

The Prospect for Integration in the ECOWAS Sub-Region: Federal or Functional?

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Abstract

The necessity to come together to solve common challenges inspired the establishment of the Economic Community of West African States (hereinafter ECOWAS) through the signing of the Lagos Treaty on the 28th May 1975. Regional economic integration is increasingly recognised as the viable space within which developing economies can better organise themselves to survive economically and politically in a highly competitive world. Thus, since its inception, the ECOWAS has taken several steps and actions towards economic and political integration. This paper examines the effectiveness of either the federal or functional model in the integration of West African states. The paper adopted a qualitative approach in its discourse. The paper is worried that since the formation of the ECOWAS in 1975, genuine political or economic integration is yet to be firmly established. More so, there is a literature gap on what model to properly situate the integration of the ECOWAS sub-region. This paper in filling that gap asks if it is by a federal (centralised) model or functional (institutional) model the sub-regional integration in the ECOWAS be rested upon. It recommends that integration in the ECOWAS sub-region be dependent on a functional model as it remains the sustainable path to regional integration in West Africa.

Keywords: West Africa, ECOWAS, Federal, Functional, Regionalism, Integration.

1. Introduction

The realisation of the colossal loss of human and natural resources suffered by humanity after the WWII compelled humanity and indeed world leaders to engage in an institutional vis-à-vis development strategies to solve their common problems at regional, continental and global levels (Hurrell, 1995; Keating, 2004; Wiener, & Diez, 2009). Integration, therefore, became popular and took a global trend (Claude, 1971; Fawcett, & Hurrell, 1996; Mattli, 1999; Acharya, 2002). Arising thereof, the Economic Community of West African States (hereinafter ECOWAS) was formed on the 28th of May 1975 (Metondji, 2015).

As an approach, regional integration is designed to enhance the political, economic, social, cultural and security cooperation of integrating states. The formation of the ECOWAS was in similar thinking at its inception (Lee, 2003). The ECOWAS is made up of fifteen countries comprising of eight French, five English, and two Portuguese-speaking countries. The broad objectives of the ECOWAS as it is contained in Article II of the ECOWAS Treaty envisaged the promotion of:

cooperation and development in virtually all fields of economic activity, particularly in the field of industry, transport, telecommunications, energy, agriculture, natural

resources, commerce, monetary and financial questions, and on social and cultural matters, for the purpose of raising the standard of living of its people, of increasing and maintaining economic stability, of fostering closer relations among its members and contributing to the process and development of the African continent. Promotion and expansion of intra-community trade is therefore the principal motive for the establishment of the community.

Whereas the ECOWAS has the foregoing aspirations, the questions then remain: How can regional integration be achieved in the subregion? What model of integration should guide the ECOWAS: Is it the federal (centralised power) or functional (institutional or organisational) arrangement? The novelty in this paper, therefore, is to examine the appropriateness of either models for the ECOWAS sub-region. The road to ascertain the appropriate model for the ECOWAS sub-region is structured as follows: Section II examines extant literature. Section III examines the interface between functionalism and federalism as viable options for regional integration in

West Africa. Section IV proposes the functional model as the most viable alternative to achieving integration in the ECOWAS sub-region. Section V concludes the paper.

2. Extant Literature

Regional Integration in West Africa: Its Trajectory

Whereas a region remains a key unit of political cooperation and as an inevitable level of analysis in international politics, it often eludes a precise definition. So also, is the dilemma in defining regionalism because scholarship has since identified sundry dimensions of it. For example, Hurrell (in Betts, 2009, p.164) identify five variants of regionalism including:

- a. “regionalisation (the emergence of non-state led economic interdependence);
- b. regional awareness and identity (the creation of an imagined community across borders);
- c. regional inter-state cooperation (collective action to address common problems);
- d. state-promoted regional integration (the harmonisation and standardisation of policies, especially to remove barriers to the movement of goods, services, and people); and
- e. regional cohesion (the creation over time of a coherent, consolidated regional unit)”.

Of the above variants, ECOWAS falls into the category of state-promoted integration effort which harmonises and standardises state policies towards eliminating artificial barriers in free movement of persons and of goods and services.

But what is regionalism? Betts (2009, p.164) defines regionalism as “patterns of interdependence and international cooperation within geographically contiguous areas of territory”. By this definition, regionalism is synonymous with integration. Whereas approaches to integration are burgeoning scholarship including Woodrow Wilson, Winston Churchill, Kaiser Wilhelm, among others in the 1910’s and 1950’s view integration as political leaders coming together for a common good of their respective states in collective efforts. For Haas (1964) integration is a process whereby political actors in several distinct national settings are persuaded to shift their loyalties, sovereignties, expectations, and political activities toward a new centre, whose institutions possess or demand jurisdiction over the pre-existing national states.

Aryeetey (2001) opines that regional efforts in West Africa owe their origin and inspirations from the efforts by the Economic Commission for Africa (ECA); a body that places premium on the Import-Substitution Industrialisation of countries before formally entering into integration arrangements. Thus, the experience of West Africa with formal regional

integration has been largely driven by the desire to overcome the constraint of small economic size which has hampered their ability to industrialise efficiently. Indeed, the preamble to the 1975 ECOWAS Treaty noted that the Community was being created in view of the overriding need to accelerate, foster and encourage the economic and social development of member states in order to improve the living standards of their peoples (ECOWAS, 1975). This structural transformation so envisaged was later clarified to be within the context of ensuring the independence of member states.

The ECOWAS saw regional integration as a multi-step process eventually leading to a Customs Union (CU) and then a Common Market (CM) integrating states in the West African sub-region politically and culturally. Both the original ECOWAS Treaty and the subsequently revised 1992 version of the ECOWAS Treaty (complemented by more than 30 protocols and supplementary protocols) included initiatives to promote co-operation and development in industry, transport, telecommunications and energy, agriculture, natural resources, commerce, monetary and financial matters, as well as social and cultural affairs. The principal areas of operation have been designated to ensure, among others, expanding the regional market, harmonising agricultural and industrial policies through production integration, ensuring the harmonious integration of

physical infrastructures, promoting monetary and financial integration to facilitate trade, maintaining regional peace, stability, and security, and ensuring free movement of persons, including rights of residence and establishment.

The ECOWAS: Origin, Trajectory and Politics

The Economic Community of West African States (ECOWAS) embraces over 200 million people in all 15-member states in West Africa and until 1999 Mauritania was a member. The ECOWAS could easily be described as a house of many groups: including the now dormant Mano River Union (MRU) with Guinea, Liberia and Sierra Leone as members; the erstwhile West African Economic Community (henceforth CEAO) comprising of Benin, Burkina Faso, Côte d'Ivoire, Mali, Mauritania, Niger and Senegal. Guinea Bissau and Togo joined other Francophone countries and the members of the Mano River Union to establish the Union Economique et Monetaire Quest Africaine (henceforth UEMOA) or the West African Economic and Monetary Union in 1994 (Aryeetey, 2001). However, the remaining four ECOWAS states of Cape Verde, the Gambia, Ghana, and Nigeria belonged to no other economic groupings (Aryeetey, 2001).

The ECOWAS operates through a Conference of Heads of State, a Council of Ministers, an Executive Secretariat, a Development and Co-

operation Fund, and five Specialised Commissions, namely (a) the Trade, Customs, Immigration, Monetary and Payments Commission; (b) the Industry, Agriculture and Natural Resources Commission; (c) the Transport, Communications and Energy Commission; (d) the Social and Cultural Affairs Commission; and (e) the Administration and Finance Commission.

Member states of the ECOWAS remain the ultimate decision makers through what has been described as 'inter-govern-mentalism' (Ntumba, 1997). By this, the Authority of Heads of State and Government (hereinafter, the Authority) sits at the top of the hierarchy of governing bodies and dominates the system. All powers to direct the organisation comes from the Authority which meets once annually. The Authority is responsible for governing the community, and for determining policy directions. It also constitutes the court of last appeal, though, it has now been agreed to formally set up an ECOWAS Supreme Court.

Indeed, the Authority is the body that determines the composition, powers, statutes and all other aspects of the regional tribunal. The Authority is responsible for appointments to the most senior posts, including that of the Executive Secretary and Accounts Commissioner. Indeed, Ntumba (in Aryeetey, 2001) notes that everything is done with the Authority's explicit permit and approval.

The Council of Ministers is subordinate to the Authority and acts as the intermediary between the latter and the Secretariat, putting flesh on the directives that the Heads of State issue to the Secretariat. It draws its powers from the Authority, which gives it a supervisory role, both on the Secretariat and the specialised and technical committees. The Council of Ministers sets the rules governing the terms and conditions of service for the Executive Secretary and other Secretariat officials. The Council also approves the annual budgets of the Secretariat, member states' contributions and other sources of revenue. The Council of Ministers meets bi-annually to oversee the work of the Secretariat. It is run by the Executive Secretary and remains the permanent technical and administrative body of the ECOWAS. The Executive Secretary is appointed for a four-year term, renewable once, and can only be dismissed by the Authority upon the recommendation of the Council of Ministers.

In spite of these enormous structure, the Secretariat of the ECOWAS has been described as weak (Adedeji, 1991; Ntumba, 1997). Until the 1992 reforms, it lacked any decision-making power and could only implement the decisions of the inter-governmental bodies. The lack of decision-making authority is invoked to explain the usually long reaction-time between events and community responses (Ntumba, 1997). National leaders sought to re-create at the sub-

regional level their own highly-centralised domestic structures in order not to lose control.

However, as early as 1983, the leadership of ECOWAS realised that the multiplicity of agencies under the three major organisations was not only unnecessary but also costly. A joint ECA-ECOWAS study on rationalisation was undertaken in 1987 and its proposals for institutional reform made public in 1991. An expectation of the reforms was that the various smaller groupings within the sub-region would be consolidated into a single body, turning ECOWAS into the single regional economic community with responsibility for the integration agenda. In the 1992 revision of the ECOWAS Treaty, the intention was to take into account economic and political developments in the region and in the outside world. This motivated, for example, a shift to the development of a “people-centred organisation”, as opposed to the overly bureaucratic inter-governmental agency of the past (Aryeetey, 2001).

Another development was the emphasis on the need to assure internal peace as well as cross-border stability and security. The organisation planned to improve its decision-making processes and procedures in order to make decisions binding and automatically enforceable. This was to be achieved by streamlining the institutional and operational framework, as well as the delivery capacity of the Secretariat. In line with the above objective, a number of

existing Intergovernmental Organisations (IGOs) were made specialised institutions of the ECOWAS, managing activities such as monetary integration, the mobilisation of development finance, environmental protection (drought and desertification control), regional food security (cereal production, livestock development and pest control), development of river basins, human health and human resource development.

Paradoxically, barely two years of adopting a revised ECOWAS Treaty, the CEAO transformed itself into UEMOA. Early discussion of this prompted ECOWAS to revise its stand on being the sole integration agency for the sub-region and suggested that it would ultimately become the sole economic community of the region (Bundu, 1997). The inconsistency in approaches to trade liberalisation among the different sub-regional groupings have also been a major challenge of the integration efforts in the sub-region.

As it is in any other regional groupings, the ECOWAS is riddled with daunting challenges ranging from political instability (e.g. Mali), insurgencies (Boko Haram in Nigeria) and the agelong colonial factor (Yoroms, 2014). It is sad that, the ECOWAS is still highly polarised along Francophone and Anglophone colonial divides where member states pledge unalloyed allegiance to their erstwhile colonial masters. Thus, suspicions situated along linguistic divides has greatly decimated

whatever efforts towards sub-regional integration (Bamfo, 2013).

3. Integration in the ECOWAS Sub-Region: Federal or Functional?

The importance of institutions as a tool for states to surmount their national, regional, continental and international challenges that face them cannot be over-emphasised. However, it is necessary to examine the model which a particular institution adopts to achieve its objectives. Academicism has identified the functional (institutionalised) and the federal (centralised) models as the two dominant approaches to enthrone regional integration (Mitrany, 1965). This section examines both models in turns:

The Federal (Centralised) Model to Sub-regional Integration

Federations occur from among diverse manifestations. One measure is when states come together to form an international organisation that is subject to their control (Mitrany, 1946). Another measure is when states surrender part of their sovereignty to such an organisation to the extent that the organisation created by them is able to control them in the areas of its mandate.

However, these approaches are not without criticisms. For example, is it not ironic that a creature (the international organisation) becomes more powerful, in some respects, than its creator (the states) (Lokulo-Sodipe & Osuntogun, 2013). More so,

surrendering power, whether partial or total to an international organisation is not an easy task. This is because it is difficult for a state to surrender part of its sovereignty, which is an essential attribute of a sovereign state.

For purposes of definition sovereignty can be considered from two contexts: First, legal sovereignty and the second Westphalian sovereignty. Whereas, legal sovereignty involves jurisdiction independence and the equality of states, Westphalian sovereignty refers to a situation where a country does not take orders from outside or from any other authority. States are independent in the sense that they are not subjected to any external control. Consequently, if a state surrenders part of her sovereignty to an international organisation and which exert control in any form, then the Westphalian conceptualisation of sovereignty is infringed upon.

It is difficult to see why a country would consent to surrender even part of its sovereignty, particularly in the case of West Africa where most states fought bloody wars for years to gain their political independence. Why would they discard what they fought for, even if it is only a fraction? Evers (in Lokulo-Sodipe, & Osuntogun, 2013, p.229) sees no sense in it. He wondered loudly saying: "Has the nation state become outmoded? Have the victories of sovereignty that so many wars have been fought over and are still being fought over-been the death of precisely

this...same sovereignty? If so, then who or what will succeed it as the decision-making authority and the principle of order?" However, while he failed to answer the question, he admitted that the concept of sovereignty is losing its meaning in a world bound together by globalisation. This is because:

The dialectic relationship between the rapid globalisation of the economy, communications and culture and the simultaneous more and more complex and subtle formation of different social spheres actually makes the idea of a central decision-making body seem an anachronism, though nobody doubts that the nation state as an important level of action perhaps the most important will continue to exist for a long time to come. It is, however, losing its claim to exclusivity, which, by the way, it never did comply with even in the Anglo-European World of States. (Lokulo-Sodipe, & Osuntogun, 2013, p.230)

But why would NATO, the WTO, the UN and the many other international organisations exist? These international organisations exist because states delegate authority to them in the anticipation that the

expected benefits of doing so outweigh the expected costs (Raustiala, 2006; Tillman, 2015).

However, what states gain from international organisations, whether supranational or not, has been so difficult to perceive by the citizens of the states which are members of such organisations. Ignorance of the value or perhaps lack of value of these international organisations is very common among African states where even the elites do not see the need for them. For instance, Chief Olisa Agbakoba, erstwhile president of the Nigeria Bar Association (NBA) decried Nigeria's membership of international organisations because Nigeria as a country does not benefit from them (Lokulo-Sodipe, Osuntogun, 2013, p.230). He rhetorically asks:

The NBA being a professional body that understands how multilateral institutions work, I want to ask, what has Nigeria benefited from being a member of the Commonwealth? What has Nigeria benefited from being a member of the Economic Community of West African States (ECOWAS), the United Nations Organisation (UNO), the Organisation of Islamic Countries (OIC) or do we need new institution to benefit us.

Whereas the benefits of the federal structure are contested, the benefits of the existence of supranational organisations which includes among others being: (a) an effective institution for the maintenance of peace; (b) a provider of welfare to the citizens of member states; and (c) the ability to strengthen national governments by helping them to solve their problems (Lokulo-Sodipe & Osuntogun, 2013). In a post 9/11 global politics, energies must rather concentrate on building-up on state power and not to cut back. More so, where strong states can come to the aid of weak states—a sort of a philanthropic gesture—so as a matter of duty supranational institutions should fill-in that gap.

However, certain problems have emerged with the advent of supranational institutions. First, the dangers of using international law to shape and influence domestic politics remains that a repressive regime may covertly adopt compulsion at the international level or as a decoy to see through its own domestic policies that violate legitimate opposition groups and even citizen's civil rights (Slaughter & Burke-White, 2006). It is worrisome that in a post 9/11 era, states have adopted “repressive new laws and detention practices have been introduced in a significant number of countries, all broadly justified by the new international war on terrorism” (Lokulo-Sodipe & Osuntogun, 2013, p.233).

Second, supranational institutions pursue their own interests. For example, it is indicated that European Union delegations often results in desired and undesired effects because they pursue their own interests (Tallberg, 2002). The point in emphasis here is that supranational institutions may become so powerful that they can go beyond their mandates and pursue other interests, which might be detrimental to the interests of the national governments of their member states or their citizens or problems might emerge as a result of the activities of supranational institutions. For example, the ECOWAS Protocol on the free movement of persons, residence and establishment has led to an increase in prostitution, child labour, child trafficking, the commission of crimes and the exploitation of the citizens of the community by employers in the host countries. It is observed that this exploitative trend is oftentimes perpetuated when:

there is an apparent conspiracy between the immigration officers or those charged with the implementation of the expatriate quota and the illegal aliens. This ultimately results in the exploitation of the latter's labour without just remuneration by the citizens of the host country. (Lokulo-Sodipe & Osuntogun, 2013, p.233)

Third, there are problems of harmonisation of laws, cross-border insecurity and the proliferation of weapons. These problems often emerge as a result of the fraternity between neighbouring nations in West Africa. Fourth, the precarious financial situation of most supranational institutions is equally a daunting challenge. States with weak economies may find it difficult to discharge their financial obligations to supranational institutions (Fagbayibo, 2013).

Fifth, the low level of loyalty to supranational institutions. Citizens are more committed to their states than to the community or the union. For example, Nigerians could not see any justifiable reason why Nigeria should be spending her oil money to guide the course of other nations through supranational institutions, while except for the ruling class, they live in abject poverty.

The Functional (Institutional) Model to Sub-regional Integration

Functionalism is a theory in international relations that arose during the inter-war period principally from the strong concern about the obsolescence of the Westphalian state as a form of social organisation. Rather than the self-interest of nation-states that realists see as a motivating factor (Morgenthau, 2012), functionalists focus on common interests and needs shared by states (but also by non-state actors) in a process of global integration triggered

by the erosion of state sovereignty and the increasing weight of knowledge and hence of scientists and experts in the process of policy-making (Rosamond, 2000).

States had built authority structures upon a principle of territorialism. State-theories were built upon the assumptions that identified the scope of authority within territory (Scholte, 2000, 2001), aided by methodological territorialism (Scholte, 1993). Functionalism instead proposes authority based on functions and needs. That is, it provided for a supra-territorial concept of authority (i.e. which links authority with needs). Functionalism excludes and refutes the idea of state power and political influence (i.e. realist approach) in explaining the cause for the proliferation of international organisations during the inter-war (which was characterised by nation-state conflict) and the subsequent years.

In functionalist discourse, international integration, collective governance and material interdependence among states develops its own internal dynamics as states integrate in limited functional, technical, and economic areas (Mitrany, 1933). It is expected that international agencies would meet human needs but aided by knowledge and expertise. The benefits rendered by functional agencies would attract the loyalty of the populations and stimulate their participation and expand the areas of integration. Thus,

there are strong assumptions underpinning functionalism including that: (a) the process of integration takes place within a framework of human freedom, (b) knowledge and expertise are currently available to meet the needs for which the functional agencies are built, and (c) states will not sabotage the process.

Thus, economic integration can be established and maintained without centralising all elements of economic policy in a supranational institution or federal body. Otherwise, this could be done by making use of the present social and scientific opportunities to link particular activities and interests, one at a time, according to need and possibility, and giving each a joint authority limited to that activity alone. That is the functional way (Mitrany, 1933).

4. The Way Forward for Sub-Regional Integration in ECOWAS

From the above, the contestations against the federal (centralised) model of sub-regional integration were robust in its rejection. The rejection of the federal model leads to proposing a functional alternative which proposes that:

when a sub-regional group reaches a point where its set-up no longer allows it to meet the aspirations of its founding fathers or even the simplest of integration tasks, then it must be at dangerous crossroads and could be in

dire need of reinvention.
(Oghogbo, 2007, p.37)

Thus, at the ECOWAS sub-regional level, the objective of functionalism towards attaining sub-regional goals and objectives is achievable through functional cooperation by the work of institutions (including inter-governmental and non-governmental institutions). If the activities of functional institutions involve taking actions on practical and technical problems/issues rather than issues of military and political in nature, the myriad of challenges confronting the ECOWAS sub-region could be solved if specialist institutions are assigned to handle a designate responsibility.

ECOWAS' sub-regional integration should be anchored on the functional model—a model which works not from a centralised perspective but one which sets up designate institutions to designate responsibilities. Thus, distinct regimes should be put in place to handle designate issues. For the avoidance of over simplification, the point need be repeatedly made that challenges (such as health, hunger/famine, environmental challenges, amongst others) relating to different sectors of the sub-region be handled by an institution with requisite expertise to do so.

Indeed, it was the functional thinking that influenced the formation of the West African Health Organisation (WAHO). This thinking

and institutions should be replicated to embrace issue-areas demanding urgent ECOWAS intervention. In fact, handling challenges on functional (institutional) basis instead of a federal (centralised) approach provides the actors in the sub-region to successfully cooperate in non-political contexts, which might otherwise be harder to achieve in a political context. It is in such thinking, functionalists assume that cooperation in a non-political context would bring about sub-regional cooperation and peace because functionalist believe that the elimination of subsisting non-political, and non-military sub-regional challenges are the very origin of conflicts within the ECOWAS sub-region.

5. Conclusion

An attempt was made in this paper to proffer a better regional integration structure for the Economic Community of West African States (ECOWAS) in the light of the challenges facing the sub-regional organisation, which arise largely from the structural defects of the present regime as either a functional or federal entity. Regional integration in the ECOWAS sub-region can be established and maintained without centralising all enduring challenges of the sub-region in a federal (centralised) body.

The subsisting federal model has failed to salvage the sub-region from the daunting challenges such as health issues, social evils, misrule,

corruption, amongst others plaguing the sub-region and people. It is the view of this paper that a functional alternative which link particular activities and interests to a regime (authority) limited to a specific activity alone. The functional model will better position the ECOWAS to attain the set sub-regional objectives. This is because sovereignty can only be transferred effectively through a function and not by means of a formula. Thus, a functional integration mechanism in the ECOWAS will help to achieve the vision of its founding fathers, who believed that regional integration would promote economic development, engender improved standards of living for the people, enhance interstate relations, and contribute to the progress and development of the subregion.

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Laderi, J.W.; Ogoh, S.E. & Egbe, O.D.J. (2021); The Prospect for Integration in the ECOWAS Sub-Region: Federal or Functional?, ANSU Journal of Arts and Social Sciences (ANSUJASS), 8 (1): 18-31