

# The Western Democratic Model Facing African Political Cultures

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**Abstract:** Is there a contradiction between the socio-cultural requirements of the western democratic system and African social structures? To answer this question, this study aims to demonstrate that there are no fundamental contradictions between Africans and Westerners in terms of the democratic values to be promoted. Each people must be able to build its own model. In the first part, the study demonstrates the unsuccessful transposition of the Western democratic model to Africa. The cause is to be found in African practice, which reveals an institutional and legal duality that favors the cohabitation of legitimacies that come from the ballot box and those that do not, whose status differs and whose relationship with each other is confused and likely to provoke conflicts. This means that African democracy functions according to the Western colonial model, even if African social structures still function at the local level. The second part emphasizes the building of a true democracy through culture, whose value is recognized in the norms, institutions, rites and customs of a people. This promotion of positive African values and traditions suggests borrowing from the West only what is compatible with the deep nature of African civilization. This wise and realistic mix needs the unconditional support of the international community. We live in a time of struggle for values. All peoples, even those who were dominated, are trying to propose their values that they consider better.

**Keywords:** Democracy, Development, Culture, Partnership, Reforms

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## 1. Introduction

Is there a contradiction between the socio-cultural requirements of the western democratic system and African social structures? The mere fact of stating this interrogation commands the reflection on the different concepts. African societies have established structures based mainly on communalism [1-4]. Each social unit forms a whole within which man feels fully integrated. At the family level, the oldest is the leader. At the social level, there is a hierarchy. The Nobles are at the head of the state and the army. Free men and caste people, artisans or farmers work on their own. Slaves, at the bottom of the social ladder, are the main producers of society.

The political organization is structured around the tribe of clans headed by a leader who has a religious character. The kingdom was ruled by the king who belongs to the founding lineage of the kingdom and who holds the political, military and religious powers. Even though animism is the primary religion of Africans, Islam also has its place. Introduced in

the middle Ages thanks to traders and itinerant marabouts (Muslim religious leaders), Islam has integrated African divinities, "jinns" or intermediate geniuses between God and Man. On the cultural level, African societies are dominated by the culture of orality through stories, fables, and proverbs. African art is sacred, constitutes representations of certain deities and embodies the spirit of dead ancestors.

This brief presentation refers to pre-Islamic and pre-colonial Africa. It marks a clear difference with the Western model which presents democracy as "*the government of the people by the people and for the people*". The actuality of this assertion by former US President Abraham Lincoln (1809-1865) is well established, as it is reflected in most international texts, including the Universal Declaration of Human Rights, political speeches in Africa and in the world. It is based on a number of values, attitudes and practices that can take different forms and expressions according to the cultures and societies of the world: civic equality, separation of powers, political pluralism.

Due to the colonial encounter, these values ended up

imposing themselves on African societies. This resulted in the dislocation of family units, the creation of new political structures through multiparty politics, the Africanization of imported religions, and the evolution of economic structures [5]. Henceforth, *"the African seeks to reason like Descartes or Bacon, uses European consumer goods. He will soon live in irrational admiration, and more than ever since independence, in front of what comes from the United Kingdom, in English-speaking Africa; from Belgium, Zaire; of France, in French-speaking Africa"* [6]. These remarks by René DUMONT illustrate well the acculturation experienced by Africans resolutely turned towards the West.

As a result of these clarifications, it is worth noting the special context of this study for Africa and Europe. After the signing of the West African Economic Partnership Agreement, the decision of Great Britain to withdraw from the European Union (Brexit), it is important to emphasize the challenges that arise which include but are not limited to migration, security, climate change, health, education, etc. Added to those is also the emergence on the African market of new actors from Asia, America and even Europe. Analysts explain this emergence by *"a general shift, since the last two decades, especially, the center of gravity of the world economy, from the West to the East and to the South"* [7]. These countries, conquering the African market, need both raw materials to maintain their growth and opportunities and to sell their products. Africa offers them prospects with its large reserves of raw materials and a market that now exceeds one billion consumers. With their strategy of minimum conditionalities, these countries strongly influence Africa. This is quite the opposite with traditional partners who, in some cases, denounce unfair behavior. For Africa, it is a way to diversify the partnership and especially to avoid *"head-to-head with the West and the former colonial powers"* [7].

In such a context, it would be useful for the historic partners to establish a frank and sincere political dialogue about these recurring issues. It is *"an opportunity for Africa to adopt an economic strategy, creating jobs and for traditional donors, to reform their systems of cooperation."* [7] That is why the German G-20 presidency has drawn up a Marshall Plan for Africa [8], concretized by the "G-20 Compact with Africa" (CWA) [9] focusing on the main theme of promoting private investment. In doing so, although Germany is trying to develop its African policy through bilateral initiatives with African countries or with regional and subregional organizations, this should not be in contradiction with the common European strategy.

At the heart of this strategy is the respect for the values of democratic governance, the rule of law, democracy and human rights in Africa. The general objective of this study, which is based on a widely commented theme [10-12], is to show that Africans and Europeans have the same perception of democratic values inspired by the West or imposed by it. The study is of interest. If theoretically in Africa democratic institutions have been established and laws and regulations have emphasized respect for democratic values, it is

important to know if the practices are indeed in conformity.

The set of considerations deserve to be taken into account in the context of a general approach consisting of a political and legal analysis taking Mali as the main reference. Such a method will not be based solely on a textual analysis but also on an analysis of the practice whether jurisprudential, doctrinal or diplomatic. This study addresses the issue in two parts. The first part, entitled "An unsuccessful transposition of the Western democratic model to Africa", will demonstrate that this transposition is not recording the expected successes. The second part, entitled "Towards taking into account values and traditions in the promotion of democracy in Africa", will emphasize the positive values of Africa for the success of democracy with support without condition of development partners.

## 2. An Unsuccessful Transposition of the Western Democratic Model to Africa

The establishment of democratic institutions, the acceptance of multiparty politics, the regular organization of elections, and the imposition of respect for democratic values in the republic's texts are the manifestations of this transposition. Failure is more to be found in the practice of democracy in promoting the values of good governance (A) as well as the other values (B).

### 2.1. The Values of Democratic Governance

The model of Western representative democracy transposed to Africa puts first and foremost the emphasis on the institutional aspect. The Constitution defines the rules of organization and the functioning principles of state institutions. Thus, a democracy must be guaranteed by strong institutions ensuring the balance of powers, namely a Parliament which controls the action of the government and authorizes by law the budget of the State, a judicial power independent from the other powers (executive and legislative). In addition, there are institutions with an advisory role in local and regional or economic, social and cultural development policy, the Central Bank and the Court of Auditors whose independence from the government is guaranteed by law.

A review of the introduction of democracy in Africa on the Western model shows mixed results. The programs of the political leaders do not reflect the basic socio-economic realities. These programs are developed in felted living rooms in the capital city by a Westernized elite. They are then explained in a language inaccessible to people who receive political leaders only on an election occasion.

It is very difficult to argue that in Africa an election is free and transparent because many leaders do not organize an election and accept to lose it. One of the surest means is large-scale corruption. Especially in French-speaking Africa, *"the candidate society project is based on two major strategies: the purchase of consciences through the sharing of prebends and fallacious promises often supported by*

*tribalist or xenophobic discourses*" [11]. Foreign networks are very active during this period. Candidates are pro-French, pro-European or pro-American. Western diplomats receive or visit their favorite candidate nightly, provide advice and help through a nearby president or a former president or businessmen who are waiting for their reward through the awarding of State contracts. Thanks to the power and omnipresence of the "Françafrique" network, the pro-French or pro-European candidate wins the election most often.

In addition, opinion leaders mainly the religious ones are in great demand and become kings-makers. Political leaders woo them nightly, take care of their large families, maintain their worship places, finance their meetings and accept their conditions. Having a credibility with the masses, the religious leaders in their turn, do not hesitate to give instructions for voting, to organize prayers, sacrifices for their favorite candidate. A confusing complicity at the top of the state emerges between the political and religious elite questioning the principle of the separation of state and religion [13]. Most religious leaders are economic operators. They are promoters of medersa schools, travel agencies, health care centers, televisions and private radios. They are also involved in petty trade, transport, agriculture, etc. This is why these politicians find it difficult to show their firmness in combating religious extremism. Their dilemma is such that they must please the West brandishing the flag of secularism without losing the support of religious leaders.

Rather than creating greater accountability of leaders to the people, democratic elections in Africa often result in violence [14]. Among the causes, one often finds the constitutional modifications or the unconscious exploitation of the ethnic rivalries with fake news at the risk of compromising the national unity. This method applied during the colonial period serves many politicians today. Political parties are ethnicized. People vote for the candidate of their region, their ethnicity or their clan, as shown by the examples of the last presidential and legislative elections in Kenya, Togo, Côte d'Ivoire, Guinea, etc.

After the victory in the election, the same configuration appears at the top of the state. The same people from the same families follow each other. They conceive the management of power in their dimension: illicit enrichment, lack of succession and questioning, promotion of poor executives without initiative, without ambition and whose only merit is their loyalty to their benefactors. The trend observed for some time is that men are more and more led by the poorest. This lack of renewal of the aging ruling elite can be seen in the hundreds of political parties. As in most African countries, this causes a brain drain in search of a better future.

This lack of renewal of political leadership is the source of another violence with the irruption of the army into the political arena. Let us mention the numerous coups in the 1970s and 1980s (Ivory Coast, Ethiopia, Zimbabwe, Chad, Libya, Sudan, Cameroon), the institution of single parties (Eritrea, Malawi, Tanzania, Zambia, Kenya, Mali and Gabon) and the disintegration of several countries in the 1990s

(Somalia, Rwanda, Zaire, Liberia and Sierra Leone) and in 2012 of Libya followed by that of Mali that created chaos in the Sahel [15]. Once installed, the militaries become democrats and perpetuate the system they fought. This army, which most African democracies are struggling to define the status, is strongly supported by those frustrated by the regimes.

This situation raises the question of transparency and accountability of power, two concepts at the heart of good governance [16]. In traditional Africa, accountability was an obligation [17]. It is incumbent on both the chief and the people to maintain mutual trust. Today's African leader is designated to serve himself, the others and to cover them. With a mentality of big chief, he avoids accountability and always escapes justice. As we can see, political pluralism, rule of Law, anti-corruption do not rhyme with democracy. The ruling party overwhelmingly wins presidential, legislative, and municipal elections. Despite the high record of abstention and irregularities, the international observers always consider the elections to be fair. The jurisdiction in charge of elections-the constitutional court-declares the election to be free, transparent, and validates it. The judiciary is subject to influence and is perceived as corrupt and inefficient. The president has extensive appointment and other judicial powers. Despite efforts of the governments to establish audit courts to audit all government accounts, the High Authority to fight against corruption cases in the government, corruption remains a problem.

In such a context, it is important to question the role of counterpowers. The opposition is struggling to build itself. Weakened by the lack of resources, it rallies to power to become part of the presidential movement. With limited means, it becomes a moderate opposition that benefits from the benevolence of power. Few political parties go into radical opposition. In Mali, we voted for the statute of the opposition. Only practice will show if this statute actually strengthens the opposition. Already, it can be noted that the power can use it as a means of blackmail or pressure.

Other counter-powers (associations, unions, NGOs, press, etc.) grouped together in civil society are very heterogeneous. Those created and maintained by the power show their effectiveness in demonstrations of support for the regime in place. The others remain autonomous when they receive foreign support or join the opposition forces but sometimes fall into violence.

The West faces a dilemma: the respect for the rule of law or the defense of interests. The thought of the German researcher Tobias Koepf, project manager at the Genshagen Foundation, sums up the attitude of the West: "*The [German] federal government is obliged to collaborate with the ruling elites, who often have not been elected and do not govern in democratic ways*" [18]. The illustration of this dilemma is provided by the visit of Sudanese President Omar El Bashir to Moscow when he is being prosecuted at the International Criminal Court. Another example is the visit of Egyptian President Abdel Fattah Al-Sissi to Germany on June 4th, 2015. The aim was to strengthen economic cooperation

despite disagreements between leaders on political issues such as the freedom of work of German political foundations in Egypt, freedom of religion for Coptic Christians as well as for Muslims and especially the death penalty. At the same time, Germany's intergovernmental development cooperation activities with Burundi were broken off on June 10th, 2015, after President Nkurunziza applied for a third term, thus violating the Burundian Constitution.

As can be seen, this transposition of the Western democratic model has been possible through political and institutional reforms. In Mali, far from responding to the aspirations of local populations, *"these reforms have led to the creation of an institutional and legal duality that favors the coexistence of several legitimacies that maintain confused relations between them and are likely to provoke conflicts"* [19]. Thus, the legitimacies from the ballot box, i.e., the members of the communal councils, the mayors and their deputies, the presidents of the district councils, the regional assembly are obliged to collaborate with the legitimacies from the non ballot box, in particular the religious leaders, the chiefs of villages, nomadic fractions and districts, traditional chiefs, heads of various associations (associations of griots and traditional communicators, hunters, fishermen, young people, women, traders, etc.). Non ballot box legitimacies do not have a clearly defined status. In the framework of the different reforms of decentralization and local development policies, the texts are content to take into account only their existence: *"Each village, fraction or district is administered by a chief assisted by a council"* [20].

As a result, these traditional legitimacies do not play a real role in local governance. They feel frustrated by the dramatic decline in their power as customary and local authorities. They have only a supporting role of the administrative authorities in the management of municipal affairs. They are compulsorily consulted on certain issues (economy, implementation and management of public facilities, protection of the environment, land and land disputes, the part of the development program concerning their community (articles 32 and 33 of Law 06-023 of June 28, 2006).

According to article 8 of the Law 06-023 of June 28, 2006, *"the appointment of the chief of the village, fraction and district is done according to the customs and traditions recognized in each locality"*. The same is true of inheritance because in Mali succession is governed by customary rules that vary from one region to another, from one circle to another and even from one ethnic group to another. They depend on people's conceptions of the family.

In sum, Western-style governance transposed to Africa [21] does not meet universally recognized democratic standards. Intellectuals point out *"[...] mistakes in the choice of leaders in African countries which testify to the fragility of the States constituted on the basis of systems and political regimes unsuited to the realities socio-historical and the ambitions, aspirations and hopes of today's African societies"* [22]. This is reflected in the practice of other democratic values.

## 2.2. The Other Democratic Values

Talking about democracy implies addressing the underlying values of individual liberties at the heart of the process of separation of state and civil society. Engagement in democracy must lead to a democratic system that respects human rights, where justice is governed by the principles of due process of law. Civil and political rights are an essential factor in such governance. Although common to both cultures today, these values may be constrained in the African context. It is therefore not surprising that freedom of expression, of the press and of association is tightly controlled when it comes to religion, demonstrations against the regime in place, honor and dignity of an influential personality or in the context of the fight against terrorism and insecurity.

With regard to freedom of expression relating to religion, Africans and Westerners do not often have the same appreciation. For Muslim Africans, freedom of expression does not fit well with the caricatures of the Prophet Muhammad in Denmark and France, nor does the act of the American pastor who burned copies of the Quran in Florida, or with the late reaction of the international community to the abuse of Rohingya Muslims by Buddhists in Burma.

In addition, respect for economic, social and cultural rights is considered an important factor in successful democratization. This presupposes the respect of the right of all to the free exercise of an economic activity based on the principles of economic freedom, including freedom of trade and industry, freedom of movement and establishment and the principles of free competition. These rights are set out in several international and national legal instruments that call for the promotion of a market economy, economic reform, elimination of trade barriers, poverty reduction. The state must adopt reforms aimed at modifying the internal rules so as to conform to the requirements of a market economy, the rule of law; remove barriers to foreign investors' trade and investment, including national treatment and protection of intellectual property. The state must have economic policies to reduce poverty, a system of repression of corruption and protection of workers' rights.

Few initiatives come from Africans themselves. International institutions, particularly those of Bretton Woods, ensure scrupulous respect for these principles. Development aid is even conditioned. In the framework of the generalized system of preferences, the developed countries make the respect of these values conditionalities of their economic and commercial cooperation [23]. This is the case of the United States with the African Growth and Opportunity Act and the European Union with the Regional Economic Partnership Agreements. These cooperation agreements are genuine instruments for encouraging reforms. Yet in the West, we note the persistence of certain practices such as agricultural subsidies and the very unbalanced and partial liberalization of trade [24]. According to a report by UNCTAD, liberalization takes place in sectors of interest to the exports of industrialized countries (information technology,

telecommunications, financial services) but much less in those of interest to developing countries (textiles, clothing, agriculture) [25].

Freedom of movement is seriously impeded. Many abnormal practices disrupt the free flow of people and goods within a single African country or African regional economic community. In addition, an African has great difficulty coming and going in Europe and the United States to study, do research, business, tourism and even reside. Cooperation agreements, with an emphasis on investments from both sides, should support this movement. But with the issue of migration, Europe has a tendency to barricade itself or even to deal with the issue from the security angle. Mainly Maghreb transit countries are the preferred partners in managing migration. Today, Africa is divided into sub-Saharan Africa and Maghreb where blacks are tracked daily and even sold at auction. The establishment of hotspots and the establishment of blacklists depriving some countries of the right to entry in the EU are poorly perceived by Africans.

Human Rights related to labor, child labor are insufficiently protected. Under the labor code, workers have the right to form associations, and trade unions are common and relatively vocal. Most African states have ratified all eight core ILO Conventions. The governments take steps to reduce trafficking in persons and child labor in agriculture, domestic service, street vending, and mining, as well as for exploitation in prostitution. Multilateral regional agreements are signed to cooperate in the fight against trans-border trafficking in persons, with an emphasis on combating the trafficking of children and women. Yet the human rights record may be considered as poor.

Gender issues are not totally mastered by Africans. Legislative measures have been taken to facilitate women's access to inheritance, to land and property in general, to education, to high positions in administration. Yet at the local level and even in the city, other forms of violation of women's rights such as female genital mutilation, child and forced marriages, force-feeding, sororate, domestic violence, etc., continue. Although the laws have made it possible to preserve the inheritance rights of the woman, in many countries she is part of the inheritance and must belong to a brother of the *de cuius*.

The right to education is far from being achieved today. More than sixty years after independence, the educational system continues to suffer from a plethora of classes, double-shift, lack of infrastructure, mismatch between training and employment, and so on. Education programs do not reflect African socio-cultural realities. In Mali, at the University, those who do not find places in the amphitheatres are nicknamed by their comrades "Malians from abroad". Amnesty International's Annual Report on Mali announced in its publication of February 20th, 2018 that more than 150,000 children have been deprived of their rights to education, more than 500 schools in Gao, Kidal, Mopti, Segou, Timbuktu remained closed in 2015 [26]. Despite these flaws, the children of the ruling leaders are abroad to prepare them to come take the reins of power.

All in all, the least we can say is that African social values have been eroded in favor of Western values. The African elite of independence, more nationalist, more independentist, has been replaced with the complicity of the West by an elite acquired to its cause. This current elite knows little or nothing about its deep country. As a result, there is a break between it and its base where traditional institutions seem to be still functioning. The weakness of the state does not allow it to make western model of democracy work. In a word, Africa is driving in the fog on a path that is wanted and built by the other. This Western democracy has its cultural peculiarity which is the liberal individualism which postulates the primacy of the individual over the social collectivity and which poses, in fact, that individuals are logically and ontologically anterior to the social group [27]. But the African favors communalism. Africa can not achieve democracy in the culture of the West because, as Pope John Paul II said in 2001, "*Culture is the form of man's self-expression in his journey through history, on the level of both individuals and social groups*" [28]. Should we then reinvent "an African-style democracy"? It is not a matter of throwing the baby with the dirty water of bath or advocating a withdrawal that will engender ethnocentrism and conservatism. It's about getting inspired by others with reason and intelligence to build at home.

### 3. Towards Taking into Account Values and Traditions in the Promotion of Democracy in Africa

From the above analysis, it can be seen that building true democracy in Africa is possible by focusing on culture whose value is recognized in norms, institutions, rituals and customs of a people (A). In doing so, the African elite will have to assimilate without being assimilated, to borrow from modernism only that which is compatible with the deep nature of African civilization [29]. This realistic mix needs the support of the international community (B).

#### 3.1. The Reference to African Values and Positive Traditions

A perfect example of such a reference is the African Charter on Human and Peoples' Rights [30]. Chapter II of the first part provides that "*Every individual has duties to the family and society, to the State and other legally recognized communities and to the International Community*" [31]. This implies for the African to ensure "*the preservation and reinforcement of positive African cultural values*" [31] and to refer to "*African practices consistent with international standards on human and peoples' rights, customs generally accepted as the law, the general principles of law recognized by African nations as well as jurisprudence and doctrine*" [32] [31]. Contrary to the Romano-Germanic tradition, which is very attached to codes, the African tradition, less attached to the written law, recognizes a much more important role for custom as a source of law.

Under these principles, the modern African state must integrate traditional mechanisms of power management [33] [19]. The leader was the subject of a meticulous choice. For MBAH & IGARIWEY, *"political leadership, not authority, prevailed in communal African society and was not based on the imposition of things, on coercion or centralization. There was a consensus or a mutual need"* [4]. One of the determining points in the choice of the leader is the age because the oldest is the one who was closer to the elders, respected the worship of idols and elders, dead or alive [22]. The leader is chosen by an assembly of wise among the members of the same family or clan. Then the leader must be married, physically and mentally fit to lead. As such, a younger brother may be preferred to a disabled elder.

Other characteristics of a leader can be found in the Wassolu National Anthem:

- 1) "If you can not organize, direct and defend the land of your fathers, call upon the most valorous men;
- 2) If you can not tell the truth, in every place and at all times, call on the bravest men;
- 3) If you can not be impartial, give the throne to righteous men;
- 4) If you can not protect the people and brave the enemy, give your sword of war to the women who will point you to the path of honor;
- 5) If you can not courageously express your thoughts, give the floor to the griots;
- 6) Oh Fama (King)! The people trust you; they trust you because you embody their virtues" [34].

These beautiful words, full of meaning, were the demands of the Wassolu people through the griots vis-à-vis King Almamy Samory Touré. They are a look at the past that tells us the voice, as well as the path of wisdom. They are also and above all a teaching for leaders of all ages and must inspire modern African leaders.

This mode of power management is a matter of good governance in that everyone participates in the appointment of the leader in a consensual manner. Power belonged to an elite that holds its legitimacy either of conquest or of belonging to the descent of the rulers. This system made it possible to ward off bad leaders. Power management was decentralized [35]. The vanquished were kept at the head of their kingdoms, which became provinces of the central state. They were just subject to the annual payment of a bid tax [4] and the supply of military contingents. This management system reigns at the level of the villages even though they are under the influence of Western democracy established in the big cities. People mobilize more for local elections than legislative and presidential because they organize these elections according to their customs and traditions. It is not a matter of making it a mechanical transposition to the modern state or of encouraging a reign of the old but of taking into account the context. It is common to see that every time an African leader encounters difficulties, he does not hesitate to appeal to the wise informally.

Another important element of this governance is conflict management. Here again, the power of traditional leaders has

proved its worth [36, 37, 38, 39, 40, 41]. In Africa, *"advanced age was equivalent, and still is, to the possession of wisdom and rational judgment. The elders presided at the meetings and in the settlements of the disputes, but practically never with a sense of "superiority", their position did not confer to an extended sociopolitical authority associated with the modern system of the State or with the feudal states"* [4]. The name of the assembly of wise differs according to the localities and according to the ethnic groups. In Mali for example, we have the meeting of the wise under the "palaver tree" or Toguna in the Dogon villages under the leadership of the Hogon, the council of the wise or Traditional chiefs or Marabouts or Imams among Fullanies, Bozo, Bambara, Songhoys, Tuaregs, and Arabs. Although the name is different, the role is the same: to find an honorable way out of conflict, regardless of the protagonists.

The areas of intervention are quite varied and cover the management and exploitation of natural resources, the regulation of land affairs, the practice of livestock farming, fishing and agriculture, matrimonial matters, practices access to water, health, education, communal management and territorial division, etc.

The rules applicable to the management of conflicts must not be solely laws but also positive rules from traditional belief systems such as joking cousins, mutual respect, the indigenous principles of natural law and Justice [4]. For example "joking relationships", "joking kinships", "special" affinities", and "joking relationship" -are famous in Mali and other West-African contexts and are built on interethnic relationships, and within the same ethnic group [42]. This means for instance that one should make a joke out of any tension or conflict. As Sigmund Freud said years before, *"in joking we can say everything, even the truth"*. This joke may relate to the eating habits or the way of life of the ethnic group. In the minds of the protagonists, divine or supernatural punishments wait for the one who breaks the rules. In Mali, examples are the cousinship between Dogon and Songhoys, Dogon and Bozo, Malinke and Soninke, Diarra and Traore, Toure and Coulibaly, etc. It fosters desescalation and group identification and facilitates co-existence in times of conflict. In northern Mali, before the colonisation, the mechanism regulator of relations between Songhoys and Tuaregs was al-kawal, a kind of pact based on politico-military, security and socio-economic alliances [43] [44].

The recourse to the "Griot", the traditional communicator, story and genealogy teller of a village or of a respected family is frequent. Male and female griots are cast people facilitators in conflict or crisis situations, organizers of official ceremonies, etc. In Mali, they are organized in the traditional communicators' network for development (in French *Reseau des Communicateurs Traditionnels pour le Développement-RECOTRADE*).

In addition, Kotéba or "Malian Forum Theatre" is another lever of management of crisis in Mali. It is a forum of free expression. Actors use humour to tackle sensitive issues such as elite corruption, migration, land grabbing, conflictual situations between two ethnic groups, perversion of morals,

etc. The result is the addressee always seeks to correct the situation or the behavior.

This institutional practice is a heritage of the past, first under the rule of the empire of Ghana, then under the rule of the empires of Mande and Songhay. In 1236, the Kuruganfuga charter adopted under King Soundjata Keita of Mali instituted the cousinship as a mode of conflict management [45, 17, 46]. These governance mechanisms *"had the capacity to ensure stability of the institutions, a better social cohesion, an agreement around the collective exploitation of the natural resources, the prevention and even the anticipation in the resolution of the crises"* [36].

The interest in institutionalizing the power of traditional leaders [15, 19] lies in the fact that conflicts related to certain cases often persist, even though their resolution has been the subject of a peace agreement between the protagonists with regard to legal and regulatory texts or after a decision by a court or an administrative authority.

Another interest of this institutionalization is heterogeneity, the advantage of which is to identify the different aspects of a conflict. This is why they bring together conflict management professionals as well as community or religious movements, caste people like the griots who have in common a principle, that of questioning traditional modes of conflict management. To various degrees, they defend a certain ideology of informalism. These alternatives to justice are means to overcome the clutter of the courts, the cost of the trials, the increase of the delays, the complexity of the procedures [47].

African regional institutions (African Union, ECOWAS, IGAD, COMESA, and SADC) use it [39-41]. In ECOWAS, there is the Council of Wise composed originally of 32 eminent personalities (women, political, traditional, and religious leaders) from the ten members of the Security and Mediation Council and chosen by the President of the Commission to promote preventive diplomacy in the region. Inaugurated in Niamey (Niger) in July 2001, it is supposed to use peaceful means of settlement to defuse conflicts as stated by the United Nations Charter [48]. During the Dakar (Senegal) Summit in January 2003, its membership was reduced to 15 members, each representing an ECOWAS member state. The new Council thus constituted was inaugurated on April 23<sup>rd</sup>, 2003 in Accra (Ghana) where the members wished that their implication in certain conflicts precedes that of the Heads of State and Government. The Council of Elders has successfully organized election observation missions in The Gambia, Sierra Leone, Togo and Zimbabwe.

It is important to mention that this mechanism is indeed a value shared with our Western partners from the point of view of the methods used. These are alternative modes of dispute resolution (ADR). They constitute a current of thought, appeared in the early seventies. This trend has developed in the United States and the Common Law countries (Canada, Great Britain, Australia, etc.). But the civil law countries have not stayed away from it, even if the scope is more limited. This explains the development of these

modes of conflict resolution in certain areas of business. Other regulatory professionals emphasize the inadequacy of judicial actions for the settlement of certain types of conflicts, such as the environment, because of the existence of diffuse interests, the multiplicity of parties and propose the implementation of more informal techniques, such as mediation and conciliation.

Given the interest of this institutionalization, it is relevant to define the status of these wise African [47]. Like the Ombudsman and Espace d'Interpellation Democratique (EID) (a forum of dialogue between the members of the government and people) in Mali, their recognition helps to circumscribe conflicts and manage them in a concerted, efficient and sustainable manner. A prerequisite is that the main laws on decentralization and the constitution [49] refer to them and recognize the solutions that emerge from their intervention in collaboration with the judicial and administrative institutions. It is a question of defining the criteria of choice, the rights and obligations, the modalities of organization and functioning, of collaboration with the local structures of governance (communes, prefectures, sub-prefectures, villages, justice, etc.). In Mali, the Law 06-023 adopted in June 28, 2006 determines the conditions of the creation and administration of villages, fractions and districts, their administration, attributions, sanctions and the termination of their functions. These functions are free of charge, but travel allowances are paid by the authority that made the decision. The authorities have decreed in 2022, November 11 as the day of traditional legitimacy. Certificates of recognition were given to them along with state insignia, making them representatives of the state at the local level.

In sum, practice has shown that the nation-state in Africa has frequently used positive African values and traditions to defuse internal and even international crises. This mechanism is transposable to the top of the nation-state. It only needs to be institutionalized because as said the journalist investigator Anna Politkovskaya, *"words can save lives"* [50]. African Wise know the words to appease hearts and minds. The most recent example is the mediation of Bamako's founding families and religious leaders in the serious crisis that arose from the constitutional review process of 2017 in Mali. It remains to share these values with Africa's partners.

### 3.2. The Support from Development Partners

In view of the difficulties in dealing with internal crises, such support is desirable not to resemble to the West but to make Africa not a problem for the West. The heavy dependence of Africa on the West is a real problem for both partners. As an African saying goes, *"no one has the right to be happy if his neighbor lives in misery"*. It is therefore necessary that the accompaniment corresponds to the aspirations of the populations at the base.

Only development can create the true conditions of a democracy. The right to development is seen as the result of a process at the origin of which the United Nations Organization is placed [51-55]. It is difficult to say that the

right to development is written in the UN Charter. But the interpretation of certain provisions makes possible to think that the development and peace pairing is inseparable, which means that there is no development without peace and vice versa [56]. This link was confirmed in 1957 by the UN General Assembly [57] and in 1968 by the International Conference on Human Rights, meeting in Tehran [58]. The right to development *"is a right synthesis that, by encompassing civil and political rights and economic, social and cultural rights, values and strengthens their effectiveness"* [51]. It is perceived as an individual and collective right in that its holders are both the individual and the people. This means that human rights and fundamental freedoms can only be fully realized in a development context.

The security dimension of development appeared before in the words of Professor Cheikh Anta DIOP before being taken up by Mr. Kofi ANNAN, then Secretary-General of the UN: *"we will not enjoy development without security, we will not enjoy security without development, and we will not enjoy either without respect for human rights"* [59]. This security dimension of development is included in the revised ECOWAS Treaty in its section on cooperation in the areas of political, judicial and legal affairs, regional security and immigration (Chapter X of the Revised Treaty). Peace and security are prerequisites for economic development and social progress with a view to achieving the Community's integration objectives. This chapter X was completed by a series of texts mainly between 1978 and 2002 [60].

In this context, it is pertinent to review the conditionalities of development aid that have had the effect of creating an addiction psychology in Africa. Let us mention the findings of a study by the "Heinrich Böll" Foundation of the "Greens" / Germany about Mali [61]. According to the study, there are two aspects to the sub-supervision of Mali. The first is to implore the paying partners instead of formulating their own interests. This problem is older in Mali than the current crisis; it even counts among the causes of the crisis. The second is to be imposed a project, to benefit from its financing and tacitly boycott its implementation. That is how the government pretty much looked at the peace treaty, so an old practice. The Malians let themselves go because it was an advantage for their elite to cling to the infusion cannula. Decades of promotion on this basis have produced a psychology of addiction [61].

Unfortunately, this mindset of assisted concerns almost all Africans. Every effort is made to ensure that the program developed corresponds to the wishes of the funder. Disbursements are slow due to lengthy and complex procedures. Often, aid remains a broken promise. Sometimes it focuses on areas such as the fight against AIDS, malaria while the goal is to help people not get sick. If granted, the aid is squandered. Part of it goes to the donor through his companies, co-workers, whose maintenance is expensive and without any real added value to the local economy. Another part of aid is invested in the sector for which it is intended in the beneficiary country. The last part is diverted by the leaders to be deposited in the Western tax havens through

hyper sophisticated assemblages made by the Westerners. This corruption with the abuse of power facilitates all other aspects of illicit financial flows (related to commercial and criminal activities) from Africa [33].

One track would be to focus on decentralized cooperation. This involves helping non-state actors such as NGOs and local development associations. This will avoid supporting corrupt and incompetent regimes.

In addition, it is desirable to develop a common approach to new human rights. The debate around these values in the West is increasingly being transported to Africa. Many believe that these values are not part of the socio-political culture of African leaders and populations. These *"new rights" are attached to "preferences", to new "values"* [62] such as abortion, "new family patterns", "reproductive health" [63], "reproductive rights" [64], gestation for others, organ donation, homosexuality or LGBT phenomenon, sexual autonomy of teenagers and children, sterilization, euthanasia, animals, etc. [65]. These rights are the subject of consensus within the international community. As such, what is their scope? Many states, including South Africa, have legalized homosexuality. But homophobia persists and corresponds to a desire to assert oneself in the face of the West. Should we make respect for these rights condition on development aid? Such a possibility can not be ruled out if considered as an integral part of human rights. Threats have been made against Cameroon, Uganda, and Zimbabwe.

In the same vein, how can French President Emmanuel Macron's remarks on fertility in Africa be interpreted? For him, *"When countries still have seven to eight children per woman, you can decide to spend billions of euros, you will not stabilize anything"* [66]. In other words, Africans have too many children without the means to feed them. This is probably an implicit invitation to reduce fertility in Africa. However, these new rights are based on *"the recognition of the fundamental right of all couples and individuals to decide freely and with discretion the number of their children and the spacing of their births and to have the necessary information to do so, and everyone's right to access to better sexual and reproductive health"* [67].

Another area of concern is the abolition of polygamy recommended by the Human Rights Council to Mali during the Universal Periodic Review (UPR). The Universal Periodic Review (UPR) [68] is a unique process that reviews the achievements of all UN Member States in the field of human rights. It is a state-led process under the auspices of the Human Rights Council. It provides each State with the opportunity to present the measures it has taken to improve the human rights situation in its territory and fulfill its obligations in this regard. As the central mechanism of the Human Rights Council, the UPR is designed to ensure equal treatment for each country. During the 3rd cycle of the universal periodic review in Geneva on Mali [69], the working group made 194 recommendations, 133 of which were accepted, 54 postponed and 7 rated. Among noted recommendations, one can mention that *"The Committee on the Elimination of Discrimination against*



*Women recommended that Mali, inter alia, finalize the bill to prohibit female genital mutilation, ensure that the practice is sanctioned and allocate resources to ensure the implementation of the national plan of action to fight female genital mutilation. UNESCO recommended mobilizing the international cooperation that would be needed to run an effective educational and cultural campaign and completely eliminate the practice of female genital mutilation [70]. The same committee continues: "The Committee on the Elimination of Discrimination against Women, which is the subject of such practices, such as child and forced marriage, polygamy, humiliating and degrading widowhood practices, force-feeding, levirate and sororate, continued prevalent and unpunished in Mali. It was also concerned that gender-based violence, including domestic and sexual violence, appeared" [70].*

So on these sensitive issues, it is important that we develop a mutual understanding. It will not be relevant to put pressure on Africans by demanding reforms for which populations are not ready. As a result, there is a growing gap between the elite and the population. In the African context, the best way to eradicate these practices is education, sensitization as recommended by UNESCO.

In the education sector, however, there is a huge waste of financial investment in primary education. As a result, according to a 2014 UNESCO report, more than 50 years after independence in sub-Saharan Africa, nearly 250 million children in school for at least four years can not read, write or count [71, 72]. This would be due to the poor quality of teaching and the poor remuneration of teachers forced to accumulate odd jobs to survive. One can easily imagine the consequences for higher education where universities and other training institutions are real factories of the unemployed, a time bomb.

Investing in education at both primary and university levels raises awareness to ensure positive outcomes in all areas of society. According to the report, this will increase gross domestic product per capita by 23 per cent in forty years, combat disease, reduce the infant mortality rate by 15 per cent, encourage tolerance and participation in political life. A well-educated youth or population can not be manipulated, demands accountability, requires alternation, prevents conflict, and does not think that its future lies elsewhere [10].

Investment in education is long-term and may require the involvement of the very large and diversified diaspora in Western countries. It seems that there are more Beninese doctors abroad than in Benin. Studies have shown that the diaspora's contribution exceeds development aid. The intellectual diaspora can help in the transfer of skills, knowledge through the creation of think tanks, training cooperation institutions and scientific research. It fills the gap of expertise in certain fields. The observation is that scientific research carried out in Africa is sponsored by Westerners, for Westerners and carried out by Africans. This prevents Africans from reflecting on issues that affect their societies independently.

Investment in human capital is then of great interest. By definition, human capital is "*constituted by education, know-how, qualification, health care to which a population has access*" [62]. As Amartya Sen has also shown, free access to information and the sharing of knowledge are conditions of access to political development and democracy [73].

Related to education are the values of the family, an institution that is currently experiencing a crisis whose repercussions are felt in society. Researchers such as Tocqueville, Gary Becker and Claude Martin have had proved that the family is the place where human capital, civic qualities and "manners" were formed [62]. This means that the education of the future leader begins in the family where he acquires the knowledge and the virtues that will be highly appreciated in the society: sense of service, equality, solidarity in the face of the risk of rejection, "disinsertion", Exclusion, punctuality, initiative, etc [62, 1]. One can add the respect due to the elders and the respect of given speech dear to the African, the fight against corruption, the respect of the public good, the sense of the State, honesty, fidelity and abstinence. It follows that the family is the basic institution where the future leader acquires his first democratic training. So promoting the values of the family is like promoting the democratic values common to all [28].

## 4. Conclusion

In light of the above, it is difficult to say that there is a blatant contradiction between Western and African democracies. African democracy operates according to the Western model even though African social structures are still functioning at the local level. This model, inherited from colonization, was maintained by the African ruling elite, hence the stammerings noted here and there. The responsibility is shared.

The least we can say is that democracy is under construction in Africa. Among the proposals to consolidate it, the taking into account of African positive values. We live in a time of struggle for values. All peoples, even those who are dominated, try to propose the values which they consider to be better. As such, positive African values are not incompatible with democracy. We can refer to them in an eclectic way to achieve democracy provided we benefit from the support of our development partners.

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