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Project on Responding to Conflicts & Security Sector Governance in West Africa

Policy Brief

Waging Peace in West Africa:
A Good Practices Guide to Democratic Governance of the Security Sector

By

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Abstract

Since the 1990s, the 15 countries of the Economic Commission of West Africa States (ECOWAS) have established rule of law, functioning state institutions and relatively good governance. Furthermore, these ECOWAS countries have also experienced relatively strong rates of economic growth that is higher than the Africa average. However, in the recent past, these ECOWAS countries have also witnessed three waves of insecurity on a scale large. The continued growth of the economies of West African states and the wellbeing of their peoples will depend on the ability of these countries to address the collective and individual security challenges which they currently face. There is therefore an intimate link between security, public welfare, democracy, and development. In most post-conflict countries in West Africa, emphasis has been on violence cessation and not much is heard of the need for accountability and a democratic control of the security sector. A key theme in the seven-country case studies on which this policy brief is based is that in both post-conflict and democratizing countries of West Africa, democratic control of the security sector is a sine qua non for future progress; it is an issue that can no longer be safely ignored. The institutional challenges facing the security sector in each of the seven countries studies are identified. Creative innovations and strengths are also identified. Efforts by ECOWAS to set security sector norms for the whole region are reviewed, along with the challenges of turning norms into practical realities. Against this background, this brief asks the question: What can be learned from the recent experiences of these seven countries in improving the management of their security sectors? Are some of the lessons transferrable? This Policy Brief highlights some of the key lessons that West African countries can easily harvest as low-lying fruits from the recent experiences of their neighbours.
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1. Introduction

The 15 countries of the West Africa sub-region, organized under the Economic Community of West African States (ECOWAS), stretch from Senegal in the west to Nigeria in the east. Since the Third Wave of Democratization from the late 1980s, most of these countries ‘have established rule of law, functioning state institutions and relatively good governance.’\(^1\) Such is the tempo of democratization that in Ghana, Senegal, and Benin Republic incumbent ruling parties have been defeated at the polls, leading to peaceful alternation in governance, while Nigeria has enjoyed the longest spell of civilian rule in its post-colonial history. Furthermore, the ECOWAS countries have also experienced relatively strong rates of economic growth: in 2012 they grew at the average GDP growth rate of 6.9 per cent, a rate that is higher than the Africa average. However, it is not all good news from the ECOWAS sub-region, as in the recent past, the zone ‘has witnessed three waves of insecurity on a scale large enough to prompt bilateral and collective responses by its member states and the intervention of external actors.’\(^2\)

As a consequence of this instability, West Africa is also a region of profound experimentation in the development of collective security institutions and mechanisms. At a 2010 conference to review the progress achieved in this regard, participants, including past and current Heads of State and other senior officials, pointed out some of the considerable achievements of the West African states under ECOWAS over the last two decades. The conference:

mentioned the fact that the region had been transformed from a zone of crippling wars (in the Greater Mano River Basin) in the 1990s into a space where no active war is raging today, as evidence of the progress that has been made. It did not also escape the attention … that democratic culture was steadily taking root in the region.\(^3\)

Some of the achievements of the West African states include:

i. The restoration of peace to Sierra Leone, Guinea Bissau and Cote d’Ivoire;
ii. Aversion of war through effective preventive diplomacy in Togo and Guinea Bissau;
iii. The adoption and implementation of institutional and legal frameworks for conflict prevention, management, resolution, peace-keeping and peace-building;
iv. The adoption and effective application of constitutional convergence principles with an accompanying sanctions regime.
v. The institutionalization of “home-grown” strategies in preventive diplomacy and military intervention…\(^4\)

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4. ibid.
These achievements notwithstanding, the conference went on to note that the West Africa region remains precariously fragile and susceptible to relapse into violence and reversals in the democratization processes. This precariousness is because the peace ‘efforts have been piecemeal, mandates are often overlapping or unclear, and strategy has not been sufficiently anticipatory to stem the tide of insecurity. There remains the difficulty of translating agreed norms into sustainable practice.

Indeed, another high-level conference in 2013, this time organized by the pan-African organization, African Governance Institute (AGI) in Dakar, re-emphasised this theme of the fragility of peace in West Africa. It is also significant that the AGI conference connected this fragility with the governance of the security sector, noting that negative:

recent developments in West Africa, especially in Mali and Guinea Bissau and elsewhere … [are] consequences of poor governance in armed and security forces. … [and] in order to address the emerging human security challenges facing the continent, there is a need to reconsider the missions, the structures, the training and logistics of the armed and security forces.

Participants at the AGI conference specifically pin-pointed ‘the bad governance of the armed forces’ as a major challenge facing African countries, noting that ‘there was a disconnect between democratic governance and the governance of the armed forces’. Two important challenges were noted regarding the poor governance of the security forces: (1) the ‘politicalization of the armed forces’, and the ‘defence corruption vulnerability of nations and … the corruption in African armed and security forces.’ An intimate connection was made between the lack of democracy in a country, the poor governance of its armed forces, the country’s susceptibility to corruption, and the threat to the human security of the citizenry. Two key lessons were highlighted:

countries with higher levels of democratization faced lower risk of corruption in the armed and security forces, while those with low levels of democracy faced higher levels of corruption in the armed and security forces as well as bigger threats to their existence as independent entities. The second lesson … was that it was realistic and practical for the armed forces of nations, together with involved regional organizations and civil society, to tackle this problem and to make significant improvement.

The AGI conference thereby put on the agenda, the democratic governance of the security forces and the role of civil society organizations in the process. The conference went on to highlight 9 key points for the democratic governance of the security forces, including the fact that the ‘good governance of the armed and security forces is a prerequisite for entrenching accountable, inclusive and participatory democracy in an environment of peace and security’.

The two high-level pan-African conferences summarized above draw our attention to the urgent challenge of the promotion of good governance in the armed and security forces of West African states and the need to strengthen the capacity of these forces to resist and limit partisan politicization on the one hand, and systemic corruption, on the other. Indeed, as noted by the

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5 ibid, p.5
6 Uzoechina, 2014, p.2
7 African Governance Institute, ‘High-Level Policy Dialogue and Strategic Thinking Session on Governance of African Armed Forces’, policy Brief No. 1, Dakar, April 9, 2013.
8 ibid, p. 3
9 ibid, pp. 3-5
10 ibid
former Minister of State for Defence in Nigeria, Erelu Obada, for the West African states to address their current marginalization in world affairs, and achieve their full potential, they must address the question of the security of lives and property across their countries and the general stability of the West African sub-region and the Gulf of Guinea (GOG).  

This ALTUS/Ford Foundation sponsored study of the governance of the security sector in seven West African states is aimed at contributing to a better understanding of the dynamics of the security forces in the sub-region. For the most part, the country-researchers are nationals or long-time residents of the countries they are studying, with in-depth knowledge of the political system and security sector of their respective study countries. These researchers came from a range of social science disciplines, necessitating flexibility in the methodological approach. Despite this flexibility, however, efforts were made at a methodological workshop to establish some common concerns, but without forcing the case studies into a pro forma straight jacket. While each country specialist was regarded as an expert ‘soloist’ in their field, attention was drawn to the need to ensure that the country studies spoke sufficiently to each other to establish a melodious ‘orchestra’. Specifically, a qualitative case study approach was adopted for each country study. Apart from a general review of the political and security histories of each country, two case studies were chosen for each country to highlight the actors, institutions, challenges, and successes of the management of the security sector. As much as possible, one case study was to highlight strong points and successes, while the second was to draw attention to challenges and failures. In essence therefore, our studies amounted to both within-country and across-country comparisons, making it possible to draw out both positive and negative lessons from within each country and comparatively, across our seven countries.

To improve comparability, efforts were made to ensure that each study addressed the question of public security from the same stand-point. We noted, for example, that Wole Soyinka’s parody of African tyrannical regimes in Kongi’s Harvest presents us with the conflation of the person of the ruler with the state. The ruler is the state, and by extension, the security of the state is reduced to the security of the ruler. Even with the wave of democratization after the 1980s, many African states still suffer from this personalization of the state by the leadership. In the country studies, we sought to move beyond the narrow identification of security with the person of the leadership, or even with state institutions. We adopted a wider definition of security as human security, concerned, not just with the institutions of the state, but also with the integrity of the society, and with the well-being of the individual citizen.

This connection between the state, the governance of its security sector, and the welfare of the citizenry is examined from a number of angles in the country studies. Some key questions addressed are: What kind of state exists in each case? What political, social, and economic contexts characterize each state? What is the historical context of the evolution of the security sector? What is the nature of civil society? What are the demographic dynamics of the state?

12 Originally, eight countries were selected for study, but it was impossible to get a local researcher to undertake the study in Chad. In a similar vein, the local researcher responsible for the Mali study dropped out halfway into the project, leaving the ALTUS Secretariat to conduct the study within its secretariat.
What is the threat perception (internal and external) of state elites? What is the effectiveness and legitimacy of state institutions? How active are non-state actors and institutions in the security sector? What influences do religious beliefs and institutions wield? What is the availability of information – media or rumours - upon which the citizen can base their demands on the state? Are the mandates of security forces clearly defined and limited by law? Do security forces use their powers proportionately? Are there policies to deal with illegal and discriminatory actions by the security services? What is the level of the political neutrality of the security forces? Are the operations of the security forces gender sensitive? As might be expected, each researcher emphasised those questions that were pressing in their respective countries.

From these questions, key themes emerge in the evaluation of the democratic content of the governance of the security sector in each country:

1. **Accountability & Transparency**: (what is the quality of Parliamentary, Judicial, and societal oversight of the security sector? How transparent is the budgeting process for the security services?);
2. **Redress**: (are there Independent human rights bodies, national commissions, and Ombudsman through which the citizen can seek redress?);
3. **Legitimacy**: (what level of confidence do affected local populations have in the security forces?);
4. **Voice & Participation of civil society**: (are different social groups represented in the security & justice systems?);
5. **Professionalism of armed forces**: (how committed are the security services to their professional ethics?)

Various practical research methodologies - desk research; interviews with key stakeholders; perception surveys of selected communities; focus group discussions with specific groups; and media analyses - were used wherever appropriate and practicable to get to grips with these questions in the context of the history of each country. Based on these approaches, key actors studied in our country studies include the core Security bodies - army, police, immigration, intelligence; important oversight bodies – executive, parliament; Financial and administrative arrangements for the management of the security sector – ministries of defence, internal affairs, and opaque security votes; Justice & law enforcement bodies – judiciary, prisons; Non-statutory security bodies – private security companies, vigilantes; Public complaint bodies – National Human Rights Commission; and Civil society organizations. In each country study, an effort was made to cover as many of these themes and questions as possible.

As noted earlier, there is a huge gap in West Africa between the norms and protocols adopted by the ECOWAS states, and the practical realities in each country. The translation of norms into reality is often stymied by insufficient political will, lack of personnel, and the lack of adequate resources. In the country studies, we seek to identify effective, yet cheap and accessible, measures which some countries have used to improve the governance of their security sector. It is hoped that these good practices in some countries can become important lessons for others across the sub-region. Countries can also learn from each other’s mistakes.
2. (In)security Challenges in West Africa

The quality of the governance of the security sector in the West Africa sub-region should be evaluated against the threats of insecurity facing the sub-region. These include piracy and maritime violence across the Gulf of Guinea, Islamist political violence across the Sahel, the activities of narco-traffickers from some Latin American countries, the proliferation and trafficking in small arms, and the large scale trafficking of persons, especially women and children.

Piracy in the Gulf of Guinea

The situation in the Gulf of Guinea (GoG) is one of the pressing security challenges facing West African countries. Ghana’s Chief of Naval Staff, Rear Admiral Geoffrey Biekro in 2013 described the GoG as ‘one of the most dangerous maritime areas in the world.’\(^{14}\) The countries of the GoG, stretching from West to Central Africa, produced about 5.4 million barrels of crude oil per day in 2012. The GoG is therefore an important area in the global geo-politics of oil, attracting the attention of the major western powers as well of those of sophisticated global syndicates of oil thieves and pirates. In 2010, there were 45 reported cases of piracy in the GoG. In 2011 this rose to 65 cases, while 37 vessels were attacked in 2012. ‘What had been primarily a problem in Nigeria’s Niger Delta has expanded with attacks or raids in neighbouring Benin, Togo, Ghana, Côte d’Ivoire, Cameroon and Equatorial Guinea since 2009.’\(^{15}\) In this context, the territorial waters of Nigeria, Benin and Togo ‘are considered areas at greatest risk of piracy and armed robbery at sea, theft of oil and other cargo, illegal, unreported and unregulated fishing, and trafficking of counterfeit items, people, narcotics and arms.’\(^{16}\)

U.S. Naval Intelligence Reports indicate that in the GoG, ‘about nine hijacking incidents, 55 unauthorized vessel boarding, several kidnappings and vessels fired upon’ happened in the first half of 2013.\(^ {17}\) According to some analysts, ‘piracy there had jumped 41% from 2011 to 2012 and was on track to be even worse in 2013.’\(^ {18}\) In a 2013 Human Cost of Maritime Piracy Report, the International Maritime Bureau (IMB) noted that West Africa ‘has now overtaken Somalia as the world’s piracy hot-spot with 966 sailors attacked last year compared with 851 in Somalia.’ The IMB estimates the costs of the stolen goods in the GoG in 2012 at between 25 and 75 million euros ($33 million to $100 million).\(^ {19}\)

In response to this rising level of insecurity, the UN Security Council, in February 2012, adopted Resolution 2039, which urged the states of the region to cooperate in countering piracy at regional and national levels. In response, in 2013 the Economic Community of West African States (ECOWAS), the Economic Community of Central African States (ECCAS) and the Gulf of Guinea Commission (GGC) convened joint meetings to draft a regional

\(^{15}\) Erelu Obada, *op cit*.
\(^{16}\) Adjoa Anyimadu, *op cit*.
\(^{17}\) ‘Nigeria laments rising insecurity in Gulf of Guinea’ http://premiumtimesng.com/, August 29, 2013
\(^{19}\) ‘Leaders want naval force in Gulf of Guinea as Africa loses $300b to oil theft, others’, www.ngguardiannews.com, Monday, 24 June 2013
strategy. A summit was held in Yaounde, attended by 11 leaders of ECOWAS and ECCAS to produce a joint action plan to tackle piracy and maritime criminality.

The ECOWAS-ECCAS Declaration on Maritime Security 2013 and the draft ECOWAS Maritime Security Strategy seek to address the challenges in the GOG through the establishment of an agreed Code of Conduct Concerning the Repression of Piracy, Armed Robbery against Ships, and Illicit Maritime Activity in West and Central Africa. The Political Declaration on Maritime Safety requests ECCAS, ECOWAS and the Gulf of Guinea Commission to promote activities aimed at cooperation, coordination, pooling together of resources among member states.

Islamist Terrorism & Cross-Border Banditivity in the Sahel

In the Sahel region across West Africa, the collective threat facing the sub-region comes from Islamist terrorism, cross-border banditry, people smuggling, and movement of illegal and harmful substances like cigarettes, hard drugs, and light weapons. Since the 1960s, both Mali and Niger have had problems with restive ethnic groups, especially Tuareg and Arab, in their northern regions. In recent times, however, this problem of ethnic restiveness has worsened, and is further compounded by the rise of violent Islamist movements. The scale of the Sahelian threat is difficult to quantify, but most figures suggest that it is a growing threat. According to the Global Terrorism Database from the University of Maryland, there were 119 terrorist incidents in the whole of sub-Saharan Africa in 2001. By 2011, however, this number had risen close to 500. Another report, this time from the International Center for Terrorism Studies at the Potomac Institute for Policy Studies, counted 21 terrorist attacks in the Maghreb and Sahel regions in 2001. However, during the Obama years, the figures are said to fluctuate between 144 and 204 attacks annually.

By 2010, Mali had become the epicentre of the Islamist security threat in the Sahel. In that year, Tuareg nationalist restiveness in the country led to violent instability which soon sucked in Salafi-Jihadist forces from across North and West Africa, such as al-Qaida in the Islamic Maghreb (AQIM) from Algeria and Boko Haram and Ansaru from Nigeria. The Malian army, infected by the ‘gangrene of corruption’ had become an institution in which ‘nepotism and profiteering ran amok’, and it could do little as the alliance of Tuareg and Salafi forces over-ran two-thirds of the national territory. With money from contraband smuggling, drug trafficking, and ransom payments, and well-armed from the armoury of the collapsing Khadafi regime in Libya and captured Malian army stockpiles, these jihadi forces were in ‘a position to contemplate the regional expansion of their activities’. Mali soon became a lunch-pad from which these various Jihadi forces wanted ‘to occupy a large territory in West Africa and to rule it according to their concept of shari’a.’

In response to the growing threat of instability, ‘ungoverned spaces’, narco-trafficking, and Salafi extremism in the Sahel, agencies of the US State Department created the Pan-Sahel

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20 Adjoa Anyimadu, op cit.
21 Uzoechina, 2014, p. 11
22 Nick Turse, op cit
25 Lecocq et al, op cit, p. 350
Initiative in 2002, initially focusing on four countries – Mali, Mauritania, Chad and Niger – but later transformed to Trans-Sahara Counterterrorism Partnership (TSCTP) in 2005, covering several other countries including Nigeria. The TSCTP and its Defence Department companion programme, Operation Enduring Freedom-Trans-Sahara, were collapsed into the U.S. Africa Command (Africom) in 2008. Between 2009 and 2013, the US government is reported to have spent between $520 million and $600 million ‘in a sweeping effort to combat Islamist militancy in the region’. In 2011, the EU also developed the ‘European Union strategy for security and development in the Sahel’, identifying poverty, States’ weak capacity of governance, the regional repercussions of the Libyan conflict, narcoterrorism, and religious fundamentalism as the threats to European countries emanating from Sahelian countries. In 2013, when the Jihadi forces threatened to overrun Bamako and take over the whole of Mali, the French were forced to intervene militarily. At the other end of West Africa, African countries have also been responding to the threat of cross-border banditry and Islamist terrorism. In 1998, the governments of Niger, Chad and Nigeria established a multinational joint task force (MNJTF) to patrol areas prone to those attacks. Cameroon subsequently joined the MNJTF.

Furthermore, in February 2013, ECOWAS heads of state also adopted the Political Declaration and Common Position against Terrorism, and annexed to that declaration is the ECOWAS Counter-Terrorism Strategy and Implementation Plan. In these documents, ECOWAS condemns terrorism in all its forms, including kidnapping, hijacking, hostage taking, demand and payment of ransom, bombing of public and private property and critical infrastructure, acts of sabotage and the desecration of religious and other cultural sacred places. In the Counter-Terrorism Strategy and Implementation Plan, the heads of state approved the establishment of the ECOWAS Counter-Terrorism Coordination Unit, an ECOWAS arrest warrant, and a blacklist of terrorist and criminal networks. As with most ECOWAS good intentions, the translation of norms into practical reality remains the key challenge.

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26 Erelu Obada, op cit
27 Nick Turse, op cit
31 Erelu Obada, op cit
32 Uzoechina, 2014, p. 10
3. Security Governance: Divergent Experiences of the 7 Study Countries

Beyond the two common challenges of coastal piracy and Sahelian terrorism, each country in the sub-region also faces challenges that are peculiar to it, such as the Niger Delta militancy, the large-scale vandalism of national infrastructure, and ethno-religious violence in Nigeria; repeated armed forces mutiny in Burkina Faso; spasmodic rebel activity in the Casamance region of Senegal; the repeated threat of food insecurity and Tuareg restiveness in Niger Republic; north-south regional conflict and violence in Ivory Coast; repeated Tuareg rebellions in Mali; and mass poverty and youth unemployment in post-war Liberia and Sierra Leone. In the context of these shared and specific threats, each country in the West Africa sub-region must seek to promote its domestic stability as a first step to the realization of regional security. To succeed in this task, each country must balance the needs of security, with those of the democratic rights of its citizenry.

The seven country studies in this project highlight the situations specific to each country. The security sector in Burkina Faso is shaped by its landlocked nature, its’ sharing of borders with many countries, its border crises with neighbours which twice led to wars with Mali, and the authoritarian nature of its political system. Apart from these political and geo-political triggers for conflict in Burkina Faso, there are also societal factors, especially conflicts over chieftaincy and access to land. Despite democratization since 1991, the nature of the political regime is more oligarchic than democratic. This democratic deficit, even with the existence of a liberal constitution and lawful political institutions has meant that Burkina Faso has weak parliamentary institutions, weak judiciary, and a weak civil society. This institutional situation is made worse by bad relationship between military and civilians, marked by military riots in 2006 and 2011, during which civilians were attacked, women raped, and property looted. There have also been periodic attempts by sections of the military against the person of the president, including an attempt in 2013 which led to the death of a former presidential guard.

The Burkina Faso study also highlights the fragmentation of the control over the security forces with two ministers in charge of security and national defence. The Ministry of Territorial Administration, Decentralization and Security (Ministere de L’administation Territoriale, de la decentralization et de la secure or MATDS) and the Minister of Defence and Veterans between them control the security institutions. The national police is controlled by MATDS while the gendarmerie and the army are under the minister of defence and veterans. However, this institutional fragmentation goes hand-in-hand with the concentration of control in the person of the President who is simultaneously Commander-in-Chief of national armed forces, chairman of the Superior Counsel of Defence, and Defence Minister. In the context of this concentration of control, the capacity for civil society to oversee the security sector is limited by its’ lack of expertise, and a political climate that regards the discussion of security sector issues as taboo. At the same time, the judiciary lacks independence, thereby compounding the lack of options faced by society. Though parliament has formal oversight and budgetary powers through which it can oversee the functions of the security forces, strong pressure from the ruling party (le Congres pour la democratie et le progress CDP) in the national assembly has ensured that parliament does not stray outside the narrow limits set by the government. The weakness and inability of parliament, the judiciary, and civil society to properly oversee the security sector means that there is little or no democratic control of the sector for the promotion of public welfare and public security.
Instead, regime survival is the main concern. However, since the 2011 crisis, the Burkina Faso army has made lots of changes to burnish its’ dented image within the civilian population. These changes notwithstanding, the military remains an unsteady institution, as demonstrated by the 2013 attempt by some elements within the military to attack the person of the President. Democratic governance of the military remains weak because of the nature of overall oligarchic political control, and the weakness of parliament, the judiciary, and civil society.

The Ghana study highlights the close connection between democracy and the quality of the governance of the security sector. In the 1970s and 1980s, Ghana had all the attributes that contributed to state collapse in other parts of Africa. However, this potential for violent disintegration was not realized because of democratic reforms carried out in the 1980s and 1990s. A second reason highlighted by the study was the strength and resilience of social networks and civil society organizations in Ghana. Reforms of the security sector from above and civil society mobilization from below contributed to the relatively efficient and legitimate governance of the security sector in Ghana. Incremental reform started with the 1992 constitution which created a Police Council. Prior to 1996, the intelligence institutions were removed from security sector reforms under the guise of protecting national security. This only contributed to a culture of impunity on the part of these agencies. In 1996, the Security and Intelligent Services Act (Act 526) formally sought to establish democratic control of the security services. After 1996, the National Security Council (NSC) was created to bring all security outfits under centralized democratic control. The NSC was made answerable to Parliament, though accusations of impunity continued to be heard. On its part, Parliament set up the Parliamentary Select Committee on Defence and Intelligence (PSCD & I) and the Public Accounts and Finance Committee to oversee the functioning and budgets of the security services.

Ghana was also able to carry out reform of its police force through the establishment of two Presidential Commissions set up to look into the Ghana Police Service. These commissions have led to improved performance of the police, especially in terms of training and equipment. Another important message coming out of the Ghana study is the importance of the decentralization of the intelligence institution through the creation of Regional Security Committees (REGSEC) and District Security Committees (DISEC) and the opening up of these committees to civil society participation. However, it should also be noted, however, that these committees have in some instances been accused of the abuse of powers and political interference. This suggests that even in the relatively successful case of Ghana, the problem of the politicization of the security sector remains a challenge. This limitation is highlighted in the case study of Yendi where in 2001, the politicization of the security institution resulted in three days of violence without the intervention of the security forces.

These shortcomings, notwithstanding, the Ghana case suggests that the long spell of democratic rule from 1992 has resulted in the improved protection of human rights, greater transparency, and popular participation in security matters. However, despite the relative peace and tranquility at the national level, Ghana has nevertheless suffered from low level violent conflict at the communal level. In the two case studies explored in the Ghana country study, Yendi in 2002 and Hohoe in 2012, chieftaincy, land, and ethnic conflicts are two major threats to human security at the sub-national level.

The Liberia country study emphasises the importance of history in the structuring and management of the security sector in African states. It draws attention to the historical
division between the settler elites of Monrovia who founded the state of Liberia, and the bulk of the indigenous population of the hinterland excluded from that state. It is argued that the institutions of the Liberian state were shaped by the settler state’s constant fear and insecurity, due to the poor and oppressive relations with the indigenous communities. As a result, from its foundation, Liberia built coercive institutions characterized by predation and impunity. Regime security took precedence over the security of the population and personal presidential control of the security apparatus was the norm. For example, President Tubman is reported to have set up four security organizations, each of which struggled to gain his confidence. Societal monitoring for regime survival was the primary objective of the security sector. Single party rule by the settler controlled True Whig Party further compounded presidential stranglehold on the security sector. The violent overthrow of settler rule in a military coup led by officers from the indigenous population was followed by 14 years of civil war, the rise of warlordism, large scale extra-judicial killings, and the intensification of the culture of impunity.

Post-civil war, modern democratic Liberia still carries the weight of this historical legacy via obsolete laws and the lack of legislative competence. Defence Act 2008 and National Security and Intelligence Act 2011 for the first time address the issue of civilian oversight of the security sector. Despite these advances, the ingrained culture of impunity, poor legislative capacity, and a weak judiciary continue to stymie civilian democratic control of security forces. Some training for parliamentarians has made a difference in their oversight abilities, but high turnover of parliamentarians at elections undermines this achievement. Within the security sector itself, the multiplicity of statutory and non-statutory bodies have created a situation of confused jurisdiction. For example, the Liberia country study pointed out the lack of communication between the Police and the Ministry of Justice. In this context of institutional ambiguity, the use of ad hoc special Presidential Committees as fact-finding commissions of inquiry has become pronounced and these have tended to pre-empt and substitute for other statutory institutions such as the legislature and the judiciary. The continuing politicization of the security sector operations is suggested by the selective implementation of the recommendations of these presidential commissions.

The Mali case study highlights the repeated cycles of Tuareg rebellions that have challenged the security sector of that country, culminating in the recent rebellion by Tuareg forces, the involvement of actors affiliated to the Al Qaeda in the Islamic Maghreb (AQIM), the construction of a pan-Saharan alliance with other Islamist forces such as the Movement for Divine Unity and Jihad in West Africa (MUJAO) and Boko Haram, and the subsequent intervention of ECOWAS and French forces. The history of the management of the security sector in Mali from the 1960s is coloured by the need to contain this long-standing separatist threat from the north. After the 1991 revolution, Mali was generally regarded as a stable, democratic, if poor, country. This turned out not to be the case as the regime of Amadou Toumani Toure was generally regarded as corrupt and intolerant; few Malians mourned the collapse of the regime at the hands of an army that was alienated by security sector neglect, nepotism, and corruption.33

The Mali study suggests that the security sector in the country is hampered by a lack of institutional coordination. No single institutional framework governs all the disparate sections of the security sector. Individual ministers, like the Minister for Internal Security and Civil Protection, are responsible for the security apparatus under their ministry. In the case of this

33 Baz Lecocq et al, 2013, op cit
ministry, these include the National Police, gendarmerie, and the National Guard. Similarly, the Minister of Defence and former Combatants is responsible for the control of military units, while the Minister of Territorial Administration and Local Authorities is responsible for security in the regions and the interior. Regional units of the police come under the authority of Regional Governors whilst at the same time coming under the technical direction of the Police Director-General. There is also the Higher Council on Military Services consisting of serving military personnel and the military command structure which advises on military conditions of service.

The Council of Ministers and the Prime Minister’s office provide a measure of coordination. Ordinarily, a central coordinating organ should ensure that proper coordination takes place between these various ministries and security organs. As the Mali study notes, however, the two bodies responsible for this coordination, the Council on National Defence and the National Defence Committee, lack the necessary institutional muscle to carry through this coordination, despite the fact that both bodies are headed by the President. As a result of the 1991 revolution in Mali, attempts have been made to further clarify the constitutional control over the security sector. Parliamentary committees have been set up with oversight functions over the security services, but these remain quite weak. Security sector governance is still focused on counterterrorism, and needs to be broadened to address peace-building and conflict sensitivity questions. Meanwhile, ethnic and regional inequalities between north and south Mali continue to plague the country, despite the current peace efforts. Some commentators have also drawn attention to continuing threats to the human rights of Arab, Tuareg and Peul individuals in the north.

However, one important innovation in Mali is the Democratic Question and Answer Forum which holds every year on December 10th, and provides an avenue for the population to raise questions about all aspects of the governance of the country, including the governance of the security sector.

Niger Republic might be regarded as an oasis of relative peace, nestled within the embrace of very turbulent countries - Mali to the west, northern Nigeria to the south, Chad to the east, and Libya and Algeria to the north. However, as the Niger country study shows, since the 1980s Niger has had its own share of the ‘Saharan Security Crisis’ and the ‘Islamist Security Problem’, manifested in periodic violence, Tuareg rebellions, banditry, communal strife, and kidnappings. At the heart of the Saharan crisis is the question of the relationship between the minority Tuareg population in the north and the state. The Niger study warns however that the Saharan question should not be reduced to a Tuareg question because of the multiplicity of domestic and international interests involved. The Niger study notes the connection between ethnic rebellions and criminal banditry. In the Tuareg and Tubu rebellions, it is noted that it was well established criminal networks involved in smuggling and kidnapping, that subsequently shifted their hostile attentions towards the state. The economic undertones of these rebellions made it possible for the Nigerien state to make common cause with Fulani and Arab economic interests in the north to set up ethnic self-defence militias to defeat the Tuareg and Tubu rebels.

As in Mali, in Niger, some security forces are controlled by the ministry of defence, while others are controlled by the Interior ministry. In Niger, however, the legal framework for running the security sector helps to diffuse any tensions between the various services by clearly demarcating their spheres of operations. Protocols of cross-service collaboration in the management of the security services also seem very well articulated. These good institutional
features notwithstanding, the Niger study went on to point out a high level of civilian political interference in the management of the security forces. It was further noted that civilian authorities have tended to squeeze the military budget as a means of keeping the army weak. This is the exact opposite of the strategy in Nigeria under civilian rule, where higher levels of military spending has been used to re-professionalize the army and keep it out of politics.

Parliamentary committees in Niger have the task of overseeing the operations of different arms of the government. The study points out however that, while most parliamentary committees have members with cognate experience and professional affinity to the ministries they oversee, this is not true of the defence and security committee because no parliamentarians come from a military background. This committee is unfortunately dominated by parliamentarians from teaching backgrounds. Another shortcoming of the oversight process in parliament is that while parliamentary debates are done in the open and sometimes broadcast in the media, defence and security matters are frequently handled in camera. The Niger study also notes the lack of resources of the judicial system and the consequent weakness of its conflict resolution potential. The ability of the judicial system to oversee the criminal investigation work of the police is also poor. Still, improvements in the penal code since 2003 have enhanced the rights of citizens, including the right to mandatory medical examination after any arrests.

The Nigeria country study raises the paradox of intensified conflict and violence with the return to democratic rule. It is argued that the military and political capacities of the state to deal with this violence are being overstretched. Secondly, the point is made that in the social struggles between the state and segments of the society, force has always been the first response of the Nigerian state. Periods of military rule from 1966 have intensified this militaristic approach to security challenges. Since the return to democratic rule in 1999, tensions over the division of political and financial powers between the different levels of the federal system, ethnic and regional grievances, and religious mobilization have all combined to fuel repeated cycles of violence across the country.

A major challenge after the return to civilian rule in 1999 was the reform of the security sector which was seen as part and parcel of the democratization process. Five steps were taken in this regard:

1. de-politicization of the officer corps and its subordination to civil authority;
2. constitutional re-definition of the role of the military;
3. expanded budgetary allocation to re-professionalize and re-equip the military;
4. attempts to de-militarize public order through repeated efforts to reform and retrain the police;
5. and, the establishment of a judicial commission of enquiry to investigate human rights abuses before the advent of the democratization process.

Under military rule, the police was understaffed and underequipped. It was also unaccountable and highly politicized. It is sad commentary on the state of public order in Nigeria that despite efforts to reform the police and take the military out of civil life, the militarization of public order continues through joint military and police formations, special purpose security organs called Joint Task Forces (JTF) or Special Task Forces (STF) that are
now responsible for everyday policing in 28 out of Nigeria’s 36 states. Increased number of policemen and women without the corresponding increase in resources and training has stymied the attempt to reform the police service. Conflicting jurisdictions between the Federal Ministry of Police Affairs and the Police Service Commission has been detrimental to the reform of the police. Some have called for the abolition of the Ministry. The constitutional provisions which confer exclusive control of the police on the federal government is also being hotly debated, with state governments calling for the right to establish state police forces of their own. State governors claim that despite their heavy financial support for the police forces in their respective states, and despite their constitutional position as chief law officers of their states, actual control of the police remains in the hands of a remote federal government. In many cases, state governments are circumventing the ban on state police forces by promoting communal vigilantes or religious groups like the Islamic Hisbah. Tensions between the police and these vigilantes are a potential threat to public order.

The involvement of foreign agencies and consultants in military and police reforms led to tensions within the security services. The reform process was also hampered by over-centralization in the Presidency and the Defence Headquarters to the exclusion of other stakeholders in the military, parliament, and civil society. The Nigeria country study highlights the continuation of a culture of militarism, impunity, and brutality by the security forces, despite the return to civil rule. In case studies of Odi and Zaki Biam, the study demonstrates the enduring nature of the culture of ‘punitive expeditions’ and ‘collective punishments’ which the Nigerian security forces developed during the period of colonial occupation and pacification in the late 1800s and early 1900s. In both Odi and Zaki Biam, however, we also see the recourse to the courts which have pronounced in favour of the aggrieved communities. In the case of the more recent Islamist Boko Haram insurgency in the northeast, the study notes how the culture of impunity and extra-judicial killings by the security forces initially led to the escalation of the conflict. Accusations of atrocities against troops of the Multinational Joint Task Force - MJTF (Chad, Niger, Nigeria, & Cameroon) fighting Boko Haram have led to questions about the accountability of this multinational formation.

The Nigeria country study presents the picture of a country in which divisionist tendencies abound and in which tensions and violence permeate state-society relations. The absence of a comprehensive constitutional resolution of these matters has led to a strategy of ‘keeping the lid’ on the smouldering cauldron, often through the forceful suppression of dissent. Frequently, violence breeds further violence, leading to an escalating cycle of disorder. Meanwhile, the management of the security sector is itself corrupted and tainted by the general dysfunctional politics of the state and the abuse of their office by officials of the state. For example, some members of the security forces have been court marshalled, for allegedly aiding Boko Haram insurgents, while there have also been repeated accusations of security forces involvement in oil theft in the Niger Delta. Comprehensive constitutional review has become an imperative for dampening some of the forces generating the tensions in Nigerian

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society. Such a review must also address the question of the democratic management of the security sector.

Our last country study comes from Sierra Leone, another country that witnessed the descent into civil war on account of its poor management of the security sector. The study notes that the marginalization of the citizenry by extractive state institutions and corrupt elites was instrumental in causing the civil war. Under one-party rule, pre-war Sierra Leone had a security sector that was fused into the party-state with military commanders being given seats in parliament. The recruitment of security officials on ethnic and political bases tended to undermine morale, efficiency, and professionalism. Institutional malaise led to poor training and equipment, poor conditions of service, lack of institutional coordination, and ultimately, the breakdown of the chain of command and the subsequent precipitation of the civil war. Before the war, the security sector was therefore ethnically biased, patrimonial in character, and was dominated by the executive.

Post-civil war Sierra Leone was subjected to a security sector reform that was heavily influenced by external agencies; in post conflict countries, security sector reforms often take place in a context of institutional fragility and resource scarcity. However, externally driven security sector reforms often raise important questions about long term sustainability and local ownership. In the context of post-war reconstruction, much attention has been on demobilization, small-arms control, and re-integration programmes. The Sierra Leone study notes that insufficient efforts was put into the democratic control of the security forces, though the security sector review noted the need to insulate security sector institutions from partisan political interference. However, despite the lack of sufficient democratic oversight in the post-civil war security sector reform, the 2007 elections showed a paradoxical increase in professionalism and operational effectiveness on the part of the security forces. But the study warns that increased professionalism should not be seen as a substitute for democratic control.

From these country profiles, it becomes obvious that serious challenges face the ECOWAS countries in the quest for the democratic governance of their security sector institutions. Even our best case scenario, Ghana, is in need of further reforms. This need for region-wide reform of the governance of the security sector is reflected in the draft ECOWAS Regional Framework for Security Sector Reform and Governance which seeks to ‘clarify what security means in the West African context, whose security is to be guaranteed, what the objectives of security are, what the challenges to security are and the required reforms, who is involved in providing and overseeing security, and how security objectives can be translated into effective outcomes.’

This draft defines security as human security within the wider society, and puts the democratic governance of security institutions at its core. The realization of this vision would necessarily require the involvement of not just the security institution, but also the political class and civil society institutions. Furthermore, ECOWAS draft instruments such as the Supplementary Protocol on Democracy and Good Governance and the Supplementary Act on the Code of Conduct for the Armed Forces and Security Services of ECOWAS seek to establish the framework for implementing the objectives of the Framework for Security Sector Reforms.

Transferring norms into reality can therefore be facilitated by looking to the experiences of these countries, as we have tried to do in our seven country studies. Against this background, the question then is: What can be learned from the experience of these seven countries in the management of their security sectors? Below are some of the key lessons from our seven country studies which ECOWAS countries can easily harvest as low-lying fruits from the recent experiences of their neighbours:

- **Wider societal democratic context is critical for proper governance of the security sector**: In Ghana, there is a close connection between democracy and the improved protection of human rights, greater transparency and popular participation in security matters. Democracy and improved security sector governance must therefore be seen as inextricably interlinked.

- **Gradual Institutionalization of constitutional oversight is important**: In Ghana, Parliament systematically set up institutions through which it could conduct oversight functions vis-a-vis the security forces. In 1996, the Security and Intelligent Services Act (Act 526) was passed and the Parliamentary Select Committee on Defence and

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37 Uzoechina, 2014, p. 5
38 Ibid., p. 12
39 Ibid., p. 10
Intelligence (PSCD & I) and the Public Accounts and Finance Committee were established to oversee the functioning and budgets of the security services. It is important to translate constitutional provisions for democratic oversight into concrete institutions with clearly defined powers, composition, and mandates. However, this process of institutionalization can be a gradual process.

- **Decentralization of the security institution and civil society participation increases efficiency and legitimacy:** In Ghana, the decentralization of the security sector institutions through the creation of Regional Security Committees (REGSEC) and District Security Committees (DISEC) and the opening up of these committees to civil society participation has had positive contributions. The twin processes of institutional decentralization and increase in societal inclusion within the security sector should be adopted wherever appropriate.

- **Coordination and control of various arms of the security sector important:** Despite decentralization, it is important that a coordinating organ is established to minimize inter-agency friction. Such coordinating organs can also enhance the process of democratic control. The locus of overall control should be clearly identified.

- **Clear Jurisdictions and Protocols of Collaboration between services:** In Niger the legal framework for running the security sector helps to diffuse any tensions between the various services by clearly demarcating their jurisdictions and spheres of operations. Protocols of cross-service collaboration also seem very well articulated. This reduces inter-agency rivalries and misadventures. A clear understanding of the hierarchy of institutions and their respective mandates should be unambiguously established to avoid confusion.

- **Presidential Commissions can be frequently used to evaluate reform needs:** In Ghana, such commissions led to improved police performance. In Liberia, however, *ad hoc* Presidential Commissions tend to displace statutory oversight bodies, while in Nigeria, these commissions have had mixed results in terms of improvements in police numbers and effectiveness. Commissions should supplement the constitution, not replace it. Parliamentary Commissions may be more open to democratic input than Presidential Commissions, even if they lack executive teeth.

- **Use Truth & Reconciliation Commissions (TRC) to draw a line under the authoritarian past and set new human rights standards:** In Nigeria and some other West African countries, there was also the establishment of commissions of enquiry to investigate past human rights abuses and set the proper tone for the future. Where possible, the judicial process should be used for dealing with past cases of impunity; otherwise, the TRC can be used.

- **Training for Parliamentarians in oversight functions important:** In the parliament of Niger Republic, there is a lack of technical professional capacity to effectively carry out oversight functions. In Liberia, some training for parliamentarians has made a difference in their oversight abilities, but high turnover of parliamentarians tends to undermine this achievement. Continuous training of parliamentarians is needed. Technical support staffs within parliamentary bureaucracies also need training. As is the case in Senegal, civil society groups can contribute to these training exercises.
• **Need for Constitutional Reforms and the resolution of Constitutional disputes over who controls the Police:** Conflict-inducing constitutional issues need to be addressed. In particular, the conflict over the control of the police between the central and regional governments needs to be speedily addressed. In many West African states, for example in Mali, Ghana, and Nigeria, there is a tension between central and regional government control over the police. This tension increases the chances of the politicization of policing. Constitutional reforms should adequately address the question of the control of policing between national and sub-national units.

• **Create formal Platforms for Civil Society-Security sector interactions:** Mali’s Democratic Question and Answer Forum is a good example of such a forum. New technologies like the social media and the internet can also be used to widen the reach of such fora. Both for substantive and symbolic reasons open and regular meetings between the security services and civil society groups will go a long way to dispel misunderstandings.

• **Adequate and transparent budgeting for the security services:** In Niger Republic, civilian authorities have tended to squeeze the military budget as a means of keeping the army weak. This is the exact opposite of the strategy in Nigeria under civil rule, where higher levels of military spending has been used to re-professionalize the army and keep it out of politics. Systemic corruption is a major threat to the efficiency and legitimacy of the security forces. It is important that the security budget be both adequate, and transparently managed.

• **Comprehensive reform of the military and police might be necessary:** In Nigeria, four related reforms were simultaneously pursued: (1) de-politicization of the officer corps and its subordination to civil authority; (2) constitutional re-definition of the role of the military; (3) expanded budgetary allocation to re-professionalize and re-equip the military; (4) and attempts to de-militarize public order through repeated efforts to reform and re-train the police. Reform of security sector institutions should not be limited to post-conflict countries alone.

• **Trade-off between professionalism and democratic control is unnecessary:** The tendency to see security sector reforms in terms of increased professionalization to the exclusion of increased democratic control is unnecessary. Both should go hand-in-hand. Periodic review of the security sector with civil society participation, including that of women’s groups, will go a long way to identify challenges which need to be addressed.
5. Conclusion

The growth of the economies of West African states and the wellbeing of their peoples will depend on the ability of these countries to address the collective and individual security challenges which they currently face. In this regard, there is an intimate link between security, public welfare, democracy, and development. None can be pursued in isolation from the others. Furthermore, just as security can no longer be reduced to the narrow confines of regime security, the governance of the security sector cannot be left to the executive alone. How other societal forces are able to contribute to this important task will determine how democratic the governance of the security sector is. However, scholars have noted the tendency for demands for civilian oversight and civil participation in relevant processes to be met with institutional and political resistance by members of the security services and the executive arms of government. Under different pretexts concerning ‘national security’, secrecy has been strengthened in many countries. In the process, democratic oversight of the security sector has been considerably restricted.\(^41\) In most post-conflict countries in West Africa, emphasis has been on violence cessation and not much is heard of the need for accountability and a democratic control of the security sector. A key conclusion of all our seven country studies is that in both post-conflict and democratizing countries of West Africa, democratic control of the security sector is a \textit{sine quo non} for future progress; it is an issue that can no longer be safely ignored.

There is therefore the need for concerted action on the part of civil society, parliament, and the judiciary to widen the scope of democratic governance of the security sector; the initiative need not be left to the executive alone. Increased roles for civil society could include monitoring the performance of security institutions and parliament, budget analysis, legal assistance to ensure compliance with human rights norms, policy advocacy, and working with the media, international actors and other stakeholders to improve and increase information available to the public on oversight needs, challenges and opportunities.\(^42\)

Whilst recognizing the important role of civil society in promoting the democratic governance of the security sector, we should also note the fact that ‘the state is the most legitimate platform for the provision of public security.’\(^43\) The executive is usually in control of security institutions through a range of ministries and other institutions, while parliament commonly performs a number of key functions in relation to the security sector, including the establishment of the legal basis for the security services to operate, scrutinizing defence and national security policies, and holding ministers and public officials accountable for how these policies are implemented. Parliament can also exercise control over defence and security budgets and procurement decisions, review how money was spent, and investigate allegations of policy failure or abuses by the defence and security sector.\(^44\) Many of the recommendations of our seven country studies are aimed at helping civil society, parliament,

\(^{42}\) \textit{ibid}, p. 10
and the executive to carry out their respective responsibilities in the context of current West African realities. The ultimate objective is that the military and other security and intelligence agencies be under democratic civilian control, whilst enjoying professional autonomy through their insulation from party political pressures and systemic corruption.
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