

ECONOMIC COMMUNITY OF WEST AFRICAN STATES (ECOWAS) AND STATE SOVEREIGNTY IN WEST AFRICA

Mercy Ehidiamen Ikponmwosa

Afiliasi; Edo State University, Uzairue
ikponmwosa.mercy@edouniversity.edu.ng

Stephen. M. Omodia

Afiliasi; Edo State University, Uzairue
omodia.monday@edouniversity.edu.ng

Harriet Omokiniovo Efanodor-Obeten

Afiliasi; Edo State University, Uzairue
efanodor.harriet@edouniversity.edu.ng

Abstract

Negara-negara kini menyadari perlunya mengambil tindakan untuk menciptakan dan meningkatkan institusi regional di hampir setiap wilayah di dunia, termasuk Afrika, dan integrasi bahkan di Afrika Barat telah menjadi mode selama bertahun-tahun. Perjanjian ECOWAS yang telah direvisi berusaha untuk mempromosikan kecenderungan supranasional yang memberikan ruang bagi keengganan negara dalam pelaksanaan kebijakan dan keputusannya. Dengan Komunitas Ekonomi Negara-Negara Afrika Barat (ECOWAS) sebagai titik fokusnya, penelitian ini melihat proses integrasi di Afrika Barat serta bagaimana hal tersebut mempengaruhi kedaulatan negara di sub-kawasan tersebut. Sumber data sekunder, yaitu jurnal dan publikasi, digunakan dalam penelitian ini. Studi ini menemukan antara lain bahwa ECOWAS menggunakan kebutuhan, kebijakan, dan aktivitas negara untuk mencampuri urusan negara anggota sehingga membatasi kedaulatannya hingga batas tertentu di dalam kawasan. Studi ini menyimpulkan bahwa dengan kepentingan nasional, negara-negara yang mengetahui biaya dan manfaat integrasi biasanya akan berusaha untuk mencapai tujuan dan sasaran mereka. Studi ini merekomendasikan bahwa kebijakan dan inisiatif harus dikembangkan untuk mendukung otonomi negara dan kolaborasi regional untuk membantu pembangunan, stabilitas, dan pertumbuhan ekonomi di antara negara-negara dan juga mendorong investor lokal dan asing, yang berkontribusi pada pembangunan keseluruhan negara-negara di Wilayah Afrika Barat.

kata kunci: *Kedaulatan Negara; ECOWAS; Integrasi*

Copyright: © 2024. Mercy Ehidiamen Ikponmwosa, Stephen. M. Omodia, Harriet Omokiniovo Efanodor-Obeten.

This work is licensed under a Creative Commons Attribution-ShareAlike 4.0 International

Mercy Ehidiamen Ikponmwosa, Stephen. M.
Omodia, Harriet Omokiniovo Efanodor-Obeten

Abstract

States are now recognizing the need to take action to create and improve regional institutions in virtually every region of the world, including Africa, and integration even in West Africa has become fashionable over the years. ECOWAS revised treaty seek to promote supranational tendencies giving room for state reluctance in the implementation of its policies and decision. With the Economic Community of West African States (ECOWAS) as its focal point, the study looks at the integration process in West Africa as well as how it affects state sovereignty in the subregion. Secondary data sources, namely journals and publications, are used in the study. The study finds among other things that ECOWAS uses the needs, policies and activities of state to interfere in the affairs of member states thereby limiting her sovereignty to an extent within the region. The study concludes that with national interest at heart, states knowing both the cost and benefits of integration will usually strive to accomplish their aims and objectives. It recommends that policies and initiatives should be developed to support both state autonomy and regional collaboration to aid development, stability, and economic growth among states and to also encourage both local and foreign investors, contributing to the overall development of the states in the West African Region.

Keywords: State Sovereignty; ECOWAS; Integration

Article History: Received 21 February 2024, Revised 25 March 2024,
Accepted 16 April 2024, Available online 30 October 2024

Introduction

States have started to recognize the need to begin measures to establish and improve regional institutions because integration has become fashionable throughout the world, especially in Africa. As a result, various regional organizations were established, including the Organization of American States (OAS), the North American Free Trade Agreement (NAFTA), the European Union (EU), the African Union (AU), the Association of Southeast Asian Nations (ASEAN), and others. Practically speaking, every state participates in some form of regional cooperation organization, but not every state participates in regional integration, nor do all regional cooperation organizations evolve into regional integration.

According to Ernst Haas (1968),¹ integration is the process through which individuals from various national contexts are convinced to change their political behavior, allegiances, and aspirations in favor of a new center, whose institutions either currently control or seek to control the national governments that currently exist. An old political community is replaced with a new one as a result of political integration. According to the aforementioned, regional integration places restrictions on the powers exercise by member state thereby limiting its sovereignty. Sovereignty within the ECOWAS has been intergovernmental for about thirty years since its establishment but the body seek supranationality since its revised treaty as amended in the 2006 supplementary protocol.²

Okom (2016)³ and Ladan (2016)⁴ perceived that since the inception of the ECOWAS, there has been a note of reluctance from member states to surrender some of their rights to meet up with the tenets of the body and this has become glaring with its revised treaty, these researchers advocates that for ECOWAS to do well and function effectively, states within the region needs to upheld the revised treaty and this treaty is perceived by states as an invasion into their sovereignty due to its supranational tendencies. Idris (2022)⁵ also claimed that member nations have concerns with the amended ECOWAS treaty's move toward becoming a supranational organization. With the above concerns, this study seeks to expose how integration has infringe on state sovereignty in West African's regional

¹ Haas Ernst, *The Uniting of Europe* (Stanford: Stanford University Press, 1968); Heta Heinonen, "Regional Integration and the State: The Changing Nature of Sovereignty in Southern Africa and Europe" (PhD Thesis, University of Helsinki, 2006).

² Muhammed Tawfiq Ladan, "The Legal Aspect of Regional Integration in West Africa and the Role of the ECOWAS Court of Justice," *Tuma Law Review* 4, no. 1 (2016): 37–65.

³ Michael P. Okom, "Sovereignty Versus Supranationality: The ECOWAS Conundrum," *European Scientific Journal* 12, no. 23 (2016): 289–97.

⁴ Ladan, "The Legal Aspect of Regional Integration in West Africa and the Role of the ECOWAS Court of Justice."

⁵ Aminu Idris, "PERMEABLE BORDERS AND INSECURITY: THE ECOWAS PROTOCOL ON FREE MOVEMENT AND TRANS-BORDER BANDITRY ON THE NIGERIA-NIGER REPUBLIC FRONTIER," *Zamfara Journal of Politics and Development* 3, no. 1 (2022): 1–18.

Mercy Ehidiamen Ikponmwosa, Stephen. M.
Omodia, Harriet Omokiniovo Efanodor-Obeten

body (ECOWAS) by providing answers to the following research questions:

1. How has regional integration evolved in West Africa?
2. How does integration impact on state sovereignty in the West African region?

This paper seeks to provide resounding answers to the above by examining the integration structures in West Africa using Economic Community of West African States (ECOWAS) as a focus point. The rest of the paper is divided into: Section two: literature review; Section three on Research Method; Section four on the Analysis of Research Questions; followed by the findings, recommendations and conclusion.

Literature Review

The concept of integration

The creation and expansion of regional international organizations are referred to as "regional integration". Regional international organizations should have four fundamental and necessary characteristics: state participation, organizational strength, multilateralism, and closeness. Theorists made a distinction between integration and (simple) international organization or cooperation in the early phases of regional integration theory. For instance, the term "integration" was used to describe the emergence of a "sense of community" among member states or to differentiate supranational regional organizations such as the European Coal and Steel Community (ECSC) from intergovernmental organizations such as the Organization for European Economic Cooperation (OEEC).⁶ Ernst Haas (1968)⁷ gave a better and more precise definition of integration, describing it as the process through which people in different national contexts are convinced to alter their political actions, expectations, and allegiances in favor of a new center whose institutions demand or have jurisdiction

⁶ Karl Wolfgang Deutsch, *Political Community and the North Atlantic Area: International Organization in the Light of Historical Experience* (Princeton: Princeton University Press, 1968).

⁷ Ernst, *The Uniting of Europe*.

over pre-existing national states. An old political community is replaced with a new one as a result of political integration.

Regional integration was widely described by early theorists as a process intended to replace the nation-state with a federal polity (Haas, 1968). Current integration theory ignores both qualitative and teleological explanations beyond the bare minimum mentioned and views integration as an open-ended process. Instead of classifying various types of regional integration organizations as distinct from other organizations, it employs terms like "supranational" and "intergovernmental."

According to the intergovernmentalism idea, national governments are the main players in regional integration. Governments employ regional integration within the framework of regional interdependence to fully accomplish their goals for the economy and national security. The results of intergovernmental negotiation reflect regional preferences and power structures. Governments give regional organizations authority to accomplish their bargaining goals, but they still have authority over these organizations and the integration process.⁸ The term "supranationalism" refers to a framework for regional integration that, in order for the regional integration body (such as ECOWAS) to be able to make decisions and pass laws that are immediately applicable in their respective regions, sovereign member states are encouraged to agree to transfer or cede to, share or jointly exercise part of their sovereignty with, these institutions.⁹ An objective of integration is supranationality.

In the course of this study, integration is the formation of a regional (supranational) body which requires member state to surrender a measure of the sovereignty in order to make the body more effective and substantial.

⁸ Muhammed Tawfiq Ladan, "Harmonization of Trade and Investment Laws in Africa:- Issues, Challenges and Opportunities," *Agence Intergouvernementale de La Francophonie*, 2005, 71–87.

⁹ Ladan, "The Legal Aspect of Regional Integration in West Africa and the Role of the ECOWAS Court of Justice."

Mercy Ehidiamen Ikponmwosa, Stephen. M.
Omodia, Harriet Omokiniowo Efanodor-Obeten

The concept of Sovereignty

A state's sovereignty is defined as its capacity to enact laws and control its territory in a meaningful way. A "super-State or supra-national authority with corresponding powers, capable of enforcing conformity" on its constituents is described as a supra-natural entity.¹⁰

Political theorists that were primarily uninterested in and unconcerned with the interactions between states established the idea of sovereign states.¹¹ Furthermore, in its most recent iterations, sovereignty came to signify not just a rejection of the notion that states could be subject to any form of legislation, but also the impossibility of having numerous states coexist in a world where survival and sustainable development are dependent upon one another. In this study, the concept of sovereignty is perceived as the possession of full control over affairs within a territory or geographical area by its government and representatives. States here, control what happens inside and within their borders and do not interfere in the happenings of other states.

Research Method

The study employed a historical approach and a qualitative research design. The study makes use of secondary sources of data. As a result, the study relied on written sources such books, journals, articles, news stories, seminar papers, and working papers from institutions, think tanks, and professional organisations. Reports of the ECOWAS and other Regional groups in Africa, historical reports of news media like Aljazeera, Channels, Thisday and Voice of Africa were also useful.

Data for this study is gathered from libraries, online platforms like Aljazeera, Channels and Voice of Africa along were also useful. In order

¹⁰ Yakubu Gowon, "The Economic Community of West African States: A Study in Political and Economic Integration" (PhD Thesis, University of Warwick, 1984).

¹¹ Andrew Clapham, *Brierly's Law of Nations: An Introduction to the Role of International Law in International Relations*, 7th ed. (Oxford: Oxford University Press, 2012).

to ensure the reliability and validity of data, evidences from informal and non-authoritative sources, were excluded from the data used in the study. The researcher used the data triangulation approach. Cross checking data from various sources helps to improve the validity of research data.

The analysis of the study's data is qualitative. Being a thematic analysis, the study uses broad concepts, ideas, and themes as analytical tools from which to make generalizations. In order to present a clear and consistent picture, the analysis will go forward by pulling themes or generalizations from the material. For a more thorough and comprehensive understanding, themes and concepts were drawn.

Result

Regional Integration and its Evolution in West Africa

The Economic Community of West African States and the Lake Chad basin commission are two organizations dedicated to regional integration in West Africa. ECOWAS was established in 1975 by all of the members of the Communauté Économique d'Afrique de l'Ouest (CEAO), the two biggest traders, Nigeria and Ghana, as well as a number of smaller Anglophone countries and Guinea. With the intention of encouraging member state political and economic cooperation.¹² The occasion was the first Lomé Convention, which granted the former British and French colonies equal trading access to the European Union (EU). By establishing ECOWAS, the other countries in the area attempted to bring the region together. Nigeria and Union Economique et Monétaire Ouest Africaine (UEMOA) had comparable economic objectives; however, UEMOA sensed a political "external danger" in Nigeria, whereas Nigeria did not. ECOWAS gains a security component from ECOMOG's involvement. The ECOMOG project, which aimed to intervene and restore peace in the region, was the most obvious sign of political commitment to a regional strategy. More

¹² Samuel Ibok and Adetomiwa Atayero, "ECOWAS and the Challenges to Regional Integration in West Africa," in *The United Nations and Sustainable Development Goals* (Switzerland: Palgrave Macmillan, 2022).

Mercy Ehidiamen Ikponmwosa, Stephen. M.
Omodia, Harriet Omokiniovo Efanodor-Obeten

recently, non-UEMOA members decided to pursue monetary union, initially with each other and subsequently with UEMOA.¹³

ECOWAS aimed to achieve free trade inside its member countries and a unified external tariff within 15 years, which would be succeeded by unrestricted mobility of labor and capital.¹⁴ The "Authority of Heads of Government," which is in charge of ECOWAS, has successfully exercised all functions, including the nomination of the Executive Secretary. Under it, the Council of Ministers, which consists of ministers with ECOWAS-specificity rather than ministers with functional expertise, oversees the Secretariat and the specialized institutions. There is currently no clear implementation or enforcement mechanism to support this, despite the fact that its verdicts are instantly enforceable within ECOWAS, having been in place since 1992. Strong security measures are in place at the most resilient and successful regional organizations to protect against attacks from both the inside and the outside. When ECOWAS was established in 1975, its primary objectives were economic cooperation. Over time, the role of political and security problems on the ECOWAS agenda has increased.

The objective of ECOWAS is to promote sustainable development and collaboration among its member states across all economic domains, with the aim of improving the quality of life for the diverse populations within the region. The organization launched an economic integration program with the goal of eliminating all barriers to the free flow of capital, goods, and people throughout the region in order to promote rapid and sustainable economic progress. This is accomplished by a planned regional policy of trade liberalization and the removal of immigration restrictions. Its primary goal is to guarantee regional stability and economic expansion. However, as the

¹³ Sunday Kachima McDonald. Anadi, "Regional Integration in Africa : The Case of ECOWAS" (Doctor of Philosophy Theses, University of Zurich, 2005).

¹⁴ Idris, "PERMEABLE BORDERS AND INSECURITY: THE ECOWAS PROTOCOL ON FREE MOVEMENT AND TRANS-BORDER BANDITRY ON THE NIGERIA-NIGER REPUBLIC FRONTIER."

ECOWAS internal market initiative is still mostly unrealized, the welfare advantages that should result from liberalization are significantly diminished.¹⁵

Through removing all barriers to the free movement of labor and other production-related inputs, as well as by harmonizing member states' national economic and budgetary policies, ECOWAS aimed to achieve economic integration. As evidenced by Article 41 of its Revised Treaty, the primary objective of ECOWAS was to create a free trade area by gradually doing away with all custom duties and other fees that had a comparable impact on imports and exports between member states, as well as all quota and quantitative restrictions and other administrative barriers to trade between member states within the sub-region. Second, ECOWAS aimed to gradually transition toward a customs union that will ultimately become a common market while maintaining a common external tariff structure in its commerce with non-member nations. In order to facilitate the free movement of production elements across member states, all barriers had to be removed. In the end, the organization (ECOWAS) aimed to achieve a full economic union by harmonizing infrastructure development, energy, transportation and communication, industrial, and agricultural sectors, as well as by having common economic and monetary policies among member states. This was mentioned in the ECOWAS Revised Treaty's Article 54 and the preamble of Chapter 9.¹⁶

There is no gainsaying that the changing circumstances in world politics at the time had an impact on West African leaders, in addition to the fact that ECOWAS is an expression of Pan-Africanism. This occurred at a period when regional trading blocs were gaining popularity in the political sphere of the international community as a means of fostering greater economic growth and independence. As a result, there emerged several economies of member states (Adejuwon, 2011). Furthermore, as market size and the availability of natural

¹⁵ Anadi, "Regional Integration in Africa : The Case of ECOWAS."

¹⁶ Kehinde David Adejuwon, "REGIONAL INTEGRATION IN AFRICA: THE CASE OF ECOWAS," *Continental J. Sustainable Development* 2, no. 2 (2011): 6–13.

Mercy Ehidiamen Ikponmwosa, Stephen. M.
Omodia, Harriet Omokiniovo Efanodor-Obeten

resources continue to influence decisions about foreign direct investment within the area, the lack of a regionally coordinated investment policy simply serves to widen the disparities in economic development among the member states. Due to member states' lackluster commitment and ineffective compliance with regional decisions, the ECOWAS internal market initiative is still mostly unfinished. Despite providing a list of rational conjoint utilities and benefits that member states would otherwise be unable to attain on their own, the regional trade liberalization policy's poor implementation makes it clear that these benefits and utilities do not align with the rational preferences of member state actors.¹⁷

At inception, the 1975 ECOWAS treaty provided no security role for the sub-regional grouping, but has over time assumed security roles through the ECOWAS Standby Force, formerly Economic Community of West African States Monitoring Groups (ECOMOG), The Mediation and Security Council (MSC) and Early Warning and Response Network (ECOWARN).¹⁸ Over the years, various factors has contributed to the integration effort of West Africa, as such the next sessions will examine transnational migration and insecurity.

Similarly, the Lake Chad Basin Commission has fostered regional integration in West Africa.¹⁹ Among the commission's responsibilities are the management of Lake Chad and its shared water resources, the preservation of ecosystems, and the advancement of regional integration, peace, security, and development in the Lake Chad Region. Although it has few members outside West Africa, a significant portion of its membership are from the West African region. Their operations have include the Multinational Joint Task Force (MNJTF) made up of

¹⁷ Anadi, "Regional Integration in Africa : The Case of ECOWAS."

¹⁸ Bashir Bala and Usman A. Tar, "Regional Cooperation in West Africa: Counter-Terrorism and Counter-Insurgency," *African Security* 14, no. 2 (2021): 186–207, <https://doi.org/10.1080/19392206.2021.1929747>.

¹⁹ Safiya Wada Abu and Adam Okene Ahmed, "Cooperation Between the Countries Around Lake Chad Basin: An Assessment," *Asian Social Science* 17, no. 12 (2021): 1–11.

Cameroon, Nigeria, Chad and Niger, to deal with cross border terrorism in the Lake Chad Basin.²⁰

Integration and State Sovereignty in West Africa Sub Region

Either a supranational or an intergovernmental method can be used to seek regional integration. The foundation treaty of the Economic Community of West African States (ECOWAS) was signed in 1975 with the goal of fostering economic cooperation among member states. The ECOWAS Treaty was established with an intergovernmental approach to the governance of the integration process, preserving the sovereignties of all member states. As a result, the Treaty merely contained the general commitment that all member states would use their best judgment when formulating and implementing national policies in order to foster the accomplishment of common goals.

To speed up the integration process and effectively contribute to regional growth, the Community launched a reform agenda in response to ECOWAS's failure to meet its declared aims and objectives. The passage of the Revised ECOWAS Treaty in 1993, which signaled a shift away from the intergovernmental method of 1975 and toward supranationality, was the result of this reform program. In order to guarantee that laws passed at the regional level supersede national laws and national interests for the benefit of the community's overall interests in those areas where the regional organization has been granted competence or power, these two principles direct supranationalism's applicability and binding effect.

Articles 2 and 3 of its treaty, which characterize ECOWAS as a supranational body, support this claim. According to Article 3 of the Revised Treaty, the Community will be responsible for managing the following in phases: the unification of integration projects, programs, and activities; the coordination of national policies; the development

²⁰ Bala and Tar, "Regional Cooperation in West Africa: Counter-Terrorism and Counter-Insurgency"; Abu and Ahmed, "Cooperation Between the Countries Around Lake Chad Basin: An Assessment."

Mercy Ehidiamen Ikponmwosa, Stephen. M.
Omodia, Harriet Omokiniovo Efanodor-Obeten

of joint ventures; the unification of economic, financial, social, and cultural policies; the creation of a monetarist system; and the development of an economic union through the adoption of common policies. Additionally, the Member States foster an environment that is conducive to the achievement of the Community's aims and objectives by appropriately coordinating their plans and policies and abstaining from actions that could jeopardize the integrating body. This is a clear indication of the desire of the regional body to swallow up the internal activities within the states.

According to Archik, (2015)²¹ regional organizations like the ECOWAS, EU, SADC, and others leverage on what states desire to strip member states of their autonomy. States look for a variety of things, including political, economic, and commercial developments as well as the lowering of trade barriers and other customs. These integrating entities subsume state sovereignty using all of the aforementioned methods and more. However, some neorealist experts think that rather than at the global or regional level, the limit of sovereignty will be located at the state level. Loss of sovereignty, independence, and national identity; loss of national power in favor of an even larger government; increased competition resulting in job losses in certain domestic industries; loss of border control increasing smuggling; uniform laws not taking cultural differences into account; and trade diversion are some of the limitations of supranationality to states within West African states.

Neorealist theories of integration, which tried to explain European integration from the perspectives of global and regional systems but encountered difficulties after the end of the Cold War, also demonstrated this. The domestic level is also taken into account by the liberal intergovernmentalist model, which has repeatedly demonstrated its importance and impact on the process of

²¹ Kristin Archick, "The European Union: Questions and Answers," Congressional Research Service (CRS) Report, 2015.

integration.²² Although both the global and regional levels contribute to regional integration, the fact that integration is growing as a result of state activity is one reason sensible nations might decide to give up some of their sovereignty in favor of a supranational body. The following are the outcomes that states hope to obtain as a result of integration.

First, regional integration agreements can aid West African nations in overcoming limitations brought on by their small domestic markets and state sizes, enabling them to cooperate in international negotiations and benefit from scale economies. Regional integration agreements also make it possible to pursue appealing options like increased domestic and foreign investment and fiercer competition.²³ Such advantages can boost productivity, diversify production and exports, and strengthen nations' bargaining and visibility positions.

Second, regional integration and collaboration can be advantageous given the shared and distinctive characteristics of West African nations. Rivers, borders, natural resources, agricultural products, and issues including security concerns, HIV/AIDS, and low productivity are shared by many African nations. However, they also show significant variances, especially in terms of their endowments. Some countries, in spite of their lack of resources, have powerful academic institutions, highly qualified personnel, substantial oil reserves, water resources suitable for hydroelectric generation, and the capacity to enhance research and development. Combined with their comparative advantages, integrated nations can pool resources to find common solutions and optimize utilization.²⁴

Finally, regional integration can deepen and make changes less reversible in many West African nations, which can aid in conflict prevention and resolution. Regional integration agreements can boost

²² Andrew Moravcsik, "Is Something Rotten in the State of Denmark?' Constructivism and European Integration," *Journal of European Public Policy* 6, no. 4 (1999): 669–81.

²³ Ladan, "The Legal Aspect of Regional Integration in West Africa and the Role of the ECOWAS Court of Justice."

²⁴ Ladan.

Mercy Ehidiamen Ikponmwosa, Stephen. M.
Omodia, Harriet Omokiniovo Efanodor-Obeten

economic linkages to assist ensure compliance, give a framework for coordinating policies and regulations, and provide a means of collective restraint by defining and enforcing norms on conflict resolution. Notwithstanding the aforementioned benefits, ECOWAS has violated the sovereignty of its member states by meddling in their internal matters due to its supranational inclinations.

Some instances that has trigger interference in state activities within the region by ECOWAS include military coup in Burkina Faso in which the president Roch Kabore was deposed after six years in power by military leader Paul Henri Damiba as a result of deteriorating security situation and failure to unite the country. With the new military leader the situation in the state had worsened and led to even more coups within the state.²⁵ Another example is the coup in Mali in 2020, which was sparked by demonstrators' anger with the government's handling of the continuous insurgency, allegations of corruption, the COVID-19 pandemic, and poor economic management. General Assimi Goita proclaimed himself the new leader when then-president Ibrahim Boubacar Keita was forced to quit and dissolve the government.²⁶ A more recent instance in West Africa involves the intervention of the Economic Community of West African States (ECOWAS) in the affairs of Niger subsequent to the July 26, 2023, coup in which the presidential guard detained President Mohammed Bazoum and General Abdourahamane Tchiani declared himself the head of the newly formed military junta. The rising insecurity and lack of economic growth in the state are some of the reasons that fuel the need for the coup. The treaty among ECOWAS member states includes several sanction options for these situations, these sanctions include restriction on the freedom of movement by closing borders and canceling of flight; blocking of accounts and monetary flow in the CFA

²⁵ Al Jazeera, "Burkina Faso's Coup and Political Situation: All You Need to Know," *Al Jazeera*, 2022, www.aljazeera.com/amp/news/2022/10/5.

²⁶ Ena Dion and Joseph Sany, "After Two Coups, Mali Needs Regional Support to Bolster Democracy," *Analysis* (United States Institute of Peace, 2021), www.usip.org/publication/2021/12.

currency area; a harsher sanction is the suspension of membership from the union.²⁷

In the case of Niger, the ECOWAS summit concluded with far reaching resolutions compelling the new military leader to hand over power to President Mohammed Bazoum peacefully or forcefully. The legality of the use of force without violating the UN charter's article 2(7) principle of non-interference in domestic affairs has been called into question by this resolution. This principle forbids members of international institutions from meddling unduly in domestic affairs and essentially defines interstate relations at the sub regional, regional, and global levels.²⁸ The case of the Community Court of Justice of the ECOWAS (ECOWAS Court) in the Gambia criminal law is another example of ECOWAS meddling in a member state. The community court ruled that the Gambia's penal code's offenses of sedition, spreading false information, and criminal defamation breached the country's right to freedom of expression under international law. It also mandated that The Gambia alter its laws to comply with these rights.²⁹

However, the degree of state sovereignty is still very high in West Africa, as the decisions of ECOWAS are not automatically binding and in some cases to the benefit of member states. Also, the regional body lack the ability to enforce resolutions and decisions on member states, as observed in the military coup de tat in Mali, Burkina Faso and Niger republic.

²⁷ Oluwatobi Aworinde, "Niger Coup: ECOWAS Vows To Hold Russia Responsible If Wagner Violates Human Rights," Channels Television, 2023, <https://www.channelstv.com/2023/08/11/niger-coup-ecowas-vows-to-hold-russia-responsible-if-wagner-violates-human-rights/>.

²⁸ Thisday, "The Dilemma of ECOWAS on Niger Coup," Pressreader, 2023, www.thisdaylive.com/index.php/2023/08/06.

²⁹ "Federation of African Journalists (FAJ) and Others v. The Gambia," Global freedom of expression, 2018, <https://globalfreedomofexpression.columbia.edu/cases/federation-african-journalists-faj-others-v-gambia/>; Shuaib Oniye, "Analysis of the Jurisdiction of Ecowas Court of Justice on Human Rights Violation in Nigeria," *Journal of Commercial and Property Law* 8, no. 1 (2021): 114–24.

Findings

- i. The Economic Community of West African States (ECOWAS) and the Lake Chad Basin Commission have played crucial roles in the integration of the West African region.
- ii. State sovereignty still exist in West Africa to a very large extent, as the decisions of ECOWAS are not automatically binding on member states. Also, the regional body lack the ability to enforce resolutions and decisions on member states.
- iii. ECOWAS uses the needs, policies and activities of state to interfere in the affairs of member states thereby limiting her sovereignty to an extent within the region.
- iv. Not all ECOWAS activities infringe on state sovereignty as some are peace keeping missions.

Conclusion

States engage in integration knowing all of its benefits and drawbacks, but with the interest of the nation at heart. States will usually strive to accomplish their aims and objectives. One tool for helping African nations progress is regional integration. The nature and extent of benefits will depend on the type of integration arrangement being pursued; member states must demonstrate a strong, ongoing commitment to reaping the benefits of regional integration; winners and losers may result from regional integration arrangements, so it is critical that members evaluate the potential benefits and costs of regional integration in order to maximize gains and minimize costs; and regional integration must be integrated into the overall development strategy in order to be effective.

Policies should be developed to support both state autonomy and regional collaboration. Regional integration has aided development, stability, and economic growth among states and has also encouraged both local and foreign investors, contributing to the overall

development of the states involved in regional integration. This is true even if integration tries to limit state sovereignty.

Each state within a regional or sub regional body should yield a certain amount of authority for the body to function, which is necessary for the body to fulfill its role in the region, in order for the body to achieve a remarkable level of success. When it comes to the demand for state authority, ECOWAS is not exempt. This authority can only come from the supranational organization's constituent parts. The notion of functional cooperation was embraced and promoted by ECOWAS as a strategy for the development of Africa. According to the functionalism ideology, a supranational authority is required to take the role of the numerous rival nation-states. States should only delegate administrative authority for specific purposes, not their formal sovereignty, when forming such a body. In contrast, the functional approach only required delegated, conditional, and limited authority, as opposed to the United States of Africa that Ghanaian politician Kwame Nkrumah had proposed, which would have necessitated the loss of formal sovereignty. There is a limiting element on the state for any form of authority granted to a supranational organization; therefore, executive authority should be granted to the organization, providing it acting power (power to act), leaving the state exposed in some crucial areas.

Mercy Ehidiamen Ikponmwosa, Stephen. M.
Omodia, Harriet Omokiniovo Efanodor-Obeten

Daftar Pustaka

- Abu, Safiya Wada, and Adam Okene Ahmed. "Cooperation Between the Countries Around Lake Chad Basin: An Assessment." *Asian Social Science* 17, no. 12 (2021): 1–11.
- Adejuwon, Kehinde David. "REGIONAL INTEGRATION IN AFRICA: THE CASE OF ECOWAS." *Continental J. Sustainable Development* 2, no. 2 (2011): 6–13.
- Al Jazeera. "Burkina Faso's Coup and Political Situation: All You Need to Know." *Al Jazeera*, 2022. www.aljazeera.com/amp/news/2022/10/5.
- Anadi, Sunday Kachima McDonald. "Regional Integration in Africa : The Case of ECOWAS." Doctor of Philosophy Theses, University of Zurich, 2005.
- Archick, Kristin. "The European Union: Questions and Answers." Congressional Research Service (CRS) Report, 2015.
- Aworinde, Oluwatobi. "Niger Coup: ECOWAS Vows To Hold Russia Responsible If Wagner Violates Human Rights." Channels Television, 2023. <https://www.channelstv.com/2023/08/11/niger-coup-ecowas-vows-to-hold-russia-responsible-if-wagner-violates-human-rights/>.
- Bala, Bashir, and Usman A. Tar. "Regional Cooperation in West Africa: Counter-Terrorism and Counter-Insurgency." *African Security* 14, no. 2 (2021): 186–207. <https://doi.org/10.1080/19392206.2021.1929747>.
- Clapham, Andrew. *Brierly's Law of Nations: An Introduction to the Role of International Law in International Relations*. 7th ed. Oxford: Oxford University Press, 2012.
- Deutsch, Karl Wolfgang. *Political Community and the North Atlantic Area: International Organization in the Light of Historical Experience*. Princeton: Princeton University Press, 1968.

- Dion, Ena, and Joseph Sany. "After Two Coups, Mali Needs Regional Support to Bolster Democracy." Analysis. United States Institute of Peace, 2021. www.usip.org/publication/2021/12.
- Ernst, Haas. *The Uniting of Europe*. Stanford: Stanford University Press, 1968.
- Global freedom of expression. "Federation of African Journalists (FAJ) and Others v. The Gambia," 2018. <https://globalfreedomofexpression.columbia.edu/cases/federation-african-journalists-faj-others-v-gambia/>.
- Gowon, Yakubu. "The Economic Community of West African States: A Study in Political and Economic Integration." PhD Thesis, University of Warwick, 1984.
- Heinonen, Heta. "Regional Integration and the State: The Changing Nature of Sovereignty in Southern Africa and Europe." PhD Thesis, University of Helsinki, 2006.
- Ibok, Samuel, and Adetomiwa Atayero. "ECOWAS and the Challenges to Regional Integration in West Africa." In *The United Nations and Sustainable Development Goals*. Switzerland: Palgrave Macmillan, 2022.
- Idris, Aminu. "PERMEABLE BORDERS AND INSECURITY: THE ECOWAS PROTOCOL ON FREE MOVEMENT AND TRANS-BORDER BANDITRY ON THE NIGERIA-NIGER REPUBLIC FRONTIER." *Zamfara Journal of Politics and Development* 3, no. 1 (2022): 1-18.
- Ladan, Muhammed Tawfiq. "Harmonization of Trade and Investment Laws in Africa:- Issues, Challenges and Opportunities." *Agence Intergouvernementale de La Francophonie*, 2005, 71-87.
- . "The Legal Aspect of Regional Integration in West Africa and the Role of the ECOWAS Court of Justice." *Tuma Law Review* 4, no. 1 (2016): 37-65.

Mercy Ehidiamen Ikponmwosa, Stephen. M.
Omodia, Harriet Omokiniovo Efanodor-Obeten

Moravcsik, Andrew. "Is Something Rotten in the State of Denmark? Constructivism and European Integration." *Journal of European Public Policy* 6, no. 4 (1999): 669–81.

Okom, Michael P. "Sovereignty Versus Supranationality: The ECOWAS Conundrum." *European Scientific Journal* 12, no. 23 (2016): 289–97.

Oniye, Shuaib. "Analysis of the Jurisdiction of Ecowas Court of Justice on Human Rights Violation in Nigeria." *Journal of Commercial and Property Law* 8, no. 1 (2021): 114–24.

Thisday. "The Dilemma of ECOWAS on Niger Coup." Pressreader, 2023. www.thisdaylive.com/index.php/2023/08/06.