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*Adebayo Ninalowo**

Abstract

It was observed that the underlying motive behind regional integration had been that collaborative efforts across spatial territorial boundaries in Africa would allow for aggregate economic benefits and overall development. But in spite of various incessant efforts in the direction of regional integration over the years, African societies generally continue to witness political crisis, persistent socio-economic disarticulation and increasing pauperization of conditions of living. It was surmised that crisis of legitimation and governance had inflicted stumbling blocks against the actualization of efficacious regional integration and ameliorative human development. Consequently, it was argued that key ingredients of democratic governance and concomitant processes of legitimation should be institutionalized in order to provide routine instrumentalities for peace and stability, so as to enhance the attainment of regional integration and human-centered development.

Preliminary Assessment and Problematique

Implicit in the notion of regional integration is an understanding that smacks of co-operation within a given geographic space, a kind of co-operation across territorial boundaries that would confer mutual benefits in socio-economic, political, cultural, scientific and technological aspects of social life. That means that the ultimate intent of regional integration is co-operation across territorial boundaries in such a way as to maximize mutual benefits for development along a spectrum of social life.

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That the underlying spirit and intention of regional integration is anchored on co-operation across African territorial boundaries had been well enunciated in the Charter that established the Organization of African Unity (OAU) in 1963. Article II of the OAU Charter identified the following as being the purposes of founding the organization:

- a. To promote the unity and solidarity of the African States;
- b. To co-ordinate and intensify their co-operation and efforts to achieve a better life for the peoples of Africa;
- c. To defend their sovereignty, their territorial integrity and independence;
- d. To eradicate all forms of colonialism from Africa; and
- e. To promote international co-operation, having due regard to the Charter of the United Nations and the Universal Declaration of Human Rights.

According to the same Article II of the OAU Charter, the following operational modalities are intended to be the means of achieving the stated purposes:

- a. Political and diplomatic co-operation;
- b. Economic co-operation, including transport and communications;
- c. Educational and cultural co-operation;
- d. Health, sanitation and nutritional co-operation;
- e. Scientific and technical co-operation; and
- f. Co-operation for defense and security.

The spirit and letter of the OAU Charter had influenced and informed subsequent establishment of other organs of regional integration or Regional Economic Communities in Africa, including the Economic Community of West African States (ECOWAS), the East African Community (EAC), the Southern African Development Community

(SADC), the Economic Community of Central African States (ECCAS), and so on.

With their various treaties, agenda and protocols, the Regional Economic Communities (RECs) are meant to foster or act as building blocks for regional integration in Africa. As it has been argued in another context, the extent to which the RECs can really be considered to act as catalyst for effective regional integration is actually a function of the extent to which African member states harbor political commitment (ECA, 2000). Arguably, demonstration of political commitment is important on the part of ruling elites. But by the same token, as shall be shown shortly, the actual test of efficacy of regional integration comes at the level of prevailing realities.

One of Africa's foremost advocates of regional integration is Professor Adebayo Adedeji, who was the Executive Secretary of the UN Economic Commission for Africa (ECA) from 1975 through 1993. He was also a key participant in other regional bodies for integration. He recently highlighted some militating factors against regional integration in Africa. These included the following:

- i) lack of political will to establish effective and dynamic intra-national institutions and to implement agreed treaties and protocols;
- ii) lack of sanctions against non-performance;
- iii) overlapping memberships, many members are unable to manage effectively nor fund adequately the many RIAs which they belong to;
- iv) heavy reliance on tariffs for fiscal revenue;
- v) inadequate mechanisms for equitable sharing of the costs and benefits of integration;
- vi) over ambitious goals and unrealistic time frame;
- vii) non observance of the rule of law and good governance code (emphases added here); and

viii) poor private sector and civil society participation (Adedeji, 2000a, p.10).

He was also to recognize and emphasize crisis of governance within various African States as a particularly major militating factor against effective regional integration. He suggested that it is desirable to have democratic governance, otherwise:

When a state finds itself in crisis, it does not see beyond its nose. If you can't provide enough transport facilities at home, how can you be thinking of West African or pan-African facilities? These are states that can't even pay the salaries of their civil servants. How can you expect them to take out of their non-available resources to pay contributions to regional organizations? (Adedeji, 2002b, p.16).

In a similar vein, Abass Bundu, the former Executive Secretary of ECOWAS had also drawn attention to some impeding factors to regional integration in Africa, including,

- i) the absence of an integration/development culture within the countries of the region;
- ii) difference in ideology and approach;
- iii) political instability or crisis;
- iv) incumberance arising from obsolete colonial institutions and structures;
- v) enduring socio-economic crisis, among others (Bundu, 1997).

Although African economies used to be generally dynamic, situations have assumed deteriorating patterns over the years, in spite of policies on regional integration. For instance, the general average growth rate in the 1970s was 5 to 6 per cent, even rising to 7 to 8 per cent in some cases. However, in the 1980s and beyond, the growth rates had been less than 3 per cent on the average (Adedeji, 2002a, p.16). This statistical pattern has been generally buttressed by the

GDP figures presented in Table 1 below across territorial boundaries in Africa.

Table 1: Real GDP Growth Rates by Sub-Region, 1996-2000

	1996	1997	1998	1999	2000
Central	1.7	0.6	2.2	-4.0	0.0
Eastern	6.4	3.9	2.5	4.5	3.8
Northern	6.1	2.8	4.5	3.8	4.1
Southern	5.0	3.2	1.6	2.1	2.6
Western	4.9	4.5	3.5	2.8	3.1
Franc Zone	4.8	5.7	4.8	2.7	2.9
Net Oil Exporters	4.6	3.6	3.6	3.7	4.1
Net Oil Importers	5.8	2.8	2.9	2.1	2.6

SOURCE: African Development Bank (ADB), 2001.

A composite comprehensive index of human development within a world-wide comparative context reflects a rather pathetic picture for African countries. With the exception of Botswana and South Africa, virtually all other African countries were ranked by UNDP researchers as some of the lowest in the world in terms of human development (see Table II below).

Table 2: Human Development Index (HDI)

		Life Expectancy At Birth (Hears) 2000	Adult Literacy Rate % age 15 and above 2000	Combined Primary, Secondary & Tertiary Enrolment (%) 1999	GDP Per Capita (PPP US\$) 2000	Life Expectancy Index	Education Index	GDP Index	Human Development Value 2002
HDI Rank Low Human Development									
138.	Pakistan	60.0	43.2	40	1928	0.58	0.42	0.49	0.499
139.	Sudan	56.0	57.8	34	1797	0.52	0.50	0.48	0.499
140.	Bhutan	62.0	47.0	33	1412	0.62	0.42	0.44	0.494
141.	Togo	51.8	57.1	62	1442	0.45	0.59	0.45	0.493

		Life Expectancy At Birth (Hears) 2000	Adult Literacy Rate % age 15 and above 2000	Combined Primary, Secondary & Tertiary Enrolment (%) 1999	GDP Per Capita (PPP US\$) 2000	Life Expectancy Index	Education Index	GDP Index	Human Development Value 2002
142.	Nepal	58.6	41.8	60	1327	0.56	0.48	0.43	0.490
143.	Lao	53.5	48.7	58	1575	0.47	0.52	0.43	0.485
144.	Yemen	60.6	46.3	51	893	0.59	0.48	0.37	0.479
145.	Bangladesh	59.4	41.3	37	1602	0.57	0.40	0.46	0.478
146.	Haiti	52.6	49.8	52	1467	0.46	0.50	0.45	0.471
147.	Madagascar	256.0	66.5	44	840	0.46	0.59	0.36	0.469
148.	Nigeria	51.7	63.9	45	896	0.44	0.58	0.37	0.462
149.	Djibouti	43.1	64.6	22	2377	0.30	0.50	0.53	0.445
150.	Uganda	44.0	67.1	45	1208	0.32	0.60	0.42	0.444
151.	Tanzania	51.1	75.1	32	523	0.43	0.61	0.28	0.440
152.	Mauritania	51.5	40.2	40	1677	0.44	0.40	0.47	0.438
153.	Zambia	41.4	78.1	49	780	0.27	0.68	0.34	0.433
154.	Senegal	53.3	37.3	36	1510	0.47	0.37	0.45	0.431
155.	Congo	51.3	61.4	31	765	0.44	0.51	0.34	0.431
156.	Côte d'Ivoire	47.8	46.8	38	1630	0.38	0.44	0.47	0.428
157.	Eritrea	52.0	55.7	26	837	0.45	0.46	0.35	0.421
158.	Benin	53.8	37.4	45	990	0.48	0.40	0.38	0.420
159.	Guinea	47.5	41.0	28	1982	0.38	0.37	0.50	0.414
160.	Gambia	46.2	36.6	45	1649	0.35	0.39	0.47	0.405
161.	Angola	45.2	42.0	23	2187	0.35	0.36	0.51	0.403
162.	Rwanda	40.2	66.8	40	943	0.25	0.58	0.37	0.403
163.	Malawi	40.0	60.1	73	615	0.25	0.65	0.30	0.400
164.	Mali	51.5	41.5	28	797	0.44	0.37	0.35	0.386
165.	Central African Rep.	44.3	46.7	24	1172	0.32	0.39	0.41	0.375

		Life Expectancy At Birth (Hears) 2000	Adult Literacy Rate % age 15 and above 2000	Combined Primary, Secondary & Tertiary Enrolment (%) 1999	GDP Per Capita (PPP US\$) 2000	Life Expectancy Index	Education Index	GDP Index	Human Development Value 2002
166.	Chad	45.7	42.6	31	871	0.35	0.39	0.36	0.365
167.	Guinea-Bissau	44.8	38.5	37	755	0.33	0.38	0.34	0.349
168.	Ethiopia	43.9	38.1	27	668	0.31	0.35	0.32	0.327
169.	Burkina Faso	46.7	23.9	23	976	0.36	0.23	0.38	0.325
170.	Mosambique	39.3	44.0	23	854	0.24	0.37	0.36	0.322
171.	Burundi	40.6	48.0	18	591	0.26	0.38	0.30	0.313
172.	Niger	45.2	15.9	16	746	0.34	0.16	0.34	0.277
173.	Sierra Leone	38.9	36.0	27	490	0.23	0.33	0.27	0.275

SOURCE: UNDP, 2002.

Note: South Africa and Botswana were ranked 107 and 126, respectively, within the cluster of countries with medium HDI; the HDI figures for both countries were 0.695 and 0.572, respectively.

The predicament of Regional Economic Communities (RECs) in Africa was graphically captured in a recent observation, *viz:*

The provisions of the RECs are in most cases as sophisticated as those of economic integration schemes in other regions of the world. They all have reasonably operational secretariats, conducting frequent meetings at the ministerial and working levels. Yet despite the political declaration, the complex institutional arrangements, and the protracted efforts of governments, they have produced very limited concrete results. Unlike economic integration in other parts of the world in Europe (the EU), North America (NAFTA), and South America (MERCOSUR) – the African RECs have not accelerated growth or even trade (ECA, 2002, p.7).

Regardless of relative lack of efficacy of RECs, African Heads of State remain resilient towards the agenda for regional integration.

That resilience for the successful attainment of regional integration is evident in, for instance, the “Bamako Declaration on the Acceleration of the Integration Process in West Africa” as well as the “Constitutive Act of the African Union” which was endorsed by African Heads of State in July 2001. The latest in the series of efforts towards regional co-operation is the New Partnership for African Development (NEPAD).

There had indeed been abundance of declaration of intentions over the years in favour of regional integration. Therefore, the bane of regional integration must be traced to aspects of African realities that had hitherto not received the depth of attention it is warranted, that is, the political context of regional integration. The thesis I wish to demonstrate shortly is that circumstances of political instability or crisis would have a tendency to produce and nurture a concomitant vicious cycle of crisis in other social institutions, including the economy and culture. What follows is a discussion of the political antithesis of regional integration.

The Political Antithesis

To a very large extent, the history of African societies is characterized by instability, crisis and conflict since nominal flag independence from European colonial overlords dating back some four decades ago. Between 1960-99 over a hundred regimes have been overthrown either through a *coup d'état*, war or invasion, over five heads of state have been assassinated, some thirty-two heads of state have either been imprisoned or abruptly removed from office, the African continent has witnessed a total of a hundred and eighty regime transitions within the span of four decades (ADB, 2001, p.111). Within the same period and hitherto, there have been numerous sporadic outbursts of civil strife, protest and demonstration, quite often challenging the social and political legitimacy of the government of the day. As of the time of this writing it was reported from international news that rebel forces in Western Côte d'Ivoire claimed that more than two hundred (200) civilians have been killed by pro-government forces. A story that

was reportedly confirmed by the French army in that country. As to an elaborate analytical treatment of the origination of the series of instability and conflict, this need not delay us here, for it already exists elsewhere (See Bujra, 2002; Juma and Mengistu, 2002). But a fundamental point should remain axiomatic at this juncture: That is that to the extent there is no intra-national co-operation or peace, it would be rather preposterous to expect co-operation across territorial boundaries by way of regional integration. To put it affirmatively, internal stability, peace and co-operation are fundamental pre-requisites for external co-operation or regional integration.

Although many African countries had been able to make varying degrees of progress towards the actualization of liberal democracy through governance, much is still left desirable towards the amelioration of the human condition. For there are still many parts of the African continent where prevailing realities are still a far cry from some of the key precepts of human centered development, including transparency of governance, socio-political legitimacy, the rule of law and widespread popular empowerment. That is to suggest that African States have generally not lived up to the historical expectations of fulfilling their own ends of social contract, as between the state and civil society.

Consequently, there are pervasive instances of crisis of legitimation and social conflict, due to non-attainment of vested interests and aspirations of the citizenry. Widespread instances of corruption in public and private sectors of African societies exacerbate conditions of poverty, thereby reproducing poor governance.

In view of the historically determined responsibility of the state to enhance reasonable conditions of living for individuals and groups in the society, we hereby propose that actual determination of leadership in a given society is a function of the extent to which the state, particularly through effective social democratic governance, is able to enhance the amelioration of the human condition.

One key aspect of the multiplicity of problems posing as impediments in the path of effective regional integration is lack of proper *governance*. From a strict technical standpoint, the notion of governance derives its conceptual status as being historically part of the assemblage of the state. The totality of executive or administrative functions of the state, with a view of fulfilling terms of social contract or constitutional obligations to the citizenry, constitute governance, properly speaking. There is, therefore, a bit of a difference between the notion of *governance* and *government*. The latter simply refers to *position* or *office* of authority to administer the affairs of the state. That is to say, whereas individuals in government might assume or occupy position of authority to manage the affairs of the state to the benefit of the society, this is merely an ideal or normatively valued expectation. For in reality, particular individuals might occupy positions in government without necessarily governing, as their activities might not be in alignment with popular vested interests. Such a situation precisely smacks of crisis of governance, since it is a negation of normatively valued popular expectations. It is noteworthy that circumstances of crisis of governance are breeding grounds for crisis of legitimation. That is to suggest that such situations are not conducive to engendering desirable loyalty from the citizenry. Indeed, conditions of crisis of governance or crisis of legitimation provide stimulants for social conflict. Incidents of so-called “ethnic conflict”, “communal clashes”, religious conflict” and so on, are actually symptomatic or expressive of more fundamental problems emanating as a function of crisis of governance. Moreover, crisis of governance is invariably associated with negation or lack of fulfilment of popular vested interests (See Ninalowo, 1999, 2000; UNDP, 2000, 2002).

Advocates of peace and unity for effective regional integration had suggested a number of desirable factors for success, namely:

- i) Involving civil associations, business groups, professional groups and other sectors of the society more actively in all integration programmes;

- ii) achieving an appropriate balance between public and private economic initiatives;
- iii) reconciling the sometimes conflicting interests of countries with diverse sizes, natural resources and economic performance;
- iv) pursuing a pace of integration that is simultaneously ambitious and realistic, and
- v) rationalizing Africa's many different regional institutions, to reduce overlap and inefficiency (Harsch, 2002, p.11).

In the light of our deliberations hitherto, we propose as follows:

- i) That salient components of popular empowerment or democratic culture are inversely related to crisis of legitimation, including crisis of governance.
- ii) That salient features of popular empowerment, at the levels of governance and society at large, are directly related with regional integration and human development.

An examination of the foregoing propositions shall unfold in the course of a discussion on the essence of legitimation, democratic culture and governance.

But before that let us take a look at the rise and demise of the idea of authoritarianism in Africa.

Debunking Authoritarian Ethos

African nationalists that were at the vanguard of nominal flag independence from the former colonial overlords were reputed to be disdainful of democracy. This was apparently as a result of rather peculiar understanding of democracy as inherently laden with disputations or even conflict, rather than seeing democracy as providing institutional mechanism for negotiation and reconciliation of differences and disputes. Furthermore, according to the nationalist protagonists of the authoritarian idea, the realities of ethnic pluralism

across Africa having the potentiality for ethnic-based conflict are rather high. Therefore, it is necessary for people to be governed with a great deal of regimentation and control, in order to avoid threat to national development or integration (Daddieh, 2002; Ottaway, 1999). But the protagonists of the authoritarian argument had conveniently glossed over the realities of African rich tradition of democratic culture, a democratic tradition that used to involve many hours of consensual problem solving in the village square or compound with the monarch or chiefs in attendance.

In the cause of debunking the authoritarian argument, Claude Ake had the following to say:

Traditional African political systems were infused with democratic values. They were invariably patrimonial, and consciousness was communal; everything was everybody's business, engendering a strong emphasis on participation. Standards of accountability were even stricter than in Western societies. Chiefs were answerable not only for their own actions but for natural catastrophes such as famine, epidemics, floods, and drought. In the event of such disasters, chiefs could be required to go into exile or "asked to die" (Ake, 1993, p.72).

Assuming for a moment that social pluralism is a threat to governance, the antidote would not be authoritarianism, but rather more of democratic properties. For as Claude Ake again rightly argued:

. . . . democracy implies precisely the assumption of differences to be negotiated, to be conciliated, to be moved into phases of higher synthesis. If democracy means anything at all, as a form of relationship, that is precisely what it means. If there is social pluralism that is in fact an argument for a democratic form of governance (Ake, 1990, quoted in Daddieh, 2002, p.4).

To be sure, the natural traditional African cultural cosmology is inherently participatory as a way of social life. For instance, domain African values prescribe that engaging in marriage by a couple should involve members of both extended families. Hence by

cultural practice, husband and wife are married into extended families, the marriage must enjoy the blessings of key members from both extended families prior to final ceremonies. Similarly, all members of the extended family are supposed to participate in socializing and taking care of children as a part of the extended family network. Therefore, it becomes unequivocal that authoritarian ethos is contradictory to African cultural frame of reference.

We proceed hereunder by delineating some ideal typical conceptual categories having to do with crisis, governance, modes of legitimation and democratic nuances of empowerment. This conceptual procedure is designed in order to enhance our grasp of the potentiality which the context of democratic governance portends for mitigating attendant weakness associated with attempts at regional integration for development.

Conceptual Parameters for Democratic Governance

Crisis

The notion of crisis is predicated on relational dichotomy between mentally constructed idealized expectations in relation to actual practical experience of the citizenry, that is, social realities as people actually experience them in everyday social life. Where there is consonance of idealized or normatively valued expectations with lived realities, there is said to be harmony between expectations and realities. By contrast, where there is lack of congruence between idealized or normatively valued expectations and realities as people commonly experience them, there is said to be crisis. Now, in order to be able to relate the notion of crisis to governance, it would be necessary to specify the latter as a conceptual entity.

Governance

From a strict technical standpoint, the notion of governance derives its conceptual status as being historically part of the assemblage of the state. The totality of executive or administrative functions of the state, with a view of fulfilling terms of social contract or

constitutional obligations to the citizenry, constitutes governance, properly speaking. There is, therefore, a bit of a difference between the notion of *governance* and *government*. The latter simply refers to *position* or *office* of authority to administer the affairs of the state. That is to say, whereas individuals in government might assume or occupy position of authority to manage the affairs of the state to the benefits of the society, this is merely an ideal or normatively valued expectation. For in reality, particular individuals might occupy positions in government without necessarily governing, as their activities might not be in alignment with popular vested interests. Such a situation precisely smacks of crisis of governance, since it is a negation of normatively valued popular expectations. It is noteworthy that circumstances of crisis of governance are breeding grounds for crisis of legitimation. That is to suggest that such situations are not conducive to engendering desirable loyalty from the citizenry. Indeed, conditions of crisis of governance or crisis of legitimation provide stimulants for social conflict. Incidents of so-called “ethnic conflict”, “communal clashes,” “religious conflict” and so on, are actually symptomatic or expressive of more fundamental problems emanating as a function of crisis of governance. Moreover, crisis of governance is invariably associated with negation or lack of fulfillment of popular vested interests (see Ninalowo, 1999, 2000, forthcoming).

Modes of Legitimation

In concrete historical terms, the mode and pattern of legitimation for a given system of domination is normally determined by the nature of the state or dominant rulership within a given social formation. This typological determination is, of course, very much influenced by the prevailing actual operative ruling ideology. This may vary between an approximate ideological spectrum, spanning authoritarianism or dictatorship to democracy. Arguably, within each of these two apparent extremes, one may decipher various ideological nuances or combinations, such as fascism, military dictatorship, autocracy, liberal democracy, socialism and so on. But these conceptual

variations do not in any way obliterate the main ideological dichotomy within which a mode of legitimacy may be anchored.

More importantly, factions and fractions that connote divergent vested interests within the state and civil society inherently imply a potential situation of chaos. In order, therefore, for the society not to be propelled towards self annihilation through intra-class and inter-class struggles over mutually contradictory vested interests, it becomes historically incumbent on the state to bring about at least a semblance of order, in an otherwise situations of anomie or relative conditions of normlessness. This is by virtue of its *raison d'être* of manufacturing order with or without popular consent, since the state originated, *ab initio*, out of the need to bring about orderliness in an increasingly complex society (Durkheim, 1964). As it has been established elsewhere (Ninalowo, 1999; 2000), while the emergence of the class state exemplifies the irreconcilability of conflict over divergent vested interests, the state, whether in technologically advanced social formation (metropole) or its underdeveloped counterpart (periphery), there still remains an abiding interest in the process of legitimation. The effectiveness of the particular mode of legitimation, that is, with little or no form of overt or covert contestation, is quite a different matter. Albeit the relative effectiveness of a mode of legitimation is actually what provides some of the key parameters for determining levels of endurance or sustainability of a given system of domination. This brings us to a formal presentation of specific conceptual highlights of a typology of legitimation. There is a broad type of legitimation process which is dubbed legalized. This has two sub-types, namely, (i) constitutional and (ii) extra-constitutional. The other broad type is typified – as socio-political or “legitimation as praxis.” We shall discuss each of these types in terms of its intermediary properties between the state and civil society.

Constitutionally Enacted Legitimation

The most common device by which the state procures legitimacy for its activation of power or moments of domination is predicated on the

tenets of legalization or through legal/rational instrumentality *à la* Max Weber (1978). The form of legalized legitimation we are hereby concerned with at this moment is that which is rooted in the conventional democratically enacted constitution. This type of legitimation-producing process stipulates, in no mistakable terms, the rights and privileges of various actors within the state and civil society. The guiding principle behind this type of legitimation is based on the notion of “social contract.” This is from the standpoint that constitutional legalization of moments of domination declares in specific terms the nature of associations, rights and obligations of the state to individuals and groups such as omnibus provision of safety and security to life and property, as well as other basic necessities of life. By the same token, in return of the state’s fulfilment of its own end of the “social contract,” individuals, groups or corporate entities and other components of the civil society are expected to discharge certain responsibilities to the society at large. These obligations are normally discharged through taxation and “national service.”

There is a crucial point that must be made at this juncture, *as a desideratum* of the sustainability and viability of the principle of “social contract”, *that is, the need to have put in place an enabling environment for the rule of law to prevail.* The rule of law is to allow for the enforcement of the actualization of rights and privileges of components of the state and civil society, without fear or favour. It is this inherent value of social justice that compels the need for the existence of institutional expressions for the ideal of separation of powers among the tripartite of legislative, judicial and executive functions within the state and society. This procedure does not only allow for a system of check and balance, but it is also the practical reality of the rule of law, where it obtains, that makes it possible and ensures that perceived victims of violations of rights and privileges are able to seek redress without hindrance. It is in this sense that practical realization of the ideal of the rule of law may be said to be conducive to institutionalization of conflict between the state and civil society. The notion of the rule of law, in an ideal typical sense, is also supposed to obliterate a superimposition of parochial or elitist

vested interest to the detriment of larger societal interests or “common good.”

Without the sustenance and prevalence of the rule of law, there may hardly be constitutional legalized legitimation in actual concrete empirical terms to act as a buffer between the state and civil society. Constitutional legalization of domination should ordinarily harmonize with a symbiotic relationship between the state and civil society. In other words, constitutionally enacted process of legitimation, *ipso facto*, has a tendency to reduce political contestation over divergent vested interests, either overtly or covertly. This is, of course, a function of relative effectiveness of the institutional devices for resolution of conflict over divergent vested interests, either overtly or covertly. This is, of course, a function of relative effectiveness of the institutional devices for resolution of conflict over divergent vested interests and values. This partly explains relative political stability in advanced liberal democracies of the West. In contrast, it is the relative incongruence between the state and civil society in peripheral social formation that partly explains political instability in that part of the world. It is a trend that tends to reproduce a stressful relationship between the political and economic spheres (UNDP, 1998, 2000, 2002), that is, a condition of legitimation crisis.

Extra-Constitutional Mode of Legitimation

The extra-constitutional mode of legitimation is the other type that is also legalized. But, unlike the constitutionally-based type, part of the characteristics of this type is the sustenance of moments of domination without popular mandate. This mode of legalized legitimation of moments of domination within the state and civil society is ordinarily coercive in its active expressions. Where this form of domination is actualized in governance it is normally in the form of government without the consent of the governed (Ake, 1994). Since such forms of power enactment has no basis in any known constitution, *ab initio*, it is acutally illegal in the first instance from a rigorous conceptual application. Usurpation of power by the members

of the armed forces from a democratically elected regime epitomizes this type of illegality of power appropriation. This is, of course, a gross debasement of democratic ethos to monumental proportions. In spite of this transparently obvious aberration, a military regime usually enacts a large number of decrees in rapid succession in order to “legally” legitimize itself through extra-constitutional means, while the democratically-enacted constitution is put in abeyance. Instances of such regimes have been documented recently in Africa and Latin America, *viz.* Sierra-Leone, Nigeria, Ghana, Ethiopia, Angola, Brazil, Argentina and so on. To a limited or greater extent, these are also societies that are rife with contestations within and across class boundaries over divergent or mutually contradictory vested interests. The immanent expressions of conflict are even compelled by the realities that those at the helms of affairs of the state under circumstances of extra-constitutional mode of legitimation, normally do not project a sense of accountability or responsibility to the interests of the larger society in actual concrete terms. More so as the ruling elite assumes and sustains the mantle of rulership through forcible means as opposed to being a function of popular mandate.

Under these circumstances of despotism, the terms of social contact are more often than not violated by the powers-that-be to the detriment of popular masses and other marginalized social groups (see also Boswell and Dixon, 1990; Ninalowo, 1996b; Wunsch and Olowu, 1990; Weil, 1989). For these reasons, such instances of domination are characterized by socio-political and economic instabilities. It is such situations that help to nurture and reproduce tension within the nexus of interactions between the state and civil society. The state then reacts with an orientation for self-preservation through further repressive measures, while there continue to be both overt and covert forms of resistance on the part of popular masses, to a limited or greater extent. More so, as popular vested interests are hampered.

What has a tendency to escalate this pattern of immanent structural contradictions is the relative negation of principles of the rule of law under extra-constitutional mode of domination. Rather than have

separation of powers among various organs of the state especially as between the executive and judicial organs, there is a predisposition on the part of the executive wing to interfere in the judicial arm. Consequently, it is not uncommon to have so-called “ouster clauses” in extra-constitutionally enacted decrees limiting the powers of the judiciary to adjudicate in certain matters, particularly those pertaining to violation of human rights, that are brought before it. Instances of such are, of course, commonplace under military regimes that are all over the African continent. Under such circumstances, the strains within and between the state and civil society are exacerbated to such an extent as to reproduce legitimation crisis. Moreover, as individual rights and privileges are not even guaranteed, due to serious shortcomings in the sustenance of the rule of law, circumstances of legitimation crisis can not but be heightened, particularly since the moral justification of the claim to authority for rulership by those at the political commanding heights of the state is seriously questioned by the generality of the society.

Needless to say, with the prevalence of lapses in the observance of the rule of law, what obtains in actual concrete terms could perhaps be characterized as *organized anarchy*, that is, a situation of high levels of anomie typified by disorderliness, high rates of normlessness and generalized moral decadence. These are, of course, breeding grounds for immanent ruptures between the state and civil society, that is, crisis of legitimation. However, it is possible to attempt a mitigation of these immanent contradictions at the level of the mode of legitimation that is dubbed-socio-political. It is to this we shall now turn.

Socio-Political Mode of Legitimation

People may regard a given prevailing status quo, regime, programme or national goals as legitimate in terms of the ways by which dominant ideology or values are consistent with those of the generality of the people since they also have and harbor specific interests that might often be at variance with dominant elitist ones. The alignment or reconciliation of general interests and values with dominant ones is said to enhance the possibilities of socio-

political legitimation of the *status quo*. . . In effect, the ultimate dynamics of legitimation goes beyond sheer legalization of elitist national goals, values or norms. The ultimate test of legitimation resides in people's fulfillment of their needs, aspirations, values and interests . . . That is, socio-political legitimacy (Ninalowo, 1990, pp. 112-13).

The foregoing passage highlights the tone of the conceptual underpinning of socio-political legitimation as an instrument of intermediation between the state and civil society. This particular mode of legitimation of domination is normally genuinely oriented towards the fulfillment of vested interests across class boundaries, to a limited or greater extent, in some at least basic degrees. This particular mode of legitimation also potentially harbours emancipatory interests, it is broad-based and commands popular appeal. Its underlying moral thrust is committed towards a serious mitigation of perceived shortcomings that we noticed earlier within the context of extra-constitutional mode of legitimation. To that extent, socio-political mode of legitimation is a potential buffer as an instrument towards the mitigation of structurally immanent contradictions within the nexus of interaction between the state and civil society.

Of relevance here is the concept of popular empowerment for it is richly robust for practical reproduction and consolidation of socio-political mode of legitimation. The conception of popular empowerment comes in five inter-related nuances: (i) socio-economic, (ii) socio-political, (iii) legal-rational, (iv) cultural, and (v) gender empowerment. They will be discussed hereunder in sequence.

Socio-Economic Empowerment

This has to do with a broad-based reward and incentive structure that would enhance or promote possibilities for the generality of people to fulfill their basic needs for housing, nutrition, health, formal education, transportation, communication, and so on. Indeed, as we have seen here earlier, African societies reflect ominous situations of incessant rising costs of living and inflation at astronomical levels.

These had made it even more compelling to facilitate socio-economic capacitation of broad-sections of the African populace, particularly underprivileged members of the society. Without a realization of ideal objectives of a broad-based socio-economic empowerment within the populace, it is inconceivable for those at the commanding heights of governance and political economy to justifiably lay possessive claim to practical manifestations of leadership. That being the case, some basic pre-conditions of humanity continue to be negated avoidably.

Socio-Political Empowerment

The hallmark of socio-political empowerment is an effective form of popular participation in decision-making that affects vested interests of cross sections of the society on both routine and periodic levels. Mass participation in enactment of power significantly involves an electoral institutional mechanism for voting for the ruling elite in order to spearhead the political commanding heights of governance. But there are other components of mass popular political empowerment for articulating and agitating for particular vested interests as well. Various autonomous groups and institutions, such as civil rights associations, farmers' associations, women's associations, trade unions, professional associations, chambers of commerce, *inter alia*, are some of the other forms of institutional means of popular empowerment (see also Diamond, 1995; Olowu, Hyden and Bratton, 1992; Diamond Kirk-Greene and Oyediran, 1998). The state is expected to facilitate and nurture institutional means of popular socio-political empowerment as key aspects of the *desideratum* for responsible leadership and humanization of existential conditions of life.

Legal-Rational Empowerment

A leadership within the tradition of a proper democratic culture should have, as an integral component, a well-defined constitution, with clear inalienable provisions and recognition of fundamental rights of the people. These would have to include human natural

rights pertaining to: the dignity of life of the human person, personal liberty, fair hearing, private and family life, freedom of thought, conscience and religion, freedom of expression and the press, peaceful assembly and association, freedom of movement, as well as liberty of access to basic opportunities and necessities of life, *inter alia*.

It would be noted here that in order to curb an abuse of appropriation of power, there must be separation of powers amongst the conventional main tripartite organs of the state. That is, the executive, legislative and judicial organs must exist and operate as relatively autonomous bodies, so as to foreclose extraneous intrusion on actualization of principles of social justice and equity. It is only under such circumstances that the rule of law can reign supreme. Of course, the principle of supremacy of the rule of law remains sacrosanct for any leadership that is properly embedded within the precepts of democratic culture. For it is this supremacy of the rule of law that may ultimately ensure the sanctity of fundamental human rights.

Popular-Cultural Empowerment

As to what actually constitutes popular cultural empowerment, we draw from a recent effort as follows:

... part of the social contract between the state and the citizenry is for the former to provide an enabling environment and instrumentality for a range of cultural expressions. These would include liberal provision of educational, recreational, and aesthetic facilities. The orientation of the state as well as the civil society in this direction would enhance the realization of basic cultural needs ... (Ninalowo, 1999, p.111).

In multi-ethnic societies with diverse nationalities, such as African societies, promotion of cultural empowerment as a state policy becomes even more compelling. It is a viable means of promoting peaceful co-existence within concrete realities of diversity.

Gender Empowerment

This has to do with provision of equitable opportunities for women with relevant competence and capabilities, in order to be able to participate in key aspects of social life. The participation would include access to decision-making power in political and economic aspects of social life.

It is instructive to note that, even though the various conceptual categories of popular empowerment had been discussed in sequence, they are quite often interrelated under concrete empirical circumstances. Certain aspects of the conceptual categories of empowerment had also been discovered to be inter-correlated with other conceptual attributes of democratic culture, as well as indicators of human-centered development (see Ninalowo, 1995a; Neuhaus, 1992; Firebaugh and Berk, 1994). In other words, the varieties of empowerment are conducive towards enhancing parameters for democratic governance.

By the same token, mutually reinforceable attributes of legitimation and popular empowerment would promote actualization of popular vested interests and aspiration. To that extent, possibilities for social conflict or turbulence within the social system would also be reduced.

A Brief on Transparency and Accountability

The dual factors of transparency and accountability are mutually reinforcing for probity in democratic governance. The notion of transparency implies that activities and responsibilities of government functionaries must be performed in an open and honest manner without being veiled in the cloak of secrecy. Underlying this is the notion of accountability which implies that government functionaries should be prepared to be answerable for their actions at all times to members of the public. Indeed, the idea of accountability had originally been entrenched in classic pronouncement on democratic ethos as an abiding principle (Balogun, 2002). Both of the factors of accountability and transparency are, of course, veritable means of

posing as a hindrance or mitigating economic corruption amongst public functionaries and others.

In Retrospect and Prospect

At the outset, regional integration in Africa was identified as being associated with laudable objectives of co-operation across territorial boundaries. The underlying philosophy behind regional integration had apparently been anchored on the age-long adage – “unity is strength.” It was, therefore, thought by the founding fathers of Regional Integration Associations (RIAs) in Africa that in an increasingly expanding global economy, collaborative efforts across spatial geographical boundaries would expand the scope of aggregate economic activities and development, thereby achieving a better quality of life for the people. However, efforts to effect regional integration had witnessed severe setbacks through the years including, lack of integration or development culture within the countries of each region, political instability or outright crisis, persistent socio-economic disarticulation, non-observance of the rule of law, lack of imposition of sanctions against violations of principles or regulations and so on. Indeed, socio-economic indicators over the years had placed a great majority of African countries within the cluster of poor countries in respect to international comparative Human Development Index (HDI).

Notwithstanding the setbacks deriving from efforts at regional integration, African Heads of State remain resilient and committed to the agenda of regional integration.

Crisis of legitimation and governance had practically posed as stumbling blocks to the attainment of efficacious regional integration and human-centered development. It was, therefore, proposed that key ingredients of democratic governance and attendant processes of legitimation be put in place in order to facilitate an enabling environment for peace and stability, with a view of achieving the agenda of regional integration and human-centered development.

Flowing from the antidote against attendant problems of regional integration is a set of policy recommendations pertaining to mitigation of crisis of governance and legitimation. The re-orientation of policy would of necessity involve the re-structuring of modalities of governance along the following directions, viz.:

- Socio-economic empowerment: Provision of broad-based reward and incentive structure that would enable the people to fulfill their basic needs for housing, nutrition, health, formal education, transportation, communication, and so on.
- Socio-political empowerment: There should be provision of free and fair electoral institutional mechanism for voting political office holders into office by the electorate.
- Various quasi autonomous groups and institutions, such as civil rights associations, farmers' associations, women's associations, trade unions, professional groupings, chambers of commerce, among others, should be encouraged and facilitated by the state to exist and operate in terms of their particular various vested interests.
- Legal-rational empowerment: There should be in place a well-defined constitution, with clear inalienable provisions recognizing fundamental rights and natural personal liberties of people.
- In order to forestall abuse of appropriation of power *there should be operational principle of separation of powers amongst the conventional tripartite organs of the state*. This means that the executive, legislative and judicial organs must exist and operate as relatively autonomous bodies so as to foreclose extraneous intrusion that may negate principles of social justice and equity.
- *The supremacy of the rule of law should be deemed sacrosanct*. This is crucial in ensuring the sanctity of fundamental human rights.

- Cultural Empowerment: In view of multi-ethnic character of African societies, there is a need to promote and encourage tolerance of expressions of cultural diversity.
- Gender Empowerment: There should be provision of equitable opportunities for women with relevant competence and abilities in order to be able to participate in key aspects of social life.
- Transparency and Accountability: The twin principle of transparency and accountability should guide the activities of state functionaries. Whereas the notion of transparency means that officials should be open and honest in the performance of their functions, accountability implies that officials should be answerable to the public and be able to justify their actions at the level of moral and ethical standard. Adherence to the principles of transparency and accountability should help to reduce tendencies for corruption. But appropriate incentives and motivation to officials would help as well.
- De-Centralization of Governance: More often than not, political and fiscal powers and authority are concentrated at the center as is often practiced in many African states, in which case, awareness is created for despotic tendencies that are contrary to democratic ideals. In order to forestall authoritarian tendencies and limit abuse in appropriation of power and authority, it would be prudent to allow for devolution and de-centralization of powers and authority.

The Need for Further Investigation on the International Context of Democratic Governance and Regional Integration

Notwithstanding the fact that the international context was not part of the original design for current inquiry, it will be useful for future researchers to investigate the significance of the impact of international

context (dimensions of globalization) on democratic governance and regional integration in Africa (see Appendix).

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APPENDIX

Addendum to the Study on Democratic Governance, Regional Integration and Development

On the Essence of Globalization for Future Research

In the above-named study, it was established that there is a dire need for putting in place parameters for popular empowerment in order to reduce possibilities of the state as a contested terrain over mutually contradictory vested interests so that stability and peace may prevail. Dimensions of popular empowerment are also essentially meant to foster and reproduce social democratic governance so as to provide enabling environment for regional integration and development. As was said earlier, while this nexus of interaction pertaining to social democratic governance is of immense importance for efficacious regional integration and development it is also of great importance to situate dynamics of social democratic governance, regional integration and development within the international context of globalization along multi-faceted dimensions. Prior to an identification of multi-dimensional context of the processes of globalization that should warrant the attention of other researchers in the future, for clarity of understanding, we should at this juncture proffer a broad conceptual specification underlying the particular appropriation of the notion of globalization.

The notion of globalization is hereby conceived essentially as a historically dynamic trans-national penetration of forces of dominant hegemonic forms. The forces of dominant hegemonic forms are usually enacted and reproduced at inter-related terrains of the economy, polity science, technology and culture. In actual concrete terms, scientific and technological breakthroughs have historically been known to act as catalyst in advancing the process of globalization, to a considerable extent. As has rightly been pointed out by Aina (forthcoming), the process of globalization is to be understood as a process of power or influence enactment across international or spatial boundaries. In that sense, it connotes a

historical continuum that is conceptually and practically similar to colonization, albeit there is a distinction between colonial rule and colonization. The former (colonial rule) connotes a direct rule and physical presence by external domineering forces. By contrast, colonization implies the process of perpetual domination through key social institutions, economic relations, culture, ideology, including the presence of agents of domination, elitist privileges and social inequities. In effect, while forces of globalization have potentials to transform human conditions in African societies to that of improved quality of life, in real terms, hegemonic forces of globalization, more often than not, bring about disempowerment and marginalization of social life to broad sections of people in African societies. Therein are situated the challenges for future research.

There are threefold broad questions deriving from the foregoing:

- i) To what extent are external forces likely to (or actually) influence marginalization or pauperization of people in African societies?
- ii) To what extent do internal forces of domination hinder potential benefits of globalization in favour of African masses?
- iii) What are some of the implications of (i) and (ii) above for social democratic integration and human development?

More specific research questions that may be posed for investigation in the future in respect to the impact of globalization in the following dimensions in Africa are, *viz*:

- i) the significance of marginalization of socio-economic life?
- ii) the significance of information/communication technology on governance and social life?
- iii) the significance on cultural forms?
- iv) potential of information/communication technology and the implications of limited access of the African populace to hi-

- tech facilities for security and traffic congestion in urban centres?
- v) the implications of simultaneous advances in satellite information/communication technology and limited opportunities and access within the African populace?
 - vi) the impact on de-skilling, joblessness, under-employment and the brain-drain phenomenon?
 - vii) finally, the interactive impact of the following dimensions for social democratic governance, regional integration and development?