treat these illegal constitutional amendments as the unconstitutional takeovers of power that they are. This idea of changing the rules of the game in the middle of the game for the benefit of an individual contradicts everything we know about democracy. Democracy is losing the argument when we excuse these authoritarian tendencies cloaked in the garb of legislative process and contrived judicial imprimatur.

If democratic despots get away with this manipulation, democracy is the worst for it. The silence or muffled criticism that emboldened leaders in Togo, Benin, Nigeria, and Cote d'Ivoire to mention a few will also embolden others. If Guinea taught us anything, it is that the decline of democracies is often heralded by screaming alarms that tell in clear terms that there is danger. The inability to confront these alarm and absence of global solidarity to support activists fighting authoritarianism creates a space for authoritarian tendencies to thrive. Guinea echoes President Kennedy's eternal words that those who make non-violent change difficult make violent change inevitable. If we continue to approach the job of protecting democracy with this unhelpful focus on process and willful neglect of substance; and without global solidarity needed to amplify voices of progressives, our democracy in West Africa will continue to be imperiled. But it does not have to be so!

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DESPITE ITS IMPERFECTIONS AND CHALLENGES, WEST AFRICANS STILL PREFER DEMOCRACY ABOVE OTHER FORMS OF GOVERNMENT. AFROBAROMETER RESULT SHOWS A CLEAR PREFERENCE FOR DEMOCRACY AND THE RESPECT OF FUNDAMENTAL RIGHTS.



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