

COMPARATIVE STUDY OF THE TREATIES ESTABLISHING THE EUROPEAN  
UNION AND ECOWAS PARLIAMENTS

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UNION AND ECOWAS PARLIAMENTS

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ZARIA, NIGERIA

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## DECLARATION

I declare that the work in this thesis entitled “Comparative study of the treaties establishing the European Union and ECOWAS Parliaments” was carried out by me in the Department of Political Science and International Studies Ahmadu Bello University Zaria. The information derived from the literature has been duly acknowledged in the text and a list of references provided. No part of this thesis was previously presented for another degree or diploma at this or any other institution.

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YOLKA NENROT JOHN	SIGNATURE	DATE
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## CERTIFICATION

This is to certify that this thesis titled COMPARATIVE STUDY OF THE TREATIES ESTABLISHING THE EUROPEAN UNION AND ECOWAS PARLIAMENTS by Nenrot John YOLKA meets the regulations governing the award of the degree of Master of Science of the Ahmadu Bello University and is approved for its' contribution to knowledge and literary presentation.

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Prof.SaniAbdullahi -----

Dean, School of Postgraduate Studies                      Signature                      Date

## **DEDICATION**

This work is dedicated to God Almighty under whose umbrella I have continued to find solace, encouragement and comfort in times of trouble.

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## LIST OF ACRONYMS

AEC:	African Economic Community
CA:	Common Assembly
CFSP:	Common Foreign and Security Policy
COMESA:	Common Market of Eastern and Southern Africa
CM:	Common Market
CU:	Custom Union
EAEC:	European Atomic Energy Community
ECCAS:	Economic Community of Central African States
ECSC:	European Coal and Steel Community
EBID:	ECOWAS Bank for Investment and Development
ECOWAS:	Economic Community of West African States
ECA:	European Commission for Africa
ECB:	European Central Bank
EEC:	European Economic Community
EP:	European Parliament
ETLS:	ECOWAS Trade Liberalization Scheme
EU:	European Union
FA:	Free market Area
GATT:	General Agreement on Tariffs and Trade
HA:	Higher Authority
IAS:	Integration Achievement Score
IGAD:	Intergovernmental Authority on Development
MEP:	Members of the European Parliament
MFF:	Multiannual Financial Framework
NAFTA:	North American Free Trade Agreement

NATO:	North Atlantic Treaty Organization
NEPAD:	New Partnership for African Development
RECs:	Regional Economic Communities
SADC:	Southern African Development Community
SEA:	Single European Act
TFEU:	Treaty on the Functioning of the European Union.
TEU:	Treaty on European Union
PTA:	Preferential Trade Agreement
WTO:	World Trade Organization

## Abstract

Regional institutions such as the executive, judiciary and legislature were established to help carry out certain functions within their areas of competences assigned to them by laws establishing them. In ECOWAS, the performance of these functions is aimed at finding solutions to problems such as inflation, unemployment, unhealthy balance of trade, insurgency and increasing poverty rate within the sub-region. While the European Parliament (EP) has continued to contribute to the integration process in Europe through law-making, the power to approve the budget and to censor the Commission, the ECOWAS parliament has not been able to contribute much. Hence, this study comparatively studies the treaties establishing the European and ECOWAS Parliaments. This is aimed at understanding areas of similarities and differences in treaty provisions and how it limits the ECOWAS Parliament. The research adopted the multi-case study design and made use of both primary and secondary sources of data. Primary sources include observation and interviews conducted with members of ECOWAS parliament as well as other staff of the Parliament drawn through the purposive and snowballing sampling techniques. Secondary sources included data generated from a review of the ECOWAS treaty of 1975, the revised treaty of 1993, supplementary Protocol of 2006, Supplementary Act of 2016 and the Lisbon treaty. For the European Parliament (EP), data was also solicited through the use of electronic mails. The research adopts a structural-functionalist theory which sees the parliaments as structures established to play specific functions for the stability of the two political systems. It also explains how structures such as treaties, colonial background and lack of political will to implement the dictates of the treaties limit the ability of the ECOWAS Parliament to carry out its functions. Findings showed that there exist differences in treaty provisions in that while the EP along with Council makes laws, the ECOWAS parliament is only a consultative and advisory body. Also, while the EP can reject by a two-third vote proposed annual budget and demand the Commission submits a new draft, the powers of the ECOWAS parliament in the budgetary process is limited to an opinion which is not binding. Furthermore, all members of the EP are directly elected by electorates in member states; those in the ECOWAS Parliament are indirectly elected. This study also established that the drawing of members of the ECOWAS parliament from the national parliament reduces their democratic legitimacy and also leads to a clash of roles with negative consequences for both national and regional parliament. This study, therefore, recommends that members of the ECOWAS Parliament should be directly elected to enhance their democratic legitimacy and eliminate conflict of roles. Also, there is a need to strengthen the powers of the ECOWAS parliament in the budgetary process from mere opinion giving to co-debater with the Council.



# CHAPTER ONE

## GENERAL INTRODUCTION

### 1.1 Background to the study

The period after the Second World War (1939-1945) was marked by the intensification of the drive towards cooperation between and among states on the international arena. The intensification of these cooperative moves was aimed at the prevention of tendencies such as wars and conflicts between and amongst states. It was to also help in the rebuilding efforts after the Second World War. The frontiers of this cooperation expanded from socio-economic, political to military aspects of national life. Cooperation in these areas saw the emergence of supranational institutions upon which the modalities for cooperation were built upon.

One of the common sectors of cooperation between these states is in the area of the economy. Cooperation in this sector is aimed at finding solutions to the common problems inhibiting or challenging the development of individual states which in most cases springs across national boundaries. Finding solutions to these problems required the formulation and implementation of common policies in the area of the common market, taxation and monetary policies. Others include inter-state transportation and communication systems, energy, scientific and technological research. The thrust of this cooperation in the area of the economy is the removal of barriers to trade.

It is believed that the successful integration of the economy is the key for unlocking other areas of cooperation such as politics and security. Political Cooperation among states will lead to political integration whose major attribute is the existence of supranational institutions charged with the responsibility of making decisions that lead to the development of policies for the whole of the member states in the union(Haas1967).

In recent times, the urgency for regional integration has been accentuated by a combination of external and internal factors. For instance, the acceleration of the globalization process as well as Africa's fear of further marginalization in a multi-polar world in which it is dictated and dominated by trading blocs in North America, Europe, South-East Asia and China, have presented African regional economic integration as an imperative strategy. The challenge is therefore for Africa to take it upon itself to ensure that it succeeds in regional economic integration. This will be possible by ensuring that the importance of regional economic integration is spelt out and understood by all the necessary role players (Manone, 2008:1).

In developing countries, the nature of their economies and the general pattern of production which is characterized by the exportation of primary products and the importation of finished or semi-finished goods which they cannot produce or produce in limited quantity has been a major impediment to the development hopes of these states. To overcome these challenges, a major change in the pattern of trade is needed. Economic integration is seen as a viable strategy for economic development in these third world countries (Ehigiamusoe and Udefuna, 2012:1).

Furthermore, the cooperation in these areas of economy, politics and social takes place at different levels. It can take place at the global, regional or sub-regional level. At the global level, the drive towards global economic integration has led to the signing of the General Agreement on Tariffs and Trade (GATT) in 1947 and its successor the World Trade Organization (WTO) which was signed by 123 nations on 15<sup>th</sup> April 1994 under the Marrakesh Agreement. At the regional level, the move towards regional trade integration has resulted in the signing of regional trade agreements such as the North American Free Trade Agreement (NAFTA), MERCOSUR signed in 1991 under the treaty of Asuncion, Association of South-East Asian Nations Free trade Area, Common Market of Eastern and Southern Africa (COMESA), Trans-pacific Partnership,

the European Union (EU), East African Community and the Economic Community of West African States (ECOWAS).

In Europe, the European Union (EU) started as the European Coal and Steel Community (ECSC) in 1951 and was aimed at ensuring the cooperation of countries in Europe particularly in the area of coal and steel. It has grown to expand to other areas of the economy with the establishment of the European Economic Community (EEC) and also European Atomic Energy Community or EURATOM in 1957 to see to the development of safe atomic energy among member states. Today the EU has grown to unite twenty-eight (28) states in the area of economy, politics and social life.

In the case of West Africa, the Economic Community of West African States (ECOWAS) was established in 1975 to promote economic activities within the West African Sub-region. Its mandate is primarily to adopt measures aimed at encouraging the achievement of economic integration among the countries in the Sub-region. Specifically, ECOWAS seeks to promote cooperation and integration in economic, social and cultural activities. It is believed that cooperation in these areas will lead to the establishment of an economic and monetary union through the total integration of state economies which will tend to raise the standard of living of the members of the union and generally lead to the development of the region (Ehiagiamusoe and Udefuna, 2012:1).

For these regional bodies to be able to achieve their goals, they established certain structures (institutions) to carry out assigned functions aimed at the overall achievement of regional goals. Examples of these institutions in Europe include the European Parliament (EP), Council of the European Union, the European Commission and the European Central Bank (ECB). In ECOWAS, it's composed of the ECOWAS Commission, Community Court of Justice, Community Parliament (ECOWAS Parliament) and ECOWAS Bank for Investment and

Development (EBID). The various roles, powers and composition of these institutions are normally specified in the acts or treaties establishing them.

The parliament is regarded as an important institution in the stabilisation of national politics through the performance of its role as the law-making body and also as a watchdog over other institutions. In the area of regional politics, they are seen as even more important in providing the needed framework to guide the interaction of states on the international arena. These frameworks which in some instances are laws are meant to either prevent or resolve conflicts arising from the desire of states to pursue their interest at global and regional levels. It is the acknowledgement of the importance of regional parliaments that necessitated the ECSC (later EU) and ECOWAS to establish regional parliaments.

The European Parliament was first established as a Common Assembly of the ECSC in 1951 by Article 7 of the Paris Treaty. It was changed to European Parliamentary Assembly when the EEC and EURATOM were established in 1957 and later the European parliament in 1962. Its powers and composition have continued to increase with the signing of treaties such as Rome, Maastricht, Nice and Lisbon. The ECOWAS Parliament which is also referred to as the community parliament is seen as a genuine representation of the people of the community. It was established by Article 13 of the ECOWAS revised treaty of 1993 with its composition, functions, powers as well as organisation further outlined in protocol A/P2/8/94.

The EP have continued to play an important role in the integration process while the ECOWAS Parliament plays a limited role. This study sets to compare the treaties establishing both institutions to help understand why.

## **1.2 Statement of the research problem**

High inflation rate, unemployment, high poverty rate, Corruption, political instability and imperialism, weak institutions and structures among others are the major problems facing countries within the West African corridor post-independence. How can these challenges be overcome? What strategies should be implemented? In Europe, the period after the Second War brought so many challenges in the area of economy and the future of European unity. How can these economic problems be solved and what can be done to prevent the reoccurrence of the war?

It is the desire to find solutions to these problems in West Africa and Europe that led to the establishment of regional organizations such as ECOWAS and ECSC in 1975 and 1951 respectively. For the countries in ECOWAS, it was also seen as a collective strategy to fight neo-colonialism. To drive this process in both regions certain structures were established. Some of them include; the ECOWAS parliament, European Parliament, ECOWAS Commission, European Council etc. These structures are expected to perform functions aimed at the achievement of regional goals. The performance of these roles is guided by the principle of separation of powers in that they perform only functions allocated to them by the various acts or treaties establishing them. In other words, the degree of power given to them determines the role they play in the integration process. The powers, functions, structure and scope of the competencies of these regional parliaments are normally spelt out in the treaties signed by member states or in certain instances protocols.

The European Parliament has its roots in the agreement signed between six (6) countries of France, Germany, Italy, Belgium, the Netherland and Luxembourg in 1951 to establish the European Coal and Steel Community (ECSC). On the other hand, the ECOWAS Parliament was

established by an ECOWAS revised treaty of 1993 and charged with the responsibilities of providing advice as well other supervisory roles in its areas of competences which include interconnectedness of communication links, issues of human rights and fundamental freedom, connection of energy sources, achievement of common educational policies, policies regarding public health, the development of youths and sports, scientific and technological research, treaty review, economic integration, community citizenship and lastly, social integration within the community.

The performance of these parliamentary roles (advisory, co-decision, law-making and consensus building) by both the European and ECOWAS parliaments in their various areas of competencies is aimed at the achievement of specific regional goals in different sectors. Pertinent to the effectiveness of these parliaments are treaties that usually carve out the functions, powers, composition and structure of these parliaments. In certain instances, a treaty only establishes the parliament while protocols and rules of procedures determine its composition and functions.

Furthermore, the European parliament has continued to play an important role in the integration process in the EU as pointed by Corbett (1998) and Crombez (2001). However, Ehigiamusoe and Udefuna (2012), Kumahia (2013) established that the ECOWAS parliament has not been able to contribute meaningfully to the integration drive in the West African Sub-region. In most cases, citizens in member states do not even know about the existence of the parliament let alone its functions. The fundamental question, therefore, is that, why has the parliament not been able to contribute much to the integration process in West Africa?

This study, therefore, makes a comparative examination and analysis of the treaties establishing the European and ECOWAS parliaments. The comparative study has become imperative to help understand the fundamental differences and similarities in the treaties which provide the

framework for the structuring and functioning of the parliament. It is believed that a comparative study of the treaties establishing both institutions will provide answers to why the European Parliament continues to play a pivotal role in the deepening of the integration process in Europe against the weak role of the ECOWAS parliament.

### **1.3 Research questions**

This study attempts to answer the following research questions;

- (i) What are the legal mandates of the European and ECOWAS Parliaments?
- (ii) What are the similarities and differences in the treaties establishing the European and ECOWAS Parliaments?
- (iii) How have such differences in the treaty affected the performance of the ECOWAS parliament in the integration process within the Sub-region?

### **1.4 Objectives of the study**

The objectives of this study is to

- (i) Identify the legal mandates of the European and ECOWAS Parliaments.
- (ii) Examine the similarities and differences in the treaties establishing the European and ECOWAS Parliaments.
- (iii) Examine how the differences in treaty provisions have affected the performance of the ECOWAS parliament.

## **1.5 Research assumptions**

(i) The legal mandates of the European and ECOWAS Parliaments have been restricted to advise, consulting and law-making on issues of regional integration.

(ii) Major differences exist in the treaties establishing the European and ECOWAS parliament especially in the area of the mode of recruiting parliamentarians, number of parliamentary sessions in a year and powers of the parliament.

(iii) The selection of ECOWAS Parliamentarians from their national parliaments and the limited powers of the parliament in legislation have negatively affected the democratic legitimacy and effective performance of the ECOWAS parliament in the integration process.

## **1.6 Significance of the study**

This study is significant due to its contribution to knowledge on why the European Parliament has continued to play an important role in the integration process in Europe than that which the ECOWAS Parliament plays in the regional integration process in West Africa. More specifically, while Ehigiamusoe and Udefuna (2012) and Kumahia (2013) studied the ECOWAS parliament and concluded that it plays a limited role, no work to the best of my knowledge investigates why it is so. Also, the adoption of the comparative method for this study and the interview of members of parliament across member states set it apart. Also, no work specifically compares the treaties establishing the European and ECOWAS parliaments despite the importance of such work in understanding reasons why the European parliament has over the years contributed significantly to the deepening of the integration process in Europe and the weak role of the ECOWAS parliament. This study, therefore, fills these gaps in the literature.

The research is an important guide to students of International Relations; Regional Integration studies as well as policymakers in ECOWAS. To the students of regional integration, it provides information on the rationale for integration, the challenges of integration and the role of ECOWAS parliament in regional trade integration. To policymakers in ECOWAS, this research fills an important gap in the literature by providing them with knowledge if consulted on the weaknesses in the treaty establishing the ECOWAS parliament. This knowledge is also important in formulating future policies that relate to the powers and functions of the ECOWAS parliament within its areas of competences when consulted.

### **1.7.Scope of the study**

The treaty used as a yardstick for the European Parliament is the Lisbon treaty that came into effect in 2009 and the Rules of procedure of the European Parliament adopted in 2014. However, it should be noted that it is the Paris treaty of 1951 that first established a parliamentary body for the European Union. The choice of the Lisbon treaty is to allow the researcher to use the contemporary provisions of the treaty as a basis for comparison.

For the ECOWAS parliament, despite its establishment by the ECOWAS revised treaty of 1993, its composition, powers and functions are stated in protocol A/P.2/8/94. As such, the provisions in the protocol and the Supplementary Act that enhanced the powers of the parliament in 2016 is used as a basis for comparison. Also, the rules of procedure adopted in 2016 to guide the fourth legislature is used. This avails the researcher current information on the workings of the parliament.

The justification for the use of European parliament as a model for comparison is premised on the fact that it's the second-largest parliament in the world after parliament of India, the largest

supranational parliament in the world and according to Aja (2001:130), the EU is also the most outstanding regional grouping.

### **1.8 Limitation of the study**

On the limitation of this study, the researcher could not travel to the three (3) seats of the European Parliament (Strasbourg, Brussels and Luxembourg) like that of the ECOWAS Parliament which perhaps would have provided more information on the working of the parliament. The researcher relied on emails sent to the European Parliament.

### **1.9 Working definitions**

Social science concepts have acquired different meanings as expressed by different scholars. There is always the need to establish a basis to view important concepts used in a study. For this study, the following concept will mean the following;

#### **1.9.1 Treaty**

A treaty here refers to an international agreement between two or more states concluded in written form which tends to create obligation among the parties involved and it is governed by the principles of international law.

#### **1.9.2 Supranationalism**

Supranationalism here refers to a form of an organisation through which decisions and policies are made by international institutions rather than individual states or their representatives.

### **1.9.3 Rules of procedure**

This refers to some guidelines that guide the conduct of an event or body. For this study, it refers to the laid down guidelines that govern the conduct, composition and functions of both the European and ECOWAS parliaments.

### **1.9.4 Democratic legitimacy of parliament**

This concept here refers to acceptability of the parliament by the majority of people in terms of powers, importance and effectiveness in carrying out its functions.

### **1.10 Chapter organization**

This research work is organized in five (5) interrelated chapters. The first chapter which is an introduction contains a background to the study, statement of the research problem, research questions and objectives of the study. It also states the research assumptions and explains the significance of this research, the scope of the research, conceptual clarification and lastly chapter organization.

Chapter two (2) contains a review of the literature on issues such as the concept of treaty, trade and regional integration. It also reviews the literature on why states decide to cooperate, the stages in the process of economic integration and the general roles played by regional parliaments in the promotion of regional integration. It also provides a review of the literature on theories of regional integration and the challenges faced by regional integration arrangements in third world countries. It goes ahead to explain the adoption of the structural-functionalist theory to guide the research. This chapter also traces the evolution of the EU and ECOWAS, their various institutions and powers. The chapter concludes by providing a concise summary of the literature reviewed and the gaps to be filled.

Furthermore, the next chapter which is three (3) explains the methodology used in carrying out this research. Chapter four (4) contains a detailed thematic presentation and analysis of the data from both primary and secondary sources of data. It also contains the discussion of research findings. Lastly, Chapter five (5) consists of a summary of the research work, conclusion and recommendations.

## **CHAPTER TWO**

### **LITERATURE REVIEW AND THEORETICAL FRAMEWORK**

#### **2.1 Introduction**

This section examines some of the relevant literature on treaty, trade as well as regional integration. It also looks at the rationale for integration and the various stages in the integration process. Furthermore, it went ahead to look at the role of the parliament in regional integration in certain case studies. Generally, the review is divided into three (3) parts. The conceptual part consists of reviews of the literature on a treaty, trade, integration and regional integration. Secondly, the theoretical part which examines the theoretical explanations to why state integrate, the likely consequences of integration on the development of the states and the role of regional institutions in the integration process. Some of these theories reviewed include Functionalism, Neo functionalist, neo-realist, intergovernmentalism, structural functionalism and liberal intergovernmentalism. Lastly, it reviews the empirical literature on the role of the parliament in regional integration citing examples from the regional integration process in Europe and the Caribbean. It also looks at the evolution of the European Union and ECOWAS, an overview of the powers of the parliament from the treaty of Paris to the treaty of Lisbon.

The review adopts the thematic style where major issues are classified under themes and discussed. The review ends by providing a concise summary and the gaps identified from the review of relevant literature. The chapter also contains the adoption of structural functionalist theory to help guide the explanation of the role of the parliament in regional integration and how structures such as social values determines the effectiveness of regional institutions.

## 2.2 Contextualizing Treaty

The concept of a treaty in international law has been the subject of varying explanations by scholars. According to Article 2(1) of the Vienna convention of 1969 defines a treaty as an:

An international agreement concluded between States in written form and governed by international law whether embodied in a single instrument or in two or more related instruments or whatever its particular designation.

Contrarily, Wallace (2002:231) posits that a treaty is a generic term which envelops conventions, agreement, arrangement, protocol and exchange of notes. Wallace by this conception criticized the Vienna convention conception of a treaty in that oral statement can be held as binding. Deducing from the Vienna convention view of a treaty, Aust (2007:17) identified the following as major attributes of a treaty.

- i. It should be an international agreement.
- ii. It should be concluded between states.
- iii. It must be written.
- iv. Its provisions must be governed by the principles of international law, and
- v. It should be contained in a single document or certain instances two or more related instruments.

From the above, it is clear that it excludes agreements reached between states that are governed by municipal laws or agreements between states that do not intend to create any legal obligations or relations between the participating states. Its strict emphasis on states also makes agreements reached between states and international organizations not to be regarded as a valid treaty under international law. It also excludes oral agreements between states. It is the desire to have rules that guide agreements between states and international organization that a special convention on

the law of treaties between states and international organizations was convened and an agreement signed in 1986. However, it is yet to come into force.

### **2.3 Types of treaties**

Treaties are divided into two types, bilateral and multilateral treaties. A bilateral treaty is a type of treaty concluded between two parties which are all states. On the other hand, a multilateral treaty is a type of treaty that is concluded between more than two parties which are all states. A bilateral and multilateral treaty vary in forms in that a bilateral treaty is mostly in a single document signed by the two parties or usually involves the exchange of two documents, diplomatic notes or letters that usually confirms the agreement between the two parties involve(Schenker, 2015:4). Commenting on this divide between the two types of treaties, Aust (2007:10) argues that a treaty can still be referred to as bilateral in situations whereby two or more parties form one party to an agreement and another state or states represent the other party.

For a text agreed by parties to a treaty to come into effect on its parties, it has to be adopted. Article 9 of the Vienna convention posits that the adoption takes place when all the parties to the agreement consent to it. This consent can be given either by signature, exchange of instruments constituting a treaty, ratification, acceptance, approval or accession or by any other agreed means. In the case of an international conference, a text of a treaty can be adopted by a vote of two-thirds of the states present unless, by the same majority, they decide to adopt another rule to guide it.

Discussing further, Melanczuk (1997:132) points out that in certain instances, diplomats negotiating a treaty for their countries might have limited powers and so whatever they negotiate needs to be ratified by a higher authority normally a head of state. The concept of ratification according to Article 2(1) (b) of the Vienna convention refers to an international act by a state that

establishes its consent to be bound by a treaty. In certain cases depending on the nature of the treaty, other institutions such as the legislature might need to give its approval before a head of state can ratify it. The ratification option of a treaty by a higher authority is aimed at ensuring that negotiating diplomats do not deviate from the instructions of their principal. It is also aimed at giving the head of state time to rethink about the content of the treaty and lastly, to allow for the measurement of public opinion on the contents of the treaty.

Discussing further on ratification of treaty in international law, Article 16 (a) (b)(c) of the Vienna convention of 1969 states that instrument of ratification or approval unless stated otherwise by the treaty establishes the consent of a state to be bounded by a treaty upon its exchange between the contracting parties, deposition with a depository which can either be a state or international organization or by their notification to the contracting states or the depository if so agreed. The idea of depository arises today as a result of the impossibility of exchanging instruments between larger numbers of states as seen in multilateral treaties.

Identifying who is to represent a state in signing a treaty, Article 7(1) a and b of the Vienna convention states that a person is deemed to represent a state in either adopting, authenticating or expressing the consent of a state if he or she "produces appropriate full power or it appears for the circumstances that their intention was to consider that person as representing the state for such purposes to dispense with full powers".

Furthermore, Article 7(2)(a)(b)(c) identifies that a certain group of persons do not need to produce full powers as they are seen as representatives of the state. They include Heads of state and government as well as foreign affairs ministers in matters relating to the conclusion of a treaty. In matters regarding adopting a particular text of a treaty, heads of diplomatic missions do not need to produce full powers. Lastly, in cases of adopting a text of a treaty in a conference or

international organization, representatives that have been accredited by states to an international conference, organization do not need to produce full powers. Considering that the rationale for economic integration is trade liberalization, it's important to consider varying perspectives to the concept of trade.

## **2.4 Trade**

Trade is seen as the exchange of goods and services for the benefit of men or sometimes profit-making. In situations when such exchanges are over state borders, it is referred to as international trade (Ehigiamusoa and Udefuna, 2012:5). It should be noted here that the pattern of trade between countries heavily depends on the differences in comparative advantage among participating countries. In its report, SRO-WA(2015) posits that the conditions of trade are said to have been created when countries give up on the production of goods and services that they produce less efficiently in exchange for the same goods and services produced more efficiently by a partner country.

In the view of Dunn and Multi (2004:17), the benefit of trade is the major motivation for trade. These benefits from trade arise because specialisation enables resources to be allocated to the most productive uses in each trading partner. Relating further the argument of Adam Smith, Dunn and Multi (2004:18) argued that absolute cost differences between countries are the motivating factor for trade. Smith's conception is premised on the assumption that each country could produce one or more commodities at a lower real cost than its trading partners. He then argued that each of these states can specialize in a commodity that is produced at a lower cost than another country, export them and import what it produces at a higher cost than those other countries. It should be noted here that his theory of absolute advantage is based on the labour of theory of value which treats labour as the only factor of production and holds that commodity

exchange between the two parties in the same proportion to the number of hours required for their production.

Contrary to the view of Smith above, David Ricardo argued that the absolute cost advantage is not a necessary condition for two nations to trade. This is because trade depends on the variation in comparative advantage hence one nation can profitably trade with another even when its real costs are higher or lower in all products (Dunn and Multi, 2004: 18).

Deducing from the above conception of the concept of trade, it is clear that the basis for trade is established as a result of the inability of states to produce all they need and at the quantity that is demanded. Their inability to produce all they need is associated with the difference in natural resource endowment, the level of technology and the difference in labour efficiency. Hence throughout this study, the concept of trade will be regarded as the exchange of goods and services either between individuals, groups, firms and state.

#### **2.4.1 International trade**

International trade refers to the sales and purchases of goods and services that take place across the boundary of states. States that engage in international trade are believed to have an open economy. However, a state can decide to have no foreign trade with another. That situation is referred to as Autarky (Lipsey and Chrystal, 2011: 625). The differences in natural resource endowment, level of technological development, the variance in the degree of expertise in labour have been identified as the reason why states engage in international trade. The engagement in trade by these states is supposed to fill the gap between what they can produce and what they can't produce internally or produce in limited quantity.

International trade can be broadly classified into the trade in goods (merchandise) and services. It should be noted here that the majority of world trade concerns trade in goods while services

account for much lower share. This can be seen empirically in the increase in trade in goods from \$10 trillion in 2005 to almost \$18.5 trillion in 2014. While trade in services increases from \$2.5 trillion to almost \$5 trillion. These statistics point to the continuous importance of trade in goods to global trade in the last decade (UNCTAD, 2017:9).

The conduct of trade between states has continued to be subjected to the establishment of tariffs and non-tariff barriers. The justification for the implementation of these tariffs has been at the epicentre of discourse between pro-protectionist scholars and anti-protectionist group. The pro-protectionist group argued that the introduction of such tariffs can help protect infant industries that do not have the necessary capacity to compete with foreign firms. This is because the foreign firms have a greater advantage in the financial base and technical expertise which gives them an edge in the market. Also, Lipsey and Chrystal (2011: 632) argue that the protection of domestic economies is very good for national defence. For example, the introduction of protective policies in the agricultural sector is pertinent in order to provide food to a state perhaps when a trade is to be disrupted by the occurrence of war or other unfavourable trading conditions introduced by an opponent.

On the other hand, the anti-protectionist side argued that granting protection to infant industries is not a wise decision because even when they are strong, they never admit to that. The achievement of protectionism on trade can be achieved through two methods as argued by Lipsey and Chrystal (2011: 636). In the first method, a protectionist situation can be achieved through the making of policies that directly lead to the rise in prices of imported products through the introduction of tariffs called import duty. The introduction of the tariffs has a direct effect on foreign as well as domestic producers of goods. In the first instance, it raises the domestic prices of goods above its global price. For the producers, the rise in price will lead to a decrease in the quantity demanded and sold.

In the second method that can be used is the making of policies that directly lower quantities of an imported product. This is what is referred to as non-tariff barriers because it is a restriction on trade that does not involve a tariff. A good example of policies that lowers the quantity imported is the introduction of import quota by an importing country for a particular time (Lipsey and Chrystal, 2011: 637).

## **2.5 Regional integration**

The nature of the contemporary international system has been influenced by the occurrences of two important processes of political change. The first is national integration and the second is regional integration. The first change occurs as a result of the efforts of government and elites in states that have just gotten independence to bring together diverse tribal, ethnic and religious groups into nationalities. The rationale for this is that it aims at developing formerly primitive markets into national economic systems. In the second process, it involves the efforts of already nationally integrated systems to build cosmopolitan communities. The process of building this cosmopolitan community involves connecting the economies of integrated systems to regional economies (Puchala, 1968: 38).

Furthermore, Puchala argues that during regional integration, elites, as well as citizens of member states, involve in the integration process learn to understand and trust one another. This is as a result of mutually beneficial interaction between the citizens. This process of learning is enhanced by interaction during trade, diplomatic channels, conferences and meetings of government as well as Non-Governmental Organisations (NGOs). For national elites, their learning process is made possible through meetings of government agencies.

Providing reasons that determined the success of the integration process in Europe, Haas (1961:374) identified three (3) factors. The first is the presence of certain social structures within

member states. Except for states like Portugal, certain parts of Spain and Turkey, it is characterized by the presence of pluralist as well as articulate voluntary groups. Second is the presence of a certain level of economic and industrial development. This posits that except few countries like Portugal and Turkey, Europe is characterized by a very high level of development. Thirdly, the existence of homogenous or semi homogenous ideological base between the members is an important factor. Ideological homogeneity is important for value sharing among national elites. However, it should be noted here that integration might still take place among nations who have only a few of the above characteristics but the speed of integration will vary from that which contains the above features.

Furthermore, the success of economic integration among states would seem then to require, if not contiguity, then some degree of territorial proximity between the states, reinforced by a sense of common purpose, supplemented by a recent history of social and economic exchange. This geographical conception of integration has influenced Pentland (1973) definition of the concept. To him, regional integration can be seen as "cooperation and integration among geographically proximate states which share a sense of their inadequacy in dealing with problems of security and welfare".

Regional integration in the view of Tanyanyiwa and Hakuna (2014:104) refers to the coming together of nations to attain a common goal. This goal they intend to achieve can be economic, political or socio-cultural. In order to achieve these goals, states are willing to employ their resources and also sacrifice certain aspects of their national sovereignty to supranational institutions to enable it to achieve these goals.

From the above scholarly conception, it's clear that regional integration as a process engulfs cooperative tendencies among states towards the confrontation of common problems that demands collective efforts. The areas of integration of states across borders are quite wide and

cover various aspects such as social, economic, cultural and political. A vital aspect of regional integration is the economic aspect which will be considered below.

## **2.6 Regional Economic Integration**

The idea of regional economic integration came about as a result of the efforts of states to collectively confront challenges facing them and adopt policies that encourage and leads to economic development. The earliest explanation of the logic for regional economic integration came from the efforts of liberal scholars such as Adam Smith and David Ricardo aimed at the reduction of tariff and non-tariff barriers to trade.

Arguing further Manone (2008:14) posit that the major features of regional economic integration include the removal of tariff and non-tariff barriers to trade among members, the formulation and adoption of common external trade policy in dealing with non-members, initiating free movement of goods and services, free movement of factors of production across the boundaries of member states, unification of monetary policies and also the acceptance of a common currency.

It should be noted here that the above features of regional economic integration do not all take place at the same time rather it occurs in various stages which normally starts from Preferential Trade Agreement (PTA), the Free market Area (FA), Custom Union (CU), Common Market (CM), Economic Union (EU) and lastly Complete regional integration. Expanding the realm of the conception of the term regional economic integration, Zepeda et al, (2011:9) argues that integration explains a process that is considerably broader than the simple conception of eliminating barriers to trade in goods and services between countries. Integration here widens to cover harmonizing standards and regulatory frameworks; reducing restrictions on financial capital and labour mobility between members of the union; the making and implementation of common approaches to fiscal and monetary policy; promoting peace and conflict prevention

among integrating states and finally the pooling together of investment in crossborder infrastructure for transport, power and communications.

Discussing further, Feng and Genna (2003: 279) argues that the existence of homogenous economic institutions is very important in the integration process. Economic institutions here are represented by inflation, taxation, government regulations and economic openness. For an economic union to evolve economic institutions across countries must be homogenous and the integration process must reinforce each other. This means that the prospects of integration increases when member countries can reduce the variance of their economic institutions. Furthermore, the further integration of members of a regional body will reduce the heterogeneity of economic institutions.

It should be noted here that regional economic integration is only one aspect of integration. However, the economics of regional integration cannot usefully be considered apart from the political and other dimensions of "regionalism" - particularly when we are dealing with countries of the Third World. These third world countries see regional economic integration as an effective strategy for the development of their economies which is characterized by poverty, unemployment and inflation (Gowon, 1984: 7).

Furthermore, Weiler as cited in Mwashu (u.d. 70) argued that the regional integration process is a product of the law. Regional integration process usually grows from the political interactions and negotiations between and among states. Legal instruments such as treaties and protocols provide the blueprints for such processes of interaction. The provisions in those legal documents state the responsibilities of member states, powers and nature of the relationship between parties to the agreement, the terms of terminating the integration process and the benefits accruing to the parties in the event of breakup (Fagbayibo, 2012: 65). Regional integration bodies establish

regional transnational judicial organs that in some cases possess complementary or absolute powers on certain issues identified in the treaty.

Discussing further, Lipsey and Chrystal (2011: 642) posits that regional economic integration has a major effect on trade as it leads to trade liberalization among members of the union. It also has an effect on the production of goods and the reallocation of resources. From the policy angle, Mwasha (u.d. 70) sees economic integration as a commercial policy of discriminately reducing or removing trade barriers (Which can be technical or non-technical barriers) between members of the union.

In the opinion of Manone (2008: 34), regional economic integration generally has an impact on multilateral trade liberalization in many ways. In the first instance, regional economic integration changes the nature and dynamics of the relationship among member states on one hand and also their relationship as an economic bloc with the rest of the world. Discussing further, Tinbergen in Ehigiamusoe and Udefuna (2012: 17) posit that integration can be classified into two (2). Negative and Positive integration. Negative integration refers to those aspects of economic integration which involves the removal of discrimination and restriction on the general movement of goods among member states while positive integration refers to the modification of existing institutions towards integration.

Trade occupies an important place in the overall economic development of any nation. The level of intra-regional trade and homogeneity in regional policies determines the level of regional trade integration. To measure the level of regional trade integration, Hufbauer and Schott(1994) developed a framework referred to as Integration achievement score(IAS). Each of these IAS represents an average of scores in six(6) key categories that measure distinct components of regional integration. These categories include; trade in goods and services, the degree of capital

mobility, the degree of labour mobility and the importance of supranational institutions in regional decision making. Other components include the level of coordination in the area of monetary policy and lastly, the level of fiscal policy coordination. Each of these components is given a value on a scale of 0-5 with higher values showing levels of integration in each component. This scale implies that regional organizations that have more values beyond 3 in each component show that they are more integrated.

Contributing to the discussion on level of integration, Feng and Genna (2003: 283) argued that when states discover that the level of integration between members of a regional body is low due to the differences in institutions structures such as policies on taxation and inflation, they decide to modify their domestic institutions to make it flexible to those of other member states. The rationality for this action is to prevent the slowing down of the process of integration due to the heterogeneity of institutions. However, when the demand for states to form regional bodies is met with reluctance or slow drive towards the transformation of domestic institutions to suit those of other states, it refers to what Feng and Genna (2003:284) referred to as “*Unsteady integration*”.

The process of regional trade integration which creates a form of preference in trade affects the nature of trade between states. In the view of Dunn and Multi (2004:169), these effects can be classified into two(trade creation and trade diversion). Trade creation represents a situation whereby the consumption of the inefficient local product is replaced by the importation of more efficient products from a member country. This increases the volume of goods consumed for member states while reducing the number of local products consumed. However, it does not affect non-members since the goods were not imported from a non-member before the commencement of the agreement. On the second effect, trade diversion occurs when a member country who was importing a product from a country that does not belong to its regional bloc

suddenly decides to cut and establishes a link with a member country. The implication of this is that an efficient non-member state loses sales to less efficient producers in a member country. The impact of this on world trade is that it reduces world efficiency because of the diversion from low cost to higher-cost resources.

Establishing the baseline of integration, Nederhorst (1961:63) argues that the existence of economic unity within states is a favourable factor for the establishment of political integration. In other words, the economy follows politics and not vice versa.

Throughout this study, regional economic integration will connote the harmonization of tax regimes, exchange rates, harmonization of import and export policies, and harmonization of monetary policies within a particular region.

## **2.7 Rationale for Regional Integration**

The decision by states to join or promote the establishment of certain regional bodies is built on the perceived benefit which they believe they can tap from. These benefits have been the major pulling factor or in other words the missing piece in the jigsaw that encourages the state to surrender certain aspects of their sovereignty to a supranational body. These benefits can be political, economic or socio-cultural. For some states, once these benefits are withdrawn or do not measure up to the percentage they deem appropriate to them, it motivates and increases the tendency for withdrawal from regional bodies. This section looks at the reasons why states decide to join or establish regional bodies.

In the view of Mwasha (u.d. 74), the motivating factors for states in regional integration are majorly political and economic. Mwasha argues that the development impacts of economic integration for the members of the union depend on the level of development of the countries involved, the terms of the agreement and the scope of the agreement. Looking from the angle of

the level of development of the states, developing countries will tend to benefit more economically if the larger percentage of the members of the union are large industrial states. With regards to the terms of the agreement establishing the body, a state's ability to negotiate and influence the measure of the benefit accruing to it determines the extent to which the regional integration will influence its economic development.

Explaining the role of regional trade integration in the resuscitation of weak economies, Ehigiamusoa and Udefuna (2012:5), argues that generally, trade has been important in resuscitating regional economies, propelling growth and economic stability. Going further to connect those states within the region through trade would ignite the spirit of cooperation among them which will grow to expand to other areas. For it to be an effective strategy for economic resuscitation or development, third world countries, especially in Africa, must pursue a multilayered liberalization strategy that has culminated in the signing of regional trade agreements which encompasses free trade agreements, customs union, common market and generally multilateral trade liberalization at the global level.

Another rationale for regional integration is its tendency to improve efficiency as a result of competitive pressures among rival firms across the boundaries of member states. Market structures such as monopolies and oligopolistic are major challenges to the attainment of efficiency in production in many countries. Inefficient national enterprises (including government monopolies) often keep making strange profits either because laws protect them to operate as monopolies or because no other industry offers credible competition to them in their line of business. The removal of these barriers as a result of the adoption and enforcement of regional integration competition rules throughout the Free Trade Area (FTA) is likely to enhance the free competition needed for an efficient industrial structure (ECA-WA, 2015). The importance of a competitive and efficient industrial base in the overall economic development of

any state cannot be overemphasized as it opens up the economy, provides consumers with a wide range of qualitative products at a good price. The ability of regional integration to open up the economy, bring about the efficiency of firms due to the increasing competition from firms within other member states has been a major motivating factor for states in regional integration.

Discussing the benefits of regional integration, Manone (2008:62) identified the prospect of bigger market access and the benefit of the economies of scale to industries and producers in member states as a motivating factor for regional integration. For some states, it's not just the access to a bigger market that inform their decision to join regional bodies but the fact that such access to partners markets are duty-free makes the puzzle an interesting and attractive prospect which is quite difficult to turn down. Most African states except for Nigeria have a relatively small market and the size of this market make them uncompetitive and unattractive to foreign investors. Successful regional integration in Africa will enlarge the market and will make it easier to attract bigger foreign direct investment into the region. The importance of this foreign direct investment to the development of state economies in Africa is well documented.

Furthermore, looking at the rationale for economic integration, Park and Park (2007) argued that economic integration can be a major pulling factor for investment and other forms of Foreign Direct Investment (FDI). This is because the reforms associated with economic integration should result in stabilization of the economy and liberalization of the market which will further raise returns on all factors of production. This tendency for an increase in returns will be a major motivation for private investors to increase their investments.

Looking at the benefits from the economic as well as security angle, Hoekman, Mattoo and English (2002) identify that economic integration can enhance regional security. This is because trade between states is a form of interaction that helps to lessen or remove the tendencies that

breed misconception and later conflict. For developing countries, economic regional integration can increase the negotiating power of these states. However, for these countries in the third world to enjoy the benefit, consensus building on major issues is pertinent. This is very important when the regional body negotiates the terms of trade with third parties who are not members of the union.

In the case of East Africa, Mwasha (u.d. 89) points out that regional integration ensures stability and provides the foundation for conflict resolution. The tendency for conflict is reduced in two ways; the first is that regional integration increases interdependence between and among member states and make conflict among them too costly to attempt as a result of its consequences. Secondly, it does reduce the chances of conflict through regular contact between members of a regional union helps builds trust and facilitate cooperation. To help in ensuring stability and reduce situations that lead to confrontational conflicts between members, regional organizations establish institutions that serve as a forum for consensus-building aimed at prevention or resolution of conflicts before they become violent. In the case of East Africa, the East African Court of Justices and the East African legislative assembly play important roles in conflict resolution. The increased power given to the ECOWAS Parliament in the area of conflict resolution is aimed at ensuring that it intervenes and prevent confrontational conflict between members of the community.

Tanyanyiwa and Hakuna (2014) argues that one of the important benefits of regional integration is that it offers possibilities to ensure sustainable management of resources that cut across the boundaries of member states. The management of important natural resources has been the rationale for the formation of certain regional integration bodies such as the Lake Chad Development Commission which covers the countries around the Lake Chad Basin. In another

sense, the desire to address regional problems such as migratory diseases and climate change has also motivated states to establish or join regional bodies.

Looking at regional integration from the dependency lens, it can also be seen as an important tool for the loosening and eventual elimination of the historical and structural pattern of the dependence of the developing countries on the developed global North. The dependency theorists argue that the deteriorating nature of the economies of the developing countries is not because it is not fully integrated into the international capitalist system but because of the particular nature of the integration. The nature of their integration is that the developing countries serve as the producers and providers of natural resources, cheap labour and a destination for obsolete technology for the developed countries. Individual attempts by states to resist or influence the nature of this relationship have been meted with economic sanctions or military invasion and control. The next viable option for these developing countries is collective efforts to confront these challenges. This collective effort is regional integration by developing countries. They see regional integration as an effective strategy for reducing the over-reliance on developed countries and as a viable option to use in negotiating the terms of trade.

Looking at the regional integration benefits from the human development angle, Zepeda et al (2011: 9) argues that regional integration has a positive impact on human development. Human development according to the Human Development Report (2011) refers to the creating of conditions that allow men, women and children to live lives that they value by expanding the scope of their freedoms and building their capacities. Some of the important variables in human development include income, access to services and employment. An attempt will be made to look at the synergy between these variables and integration and why states delegate their sovereignty to enjoy such benefits.

Although income cannot be directly equated with human development, it constitutes an important variable in that it helps an individual expand opportunities and capabilities. The primary determinant of income is the employment state as well as the productive capabilities of people which further influenced by the prices of goods and services. Regional economic integration will have an impact on employment through its ability to create new jobs in new sectors of the economy or as a result of new technology introduced by firms in other integrating economies. Integration can also encourage individuals to take advantage of labour market opportunities. With regards to access to services, regional integration can have access to key services such as education while in the area of empowerment, economic integration and trade has the potential to increase employment and contribute to empowering people. Increase in economic opportunities for women can empower and contribute significantly to women development which also has an impact on nutrition and access to health and education (Zepeda et al, 2011: 9).

Despite the relationship between these variables and overall human development, the empirical regional impact of regional integration on human development varies from country to country, community to community and person to person as it will depend on variation in the geographical location of communities and existing institutions. Looking at the above variables and its possible impact on human development, it is enough to influence the decision-makers of a state to join regional bodies.

Besides, regional Integration has also been seen as the most promising approach to overcome the challenge of economic partitioning of many parts of the African continent. The colonial conquest and the subsequent partitioning of Africa have divided once connected economic spaces and networks and eventually led to the creation a patchwork of small economic entities that are unable to overcome the narrowness and limitations of their markets by themselves. Another challenge brought about by this balkanization is that it created units that are not self-sustaining.

This created the foundation for the subsequent continues reliance of African states on the developed world. The integration of these small states provides a larger population and thus demand base allowing industries to benefit from economies of scale and thus efficiencies in production coupled with enlarged markets. Development experts argue that African countries need to formulate, publicize and defend their often similar interests regarding global developments. This goal can only be achieved if African countries speak with one voice through regional bodies rather than individual voices that carry no weight (Peters-Berries, 2010).

Furthermore, the fear of a common enemy has been identified as another reason for integration among states. Pointing to the direction of military organizations, Haas (1961:376) argues that states that have a common enemy are propelled by necessity to integrate and faced the enemy. For example, the existence and continued threatening nature of the then Soviet Union was an important variable in the consideration for the establishment of the North Atlantic Treaty Organization (NATO).

The subject and practise of regional integration has been the subject of theorizing amongst scholars of regional integration. They try to provide explanations for why states decide to delegate certain parts of their national sovereignty to a supranational institution to perform certain functions provided in the acts establishing and guiding the conduct of the activities of the union. Theories of integration have mainly been developed to explain European integration. As Europe was the first region of the world where regional integration started in the early 1950s with the European Coal and Steel Community (ECSC) in 1952 (Laursen, 2008: 3). Today, these theories have been employed to explain the integration processes in other parts of the world. Some of these scholars that wrote on the theories include David Mitrany, Ernst Haas, Andrew Moravcsik and Lindberg among others.

In the view of Puchala (1968:40) for any theory to effectively explain contemporary regional integration, it must fulfil the following requirements. The first is that it must provide an explanation and also examine the reduction in national sovereignty through peaceful processes. This requirement implies that the theory must be built on the gradual reduction of sovereignty rather than the imperialistic methods of conquest or threatened conquest. Secondly, a contemporary theory of regional integration must describe and explain the process of the gradual emergence of regional political authority. In other words, it must explain the *whys* and *how* of the timely incremental reduction in national sovereignty and the coincidental expansion in the authority of supranational institutions. Lastly, an efficient theory of regional integration must describe and explain the emerging consensus between national elites in values, preferences and general policies. Attempts will be made to review relevant literature on these theories as well as identify the major limitations of these theories. The first theory to be considered is the functionalist theory.

The functionalist explanation to integration is best articulated by David Mitrany in his work a *Working Peace System* in 1943. However, the basic logic of the functionalist ideas can be found with scholars such as Woolf (1916) and Parker (1918). It emerged as a critique of the federalist conception and road map to how the international system can be made peaceful. Mitrany argued that the major challenge that inhibits the creation of a global society was the continued "worship" of the political borders of states. While he acknowledged that the creation of a federal system will help overcome such divisions, he further identified the continuous disregard for laws and increasing nationalism as an impediment towards the federalist arrangement. The best alternative to him, therefore, is the "functional integration of material activities on an international scale and cultural devolution on a regional basis". He further stated that the thrust of any unification attempt since the middle ages is a quest for a peaceful international system (Mitrany, 1943:99).

The failure of the federalist pinned on its impotence and complete failure of the League of Nations to prevent the occurrence of the First World War convinced Mitrany that the federalist conception and belief in federal solution is not the right strategy for maintaining world peace. Hence he applauded the establishment of the European Coal and Steel Community (ECSC) in 1951 and the European Atomic Energy Community (Euratom) in 1957. Which he saw as good examples of “straight functional bodies” as can be said of United Nation’s agencies that play an important role in the promotion of cooperation. In his advocacy for functionalist cooperation, Mitrany identified two pertinent factors that lay the foundation of the functionalist ideas. The first is the "need for common objectives and a common perspective which is rooted in social goals and policies". The second factor is the increasing commonality between the ways and the means of action.

Taylor (1977) argues that the working peace cannot be merely achieved and sustained by the removal of conditions that promote the war (Some of these conditions include institutions that inhibit the interaction of people like the existence of state borders, the spirit of nationalism and sovereignty). He sees peace as a product of the mutual interactions who are dealing with these conditions. A key strategy for overcoming these challenges is the establishment of mutual contacts that promotes cooperation and the change in their values system (nationalism) which provides the basis for the acknowledgement of the need for further integration. Relating this concept to the sphere of interstate relations, these interactions in areas of "low politics" such as the economy and technical areas will lead to the creation of a form of interdependence among states which is important in the prevention of wars between states.

Mitrany, therefore, argued for a form of transnational cooperation which will create a form of interdependence built on the need to solve mutual problems that states face. Commenting on the experience of the two world wars, Mitrany posits that what is needed to prevent the occurrence

of another war is a "Working peace" rather than a "Protected peace". The idea of this working peace system was built on the importance of international agencies that are charged with the responsibilities of the common problems states intend to cooperate and find solutions to. The success of cooperation in one field of cooperation could lead to states willing to cooperate in another field.

The next theory to consider is neo-functionalism. This is a theory of integration that aims to explain the logic and dynamics of integration amongst state and the consequence of such condition on interstate relations as well as development. Apart from its ability to explain integration, neo-functionalism has been credited with the ability to also explain disintegration. Its emergence has been placed to the late 1950s and the late 1960s. It emerged to provide a theoretical framework for understanding the complex nature of European integration. Prominent scholars in the neo functionalist temple include Ernst Haas, Lindberg and Philippe Schmitter.

The neo -functionalist theory criticized the postulations of the functionalist as preached by David Mitrany. Neo functionalism as captured in Amin (2010:1074) argues that the existence of the state is not seen as evil but rather a feat that has become quite irrelevant and outliving its purpose in the contemporary international system. The neo- functionalist theory has also been adopted as an effective strategy in breaking down the strong walls of the classical notion of nation-states.

Furthermore, the neo- functionalist believe that the removal of barriers to trade, investment and human mobility and the creation of a common market will lead to the interdependence of member states. This interdependence will create positive benefits for both the economy of member states and its citizens. This positive benefit will propel advocacy by citizens for the expansion of the role of the organization in their lives. This cooperation normally starts from areas less controversial or regarded as not too threatening to the existence of the state. Success in

these areas of integration will in the opinion of functionalist lead to an "automatic spill over" to other sectors (political sector). The neo functionalist disagreed with the functionalist assumption of the automatic nature of the spill over. To them, it occurs through a step by step process. The process is gradual because states only agree to more level of integration when their interest is been promoted rather than any moral justification for more cooperation. From the above, we can, therefore, argue that the grease that propels the expansion of the walls of cooperation between states is the "expansive logic of integration" that is the necessary precondition for integration in another sector (Schmitter and Lefkofridi, 2015).

Relating the concept of spillover to the European integration experience, Tranholm-Mikkelsen in the 1980s identifies broadly three (3) types of spill over-Functional, political and cultivated. Functional spillover was seen in the European 1992 project which gradually grew to include the social dimension, single currency, economic and monetary units. On the other hand, political spillover was experienced in the immerse advances in supranational decision making. Lastly, cultivated spillover refers to the conscious efforts of integrative programmes by supranational actors. A practical example of this situation is the Delor's commission of 1996.

In the view of Amin (2010:1075), the view that cooperation normally starts in areas of low politics and common interest creates an advantage for the state as it allows for the drifting in of new actors such as bureaucracy of national government, interest groups and other institutions in the integration process. Furthermore, neo functionalist see the support from the public in member states as a product or result of the integration process rather than a necessary prerequisite for integration. They also identified the important role that institutions established by regional organizations are expected to play in the integration process. They regard institutions as leaders rather than mere agents in the integration process.

Neo- functionalism draws a clear line between power issues "high politics" and welfare issues. They argued that it is the desire for collective actions in welfare issues that necessitate collective pursuit of collective interest. It is the general success in these welfare issues that will propel the political desire for collaboration(Gehring,1996:228). Arguing further, Haas posits that political integration will see to the emergence of a new political community with jurisdiction over domestic ones. The emergence of this political community will see the shifting of the loyalty of national elites from domestic to the supranational level. To help in the governance at this level, institutions will be established with certain functions. The implication of this on member states is that it leads to the reduction in the role of member states (Haas, 1958: 16).

The process of distributing the benefits accruing the members' states inevitably generates conflicts. The neo -functionalist believe that the cause of this conflict is internally produced by the integration process itself. The result of this conflict can lead to *spillback*- a concept used by the neo functionalist to refer to a situation whereby states no longer want to deal with certain policy issues on the supranational level.

Furthermore, Haas (1958:195) identified two important roles that members of the European Parliament play in the integration process. First, they deliberately and consciously through their efforts seek to create a federal Europe by prescribing appropriate policies and stimulating the conclusion of new treaties that intends to deepen the process of integration. Secondly, parliament is also important in the growth of practices and codes of behaviour that are typical to federations. Also, political groups and parties in parliament are important carriers of political integration. Collaborating this, Corbett (1998:48) posits that through their activities they remove division brought by national differences and replacing them with ideologies built across national boundaries, providing a medium for communicating and deepening the integration process.

Commenting on the evolutionary nature of the power of international institutions, Corbett (1998:24) argued that crises resulting from the failures of supranational agencies will be the instigator for the reassessment of the powers of such agencies. The result of this is usually an increase in the amount and scope of authority. These processes will slowly extend to undermine the independence of the nation-states.

In a critique of neo functionalist explanation to integration, Moravcsik (2005:351) posits that the theory has been principally built on the premises that internal factors are the propellants of integration without looking at the external factors that can enhance or inhibit the integration process. Schmitter (2012) argues that the application of the neo functionalist theory has been difficult in other parts of the world. Its success in Europe has been attributed to the existence of certain factors such as democracy, in that their citizens enjoy the freedom to organize themselves. Collectivism within and across borders and also the issues such as security has been handled by another international organization. The existence of these factors has been pertinent to the success of neo-functionalism in Europe. However, when introduced to other regions, it comes short.

Intergovernmentalism is another theory of regional integration. It sees integration as a product of negotiation between and amongst states which results in cooperative agreements that leads to further integration between states(Feng,2003:280). Major proponents of this explanation to regionalism include Stanley Hoffman and Andrew Moravcski. Discussing further, Moravcsik (1991) postulates that usually, integration is a product of bargaining and negotiations among states that are regarded as powerful within a particular region.The motivating factor for these powerful states can be the need to obtain domestic policy preferences in the economy of weaker states. When compared with the neo functional explanation to integration, intergovernmental theory acknowledges more, the role of government in the integration process.

Intergovernmentalism sees the states as the primary actors in the integration process and see the emergence and existence of international organizations as mere agents in facilitating the will of the states. Furthermore, states cooperate and act together to realize common goals and the will of the states are carried out through the instruments of their national governments. They see states as having the independent power that allows them to act on internal as well as external issues that concern them without the influence of external forces. This postulation brings to fore the important question of state sovereignty. Cini (2003:97) points that states as seen by intergovernmentalist still retain their sovereignty in the process of integration despite knowing that they benefit more when they pool together their sovereignty and bestow it on supranational institutions.

Besides, intergovernmentalist argue that the establishment of regional organizations is made possible only if states agree that it is for their common benefit. This notion places the states as important actors in the determination and enhancement of the integration process. It should be noted that even when regional organizations are created, the states remain central to the identity and loyalty of the people and no organization can replace them.

Discussing further, a prominent advocate of intergovernmentalism Hatton (2001:1) argues that when states transfer power to the supranational institutions, instead of being weakened by it, they are strengthened by it. Despite the effort of intergovernmentalism in explaining integration, it has been criticized. To Bappah (2014:51), the theory fails to appreciate the role that non-state actors like the civil society organization and international institutions play which serve as a constraint to the behaviour of states in the integration process.

Furthermore, the neorealist theory of interstate relations has been employed in explaining the dynamics and rationale for regional integration among states. It is built on the structure of the

realist school. It offers an explanation of the dynamics of the intercourse between states, particularly after the Second World War. The major proponents include Hans Morgenthau, Thomas Hobbes and later Kenneth Waltz. Realism as a foundation of neo-realism believes in the absence of overarching authority to maintain law and order on the international system. Secondly, states who are the major actors on the international system are believed to rationally interact with one another for self-preservation (Amin, 2010:1077).

Furthermore, the pillars that held the realist interpretation of issues on the international system were subjected to criticism which led to the revision in the 1970s. The result of this revision is the neo-realist explanation. Waltz (1979) provided a revised explanation of nature and dynamics of the international system. Discussing further, Waltz points out that the international system is anarchic and consist of actors (States) who have varied capabilities interms of economy, military strength and bargaining power. These differences in the capabilities of states have an impact on the way these states relate with others.

Also, the differences in state abilities have made the formation of alliances and other cooperative structures as a viable strategy for survival. Expanding the neo-realist logic to the regional level, states are still seen as rational actors who struggle to survive, improve its power capabilities and engage in cooperative tendencies when it needs to promote its interest. Amin (2010:1078) quickly reminds us here that these cooperative efforts do not lead automatically to integration as it is merely a strategy to confront common challenges. This is quite important in explaining the efforts of states in Europe to cooperate in the period after the Second World War.

Generally speaking, the neo-realist see regional integration as an important strategy states use to overcome certain challenges they encounter and will be quick to withdraw if the benefits obtainable no longer favours them. A clear example of this scenario is the case of Britain who

applied to join the European Economic Community (EEC) in 1973 when its economy was experiencing turbulence and today, Britain is on the verge of leaving the union with its economy very strong.

Amin (2010:1079) identified some of the principal weaknesses of the neo-realist explanation to include the following; firstly, the neo-realist conception of states as the only actors in international politics is criticized as other important actors like civil society play an important role. Another weakness of this theoretical explanation to integration is in its overestimation of rationality as the instigating factor for state behaviour. This is not true as other variables such as ideology and institutional preferences play an influential role in determining and influencing state behaviour.

Furthermore, the general description of a state as an entity devoid of controversy or disagreement pursuing a just objective has also been criticized as it is clear that even the conception of the state, its nature and the goals it pursues has been as an issue of debate. For example, the constitutive theory of state recognition as advocated by Anzilotti and Kelsen posits that a state is not a state until it is recognized as a state by others. On the other hand, declarative theorists believe that recognition is merely an acknowledgement of the facts. Hence once an entity fulfils the conditions of statehood, it is a state with all international rights and obligations (Melanczuk, 1997:83).

Owing to the above weaknesses inherent in the realist explanation of the nature and dynamics of regional integration, it does not provide a solid foundation for understanding the dynamics of contemporary regional integration.

In addition, Liberal intergovernmentalism can also be employed in explaining regional integration. It is the brainwork of Moravcsik (1998). Like intergovernmentalism, this theory

pinpoints the importance of states(National governments) as the driving force in the process of integration. However, its major area of departure is on the idea of preference formation where states before going into a negotiation, have an idea of what they want and pursue these preferences as they negotiate with other states. Hence they see bargaining power of states as a pertinent phenomenon in the integration process. Liberal inter governmentalist see supranational institutions as less important in the process of integration than neo functionalist see it(Hatton,2011:1).

The major weakness of the intergovernmentalist theory is the fact that it focuses on the role states and national elites play in the integration process.By doing that, it failed to consider the important role played by non-state actors such as Non-Governmental Organizations (NGOs) operating across borders, civil society organizations in the process of negotiation as well as enhancement of regional integration.

Lastly, the structural-functionalist theory has also been found important in explaining political systems on the supranational level. It is a part of the general system theory whose evolution can be traced to the field of the natural sciences. The theory tends to explain the working of the political system. The intellectual roots underpinning the structural-functionalist explanation was drawn from the writings of Social anthropologist such as Radcliffe Brown and Malinowski that appeared in the early decades of the 20<sup>th</sup> century (Johari, 2011:71).

In the area of political science, the structural-functionalist theory was first employed by some American writers such as Gabriel Almond and David Apter who came to realize that in understanding and explaining a phenomenon, it's pertinent to consider the functions performed by it. In the field of international relations, structural functionalism sees the establishment of certain structures such as international organizations and trade as important in the attainment and

maintenance of international peace. The conception of the term structure here in the view of Johari (2011:73) refers to the arrangements within the system which carry out certain functions. In the view of Palombara(1970:20), these structures do not only refer to formal institutions but also value systems, economic allocation and attitudes can be seen to mean a structure.

Also, according to Almond and Coleman (1960), the political system is characterized by the existence of certain general features. These features include, (i) all political systems have political structures (ii) the same functions can be found carried out in all political system although with variations in frequencies and kinds of structures (iii) all political structures carry out multiple functions and (iv) all political systems are multi-cultured which represents a mixture of traditional and modern.

Furthermore, Almond and Powell (1966) argued that the continued survival of these types of political structures depends on their ability to continually perform their assigned task important to the proper functioning of the system. They further divided these functions into two, input and output functions. The four input functions include Political socialization and recruitment, Interest articulation, Interest aggregation and lastly political communication. On the other hand, the output functions include law-making, Rule application and Rule adjudication.

In the sub-discipline of regional integration, the structural-functionalist theory has become important in explaining the occurrences of events at the international arena. The structural-functionalist theory sees the establishment of structures as important in the achievement and maintenance of order and peace at the international arena. These structures perform functions necessary for the efficient running of the system.

While structural functionalism has been used to explain both domestic and international political systems, it has also been criticized on the ground that it's so concentrated on system survival and maintenance and gives no room for the explanation of changes in the political system.

## **2.8 The stages of economic integration**

Economic integration does not happen in a single stroke rather it is a process that occurs in stages. These stages have been classified by Balassa (1961) to include; Free Trade Area (FTA), Customs Union (CU), Common Market (CM), Economic Union (EU) and Complete Regional Integration. Each of these stages will be discussed below with their distinguishing features identified. However, it should be noted here that the identification by Balassa has been criticized on the basis that the first stage in economic integration is the Preferential Trade Agreement (PTA).

In the opinion of Hodgson and Harander (1983), A Preferential Trade Agreement refers to a form of agreement in which members of the PTA apply lower tariffs to imports produced by their members and maintain high tariffs or restrictions on the goods produced by non-members. For participating countries, it reduces the major impediments to the free flow of trade. The implementation of this agreement has an impact on the economy as well as the general welfare of these members. To the economy, it opens up trade and increases the volume of interstate trade while also lowering the cost of goods for citizens of member states.

### **2.8.1 Free Trade Area**

This is the first phase of regional integration in Balassa's classification and has the simplest level of integration. Its key feature is that it allows only the free movement of goods. Manone (2008:17) defines Free Trade Area (FTA) as the suppression of discrimination against any form of commodity movement among member states. It usually involves an agreement between

members to suppress or gradually remove all the impediments to trade between them. It is regarded as the best policy option for states within a region who want to be independent of other states outside the region. However, despite concerted efforts towards the removal of barriers among members, trade restrictions for non-members still exist.

Discussing further, Manone argues that the principal goal of a free trade area is to gradually achieve a situation which encourages perfect competition among industries of member states. At this level of integration, states are not expected to immediately remove all customs and other restrictions but it allows states the time to gradually remove those impediments. This will lead to an increase in the flow of trade between member states.

Furthermore, in the view of Holden, (2003:1) these agreements establishing Free Trade Areas can be limited to few specific sectors or can cover all aspects of interstate trade between members and can also contain mechanisms to resolve economic disputes whenever they occur. An important point to note here is that FTA signatory states can only retain private trade policies to guide their relationships with non-members of the FTA. The clear implication of this is that states are advised to maintain custom points at their common market borders. This is to make sure that imports into the free trade area do not all enter through a member that charges the lowest tariff. Another important instrument used to check unwanted sharp practices is the rules of origin. The agreement on the rule of origin is aimed at ensuring that goods produced by member states pass freely without tariff but when it involves a non-member of the FTA, it is levied to pay duties (Lipsey and Chrystal, 2011:641). Major examples of FTAs include the European Free Trade Association (EFTA) and the North American Free Trade Area (NAFTA).

Arguing further, Dunn and Mutti (2004) posit that such agreements between states encourage the importation of goods into whichever member has the lowest tariffs and their subsequent

reshipment to member countries with higher external tariffs. The use of Certificate of origin is supposed to guarantee that products coming tariff-free from a member country were produced there. However, the actual enforcement of this certificate of origin has been difficult.

### **2.8.2 Customs Union**

The second stage in the economic integration process is the Customs Union which builds on the foundation laid down by the Free Trade Area (FTA) by adding the removal of internal barriers to trade and also laying down the demand that member states should harmonize their external trade policy. This policy covers the establishment of common external tariffs and import quotas on goods from non-member states (Holden, 2003).

Manone (2008:23) further postulated that for a customs union to be successful, it must avoid introducing new forms of customs duties that will lead to an increase in the duties exceeding what was obtainable before the commencement of the union. This is to make the union attractive to other members. Explaining further, Manone deduced that since a customs union creates common external tariffs towards non-members, it clears the need for rules of origin. However, the pressing problem has been the inability of most integrating states to create that common external tariff. As such, a customs union has been seen more very difficult to establish than Free Trade Areas because of such difficulties in fixing common external tariffs even though it offers more tendencies for trade integration among member states.

On the issue of customs controls on goods and services, Lipsey and Chrystal (2011: 641) points out that since all members of the Customs Union have a common tariff against non-members, there is no need for the introduction of either customs control or rules of origin. Identifying one basic difference between Free Trade Area and Customs Union, members of a Customs Union share a common external tariff whereas, in the case of Free trade

Areas, member states maintain an autonomous external trade policy. The difference between these two affects the type of agreement formed; member states incentives to adjust external tariffs and also has a welfare consequence on the consumers. It should be noted here that Free Trade Areas are more common than Customs Union as they account for over 90 per cent of existing agreements (Freund and Ornelas, 2010: 140).

### **2.8.3 Common market**

The next stage in the economic integration process is the common market. In the view of Carbaugh (2004) a common market is defined as a group of trading nations that permit the free movement of goods and services among member nations, the initiation of common external trade restrictions against non-member states, the unrestricted mobility of the factors of production across the boundaries of member states.

Discussing further, Manone (2008:25) argues that a common market which is seen as a deeper level of integration than the two discussed above makes sure that the bond between member states is stronger. This situation of a stronger bond between member states is achieved through harmonization efforts and the collective coordination of economic policies by member states. In another sense, this means that the development of a harmonized trade and commercial policies is pertinent in the liberalization of the movement of goods and services among member states.

Identifying the distinguishing features of a common market, Sloman and Wride (2009:693) posits that;

i. A common market has a common system of taxation and in situations where it develops into a perfect common market; it will cover identical tax rates in all member states.

ii. In a common market, there is also free movement of labour, capital, goods and services without any form of border control.

iii. There are common types of laws in member states guiding production, employment and trade between member states.

iv. Lastly, in a common market states do not give special treatment to their domestic industries.

Pointing out another important feature in the common market, Mutharika(1972) identified the importance of perfect competition in the productive sector as central to the emergence of an integrated economic system. At this stage also, there is a commitment towards the harmonization of industrial policies of member states. The result of this decision is seen in its impact on positive integration. Simply put, the common market involves the surrendering of economic sovereignty to integration. This level is characterized by free mobility of capital, labour and services.

In the view of Mingst (1999: 209), a common economic market is achieved when goods flow freely between member states without being taxed while on the other hand ensuring that goods from non-member state are subjected to uniform tariffs. The larger economic market will allow for economies of scale and benefits of specialization and opportunities for investment would be enhanced. Competition and innovation would be stimulated and lead to a decrease in the price of goods for consumers.

Discussing the impact of joining a common market to the economic development of a state, Sloman and Wride (2009:695) argued that it has an enormous impact on the long term economic growth as an increase in the market size may allow the industries in a country to explore the (internal) economies of scale. Also, increased competition resulting from liberalization will lead to more efficiency, encourage investment and reduce monopoly power which in many instances often leads to higher prices for consumers.

Besides, the joining of a common market might lead to an increase in the bargaining power of a state and a subsequent betterment in terms of trade between the state and its global trading partners. Also, the integration will help encourage the rapid spread of technology between states that are more technologically advanced and those that are not technologically advanced.

#### **2.8.4 Complete Economic Integration**

This is the last stage in the economic integration process as outlined by Balassa. This stage is characterized by a form of monetary union which posits the establishment of fixed exchange rates. This connotes that trade involving the currencies of member a state is subject to a fixed currency exchange rate.

Generally, speaking the complete integration process is characterized by the unification or harmonization of monetary as well as other fiscal policies. Discussing further Manone (2008: 29) points out that this stage also involves the acceptance by member states of the use of common currency which is administered by a supranational authority. The establishment, existence and functioning of this supranational authority have serious implication for individual state power to make individual policies. In other words, it implies the forfeiture of policymaking prerogatives by national governments to a supranational authority.

#### **2.9The role of regional parliaments in regional integration**

Regional parliaments are important institutions established by regional organizations to help in the achievement of overall regional goals. The powers and functions allocated to these institutions vary with regions and time. For example, the European parliament possesses the power to co legislate with the Council on matters while the ECOWAS parliament possesses powers only limited to consultation, consensus-building as well as advisory. It should be noted here that the degree or extent of power given to regional parliament determines the role it plays

in the process of regional integration. Also, the form and success of regional integration depend on the "flexibility" and "rationality" of its established institutions.

Starting from the Caribbean, Isaac (2005: 25), points out that the regional parliament plays an important role in the Caribbean regional integration process. It does this through the discussion and recommendation on issues referred to it by the conference of the Heads of states and government or any other institution of the community. These issues include trade between member states, principles of democratic governance in the community and also facilitating the economic and social advancement of the people of the community. Within the Caribbean Free Trade Area(CARIFTA) also, the parliament ensure that trade between members of the community takes place under fair atmosphere and also the removal of the impediment to trade within the community.

Furthermore, regional parliaments also play an important role in the budgetary process of regional bodies. Discussing the role of the European parliament in the budgetary process of the European Union, Archick (2014:3) identified the European Parliament and the Council of ministers as the European Union (EU) budget authorities as they are responsible for the allocation of EU annual budget. They determine the amount to be dedicated to education as against infrastructure. However, it should be noted here that the European Parliament or Council can change the size of the annual budget. In addition to the above role, the European Parliament also examines the percentage of implementation of the various annual budgets. The vote of the parliament is also very important in closing the financial books of a given financial year. The parliament also provides recommendations on how to enhance the efficiency of budgetary implementation. In recent times as can be found in the Lisbon treaty, the signature of the European parliament is needed after the budget of the community has been adopted for it to be operational.

Acknowledging that in the process of regional integration, conflicts between member states are bound to occur, Ehiagiamusoe and Udefuna (2012:7) argued that the existence and effectiveness of non-military conflict resolution mechanisms are important if regional integration is to be achieved. They see the ECOWAS parliament as an important mechanism for the resolution and management of conflict in West Africa. This can be seen in the role played by the ECOWAS parliament in the resolution of the political impasse in Cote d'Ivoire.

The parliament also plays an important role in the overall supervision and other oversight responsibilities of the union. This can be seen as a form of checks and balances against the powers of the other institutions of the regional organization. In the case of the European Parliament, its supervisory powers cover the European Commission and to some extent the Council of ministers. Specifically, Archick (2014:4) points out that the European Parliament plays an important role in the approval of staff of the Commission such as the Commission president every five (5) years in the European Union. Likewise, like national parliaments the European Parliament plays an important role as a law maker with the Council. The laws made are in certain areas of competencies and play an important role in ensuring the smooth running of the union.

Discussing further the role of the European Parliament in common commercial policy, Putte, Ville and Orbie (2014) argue that since the coming into effect of the Lisbon treaty on 1<sup>st</sup> December 2009 the parliament has assumed an increased role in trade policy negotiation and implementation. It plays an important role to the extent that it is required to give its consent to any trade agreement negotiated as stipulated in the Treaty on the Functioning of the European Union (TFEU Article 218(6)(a)(i)(v)).

Furthermore, since the article provides that the parliament be updated regularly on the progress of the of trade negotiations, it serves as an apparatus for checks and balances (Putte, Ville and Orbie,2014:1). It should be noted here that this increased role of the parliament has broken the traditional practice that set the European Commission and the Council as the major players in trade policy. The parliament in Europe also plays an important role in the ratification of trade treaty as the Lisbon treaty has given it the exclusive competence in the area of trade policy except in mixed agreements where the consent of the national parliaments are required. A good example of how this role influenced trade policymaking can be seen in the negotiation process of the EU-Korea FTA where the European parliament used the threat of its veto to make the commission provide a "safeguard clause" for European Union small car producers (Richardson, 2012:12).

Besides, regional parliaments also play an important role in the entry and withdrawal of new members. According to Rule 81 of the Rules of procedure of the European, the parliament through its committee responsible together with the Commission and council take part in debates before the negotiation with applicant commences. Also, at the end of the negotiation before the signing of the treaty, the consent of the parliament is needed. The accent here according to article 49 of the treaty on European Union (TEU) represents votes of the majority of the members of parliament. This same procedure is applicable when a member state wants to withdraw from the union.

## **2.10 Evolution of the European Union(EU)**

The European Union (EU) is a product of a long period of evolution that took shape in the 1950s. The idea of a united Europe can be attributed to the proposal by Robert Schuman who advocated for the placing of the entire French and German coal and steel industries under a single authority

which will also be open to other countries in Europe who want to join. His proposal was specifically made on 9<sup>th</sup> May 1950. The process of the historical evolution of the EU has been characterized by two (2) major elements. First is the creation of common markets devoid of internal barriers to trade between members states and secondly, the desire for a political union (Schwarze, 2006:91). The drive towards the integration of Europe was ideologically guided by the various movements for European unity which developed significantly during and after the Second World War. Important among such movements is the European Movement which had advocated for a common organization of Europe common industries in March 1949(Mason, 1955:1).

Providing the rationale for the drive towards cooperation, Mason argued that overproduction of coal and steel as a result of uncoordinated expansive measures adopted by Western European countries after the Second World War was the main reason for the integration of Europe. Hence, Schuman's plan of cooperation was seen as a viable option to reduce cases of overproduction. This led to the signing of the Paris treaty in 1951 that created the European Coal and Steel Community (ECSC). Six (6) countries which included Belgium, Italy, West Germany, France, Netherland and Luxembourg became members.

In the view of Palmer (1981:19), the decision to establish the ECSC was based on the belief that the Council of Europe would not achieve the desired European unity particularly because of the refusal of Britain and some Scandinavia countries such as Denmark and Norway to accept a deeper form of cooperation apart from intergovernmentalism. To the other countries that agreed to form the ECSC, it was an opportunity to achieve certain goals. For example in France, despite initial opposition from French steel leaders and other industrialists, they saw it as an opportunity to access cheap coal from the community. To the Germans, it was a crucial step in attaining equality in status in the Western European community of nations after five (5) years of

occupation. In Italy, the idea got wide acceptance because of its ability to open up cheap raw materials and access to bigger markets for its surplus labour and was seen as a good replacement for Fascist nationalism.

Furthermore, in Belgium, although prospects existed for Belgian steel to benefit from the common market, those who were against it argued that it may result in the closing of about 30 per cent of Belgian mines most specifically those that produce industrial coal. In Netherland, the prospect of enjoying a regular cheap supply of raw materials and also tendencies for increased sales from the common market was irresistible. For Luxembourg, despite its economic reliance on steel and the possible risk that come with liberalization, it could not prevent it from joining. England rejected the idea because of its reluctance to sacrifice a small amount of its national sovereignty to any higher authority and also its preference for an unwritten constitution (Mason, 1955:7).

The Paris treaty established certain institutions for the community. Those institutions include the High Authority (HA), Common Assembly (CA), a special Council of Ministers, Court of justice and a Court of auditors. As stated in article 3 of the Paris treaty, these institutions are to ensure that all member states in the common market have equal access to the sources of production.

Despite the failed attempts to establish the European political community and the European Defence Community, it did not prevent the signing of the Rome treaty of 1957. The Rome treaty established the European Economic Community (EEC) and the European Atomic Energy Community (EAEC) also known as EURATOM. The treaty was signed on 25<sup>th</sup> March 1957 and came into force on January, 1<sup>st</sup> 1958. The treaty of Rome contained a major deviation from the Paris treaty in that it did not contain a validity period unlike that of Paris that had a 50years validity that expired on 23<sup>rd</sup> July 2002. The new treaty as specified in article 97 was concluded

for an unlimited period. Also, the number of parliamentarians was increased from 78 to 142(Novak, 2008:1).

The move to establish the EEC and EURATOM was championed by Belgium, the Netherlands and Luxembourg through the Benelux memorandum of May 18, 1955. The draft was drawn by Belgian Prime Minister and Ex-president of the Common Assembly Paul Henri Spaak. The thrust of the memorandum was the desire to deepen integration in the areas of atomic energy and economy. In the view of Kreppel (2004:57), the establishment of two bodies was as a result of the failure to reach a compromise for one as France prioritized atomic energy over the economy while Germany preferred the direct opposite.

In January 1973, the union witnessed its first enlargement with the joining of Denmark, Ireland and the United Kingdom (UK). This was a serious morale boost to the union. The enlargement also impacted on the institutions of the community as the number of member states increased to nine(9) and the number of parliamentarians increased from 142 to 198. Another important event in the evolution of the union is the 1979 direct election. It was the first direct elections for any institution of the union. The direct election was aimed at democratizing the European community by providing for the participation of its citizens through electing their representatives(Lodge and Herman, 1982:ix). Also in 1981, Greece joined the union thus increasing the number of member states from 9 to 10.

In a move to deepen the economic integration of the community through the common market, the Single European Act (SEA) was signed in February 1986 but came into effect in 1987. The SEA was built on the draft prepared by the committee on international affairs of the parliament chaired by AltieroSpinelli. The draft was referred to as the Draft Treaty Establishing the European Union which was passed by the parliament on February 14<sup>th</sup> 1984 but was never

ratified by member states. To the parliament, the SEA was important as it granted the parliament veto powers over new member states joining the union (Kreppel,2004: 82).In 1986 also, there was an enlargement in the membership as Portugal and Spain joined. This increased the number of member states from 10 to 12 and an increase in the number of members of the European Parliament from 434 to 518.

The next stage in the evolution of the union came with the signing of the Maastricht treaty in 1991 but ratified in 1992. The delay in the ratification was attributed to an initial negative vote by the Danes during a national ratification referendum. The thrust of the treaty was aimed at moving the community from its original economic objectives into a political union. Another major innovation of this treaty is the creation of the European Union to replace the European communities and also brought both the European political and defence cooperation under the same carpet with economic cooperation. It also introduces the co-decision procedure for the European Parliament which gave it absolute veto power in certain areas of legislation(Kreppel, 2004:83). Article 4b of the Maastricht treaty also established the European Investment Bank and Article 8 of the same treaty also established the citizenship of the union and bestowed it on all citizens of member states. Also, Article 8a (2) points out that citizens of the union shall have the right to move freely and reside within the territory of the member states.

Furthermore, in 1995, three (3) other states of Austria, Finland and Sweden joined the union to add up the number of states to fifteen (15). As expected, the number of Members of the European Parliament (MEP) increased from 567 in 1994 to 626 with all members directly elected. On October 2<sup>nd</sup> 1997, the Amsterdam treaty was signed and it came into force in 1999. The primary concern of the treaty is the enhancement in the powers of the institutions for greater effectiveness (McIver, 2011:5)

In 2000, there was another treaty review that led to the signing of the treaty of Nice of 2001. In the view of McIver (2011:5), it brought about key changes in four areas. The size and composition of the European Commission, the number of votes each member state had in the European Council, the introduction of qualified majority voting in extended policy areas and an increase in the number of member states. Furthermore, in the area of enlargement, the Nice treaty set limits on the number of future commissioners and Members of the European Parliament. It also revised the voting powers of member states in the European Council to give more weight to states with a larger population.

In the area of national roles in policy formulation, the Nice treaty removed national vetoes on thirty-nine (39) areas and bestowed the power to elect Commission president on the parliament and gave him the power to remove through sacking an individual commissioner. To also enhance cooperation, the treaty strengthened the development of a Common Foreign and Security Policy (CFSP). It did this through investing in the Council the power to negotiate on behalf of the member states in either international conferences or meetings. On its plan for the future of Europe, it encourages the holding of an intergovernmental conference that will help draft a constitution for the proper functioning of the European Union (James, 2015:1).

Furthermore, in 2004, the EU witnessed another round of expansion when Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia joined. This increased the number of member states to twenty-five (25) and also the number of MEPs to 732 who were all directly elected. In 2007, Bulgaria and Romania joined the union and the number of member states increased to twenty-seven (27). Due to the rejection of the draft Constitution of Europe which was aimed at replacing all existing treaties as the sole legal document guiding the activities of the EU in a referendum held in France, the Lisbon treaty was drafted but rejected in a referendum in Ireland but was later accepted in a second referendum.

The treaty was signed in 2007 but ratified in 2009 and has since been the document guiding the operations of the EU (James, 2006:2).

Recently, the EU has suffered from an economic meltdown as a result of the 2008 Euro zone crisis. It has been able to come back from the crisis that shook the foundation of the desire of the EU to build a strong monetary union among its member states. Also, the decision of Britain to vote in favour of leaving the EU have been a strong test for the unity of Europe as no country has ever in its entire history left the union. A successful post-exit transition for Britain will motivate other states to activate Article 50. However, if Britain exits and its economy suffers, it will enhance the unity of the EU. The exit of Britain from the EU will also have a great effect on the nature of power play within the union. This is because of the pivotal role played by Britain as a counterweight in the bilateral power between Germany and France. On another side, Germany's strong position in the EU could be further strengthened at the expense of France. Also, considering the strong cooperation between Germany and Britain in the promotion of economic liberalism and issues of climate change, Germany will lose an important ally when Britain finally leaves the EU.

## **2.11 Overview of the establishment of the European Parliament and its mandate**

The European Parliament as it is today has evolved through some stages. At each stage of its evolution, it has gained more powers in the integration process. The structure and composition of the parliament have also continued to change with the enlargement of the EU with new members. This section, therefore, traces the historical development of the powers and enlargement in the composition of the parliament from its inception till date.

The European parliament as regarded today started as the Common Assembly of the European Coal and Steel Community (ECSC) which was established by the Paris treaty of 1951. The

Common Assembly was established by Article 7 of the Paris treaty alongside other institutions such as the High Authority (HA), Special Council of Ministers, Court of Justice and a Court of auditors. The Common Assembly first met on 10<sup>th</sup> September 1952 and it was purely a consultative body with Seventy-eight (78) members drawn from member states. Germany, France and Italy had 18 delegates each, Belgium and the Netherlands had 10 each and Luxembourg 4. The method of recruitment was either through annual designation from national parliaments or direct universal suffrage according to procedures determined by each state. However, at this stage, all were appointed from national parliaments. The Treaty did not give any legislative powers to the Common assembly rather the Higher authority performs few legislative functions which the treaty left for the community in the form of executive degrees(Mason, 1955:50).

Furthermore, the only power given to the Assembly was that which can make the HA to resign as a whole. Even at that, the CA requires a two-third of the votes cast and must also represent a majority of the assembly's total membership. This two made it a difficult process. In essence, while the CA was established to also serve as a check against the activities of the HA, it lacked the powers of a strong parliament which include the power to legislate, control finance and elective capacity. To show how limited the CA was in its role in the ECSC, Kreppel (2004:55) points out that it was only mentioned ten (10) times in over a hundred Articles of the ECSC. It was mentioned in Articles 20-25, 38, 78, 94 and 95.

Discussing the inner composition and structure of the CA, Kreppel argued that it was organized based on ideology (Political groups) rather than nationality. As such supranational political groups within the parliament emerged. This further made clear the view that the CA was not meant to be a representative of nations. Mason(1955:107) points out that this necessitated the formation of three(3) political factions in 1954. They include the Christian Democrats with

Thirty-nine(39) members, the Socialist with twenty-three(23) and the liberals and sympathizers with eleven(11). The Christian Democrats consisted of German Christian Democrats, the Dutch Catholic people's Party, the Belgian Social Christians, the Luxembourg Christian Social Party, the Italian Democratic Christians, the Saar Christian Popular Party, the French Popular Republicans, the Dutch(Calvinist) Christian historical union. On the Socialist side, it consisted of members drawn from Socialist or labour parties of all member states. Lastly, the Liberals and Sympathizers consisted of German Free Democratic Party and the German Party, the French Radical Socialist, Independent Peasants and Independent Republicans. Others include the Belgian, Luxembourg and Italian Liberals. The remaining five (5) members were unattached. It should be noted here that during assembly sessions, members sit in alphabetical order by surname and not by political affiliation in the assembly and a minimum number of nine (9) members is needed for a group to be created.

Furthermore, with regards to contact sessions for parliamentarians, between 1953 and 1954 the assembly met three (3) times a year. Also, the assembly was divided into committees. To cater for issues that arose as a result of the number of state representation in a committee, the committees were divided into two (2) types: Large and small committees. The large committees included committees on the common market, social welfare, investments, financing and development of production and lastly, the committee on political affairs and external relations of the community. It consisted of twenty-three (23) members with France, Germany and Italy contributing five (5) members each, three (3) each from Belgium and Netherland and two(2) from Luxembourg. On the other hand, small committees included transport, Rules of procedures and lastly, committee on accounts and administration. Its leadership consisted of a president and five (5) vice presidents (Mason: 1955: 107).

The CA at this time did not achieve much as it had limited powers. The reason given for the limited power of the parliament was attributed to the reluctance of states to delegate their competencies or accept the authority of a supranational parliament. The establishment of EEC and EURATOM and the need for a single assembly as well as a single European Court of Justice for the community was the reason given for dissolving the CA of the ECSC. A new assembly known as the European Parliamentary Assembly was established. The new assembly consisted of 142 members and met for the first time on 19<sup>th</sup> March 1958. Over one-third of its members were members of the former CA. The treaty of Rome brought about two major changes. The first is that the new treaty demanded that members of the parliament be directly elected. Secondly, the new treaty increased the powers of the parliament to censor the Commission (formerly the HA) to not only annual reports but all issues but still retained the voting requirement to censure as in CA. However, despite the demand that members of parliament be elected directly, they were still selected (Kreppel, 2004:1).

Furthermore, the treaty of Rome was significant in the enhancement of the powers of the new assembly as it introduced the “Consultation procedure”. This procedure posits that the parliament is expected to be consulted on a proposed law before it is adopted by the Council. However, it should be noted that in a situation whereby the parliament proposes legislation, the Council or Commission is not under obligation to accept. This means that only the Commission has the right to propose legislation (Hix, Noury and Roland, 2007:18).

In March 1962, the parliament passed a resolution renaming itself as the European Parliament and also as part of its internal reorganization formally incorporated the political groups into its house rules and agreed that it should be used as a benchmark for its internal organization. The period from 1969 to 1979 witnessed significant steps forward towards supranationalism for the parliament as it achieved two major goals. These included partial control over the budgetary

process and the conduct of the first direct election of its members. For the role of the parliament in the budgetary process, the community budget was divided into compulsory and non-compulsory spending and the parliament was given partial control over the non-compulsory aspect. The parliament also was given the power to reduce or increase the overall budget within certain boundaries and its president under the revised budget act was demanded to sign the budget for it to be officially adopted (Kreppel, 2004:66). Furthermore, with the joining of Britain, Norway and Denmark in 1973, the parliament witnessed an increase in membership from 142 to 198. Despite the enlargement of the parliament and the partial control over community budget, the parliament at this stage did not have real legislative authority.

Furthermore, according to Palmer (1981:2), the European first direct parliamentary election took place between 7<sup>th</sup> to 10<sup>th</sup> June 1979 and 111million voters from the nine (9) member states elected 410 members of the European Parliament. The conduct of the direct election was to give people of the community a voice and influence of their own which would be expressed through their representatives. It was also seen as an exercise aimed at legitimizing the European community. While in the view of Bardi, Beligh, Lopez and Costa (2009), the change is to solve the problem of the reluctance of the parliamentary leadership particularly in Italy and France to select representatives who are seen as anti-European or in some cases those from opposition parties. This can be seen in cases when communist members were only appointed in Italy in 1969 and France in 1973. According to Kreppel (2004:71), the total average turnout for the first direct parliamentary election was put at 63%. Although the turnout cannot be compared to national elections, it was a positive turnout for a first election and showed the desire of the people to participate in the process of supranational European governance.

Also, the number of parliamentarians in the EP increased in 1981 with the joining of Greece from 410 to 434. The members of the European Parliament from Greece were nominated at this

period. In 1984, the second direct elections of the parliament took place and in 1986 with the joining of Portugal and Spain, the number of parliamentarians was increased from 434 to 518. The desire of the EP to enhance its powers did not stop as the draft by its committee on institutional affairs chaired by Altiero Spinelli laid the groundwork for the Single European Act (SEA) which was passed in 1985 but came into force on 1<sup>st</sup> July 1987. The major impact of the SEA on the EP is the introduction of the cooperation procedure and extending qualified majority voting to new areas. In the View of Corbett (1998: 261), the SEA was also important to the parliament as it required the parliament absolute majority approval for the accession of new members into the union as well as agreements involving member states with third parties. The cooperation procedure was criticized as a weak bargain to the co-decision. Despite this criticism of these two innovations, Kreppel (2004:77) believes that it enhanced the role of the parliament in the European legislative process.

As expected, the parliament was not satisfied with its role in the cooperation procedure hence there was an intergovernmental conference in Rome in November 1990 which later became what is referred to as the "Rome Assizes". The thrust of this conference which consisted of members of national parliaments and members of EP was to push for extended majority voting in the council, increase legislative authority and the building of democratic principles within the EU. The major discussions of this conference influenced the provisions of the Maastricht treaty which was signed in 1991 but came into force in 1992. The Maastricht treaty is prominent for its recognition of the concept of European citizenship, pursuance of both political and economic integration at the same time and the setting of a deadline for European Monetary Union and a single currency (Kreppel, 2004:82).

Furthermore, the treaty of Maastricht brought a significant change to the cooperation procedure replacing it with the co-decision procedure which tends to put the council and the parliament at

par on decision making. In situations where both disagree after two readings in both institutions, a joint committee of an equal number of members from both houses is formed to consider the issue. Once a consensus is reached, it is subjected to ratification which is referred to as third reading in both institutions. However, if the committee fails to reach a consensus, the council can only propose again which the parliament can either reject or accept (Hix, Noury and Roland, 2007:20).

The next treaty which is Amsterdam was signed in 1997 but became active in 1999. The treaty reformed the co-decision procedure to demand now that proposed legislation cannot be passed unless a qualified majority of the Council and a simple majority of the parliament consent to it. The treaty was also significant in opening up new areas for co-decision. Such areas include EU single market, free movement of persons, immigration and Asylum (Crombez, 2001). The overall implication of the adoption of this reformed procedure is that it provides for a critical evaluation of proposed legislation before they are adopted as laws. Secondly, the reform opened up a battle between the Council and the parliament as the parliament continues to boast that it's the only elected institution of the community.

In 2001, the Nice treaty removed national vetoes in thirty-nine (39) areas and gave the parliament the power to elect the Commission president. To further deepen cooperation as stated in the Amsterdam treaty, the Nice treaty strengthened the development of a Common Foreign and Security (CFSP) by creating a special representative and also developed the idea the Council should be able to negotiate on behalf of all member states of the EU at international conferences and meetings (James, 2015:1).

Furthermore, the EP witnessed an increase in membership when Austria, Finland and Sweden joined in 1995.it increased from 567 to 626. In 2004, ten(10) new members which include

Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia joined the EU and the number of parliamentarians increased to 732 and were all directly elected in the 6<sup>th</sup> election of the community. The number of member states of the community rose to twenty-seven(27) when Bulgaria and Romania joined, however, the number of parliamentarians remained at 732 until 2009 when the 7<sup>th</sup> direct election of the community took place and the number increased to 736. Besides, because the treaty of Lisbon came into effect in 2009, in 2011 the number of parliamentarians was increased to 754 and 766 when Croatia joined in 2013. In 2014 when the 8<sup>th</sup> direct election took place, the number was reduced to 751.

The number of parliamentarians has since then remained at 751 however, the withdrawal of United Kingdom from the EU has been seen by scholars such as Ondarza and Schenuit (2018:2) as an opportunity to reform the parliament to correct the present grudges arising from the present system. For example, while a member of the European Parliament from Luxembourg represents about 80,000 inhabitants; his counterpart in Germany represents about 800,000 people. It is believed that the 73 seats occupied by the United Kingdom will be used to correct some of these problems.

## **2.12ECOWAS: Evolution and functions of emerging supranational institutions**

The effort towards the establishment of a regional integration body within the West African sub-region did not just start with ECOWAS. Other efforts have not just been successful. For example, In West Africa, Presidents Kwame Nkrumah of Ghana and Ahmed SekouToure of the Republic of Guinea were among the first to initiate a post-independence integration project. They did this by signing in April 1959 the Declaration of Conakry which committed their countries to strengthen a union and demonstrating their devotion to the cause of African unity. However, the

union suffered from a challenge arising from the significant difference in the political ideology as well as the difference in the economic ideology of the two countries (SRO-WA: 2015: 11).

Also, there was a call for a West African community made by President William Tubman of Liberia in 1964. It led to the signing of an agreement by Côte d'Ivoire, Guinea, Liberia and Sierra Leone in February 1965. Also, this effort did not result in any concrete output. In 1965-6 the European Commission for Africa (ECA) organized a string of meetings to inspire the governments of these states to see the importance of economic cooperation. The meeting in Niamey- Niger, in October 1966, was the last of the four and followed on from the earlier West African conferences on the more limited themes of economic coordination and common industrial policy. Fourteen West African states were represented in Niamey where delegates considered a document prepared by the ECA and setting out details of a "project of association". This document aims to set the modalities for the expansion of the strategy of cooperation beyond the economy to include other areas such as transport or the utilization of energy resources, where common policies might fruitfully be pursued (International Democracy Watch, 2018).

The West African efforts towards regional integration in the 1960s witnessed a serious setback with the spate of instability within the region. Seven (7) of the fourteen independent states were experiencing military intervention. Nigeria which is the largest state within the region was also witnessing a serious civil war between 1967 to 1970 which shook the foundation of its existence and sovereignty as a state.

In Sierra Leone, there was also a serious constitutional crisis from 1967 to 1968. There was also a sustained and persistent war against Portuguese rule in Guinea-Bissau, waged by African nationalists with support mainly from neighbouring Guinea. The presence of all these factors made cooperation difficult as states were preoccupied with domestic issues that are of much more importance (Gowon: 1984:136).

Furthermore, in April 1972, the then Nigerian head of state General Gowon and General Eyadema of Togo re-launched the idea of regional cooperation which led to the drawing up of proposal and a tour of about twelve states drawing up support for their idea. Subsequently, a meeting was held in Lomé from 10<sup>th</sup> to 15<sup>th</sup> December 1973. The meeting offered the states the opportunity to study the draft of the treaty. This was further examined at a meeting of experts and jurists in Accra in January 1974 and by a ministerial meeting in Monrovia in January 1975 (Gowon: 1984:136).

Owing to a highly productive negotiation between states, the treaty establishing ECOWAS was signed by 15 countries on 28<sup>th</sup> May 1975. The major objective of the community as identified in Article 2 of the ECOWAS treaty of 1975 include the:

The promotion of co-operation and integration, leading to the establishment of an economic union in West Africa in order to raise the living standards of its peoples, and to maintain and enhance economic stability, foster relations among the Member States and contribute to the progress and development of the African Continent

The signing of this treaty represented a watershed moment in the history of African integration not just because it aims at enhancing cooperation between states but also the fact that it connected the trade relations between the French and English speaking African states which hitherto was almost insignificant or nearly nonexistent (Zagaris, 1978: 93). Today, the community has fifteen(15) countries as members which include; Benin, Burkina Faso, Cape Verde, Cote d'Ivoire, The Gambia, Ghana, Guinea, Guinea Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone and Togo.

As ECOWAS continues to evolve, its activities and actions are guided by certain principles. These principles serve as a guide to member states as they interact both at the regional and global level. These principles are identified in Article 4 of the 1993 Revised Treaty.

- i. The equality and interdependence of member states.
- ii. Solidarity and collective self-reliance.
- iii. Interstate cooperation, harmonization of policies and integration of programmes.
- iv. The principle of non-aggression between member states.
- v. Maintenance of regional peace, stability and security through the promotion and strengthening of good neighbourliness
- vi. Peaceful settlement of disputes among member states, active cooperation between neighbouring countries and the promotion of a peaceful environment a prerequisite for economic development.
- vii. Recognition, promotion and protection of human rights in accordance with the provisions of the African Charter on human and people's right.
- viii. Accountability, economic and social justice and popular participation in development.
- ix. Recognition and observance of the rules and principles of the community.
- x. The promotion and consolidation of a democratic system of governance in each member state as spelt out in the declaration of political principles adopted in Abuja on the 6<sup>th</sup> July 1991 and lastly,
- xi. Equitable and just distribution of the costs and benefits of economic cooperation and integration”.

Acknowledging the importance of institutions in the achievement of regional objectives, the establishing treaty made provision for community institutions such as Authority of Heads of State and Government, Council of Ministers, Executive Secretariat and Tribunal of the community. Others include technical and specialized commission (Trade, custom, Immigration, monetary and payments commission, Industry, agriculture and natural resources commission, transport, telecommunication and energy commission, social and cultural affairs commission).

Each of these institutions has certain powers and functions allocated to it by the treaty or special protocols (ECOWAS Treaty, 1975).

However, due to the slow pace of integration process resulting from the perceived weakness of the treaty towards economic and monetary integration meant that the Treaty of Lagos has to be revised. The revision took place in Cotonou on 24 July 1993, towards better closer cooperation. The volume of the revised treaty made it wider in scope in comparison with the 1975 treaty, it's more comprehensive in content and more diversified in terms of provisions. All these were to all strengthen ECOWAS. These provisions expanded the organization's power and its duties, as well as increase its resources. Major differences exist in the treaties. Unlike the initial 1975 treaty, the 1993 treaty goes well beyond economic matters. It establishes cooperation, notably in the political and security domains, and grants the Community powers to sanction, reflecting a desire to make ECOWAS an active player in international law in Africa and worldwide (SRO-WA:2015:14).

Besides, the 1993 treaty added four new institutions. The Community Parliament; the Economic and Social Council, the Community Court of Justice, which replaces the Community Tribunal in the initial treaty; and The Fund for Co-operation, Compensation and Development, established by the initial treaty, but raised to the status of a Community Institution by the 1993 treaty (SRO-WA,2015:15). Furthermore, Bappah (2014: 70) contributes that the Revised Treaty expanded the role of the regional organization to include political and security issues thereby making the task of the community to be officially broadened. It should be noted that these developments in the evolution of the community have contributed greatly to the institutional development of ECOWAS towards supranationalism. The institutional development particular showed a major shift from the intergovernmental orientation of the formative years of the organization.

### 2.12.1 ECOWAS emerging supranational institutions

Article 6 of the ECOWAS Revised treaty of 1993 has identified the following as institutions of the community;

- i. Authority of the Head of States and government;
- ii. Council of ministers;
- iii. The community parliament;
- iv. The Economic and social council;
- v. The Community Court of Justice;
- vi. The Executive Secretariat;
- vii. The Fund for cooperation, compensation and development;
- viii. Specialized technical commissions and;
- ix. Any other institution that may be established by the authority.

Attempts will be made to identify the functions and powers of these institutions as identified in the treaty establishing them. In cases where special protocol exists for an institution, the functions identified in the protocol will be used.

- i. **Authority of the Head of states and government.** This is the supreme institution of the community and it comprises of the head of states and government of member states. It is headed by a chairman whose position is held by a member state elected by the community. Its major functions include providing general direction and control of the community. It is also responsible for the general working of community institutions. The authority also appoints the executive secretary as stipulated in Article 18 of the revised treaty. Furthermore, on the recommendation of the Council, the authority of the Head of states and government also appoint external auditors. With regards to meetings, the assembly meets at least once a year in ordinary session.

However, an extraordinary session can be convened by the chairman of the authority at the request of a member state which must be supported by a simple majority of the member states. It should be noted here that this institution is headed by a chairman whose position is held by a member state elected by the authority (ECOWAS revised treaty, 1993).

- ii. **Council of ministers.** The composition of the council comprises of the minister in charge of ECOWAS affairs and any other minister in each member state. Its major functions include providing recommendations to the authority on issues that can help in the achievement of the community objectives as well as on the appointment of external auditors. Importantly, the Council is responsible for the approval of the work programs and the budget of the community and its institutions. In addition to this, the Council is expected to adopt the staff regulations and approve the organizational structure of community institutions.

The timing of the meetings and the leadership of the council is greatly influenced by the activities of the authority of the head of states and government. The council meets at least twice a year in ordinary session. However, the timing of one of such sessions must immediately come before the ordinary session of the Authority of the heads of states and government. The leadership of the council is headed by a chairman. The position is held by the minister responsible for ECOWAS affairs of the member state elected as the chairman of the Authority of the Heads of State and government.

- (iii) **Community Parliament.** The general structure and functions of the parliament are enumerated in protocol A/P.2/94. Article 2(1 & 2) of the protocol posits that the parliament shall be the representative of the people of the community. They are elected for four (4) years. The

parliament is headed by the speaker. The detailed explanation of the structure and competencies of the parliament will be discussed in chapter four.

(iv) **Economic and social council.**The Economic and Social Council was established under article 14 of the revised treaty with its role within the organization limited to advisory while its composition shall include representatives of the various categories of economic and social activity.

(v) **The Court of Justice.** The rationale for the establishment of the court of justice in ECOWAS is to help in the settlement of conflict arising from the integration process. Its establishment is contained in article 15 of the revised treaty. The court is expected to perform its functions as assigned to it independent of the member states and other institutions of the community. Furthermore, judgments passed by the court are binding on all member states of the community, institutions of the community, individuals and other corporate bodies.

In 2005, the jurisdiction of the court was expanded through a Supplementary Protocol A/SP.1/01/05 to include arbitration in human rights cases and access to the court by individuals or corporate bodies in matters relating to the human rights violation. To continue to ensure proper observance of law within the community, the court is composed of seven (7) independent judges who are considered to be men and women of integrity and proven character. They are appointed by the Authority of heads of state from nationals of member states for four (4) years.

(vi)**Executive Secretariat.** This institution is headed by Executive secretary and assisted by a deputy secretary and other staff appointed as deem fit. The Executive secretary is to be appointed by the Authority of the heads of state and government for a four (4) years term renewable once for another four years and can only be removed by the authority. The major function of the secretary is to direct the activities of the secretariat. The executive secretariat is responsible for the execution of the decisions taken by the authority and application of the regulations of the

council, submission of reports on all the activities of the community and meetings of the authority. It is also responsible for the preparation of the draft budgets and programme of activities of ECOWAS and also help in the supervision of these projects after they have been approved by the council. Finally, the executive secretariat is in charge of the recruitment of staff of the community and appointment of posts other than statutory appointees in compliance with the staff rules and regulation.

In 2007, the Executive secretariat was changed into a Commission aimed at bringing about more equity, transparency and greater functionality. The Commission is also expected to help member states to build their capacity to implement policies of the community.

### **2.13 Intra-regional trade in ECOWAS**

Intra-regional trade has been identified as one of the effective strategies for the economic development of countries within a particular region. This is because of its ability to stimulate local production and trade between members of a particular region. In the West African sub-region, the move to encourage intra-regional trade started in 1979 with the adoption of the principle to completely remove tariff restrictions on local products, traditional works of art and finished goods through the ECOWAS Trade Liberalization Scheme (ETLS).

For the success of the scheme, it was built on certain criteria. The first is that the goods must originate from a member state, goods must be in the category referred under the scheme, and the goods must be accompanied by a certificate of origin as well as an ECOWAS export declaration form. Others include the fact that the beneficiary of the scheme must be a resident of an ECOWAS member state. Lastly, the goods must be transported to its destination with a cover of ECOWAS ISRT log book. The kind of concession granted under the scheme includes total exemption from import duties and taxes, the abolition of quantity restriction and non-payment of compensation for loss of revenue as a result of their importation (Nuhu, u.d.).

Identifying some of the challenges of the scheme, Nuhu argued that administrative barriers and unnecessary checkpoints on the highways, non-compliance of some countries to grant Zero rate of duty to approved products and lastly lack of sensitization of economic operators on the rudiments of the scheme.

Generally, intra-regional trade within the West African region has been hampered by certain factors such as the preference of some countries within the region to trade with their colonial masters rather than other African countries, the production of the same products which reduces the basis for trade and the fact that all these countries belong to almost the same level of economic development.

#### **2.14 Challenges of regional integration in third world countries**

Regional integration efforts in the third world have not produced the same level of success in comparison with other developed case studies in the developed North. Several reasons have been identified as the reasons for this variance in the level of success. Some of these challenges can be placed as foundational (treaty) while others are associated with the day to day administration of the organization. Efforts will be made to look at some of these challenges inhibiting or slowing down the success of these regional integrative efforts by third world countries.

The first condition identified by Emeka (1985:121) which is responsible for the relative success and also responsible for the challenges faced by third world countries is the absence of what the proponents of neo-functionalism such as Haas and Schmitter refer to as background conditions for integration. These conditions are conditions that should exist and inform the integration process. These conditions are also important for the deepening of the process of integration. Examples of such conditions include the size-power homogeneity of the states that want to integrate, the frequency of interaction or transactions between parties to the integration process and lastly the extent to which elites in those states share common values. For example, Nigeria

has continued to dominate ECOWAS as it significantly contributes to its funding and also dominates its institution like the parliament where it has 35 of the 115 members. On the rate of a transaction, one major indicator that shows the rate of interaction between states is the frequency and percentage of the trade. In West Africa, the percentage of trade within West African countries is insignificant and primarily involves primary goods. This is because they possess similar natural resources endowment and generally have low industrial production capacity. And on the nature of the relationship between the economies of third world countries, it is characterized by competition rather than a complementary relationship.

Secondly, for regional bodies to exist and function well, they need strong institutions and structures. In third world countries, the institutional structures of these regional bodies are weak. A strong reason given for such weaknesses is the limited power given to these institutions. A good example of this is seen where states retain the right to veto legislation approved by their representatives at the regional level. A good example of an institution deprived of power is the ECOWAS parliament whose power and functions are limited to consultation and advisory. They lack the necessary power to make laws and even when they make recommendations to other institutions, they are not compelled to obey.

Thirdly, states generally express a desire to join integrative bodies based on the expected benefits and rewards resulting from such ventures. The fear of unequal sharing of such gains among member states will lead to the failure of integrative movements. In developing countries, one of the major challenges is the appropriate measure of these benefits accruing to member states. The withdrawal of Mauritania from ECOWAS can be explained by this point. This persistent problem of reaping the benefits in regional integration must be addressed if regional integrative movements are to be successful in third world countries (Kreppel, 2004).

Another factor challenging the efficiency of integrative movements in third world countries is nationalism. This spirit of nationalism is seen practicable in the reluctance of third world countries to relinquish what they refer to as national interest for the drive towards regional integration. For example, in the early moves for political integration in Africa in the period immediately after independence was met with strong opposition from the Monrovia group who believed that the political union of African states is too soon as states just got independent and hence will be unwilling to give up their newfound sovereignty to a regional body (Akinyemi, 1974).

Discussing this point further, Emeka (1985) argued that this reluctance to give up certain part of their sovereignty has led to the creation of regional bodies whose institutions exhibit limited integrative features even as leaders of member states enact laws towards protecting the interest of their national entrepreneurs while discriminating against entrepreneurs from other countries within the same region. The adoption of these discriminative policies leads to the breakdown and subsequent collapse of integrative systems.

Closely associated with the preference for the superiority of national interest over regional goals is the problem of national rivalries particularly associated with competing ideologies amongst states within a region. Such competition can be ideological such as economic system (this include the role of foreign private enterprise, the allocation of industries, the orientation towards third parties and domestic economic issues). In most cases, serious rivalries undermine the effectiveness of integrative efforts or even undermine the tendency for effective regional integration.

Dissecting the challenge that external forces or third parties pose to the integrative efforts in third world countries, Ravenhill (1979) argues that the continuous dependence of third world countries

on industrialized nations which in many instances were the same people that colonized them. They rely on them for technology, aid, market for their raw materials. This has made them susceptible to foreign influences. In some instances, the asymmetric nature of this relationship influences the foreign policy of third world countries as well as the relationship between two or more third world countries (Dolan, M, Tomlin, B., Appel, M., and Rickhoff, H. 1980).

The successful cases of regional integration demand that states implement regional policies. In the case of regional integration efforts in third world countries, even though numerous regional integration instruments have been adopted at both regional and sub-regional levels, the record of implementing these policies is poor and as such regional policies have not had much impact on the national economies. Particularly in the case of ECOWAS, member states have not made regional integration their development tools despite its effectiveness as a strategy for development. Regional cooperation is supposed to be the structural and foundational development strategy of regional bodies for economic development but however, national economic policies continue to be individualistic and consist of short term objectives that are hardly based on any defined long term development framework (ECOWAS Annual Report, 2003: 83).

Regional integration in third world countries and most especially in Africa is faced with the problem of instability resulting from the persistence of conflicts within the region. The importance of regional stability to the economic development of a region cannot be overemphasized. Hence the reoccurrences of political conflicts within the region and let to the shift of focus by regional organizations from economic development to enthrone and sustenance of stability within the region. This change in focus has also led to a change in the focus of resources. This has deprived third world countries of the resources that would have been used for various economic activities that would enhance regional integration.

Deducing from the above, it's clear that ECOWAS has come a long way as an integrative body in the West African Sub-region. However, it faces the same challenges every other integrative body in the third world faces. Such as the problem of indiscipline among members, limited powers given to regional institutions which make them unable to efficiently carry out their assigned functions. There is also a problem of reluctance of member states to adhere to policies guidelines given to them for the overall good of the region. This reluctance is built on the fact that they value more of their domestic interest than regional goals. The persistence of these factors has made the growth of ECOWAS slow.

### **2.15 Theoretical framework**

This research employs the use of the structural-functionalist theory. The choice of this theory is premised on the fact that it allows for the comparison of two political systems in terms of the structures, the functions performed by these structures and the factors affecting the performance of functions by structures across two or more systems. The structural-functionalist theory is a part of the general system theory whose evolution can be traced to the field of the natural sciences. The intellectual roots underpinning the structural-functionalist explanation was drawn from the writings of Social anthropologist such as Radcliffe Brown and Malinowski that appeared in the early decades of the 20<sup>th</sup> century. The theory tends to also explain the working of the political system (Johari, 2011:71).

In the area of political science, the structural-functionalist theory was first employed by some American writers such as Gabriel Almond and David Apter who came to realize that in understanding and explaining a phenomenon, it's pertinent to consider the functions performed by it. In the field of international relations, structural functionalism sees the establishment of certain structures such as international organizations and trade as important in the attainment and maintenance of international peace. The conception of the term structure here in the view of

Johari (2011:73) refers to the arrangements within the system which carry out certain functions. In the view of Palombara (1970:20), these structures do not only refer to formal institutions but also value systems, economic allocation and attitudes can be seen to mean a structure.

Also, according to Almond and Coleman (1960), the political system is characterized by the existence of certain general features. These features include, (i) all political systems have political structures (ii) the same functions can be found carried out in all political system although with variations in frequencies and kinds of structures (iii) all political structures carry out multiple functions and (iv) all political systems are multi-cultured which represents a mixture of traditional and modern.

Furthermore, Almond and Powell (1966) argued that the continued survival of these types of political structures depends on their ability to continually perform their assigned task important to the proper functioning of the system. They further divided these functions into two, input and output functions. The four input functions include Political socialization and recruitment, Interest articulation, Interest aggregation and lastly political communication. On the other hand, the output functions include lawmaking, Rule application and Rule adjudication.

Generally, the structural-functionalist theory is premised on the following assumptions;

1. The political system consists of both structures and functions that are interconnected and interdependent.
2. Structures exist to carry out specialized functions.
3. Performance of system functions is integral to the survival and stability of the system.
4. The Political system is in a constant drive to achieve equilibrium. This means that its part of human nature to find solutions to problems together.

According to Gauba (2003:97), the structural-functionalist theory has been found important in the field of comparative politics as it explains the differences in the performance of functions in developed and developing political systems. These differences are as a result of the fact that in the former, structures are clearly defined to perform specific functions. In the latter, these functions can be performed by structures less developed.

Contributing on the Latent and manifest classifications of the functions that these structures play, Olaniyi (2005:74) posited that in latent functions, it refers to functions that are not recognised and intended and of which they are mostly psychological. On the other hand, manifest functions are those that are performed and can be easily seen.

### **Application of the structural-functionalist theory**

The structural-functionalist theory is also been found important in explaining issues and variations in structures on the International arena. Here, the European Union and ECOWAS are seen as political systems. These political systems have basic needs such as the desire for security, economic growth and social stability. The various components that make up these political systems (States) cannot provide all these needs on their own. So there is a need for cooperation. This explains the point by the structural-functionalist that the various parts that make up the system cannot effectively function on their own.

Besides, for these systems to maintain stability and find solutions to these problems, they established certain structures. These structures within the EU and ECOWAS are seen to mean institutions such as the ECOWAS Parliament, European Parliament, Court of Justices, Authority of Head of States and government as well as social values and treaties. All these institutions perform specific functions. For the European and ECOWAS Parliaments, their functions can be

associated with the output function of law-making in Almond's model for structural-functional analysis.

Furthermore, as pointed out by the structural-functionalist, the effective performance of the functions by these structures depends on the political culture of the particular political system. This explains the variance in the mandate and powers given to both the ECOWAS and European Parliaments. The general political culture in Europe can be seen as liberal and this encourages them to give powers to their institutions. In the case of ECOWAS, the prevailing political culture is tilting towards conservatism. The difference in political culture between these two political systems explains why the European Parliament possesses more powers in the integration process than the ECOWAS Parliament.

Also associated with culture and its impact on structures performing their functions is the issue of colonialism and its child 'neo-colonialism'. Colonialist divisive tendencies and its continuous deepening by neo-colonialism have continued to prevent integrative measures within the West African sub-region. This is because when regional institutions are made powerful, it reduces the ability of 'imperial powers' to control them than national governments. In other words, the continuous reliance of these states in the West African sub-region to their former 'colonial masters' have limited their independent decision making powers in the integration process.

In addition, despite the fact that structural functionalism explains the workings of the EU and ECOWAS as political systems and also the role of structures such as institutions, culture and treaties in the proper functioning of the system, it has failed to explain changes in the political system like proposed withdrawal of the United Kingdom from the EU. Also structural functionalist completely put the blame why regional institutions don't work on the failure of structures forgetting that structures don't work on their own unless driven by humans. Refusal to

delegate more powers to institutions which is a product of human decision is a major impediment to supranationalism.

## **2.16 Summary and gaps in the literature**

The product of cooperation among states has led to the establishment of regional organizations such as European Union (EU), Southern African Development Community (SADC) and Economic Community of West African States (ECOWAS). To states in the developing world, they see the formation of these regional bodies as an effective strategy for its development and loosening it from the grip of the developed North. This is because it offers an opportunity for countries within the union to negotiate better terms of trade as a result of a bigger voice. Secondly, it offers larger market access to producers within the union and also offers wide choices to consumers as a result of wider market access. The firms also enjoy economies of scale as a result. Also, the increase in market access brings about competition and increased efficiency for local firms.

For these regional organizations to be efficient and purpose-driven towards the achievement of regional goals, they establish institutions with clearly assigned powers and functions. Examples of these institutions include the European Parliament, European Commission, Council of ministers, ECOWAS Parliament, ECOWAS commission, Council of ministers. Each of these institutions has its functions as outlined in the treaty or protocol establishing it.

The performance of these functions by institutions is pertinent in the drive towards achieving regional goals. The parliament as one of the institutions is given an important role backed by the principle of separation of powers in the drive towards regional integration. These roles and powers given to these parliamentary bodies are specified in the particular treaties establishing them or for some in protocols. It is, therefore, safe to assert that treaty provisions determine the effectiveness of these parliaments.

The Paris treaty of 1951 created the first parliamentary body for the EU known as the Common Assembly of the ECSC as of that time. The powers of the parliament have undergone revisions under the Rome treaty of 1957, SEA of 1986, treaty of Maastricht in 1991, Amsterdam treaty of 1997, the Nice treaty of 2001 and lastly the Lisbon treaty of 2007. On the other hand, the ECOWAS Parliament was established by the ECOWAS revised treaty of 1993 and its functions and powers outlined in protocol A/P.2/8/94. In 2016, a supplementary act enhanced its powers.

The European parliament has over years been instrumental in deepening the integration process in Europe through its powers of co-legislation with the council in the area of budget, energy and agriculture. The European Parliament has since its first direct election in 1979 has been important in deepening the democratic principle in Europe through its service as a representative of the people and also the development of the sense of unity among Europeans. In the case of the ECOWAS parliament, it has been established by Ehigiamusoe and Udefuna (2012) and Kumahia (2013) that it plays a limited role in the integration process and its existence and functions are not well known to citizens of member states. Despite these findings, no sufficient studies have been devoted to investigating why. Secondly, the adoption of the comparative method in studying the treaties establishing the EP and ECOWAS Parliaments sets this study away from all other studies on the two parliamentary bodies. This is important in understanding the reasons why the European Parliament has been more significant in the European integration project than that which the ECOWAS parliament plays in the integration process in West Africa.

## **CHAPTER THREE**

### **RESEARCH METHODOLOGY**

#### **3.1 Introduction**

This section presents the methodology employed throughout this study. It covers the research design, population of the study, sources of data used and the instruments used in data collection and analysis. It also identifies the challenges faced by the researcher and the modalities the researcher used to overcome them.

#### **3.2 Research design**

This study employs the case study design and specifically the multi-case study. In the view of Yin (2003), the multi-case study is most suitable when the focus of research is to explore the similarities and differences between two or more cases. Also, it's important when the research intends to answer questions that are in the form of 'how' and 'why' of a subject matter. This underlines the two reasons why the multi-case study design is adopted for this research.

In its manner of presentation of data and analysis, the research makes use of the comparative method. The choice of this method is premised on the view of Dhar (2013:52) which argues that the comparative method is important in comparing historical facts, political events as well as institutions when particular interest is in finding the causal relationships between the compared variables.

#### **3.3 Level of analysis**

The level of analysis for this study is the macro level. In the view of Mathews and Ross (2010:114), macro-level analysis involves the analysis of issues at either national, supranational

or even institutions such as universities, departments and supranational bodies such as European and ECOWAS parliaments. For an objective comparative analysis, therefore, the following criteria of role in the legislative process, budgetary powers, method of recruiting parliamentarians and the seat of parliament were identified.

### **3.4 Population of the study**

The populations of the study are the members of ECOWAS and European Parliaments whose functions, compositions and powers are determined by the various treaties establishing them. For the members of the ECOWAS Parliament, only members who have stayed for at least a parliamentary term(4 years) and attended the second ordinary session of the Fourth Legislature that took place between 15<sup>th</sup> November to 14 December, 2018. Sixty-eight (68) members made the above criteria. A total of eleven (11) respondents were interviewed. Seven (7) members of Parliament and four (4) principal officers at the parliament that includes the Secretary General, Bureau Manager, Librarian and a member of staff, finance department. In the choice of respondents, the researcher also took into cognisance the need to capture respondents across member states.

### **3.5 Instruments of data collection**

For this research, data was generated through unstructured interviews and non-participant observation for the ECOWAS Parliament. The use of observation was primarily during the presentation of the ECOWAS state of the union address by the Commission President where the researcher was in attendance and other parliamentary sessions attended by the researcher. This research adopts two (2) sampling techniques (purposive and snowballing) in the choice of respondents for the interview. The choice of the purposive sampling technique is to allow for the tapping of the expertise of the respondents. The adoption of snowballing helped provide access

to more research respondents, particularly in the ECOWAS parliament. The respondents interviewed include members of the ECOWAS parliament as well as other technocrats at the ECOWAS parliament.

For the European parliament, data for this research was derived from secondary sources such as textbooks, articles and emails from the European Parliament. Through the email, questions were sent to the Citizens' Enquiries Unit of the European Parliament (AskEP) and were duly answered and sent back to the researcher.

### **3.6 Research instruments**

The research instruments used in this study are audio materials and interview guide. The audio material was used during the period of the interview with members of the ECOWAS parliament and other officials of the ECOWAS Parliament secretariat. The interview guide was used during interview sessions in the ECOWAS Parliament. The questions contained in the interview guide were built around certain themes identified as differences and similarities in the treaties under comparison.

### **3.7 Method of data presentation and analysis**

Once data is generated, the next stage is the presentation and analysis. For data obtained from secondary sources, it will be presented in themes and descriptively analysed. For the data generated through the interview, it will be transcribed, reduced and reoccurring themes identified and analysed. In the analysis, attention will be given to the implication of such opinions obtained on the effectiveness of the ECOWAS parliament in regional integration. The rationale for the reduction as argued by Berg (2001:35) is to allow for easy drawing of patterns and themes from a large quantity of data collected.

### **3.8 Sources of data**

The data used in this research was generated from the combination of both primary and secondary sources. Primary data was generated from both observation and interviews in the ECOWAS Parliament. The secondary sources includes legal documents such as the treaty establishing ECOWAS as a regional body referred to as the founding ECOWAS treaty of 1975, the Revised Treaty of 1993 which established the ECOWAS Parliament alongside other institutions, the ECOWAS Vision 2020 document, ECOWAS Parliament Communiqués (that is, official minutes of deliberations of the ECOWAS Parliament), ECOWAS Parliament rules of procedure, ECOWAS Parliament strategic plan and ECOWAS Annual Reports. Others included unpublished documents, journals, books and newspapers as well as relevant and related texts from the Internet. The Library and documentation unit of the ECOWAS Parliament were viable places for data collection.

For the European Parliament, secondary sources included the 1951 Paris treaty, the 1957 Rome treaty, Single European Act of 1986, Maastricht treaty of 1992, Amsterdam of 1997, Nice of 2001 and Lisbon treaty of 2007. Others include Articles from the official website of the European Parliament.

Data triangulation was used to help in the reinforcement of one source of data with another. This is to enhance the credibility of data used for the research and also the validity of research findings especially in the ECOWAS parliament where both sources were used.

### **3.9 Research challenges**

As with most cross border researches, one major challenge during the course of this research is the distance needed to travel to the three cities (Strasbourg, Brussels and Luxembourg) that host the European parliament. To help cover for this, the researcher adopted the use of emails

containing questions to the European parliament. These questions were answered and emailed back which served as an important source of information on the EP. Another challenge faced by the researcher is access to respondents. This is because of the calibre of research respondents involve. To overcome this challenge, the researcher adopted the snowballing sampling technique. The adoption of this technique was important in providing access to more respondents needed for the research.

Lastly, another challenge faced during this research was the refusal of some respondents' particularly members of parliament to allow the researcher to record interview sessions conducted. Therefore, the researcher resorted to notes taking.

## **CHAPTER FOUR**

### **DATA PRESENTATION AND ANALYSIS**

#### **4.1 Introduction**

This chapter presents and analyses data generated from both primary and secondary sources. The primary source is a product of interviews and observation from the ECOWAS Parliament. The structural organization of the chapter starts with a comparative look at the legal basis, structures and composition of both the European and ECOWAS parliaments. More specifically, it proceeds to look at the similarities and differences in treaty provision establishing both parliaments. Efforts are also made to examine the implications of such differences in treaty provision on the effectiveness of both regional institutions. The final part of this chapter contains summary the major findings of this study, verification of research assumptions based on research findings, conclusion and recommendation.

#### **4.2 Legal basis, structure and composition of the Parliaments**

##### **4.2.1 Legal basis of Parliaments**

Both the European and ECOWAS parliaments are guided by certain legal provisions. The EP was first established as a Common Assembly of the ECSC by the Paris treaty of 1951. Its composition is further stated in the Treaty on European Union (TEU also known as Maastricht treaty) and the Treaty establishing European Community (TEC) which was amended by the Lisbon treaty of 2007. The legal basis of the functioning of the EP is contained in article 14 of the Treaty on European Union (TEU) and articles 223,224,226,229,231 and 232 of the Treaty of the Functioning of the European Union (TFEU) as well as the Rules of procedure of the European Parliament.

Although ECOWAS was established in 1975, the revised treaty of 1993 established four (4) other institutions including the Parliament. The parliament was established under article 13 of the 1993 revised treaty. However, its composition, functions, powers and organization are outlined in a special protocol referred to as protocol A/P.2/8/94 (ECOWAS revised treaty of 1993). The powers and composition of the parliament were subsequently enhanced by the Supplementary Act of 2016. The composition and structure of the parliament will be discussed below as enumerated in the protocol of 1994 as revised by Supplementary Protocol of 2006 and the Supplementary Act of 2016.

#### **4.2.2 Composition of the Parliaments.**

According to Article 14(2) of the Lisbon treaty, the EP shall consist of not more than seven hundred and fifty-one (751) including its president. The members are drawn based on digressional proportionality with member states having a minimum of six (6) members and no member having more than ninety-six (96). Also, Article 14(3) of the Lisbon treaty provides that members shall be directly elected by direct universal suffrage for a five (5) year term in a free and secret ballot (Lisbon treaty of 2007). The following is the allocation of seats according to the Lisbon treaty among member states;

**Table 4.1.** EU member states, official language and number of seats allocated by Lisbon treaty in parliament.

<b>S/No</b>	<b>Member State</b>	<b>Official language(s)</b>	<b>Number of seats accorded in the Lisbon treaty</b>
1	Germany	German	96
2	France	French	74
3	Italy	Italian	73
4	United	English	73

	Kingdom		
5.	Spain	Spanish	54
6.	Poland	Polish	51
7.	Romania	Romanian	32
8.	Netherland	Dutch	26
9.	Belgium	Dutch, German and French	21
10.	Greece	Greek	21
11.	Hungary	Hungarian	21
12.	Portugal	Portuguese	21
13.	Czech Republic	Czech	21
14.	Sweden	Swedish	20
15.	Austria	German	18
16.	Bulgaria	Bulgarian	17
17.	Finland	Finnish, Swedish	13
18.	Denmark	Danish	13
19.	Slovakia	Slovak	13
20.	Croatia	Croatian	11
21.	Ireland	Irish, English	11
22.	Lithuania	Lithuanian	11
23.	Latvia	Latvian	8
24.	Slovenia	Slovenian	8
25.	Cyprus	Greek, Turkish	6
26.	Estonia	Estonian	6
27.	Luxembourg	French, German and Luxembourgish	6
28.	Malta	Maltese, English	6
	TOTAL		751

Compiled by the researcher, 2018

On the other side which represents the ECOWAS parliament, the revised treaty establishing the parliament of 1993 points that it shall be the assembly of the people of the community and will be regarded as the representation of the entire people of the community. At the time of establishment in 1993, the parliament was structured to contain one hundred and twenty (120) seats with each member state guaranteed a minimum of five(5) seats while remaining 40 seats are shared based on population. However, the withdrawal of Mauritania towards the end of 2000 reduced the total number of seats to one hundred and fifteen (115). The allocation of seats in the parliament can be seen below;

**Table 4.2.**ECOWAS member states, official language and number of seat allocated in ECOWAS Parliament

<b>S/NO.</b>	<b>Name of country</b>	<b>Official Language</b>	<b>Number of seats in parliament</b>
1.	Benin	French	5
2.	Burkina Faso	French	6
3.	Cape Verde	Portuguese	5
4.	Cote d'Ivoire	French	7
5.	The Gambia	English	5
6.	Ghana	English	8
7.	Guinea	French	6
8.	Guinea Bissau	Portuguese	5
9.	Liberia	English	5
10.	Mali	French	6
11.	Niger	French	6
12.	Nigeria	English	35

13.	Senegal	French	6
14.	Sierra Leone	English	5
15.	Togo	French	5
<b>Total</b>			115

**Source: Compiled by the researcher, 2018**

#### **4.2.3 Internal organization of parliaments**

For the efficiency of parliament, it is internally organized into various bodies. This organization is determined by the Rules of Procedure which provides the guidelines for the organization. The internal organization of the European parliament is explained below.

**i. President.** The president is the head of the parliament and is elected among parliamentarians for a renewable term of two and half years and also represents the institution in external relations with other institutions of the community and the world. The president presides over plenary and also at the beginning of the European Council meeting, the president is responsible for setting the parliament's point of view on items placed on the agenda (Rule 19 of the Rules of Procedure, 2018).

Furthermore, Rule 23 points out that the president is to be assisted by fourteen (14) vice presidents who are elected through a single ballot and can replace the president. The president also plays an important role in the budgetary process in that, it's his or her responsibility to sign the union's budget for it to be operational after its adoption by the parliament.

**ii. Bureau.** The Bureau of the parliament is an important organ and it consists of the president of the parliament, the fourteen (14) Vice Presidents and the Quaestors. The Quaestor's role in the Bureau is only advisory. The functions of the Bureau as outlined in Rule 25 include making

major decisions on the organizational and administration of the parliament as well as draw the draft budget estimates of the parliament. Also, the Secretary-General of the EP secretariat is appointed by the Bureau. To provide a strong link between the national parliaments and the EP, the Bureau also nominates two (2) Vice Presidents to take responsibility for the strengthening of relations between the two parliaments. Rule 25(15) also points out that the Bureau is also expected to nominate a Vice president who shall be required to provide a stable flow of relations on major issues with European Civil society organizations.

**iii. Conference of Presidents.** This organ of the parliament consists of the president of the parliament and the chairs of political groups in the parliament. A member who is not attached to any political group can also be invited to conference meetings but lacks voting powers. Decision making here is based on consensus and voting in cases where consensus cannot be reached. Prominent functions of the conference are the organization of parliament work and matters regarding legislative planning as well as relations between the parliament and other EU institutions and non -EU institutions(Rule 27(3) of the Rules of Procedure, 2018).

Furthermore, Rule 27(6) points that the conference is also responsible for the drawing of agenda for the parliament's part sessions as well as decide on how parliamentary seats in the parliament are to be allocated.

**iv. Conference of Committee Chair.** This organ of the parliament consists of the chair of all standing committees of the parliament. The Conference then elects its chair and in the absence of its chair, the meeting of the conference is chaired by the oldest member present at the meeting (Rule 29 of the Rules of procedure, 2018). Furthermore, rule 30 also contains the Conference of delegation chairs which consist of all standing chairs of inter-parliamentary delegation and it

elects its chair and can be instructed by the Bureau and the Conference of Presidents to carry out the specific task assigned to them.

**V. Parliament Secretariat.** To ensure the smooth running of the parliament, the secretariat was established. Rule 222 provides that the secretariat is headed by the Secretary-general who is appointed by the Bureau. The Bureau also determines the composition and organization of the secretariat and currently has twelve (12) directorates general and legal service.

Also, the EP is structurally organized into political groups rather than nationality. According to Rule 32 of the Rules of procedure July 2018, a political group shall consist of members elected in at least one-quarter of the member states and the minimum number required for a political group in the EP is twenty-five (25). However 32(3) of the same rule provides that if a group falls below the required number, with the consent of the Conference of presidents may allow the continued existence of the group until the constitutive sitting of the parliament in as much as the remaining members of the group represents at least one fifth of the member states and the group had existed prior to that for more than a year.

Furthermore, Rule 32(4) argued that a member may not belong to more than one political group in the parliament while subsection 5 and 7 of the same rule points that the president of the Parliament shall announce the formation and dissolution of a political group in the parliament respectively. The following political groups exist in the European Parliament;

1. Group of the European People's Party (Christian Democrats),
2. Group of the Progressive Alliance of Socialists and Democrats in the European Parliament,
3. European Conservatives and Reformist Group,
4. Group of the Alliance of Liberals and Democrats for Europe,

5. Confederal Group of the European United Left –Nordic Green left,
6. Group of the Greens/European Free Alliance,
7. Europe of Freedom and Direct Democracy Group and;
8. Europe of Nations and Freedom.

It should be noted here that it is not compulsory for a member to join a political group in the parliament as such there are unattached members. Each of these groups determines its internal organization by appointing a chair, a bureau and secretariat. These groups play an important role in that they scrutinizes parliamentary reports before every vote in plenary. Party positions on particular issues are reached by in-group discussion but members are not forced to vote either based on or contrary to party opinion (Factsheet of the European Union, 2018).

Furthermore, Rule 36 of the Rules of Procedure provides that the Conference of presidents decides how the allocation of seats in the chamber to the various political groups shall be done and also Rule 33(1) adds that each political group shall be provided with a secretariat and with the allocation of resources as provided in the parliament budget. Besides, to enhance the viability of the EP in its area of competencies, the parliament is divided into committees. These committees include (i)Foreign trade,(ii)human rights, (iii) Security and defence, (iv) Development, (v) International trade, (vi) Budgets, (vii) Budgetary controls, (viii) Economic and Monetary Affairs, (ix) Employment and social affairs, (x) Environmental, public health and food safety, (xi) Industry, Research and energy. Others include, (xii)Internal market and consumer protection, (xiii) Transport and tourism, (xiv) Regional development, (xv) Agricultural and rural development, (xvi) Fisheries, (xvii) Culture and education, (xviii) Legal affairs, (xix) Civil liberties, justice and home affair, (xx) Constitutional affairs, (xxi) Women's right and gender equality and; (xxii) Petitions([www.europarl.eu/committees/en/parliamentary-committees.html](http://www.europarl.eu/committees/en/parliamentary-committees.html) ).

For the ECOWAS parliament, it is generally, divided into the political and administrative wing.

The political wing is divided into three (3) components;

- (i) The plenary;
  - (ii) The Bureau of parliament and
  - (iii) The conference of committee' Bureaux
- (i) **Plenary.** The first component of the political wing of the parliament is plenary and it consists of all members of the ECOWAS parliament and is the highest decision making body of the parliament. Its decision is binding on all other structures of the parliament. It holds its ordinary session twice a year (May and September).
  - (ii) **Bureau of Parliament.** This organ is composed of the speaker and four (4) deputy speakers. Its major competencies include prescribing the guidelines for the annual budget of the parliament with strict limitations spelt out by the president of the Commission.
  - (iii) **Conference of committees' Bureaux.** It consists of the speaker, chairs or deputy chairs and a representative of all standing committees. The conference is also expected to be a link between the parliament of member states as well as the parliament of other regional bodies.

On the other side of the coin, the administrative wing which is also referred to as the General Secretariat and it is headed by a secretary-general who also acts as an adviser to the speaker on matters pertaining general administration. Other major functions of the secretary-general include compilation and publication of the proceedings of ECOWAS Parliament, the bureau as well as the conference of committees' Bureaux. It should be noted here that the position of the Secretary-General is professional rather than political and the person is usually assisted by a group of directors.

“The Secretary General plays an important role in the parliament particularly in the area of general administration of the parliament. He/she plays an integral role during the period of transition of the parliament through the general administration of the parliament until the inauguration of a new session of the parliament”  
(Interview 23<sup>rd</sup>/11/2018).

To enhance the efficiency of the ECOWAS Parliament in its area of competencies, it is divided into subcommittees built around specialized technical commission established under article 6 and 22 of the revised treaty of 1993. These standing committees are thirteen (13) and they include the following;

- (i) Administration and finance;
- (ii) Agriculture, environment, water resources and rural development;
- (iii) Communication and Information Technology;
- (iv) Economic policies and budget control;
- (v) Education, science and technology, youth, sports and culture;
- (vi) Gender employment, labour and social welfare;
- (vii) Health and social services;
- (viii) Human rights and child protection
- (ix) Infrastructure and industrial development;
- (x) Legal and judicial affairs;
- (xi) New partnership for African Development (NEPAD) and the African Peer Mechanism;
- (xii) Political affairs, peace and security and
- (xiii) Trade, customs and free movement of persons.

#### **4.2.4 Parliamentary leadership term in office**

According to Rule 19 of the 2018 Rules of procedure of the European Parliament, the terms of office of the president, Vice Presidents and the Quaestors shall be for the period of two (2) and half years and they are expected to retain their seats in the Bureau or as Quaestors for the remainder of their initial two and half years even when they change political group in the parliament. Furthermore, subsection two (2) of the same rule points that if a vacancy exists for any of the above positions either under resignation or death, before the expiration of the tenure of office, the new member elected shall serve only the remaining period of his or her predecessor.

In the case of the ECOWAS parliament, Article 24 of the Supplementary Act, 2016 the leadership of the parliament is elected for the entire life span of the parliament which is four (4) years. The position of the speaker is allocated to member states by the Authority based on an established rotational system where states are alphabetically arranged. All parliamentarians from the country are eligible to contest for the position once allocated to the state.

#### **4.3 Comparison of treaty provisions of European and ECOWAS parliaments.**

This subsection provides a comparison of the treaty provisions regarding both European and ECOWAS Parliaments. Efforts will also be made to look at how such differences affect the performance of the ECOWAS parliament. For a coherent comparative analysis of treaty provisions establishing both parliaments, it's pertinent to establish certain common criteria as the basis for analysis. Hence, the following will be used;

- i. Legal mandates;
- ii. Legislative Powers;
- iii. Powers in the budgetary process;
- iv. Method of recruiting parliamentarians;

- v. Criteria for seat allocation in parliament;
- vi. Number of annual contact sessions and
- vii. The seat of parliament.

#### **4.3.1 Legal mandates of the ECOWAS and European parliaments.**

The legal instruments establishing regional parliaments normally carve out their mandate. This mandate determines the functions as well as the powers of these parliaments. For the ECOWAS Parliament, its mandate is stated in Article 7 of the Supplementary Act which amended Article 6(2) of the revised treaty of 1993. Subsection 7(b) of the Act identified that the parliament shall be involved in the enactment of all community acts that touch on ECOWAS economic and monetary integration policies or the treaty. The involvement of the parliament in the enactment of community acts generally falls under two cadres- Opinion and mandatory assent. In giving its opinion on issues such as community budget and the annual audit report on community institutions, the resolution of the parliament is not binding. On the other hand, in areas such as revision of treaty and other legal documents, promotion and protection of human rights and freedom, review of acts in the area of trade, customs, infrastructure and industry, the parliament's resolution is binding (Mandatory assent).

Also, 7(b) bestows on the parliament the competence to be involved in the adoption of the community budget. With regards oversight, the parliament is expected by subsection (c) to be involved in carrying out parliamentary oversight on the general programme of the community and making appropriate recommendations where necessary. Subsection 7(f) of the same act demands that the parliament in collaboration with the Council and the Commission propose laws for the efficient running of the community. On the other hand, Article 14 of the Lisbon treaty provides that the mandate of the European Parliament shall include co-legislation with the

Council as well as carry out other budgetary functions. In addition to the above, it shall exercise political control and consultation as spelt out in the treaties. Lastly, the parliament is expected to elect the President of the European Commission.

Comparatively speaking about the scope of the mandate of both parliaments, the European parliament has a wider mandate in that it co-legislates with the Council for the EU and also plays a greater role in the budgetary process. On the other hand, the mandate of the ECOWAS Parliament does not include law-making although it is expected to either through its opinion or mandatory assent to contribute to the enactment of all community acts. The variance in the scope of mandate can be attributed to the willingness of the European countries to cede certain part of their sovereignty to supranational institutions and the continuous desire of member states in ECOWAS to play more pivotal role in the integration process.

#### **4.3.2 Legislative powers**

One of the major functions of national and supranational parliaments around the world is law-making to guide the functioning of the system. Three (3) institutions of the EU play an important role in the enactment of acts in the community. The Commission proposes all EU new legislations, the Council and the Parliament that debate and passes the laws. However, even though only the Commission has the power to initiate a proposal for a law, the parliament drawing powers from Article 225 of the TFEU as amended by the Lisbon treaty can demand that the Commission submit a proposal on issues that demand an act. And if the Commission does not for any reason, it is expected to communicate to the parliament its reason.

Generally in the legislative process, the European parliament enjoys equal powers with the Council in what is referred to as ordinary legislative procedure or co-decision procedure. The co-decision procedure covers areas such as economic governance, immigration, energy, transport,

the environment and consumers protection. In other areas, the parliament can only be consulted and in such instances, it can only approve the Commission's proposal, reject it or ask for an amendment to the Commission proposal. If the parliament's amendment proposal is accepted by the Commission, an amended proposal is sent to the Council. After the Council receives, it can either adopt it or amend it again. It should be noted here that for the Council to amend the Commission's proposal, it requires a unanimous decision. In other areas of competencies, the parliament's assent is needed to make important decisions. The assent requires an absolute majority of votes cast. According to the co-decision procedure which has been used for most of EU legislation since coming into force of Lisbon treaty, whenever the Council and the parliament fails to agree on a piece of legislation, a conciliatory committee consisting of equal number of members from both institutions to consider the differences and once agreement is reached, the agreed text is sent to parliament and Council for third reading and adoption (Conciliation and Co- decision unit, 2017).

On the other hand, Article 8 of the Supplementary Act of 2016 which was aimed at enhancing the powers of the ECOWAS Parliament points out that the parliament can carry out its role in the enactment of community acts by opinion and mandatory assent. In areas such as revision of community treaty, annual audit reports of existing community institutions, all community acts that are related to economic and monetary integration and as well as other policy in sectors decided by the authority are mandated to be referred to the parliament. In addition, Article 10 of the same Supplementary Act states that issues that pertains membership, sanction, suspension or exclusion of member states of the union, creation of new institutions for the community as well as community defence, peace and security policies are not mandated to be referred to the parliament.

Furthermore, Article 12 of the act states that it is mandatory for the parliament to assent for issues such as revision of treaty, promotion and protection of human rights and fundamental freedom and the adoption of all community acts aimed at fostering economic integration. Lastly, Article 11 points that, the opinion of the parliament is required for issues that bother on community budget and annual audit reports. Where the parliament fails to render its opinion within the stipulated time of ninety (90) days, it shall be taken to have given its opinion. However,

“In 2006, there was a Supplementary Protocol and the Supplementary Act in 2016 to enhance the powers of the parliament to deal with issues of integration like normal parliaments. The only thing is that, they still can’t legislate and so they still function in their capacity as advisory and consultative”

(Interview, 17<sup>th</sup>/10/2018).

Comparatively, when the legislative powers of the European and ECOWAS parliaments are placed side by side, the latter has lesser powers in the legislative process than the former and considering the fact that the European Parliament only acquired more powers in the legislative process after its first direct elections in 1979, it can deductively be said that the continuous election of members of the ECOWAS Parliament from national parliament has been one of the reasons for the reluctance of the parliament to be empowered with more powers in the legislative process. Also, the reluctance of states to cede certain parts of their sovereignty particularly regarding law-making to supranational institutions has slowed the process of making the ECOWAS Parliament a true legislative body with full legislative powers.

#### **4.3.3 Powers in the budgetary process**

The parliament plays an important role in the financial planning and regulation of regional organizations. This regulation and planning can be short term or long term in term of the annual budget or Multiannual Financial Framework (MFF). The role played by regional parliament

varies depending on the legal provisions in the treaties guiding the regional body. In the case of the EU, the MFF covers five (5) years and all annual financial planning are expected to conform to it. Although the Council is responsible for the adoption of the regulation laying down the MFF through the special legislative procedure, it is expected to do so after obtaining the consent of European parliament which shall be given by a majority of its members. Generally, the three (3) institutions of the Commission, the Council and Parliament play an important role in the process of initiation to the adoption of the financial framework (Article 312 of the Lisbon treaty).

About the annual financial budgeting of the EU, Article 313 of the Lisbon treaty states that the financial year of the EU shall run from 1<sup>st</sup> January to 31<sup>st</sup> December of every year. All institutions of the EU except the European Central Bank (ECB) are expected to draw the estimate of its expenditure for the following year and the Commission collates it into a draft budget and submits it to both the Council and the Parliament not later than 1<sup>st</sup> September of the year before the year the budget is to take effect. Furthermore, subsection 3, Article 314 of the Lisbon treaty provides that the Council shall adopt its position on the draft budget and forward it to the parliament not later than 1<sup>st</sup> October. Subsection 4(a) further states that if the parliament approves the position of the Council, the budget is then seen as adopted. In a situation where the parliament does not decide, it's seen as been adopted.

Furthermore, if the parliament amends the position of the Council which demands the majority of its component members, the Presidents of the Parliament and Council shall convene a conciliatory committee consisting of equal members of both institutions. If an agreement is reached, the EP and Council have fourteen (14) days from date of agreement to approve joint text. If one of either the EP or Council approves the joint text while the other institution fails to make a decision, the joint text is seen adopted. Furthermore, subsection 6(b) of Article 314 states

that if both EP and Council rejects or one rejects and the other takes no decision on the joint text, the Commission will be required to present a new budget proposal.

An important provision that tinkered more powers to the EP in the budgetary process against the Council is subsection 6(c) which provides that if the EP rejects the joint text by a majority of its component members while the Council approves it, the Commission shall be mandated to submit a new draft. In another scenario where the EP adopts the joint text and the Council rejects, the budget might be adopted on the condition that the EP confirms its amendments by a majority of its members and 60 per cent of votes cast or otherwise, the joint text stands.

In addition to the above provisions, subsection 8 points that in any case where the joint reconciliatory committee fails to agree, the Commission will have to present a new proposal. It is important to point out here that peradventure the budget is not adopted before the beginning of a new financial year; one-twelfth of the previous year's budget may be spent each month but it should not be more than what is proposed in the draft budget.

The EP also plays an important role in ensuring transparency and accountability in budget implementation in the EU. This is although it's the Commission that implements the budget. The Commission is mandated by Article 318 of the Lisbon treaty to submit annually to the EP and Council accounts regarding the implementation of the previous year's budget. The EP empowered by Article 319(2) of the Lisbon treaty can raise questions and demand answers from the Commission regarding budget implementation. Lastly, it should be noted here that both the budget and Multiannual Financial Framework of the EU are drawn in Euros (Article 320 of the Lisbon treaty).

On the other hand, the ECOWAS parliament also plays a role in the adoption of the community budget. Article 9 of the supplementary act which enhanced the powers of the parliament places

community budget under mandatory referral. This means that the parliament must be consulted. This process of consultation starts with its consideration by the Administration and Finance Committee (AFC) during parliamentary budget session and later presented to the parliament during the parliamentary budget session. Furthermore, Article 17(c) of the Supplementary Act points out that the Parliament is expected to give its opinion including amendments where necessary to the draft of community budgets. The opinion of the parliament and the report of the AFC on the draft budget shall then be presented to the Council. It is the Council that has the powers as given to it by Article 17(1) of the supplementary act to adopt the budget. The implication of this is that even when the parliament fails to give its opinion, the parliament is deemed to have given its opinion.

From the above when the budgetary powers of the European and ECOWAS parliaments are placed side by side, the EP has greater powers in the financial planning of the union than the ECOWAS parliament vis a vis the Councils of both unions. This is because when the EP through a majority of its members rejects a joint text of both the Council and EP, the Commission is expected to draw a new proposal. However, in the case of ECOWAS parliament, only its opinion which is not binding is required hence the Council has more powers in the budgetary process since it's the organ responsible for the adoption of the budget.

#### **4.3.4 Method of recruiting parliamentarians**

Since 1979 as provided in Article 1(3) of the Act of 20<sup>th</sup> September 1976, the members of the European Parliament have been directly elected through universal suffrage in a free and secret ballot. The Act was first signed in Brussels on 20<sup>th</sup> September 1976 following its ratification by all member states. Upon coming into force in July 1978, the act provided the basis for the conduct of first direct election from 7<sup>th</sup> to 10<sup>th</sup> June 1979. It should be noted here that despite the

existence of general European Laws to guide the conduct of these elections, certain national laws also provide a guide in certain aspects. (Factsheet of the EU, 2018).

Furthermore, Article 223 of the TFEU as amended by the Lisbon treaty bestow on the parliament power to draw a proposal that lays down the provisions necessary for the elections of its members by direct universal suffrage following uniform procedures or principles in all member states. The use of direct election to recruit members of the European parliament has held enhance the democratic legitimacy of the parliament and help in strengthening its powers in both legislative and budgetary processes.

While for the ECOWAS parliament, Article 7 of the parliament protocol of 1994 and also Article 18(1a) of the supplementary act of 2016 provide that representation of the people shall be elected through direct universal suffrage where citizens of member states vote for their representatives. However, in situations where members cannot be elected through universal suffrage, members of national parliaments or their equivalent will elect members within itself to represent the people. All representatives shall be elected for a period of five (4) years from the day of swearing-in and are eligible for re-election. In special cases where representatives are elected to the parliament from the national parliament and they are not re-elected at the local level, such members shall remain in office until the new representative takes over the responsibilities.

Despite the above treaty provisions, members of the ECOWAS parliament have continued to be drawn from the national parliaments of member states. This shows the lack of political will to implement the dictates of the treaties. The inability of the community to organize direct elections has continued to negatively impact on the effectiveness of both national parliaments of member states as well as ECOWAS parliament itself. For national parliaments, members usually abandon national issues to attend the sessions of the regional parliament anytime they are in session. Also,

“Sometimes when our national parliaments are on recess, instead of using that time to rest and interact with our constituents, we spend that time at the regional parliament.

Although it opens up our horizon, it also has a negative impact on our performance at national parliament”

(Interview, 22<sup>nd</sup>/11/2018).

Likewise, members of parliament often miss regional debates to attend to national issues. This scenario recently played out as reported by Chikelu (2018) when 31 out of 35 members from Nigeria were absent during the first ordinary session of the ECOWAS parliament and specifically on the day their country is presenting its annual report to the parliament. Providing reasons for poor attendance during the sessions, one of Nigeria's representatives at the parliament Hon. Lafiagi attributed it to the fact that during the same time, the country's 2018 budget was scheduled for passage in both houses of the National Assembly. Another reason was given by him for member's absence the previous Saturday was to allow them to attend their various party's primary elections preparatory to the country's 2019 general elections. This conflict of position and roles resulting from the continuous election of members of ECOWAS parliament from national parliament rather than directly electing them has affected the ability of ECOWAS parliament to carry out its functions effectively (Interview, 19<sup>th</sup>/10/2018). This is contrary to that obtainable in the European parliament where all 751 members of the parliament are directly elected by the people of the community and cannot be members of the national parliament.

#### **4.3.5 Criteria for seat allocation in Parliament**

It is a general factor in both the European and ECOWAS parliaments that states do not all have the same number of seats in parliament. What then determines the number of seats a member state is allocated in parliament? According to Article 6(1) of the Supplementary Act that enhanced the powers of the ECOWAS parliament, the parliament shall consist of One hundred and fifteen (115) seats. All member states are guaranteed a minimum of five (5) seats while the

remaining forty (40) seats are shared based on state population. The use of the population criteria implies that Nigeria has a total of thirty-five(35) seats, Ghana has eight(8) while smaller countries based on population such as Togo, Benin, Guinea Bissau and others have five(5) seats each. The wide gap in the number of seats in ECOWAS goes on to show the domineering nature of Nigeria within the ECOWAS sub-region and the enormous numerical advantage it holds in the parliament.

Furthermore, Article 6(3) of the aforementioned act bestows on the Authority acting either on its initiation or on the recommendation of the either the Council or Parliament the power to review seats allocated in parliament. On the other side of the coin, Article 14(2) of the Lisbon treaty provides that the EP shall be a representation of the people of the union. Its number shall not exceed Seven hundred and fifty-one (751) members. The seats are allocated to member states based on the *degressive proportionality where all member states are guaranteed a minimum of six (6) seats and no member state shall be allocated more than ninety-six (96) seats. In the view of Ondarza and Schenuit (2018:2), the use of the principle of degressive proportionality seeks to reconcile two (2) objectives of fair representation of citizens and minimum representation of smaller states. This means that the number of MEPs grows with the country's population but not entirely proportionate.*

*Deducting from the above scenarios, it's clear that population plays an important role in the allocation of seats in both parliaments. However, the principle of degressive proportionality especially the provision on a maximum number that a state should not exceed tends to create a sort of overload for countries with a larger population like Germany when compared to small countries like Luxembourg based on MEPs to per citizen representation ratio. For example, according to the estimate provided by Index Mundi (2017), Germany has a population of about 82 million people. This means that a member of the European Parliament out of the total ninety-*

*six (96) allocated to it represents an average of 800,000 people. On the other hand, Luxembourg which has a population of about 600,000 people according to the 2017 Index Mundi estimates has six (6) seats in the EP. This means that each member represents about 100,000 people.*

*The principle of degressive proportionality has come under intense criticism. In the view of Wolff and Kalcik (2017:1), the principle reduces the democratic legitimacy of the parliament as it allows the underrepresentation of large countries and the overrepresentation of smaller countries. They, therefore, see Brexit as an ample opportunity to reform the European parliament.*

#### **4.3.6 Number of annual contact sessions**

Another area of difference identified in the treaties guiding the European and ECOWAS parliaments is in the provision on the number of contact sessions per annum. According to Article 27(1) (a) of the Supplementary Act that enhanced the powers of the ECOWAS Parliament, the parliament shall meet twice (2) a year in ordinary session. The ordinary session is expected not to exceed a period of one (1) month and is also expected to be convened by the Bureau. The Rules of procedure guides all ordinary sessions as well as extraordinary session.

Furthermore, Article 27(2)(a) provides that the parliament can also meet in extraordinary session to discuss emergencies. The current chairman of the Authority, Speaker, Council, President of the Commission and an absolute majority of members can initiate an extraordinary session which is not expected to exceed seven (7) days. The parliament is also allowed to hold extraordinary sessions in the territory of member states or on the advice of the Bureau. Besides, Article 28(a) of the Supplementary Act bestows on the Chairman of the Authority to convene the first session of parliament.

On the side of the coin, the EP meets twelve (12) times every year in plenary. These twelve (12) times are divided into four (4) days every month. Plenary sittings take place in Strasbourg (France) and last from Monday to Thursday and are important avenues for parliament to review reports and proposals from the various committees of the EP. In addition to the plenary, the EP also holds extraordinary sessions. A minimum of six (6) of these sessions are held every year and they last for two (2) days. Committees of parliament also meet at least once a month and also last for two (2) days. This meeting of Committee of parliament is important in discussing new proposals for laws and it takes place in Brussels ([europarlamentti.info/en/European-parliament/sessions/](http://europarlamentti.info/en/European-parliament/sessions/)).

The much difference in the number of contact sessions between the two parliaments is associated with the nature of their recruitment and mandate. For members of the EP who are elected directly and cannot be members of their national parliament, they have more time to meet and deliberate on issues and also enjoy wider mandate. For ECOWAS parliament, dual membership of national and regional parliament limits their contact session and also affects the scope of their mandate.

#### **4.3.7 Seat of Parliament**

The EP has three (3) places of work (Strasbourg, Luxembourg and Brussels). Strasbourg is often regarded as its official seat of the parliament. The choice of Strasbourg is important to the EU as it symbolizes the reconciliation of Europe after the Second World War. All twelve (12) plenary sessions of the parliament take place in Strasbourg. The second location is Brussels where parliamentary committees of parliament meet. Additional plenary sessions of parliament are also held in Brussels. Lastly, the administrative secretariat of the EP is located in Luxembourg (European Parliament Directorate-General for Communication, 2010). The idea of the EP having three (3) places of work has come under serious criticism. According to Sagener (2014), a report

by the European Court of Auditors puts the cost of moving between Brussels and Strasbourg at €114 million every year. Hence a relocation of the Strasbourg complex to Brussels will save the EU €113.8 million yearly and about €2billion in the course of the next 50years.

On the other side,

“The ECOWAS Parliament has only one seat of parliament which is here in Abuja although delocalized meetings can be held in any country of member states. This has helped stabilized the parliament and reduces expenses involve in moving meetings across different locations”  
(Interview, 23<sup>rd</sup>/11/2018).

Generally speaking the choice of three (3) seats for the seat of parliament in the EU is also aimed at fostering unity among the member states. This explains the choice of Strasbourg for the big European countries, Brussels for middle countries and Luxembourg for smaller countries. In the case of ECOWAS, the choice of Abuja shows the overriding dominance of Nigeria.

#### **4.4 Similarities between the European and ECOWAS Parliaments.**

Despite fundamental differences in the treaties establishing the European and ECOWAS parliaments, certain similarities exist in the treaties. These similarities include the following;

- i. Parliamentary immunity
- ii. Evolutionary nature of parliament powers
- iii. Parliaments internally organized into committees

##### **4.4.1 Parliamentary Immunity**

To guarantee the independence of members of the two parliaments and the institutions as a whole, the treaties bestow certain privileges on the institution's members. Article 343 of the TFEU provides that members of the European Parliament shall enjoy privileges and immunity

necessary to allow them to perform their functions in territories of all member states. According to Article 8 and 9 of the protocol on immunity and privileges of the EU, members of the EP are protected by two (2) types of immunities. The first is the absolute immunity which protects them from been probe, detention or to be subject of a legal proceeding on account of opinion expressed or vote cast during the course of performing their functions. The other which is personal immunity protects them from arrest and detention during parliamentary sessions or when travelling to and from the place of meeting of parliament.

However, it should be noted here that the scope of a member's immunity depends on the actual location of a parliamentarian. For example, Article 9(1)(b) of the protocol on immunity provides that when the parliamentarian is in transit from the session, he or she is guided by immunity provided by EU laws. On the other hand, when a parliamentarian is in the territory of a member state, the extent of his immunity is to be determined by the national law.

Likewise, Rule 7 of the ECOWAS Parliament Rules of Procedure acting on the provision of Article 9 of the ECOWAS General Convention on privileges and immunity of the committee, all representatives enjoy privileges and immunity following the general provisions of the above convention. Furthermore, Rule 8(2) (3) and (4) posits that no representative may be prosecuted or detained as a result of his or her opinion or votes in the performance of duty. No representative can be arrested on a criminal charge while parliament is in session without the consent of the parliament except when caught in the act.

It should also be noted that both treaties did not just make provision on how to safeguard the independence of both parliaments in the performance of its functions; they also provide that such immunity can be waived. Rule 8(6) of the ECOWAS parliament point that such request for waiver must be addressed to the president who shall announce and refer such to a committee.

The findings of the Committee shall then be subjected to voting. However, in situations where a parliamentarian is to be arrested outside the parliamentary session, Rule 8(4) provides that permission must be sought from the Bureau except caught in the act. In other instances, the parliament can also through a two-third vote request competent authority to suspend detention order.

#### **4.4.2 Evolutionary nature of Parliament powers**

Another similarity between the European and ECOWAS Parliament is that they gain power through an evolutionary process. This means that, as they evolve, they tend to acquire more powers in the integration process. For example, when the European Parliament which was known as Common Assembly of the ECSC first met on the 10<sup>th</sup> of September 1952, it lacked legislative powers and was seen as a mere lobbyist in the integration process. However, with the coming into force of the Rome treaty in 1958, the parliament gained the power to sack the Commission through a vote of censure and also to be consulted on proposed EU laws within certain areas of competencies. Also with the treaty reform of the 1980s particularly the Single European Act which introduced the cooperative procedure, the Council's ability to set aside amendments proposed by the parliament was reduced and that increased the powers of the parliament. Lastly, the treaty of Maastricht brought a significant change to the power balance between the parliament and the Council in law-making by replacing the Cooperation procedure with the co-decision procedure. Today, the Lisbon treaty has empowered the parliament with more powers in certain areas of competencies in both legislative as well as the budgetary process.

On the side of the ECOWAS parliament, since its establishment by the protocol in 1994, it has continued to gain more powers as time goes on. At the point of its establishment, the parliament

like that of the EP is merely an advisory body with no real powers in the integration process. The Supplementary Act of 2016 has enhanced the powers of the parliament to now include been involved in the enactment of all community acts and also is required to give its opinion on the annual budget of the community. Also, the Act has increased the power of the parliament in that the president of the ECOWAS Commission is required to present the state of the community report to the parliament during its ordinary sessions.

Comparatively, although the ECOWAS Parliament is yet to be a real legislative body like the EP, it's clear that both parliaments acquire their powers through an evolutionary process which most times are made legal by treaty revisions or supplementary acts and protocols.

#### **4.4.3 Parliaments internally organized into committees**

Both the European and ECOWAS Parliaments are internally organized into communities. Although the number of these communities varies, they are built around their areas of competencies to help make the parliament more effective. It should be noted here that the European parliament apart from internally organized into committees, it is also organized into supranational political parties. These supranational political parties are important wiping the lines of nationality and help build a sense of Europeanism.

#### **4.5 Challenges Facing the ECOWAS Parliament**

The ECOWAS Parliament has continued to face certain challenges in the discharge of its responsibilities. Some of these challenges are as a result of the provisions of the treaty and other legal instruments guiding the parliament while others are purely administrative. This section looks at some of these challenges.

- i. One of the major challenges facing the ECOWAS Parliament is associated with its dual membership status. Despite the provision by the Supplementary Act of 2016 that the members of the Parliament be directly elected by popular vote, the members have continued to be drawn from national parliaments of member states. This has created a situation whereby parliamentarians have to choose whether to attend the sessions of national parliaments or regional parliament. This scenario has slowed down the performance of the parliament due to low attendance during parliamentary sessions.

In another sense,

“the practice of drawing up parliamentarians from national parliaments has really slowed down the integration process in West Africa. This is because most citizens do not even know about the existence of the parliament as such when they don’t see you during national debates in national parliament, it negatively affects your rating as a parliamentarian”

(Interview, 22nd/11/2018).

- ii. The second challenge facing the parliament is linked to the one above. That is the variation in the electoral calendars of member states. When a member loses his or her seat in the national parliament, he is also ineligible to hold his seat at the regional parliament. Hence the variation of the electoral calendars has created a kind of instability in the parliament and makes long term planning difficult. In another sense, the high return of parliamentarians due to parliamentary elections in member states leads to changes in the composition of parliamentary committees within the house (Strategic Plan of the fourth legislature of the ECOWAS Parliament 2016-2020: 16).

- iii. Funding is also another major challenge facing the parliament. The parliament is generally funded from the community levy. This has made the parliament financially dependent on the Commission which determines the percentage of the levy allocated to the parliament. The low compliance with the payment of community levy by countries affects the general financing of the

regional body. For example, according to ECOWAS Commission President H.E. Jean Claude during the presentation of the state of the community address during the Second ordinary session of the Parliament lamented that as at October 2018, only 60 per cent of the community levy has been paid.

Iv. The reluctance of states in the community to implement the decision of parliament or treaty provision is also a challenge to the parliament. For example,

“despite the provision of the Supplementary Act that members of the parliament be directly elected, they are still being drawn from national parliaments. This has reduced the role of the parliament in the integration process and slowed down the process of making the parliament a real legislative body”.

(Interview, 22<sup>nd</sup> /11/2018).

#### **4.6 Summary of Major Findings**

During the course of this study, the following major findings were made:

i. The mandate of the ECOWAS Parliament as stipulated in Article 7 of the Supplementary 2016 include involvement in the enactment of all community acts that involve ECOWAS economic and monetary policies, involvement in the adoption of community budget, carrying out parliamentary oversight on programmes of the community, constitute committee to inquire cases of human rights violation and collaboration with Council and Commission to propose laws needed for the efficient running of the community. On the other hand, the European Parliament is mandated by Article 14 of the Lisbon treaty to co-legislate with the Council and carry out budgetary functions. Others include political control and consultation as specified in the treaties as well as the election of the President of the Commission. This points that the EP has wider legislative mandate than that of the ECOWAS Parliament.

ii. This study also establishes that there exist fundamental differences and similarities in the treaties guiding the activities of the European and ECOWAS parliaments. Some of these differences are in the area of the method of recruiting members of the parliament where all members of the European Parliament are directly elected by citizens of the EU based on certain general guidelines as well as national laws. In the case of the ECOWAS Parliament, they are drawn from the national assemblies of member states. Secondly, the Lisbon treaty of the EU through the co-decision procedure empowers the parliament and the Council to make laws that guide the workings of the EU while the ECOWAS parliament despite the Supplementary Act of 2016 that enhanced its powers; it is merely a consultative and advisory body. Thirdly, while the European parliament can reject a draft of a joint text of the community's budget through a majority vote of its component members and demands the Commission submits another new draft, the powers of the ECOWAS parliament is limited in the budgetary process as only its opinion is needed. This opinion is not binding as such the Council can still adopt the draft budget without the opinion of the parliament.

iii. The study also established that the continuous election of the members of the ECOWAS parliament from national parliaments of member states rather than directly electing them by the people has negatively affected the performance of the ECOWAS parliament as well as the national parliaments of states. This is because when the ECOWAS parliament is in session, members leave national assignments to attend. Likewise in certain instances, parliamentarians are forced to abandoned parliamentary sessions of the ECOWAS parliament to attend to national issues. A good example occurred during the first ordinary session of the ECOWAS Parliament, 2018 where only four(4) of the thirty-five (35) members from Nigeria attended the presentation of the country's annual report due to the member's simultaneous engagement in the National Assembly where the country's national budget was due for passage (Chikelu, C. (2018, May 17).

## **4.7 Verification of Research Assumptions**

At the beginning of this research, certain assumptions were identified. This section sets to test those three (3) assumptions against the findings of this study.

**4.7.1 Assumption number one.** The first assumption states that ‘the legal mandate of the European and ECOWAS Parliaments has been restricted to the advisory, consulting and law-making on issues of regional integration’. While this assumption is found to be true in the case of the ECOWAS parliament as it’s purely a body whose mandate is restricted to consultation and advisory, it’s false for the European Parliament. This is because the European parliament is also mandated to co-legislate with the Council and also elect the president of the Commission.

**4.7.2 Assumption number two.** The second assumption is that major differences exist in the treaties establishing the European and ECOWAS Parliament especially in the area of the mode of recruiting parliamentarians, number of parliamentary sessions in a year and powers of the parliament. This assumption was confirmed in that while the members of the European Parliament are directly elected by the people, their counterparts in the ECOWAS parliament are drawn from the national parliaments of member states. Also, while the ECOWAS parliament holds only two (2) ordinary sessions per annum, the European parliament holds twelve (12) (Once every month) sessions per annum. Also, while the ECOWAS parliament is merely a consultative and advisory body, the European Parliament together with the Council makes binding laws.

**4.7.3 The third assumption** states that 'the election of ECOWAS Parliamentarians from their national parliaments and the limited powers of the parliament in legislation have negatively affected the democratic legitimacy and effective performance of the parliament in the integration processes. This assumption was found out to be true. The continued election of members of the

ECOWAS parliament mainly from the national parliament of member states has reduced the acceptability of the parliament by the people. It is also seen as one reason why the parliament has not been able to acquire more powers particularly in the area of law-making.

## **CHAPTER FIVE**

### **SUMMARY, CONCLUSION AND RECOMMENDATION**

#### **5.1 Introduction**

This chapter contains a summary of the research work. It starts with a summary of what the work sets out to achieve and then the conclusion. The last part provides some recommendations derived from the research findings of this work.

#### **5.2 Summary**

At the beginning of this study, it set out to comparatively study the treaties establishing the European and ECOWAS Parliament. The rationale behind this comparative study is to identify the areas of difference in the treaty provisions that have made the ECOWAS parliament unable to contribute more to the integration process in West Africa like that of European Parliament. To help in the comparison, the Lisbon treaty was used for the European Parliament while the Supplementary Act of 2016 was used for the ECOWAS Parliament. Also, the Rules of Procedure that guides the internal organization and functioning of both parliaments were used in places where treaty provisions are silent. To help achieve this, four specific research questions, four objectives and four assumptions linked to the research problem were drawn.

Also, the research problem was drawn after a review of relevant literature in the area of the treaty, regional integration and the role of regional parliaments in the integration process. It also looks at the stages of economic integration and the historical evolution of the EU and ECOWAS. Theoretically, the research reviewed theories of regional integration such as functionalism, neo-realism, intergovernmentalism, structural functionalism, neo-functionalism and liberal intergovernmentalism. The review adopts the thematic style. It was after this review that it was

discovered that the European Parliament plays an important role in the integration of Europe while the ECOWAS Parliament plays a limited role in the process of integrating the West African sub-region. This necessitated the idea of comparatively studying the treaties that guide the activities of both parliaments. The study adopts the structural-functionalist theory as a framework in understanding the parliaments as important structures established to perform some functions in the integration process and also helps explain how certain structures such as societal values, colonial background and treaties affect the performance of functions by these structures.

The data used were drawn from both primary and secondary sources. The primary sources included interviews with members of the ECOWAS Parliament and other technical staff of the parliament and non-participant observation. For the European Parliament, data was gotten from a review of the literature and direct emails to the parliament. Drawing from the above, the research established that fundamental differences exist in the treaties guiding the two parliaments. First, while the European parliament is empowered to make laws with the Council by the treaty, the ECOWAS parliament despite the enhancement of its powers by the Supplementary Act of 2016 has continued to be an advisory and consultative body. Secondly, while the European Parliament plays an important role in the budgetary process in that it can reject a proposed budget and demand a new budget be drawn, the ECOWAS Parliament is only restricted to give its opinion which is not binding.

Thirdly, all 751 members of the European parliament has since 1979 been directly elected by the electorates in all member states, in the case of ECOWAS Parliament, members are drawn from national parliaments of member states. This scenario has resulted in situations where members of the ECOWAS parliament abandoned national legislative matters to attend sessions of ECOWAS parliament and vice versa. It has also affected the democratic legitimacy of the

parliament as well as the popularity of the parliament. This has continued to affect the performance of the ECOWAS parliament. Fourthly, while seat allocation in the ECOWAS Parliament is based on population, the principle of degressive proportionality guides seats allocation in the European Parliament. Also, the members of the ECOWAS Parliament meet twice every year in ordinary session while the European Parliament meets twelve times every year in ordinary session. Lastly, while the ECOWAS Parliament has one seat located in Abuja, the European Parliament has three (3) seats in Brussels, Luxembourg and Strasbourg.

Despite these differences, similarities also exist in the treaties. First, members of both parliamentary bodies enjoy immunity from arrest, detention and prosecution as a result of either vote cast or views expressed during the discharge of their functions. Although the immunity can be waived through a special procedure identified by both treaties guiding the parliaments, it was aimed at ensuring the independence of the bodies in the discharge of their legal mandate. Secondly, after a review of the development of the parliamentary powers of both parliaments, it was identified that it was evolutionary in that both parliaments derived their powers through an incremental process legitimized by either treaty revision or supplementary acts. Lastly, both parliaments are internally organized into committees build around their various areas of competencies. However, it should be known that the European Parliament is also internally divided into supranational political parties.

The above-identified differences in the treaties guiding the European and ECOWAS parliaments have portrayed that the inability of the ECOWAS parliament to contribute more to the integration process in West Africa like its counterpart in the EU is as a result of the provisions of the treaty. Treaty provisions such as the continuous drawing of members of the ECOWAS parliament from national parliament have limited their ability to perform their functions at both national and regional parliaments.

### **5.3 Conclusion**

Regional integration has been seen as an important strategy for the development of countries within a particular region. Such efforts have intensified after the Second World War and become much more desirable with its visible success in Europe. The frontiers of such cooperation have extended from socio-economic to political and military. In the area of economy, the central goal of regional integration is the eradication of all the impediments to the free flow of goods and services between member states.

To help drive this integration process, regional bodies establish certain institutions charged with specific competencies. Examples of these institutions in Europe include the European Commission, European Parliament, Council, European Central Bank and others. In the West African region examples of institutions include ECOWAS Commission, ECOWAS Parliament, the Court of Justice, Authority of the Heads of State and Government and so on. These institutions are expected to perform functions allocated to them in the treaties.

The Lisbon treaty of 2007 which guides the activities of the EU has empowered the European Parliament to make laws with the Councils to guide the operation of the union. It also plays an important role in the financial planning of the union through its powers to consider and adopt the proposed budget. On the other hand, the ECOWAS Parliament has by the provisions of the Supplementary Act of 2016 remained an advisory and consultative assembly. Its role in the budgetary process has been limited to giving its opinion which is not binding.

### **5.4 Recommendation**

Acknowledging that regional parliaments play an important role in the integration process and that the ECOWAS parliament has not been able to contribute much to the integration process in

West Africa due to certain treaty provisions, this research recommends the following to make the parliament much effective.

1. Members of the ECOWAS Parliament should be directly elected by citizens of member states. This will help enhance the popularity and democratic legitimacy of the parliament. It will also allow members to concentrate on their mandate at the regional level rather than been faced with the dual mandate at the national and supranational level. It will also bring the people more into supranational governance especially at a time ECOWAS is moving from an ECOWAS of States to ECOWAS of people.

2. The research also recommends that once members of ECOWAS parliament have been directly elected by the electorates, the parliament should be giving real legislative powers. This will make the parliament function like any other parliamentary body around the world.

3. The powers of the ECOWAS Parliament should be enhanced from giving its opinion to mandatory assent on the annual budget of the community. This would subject the budget to more rigorous debate and reduce the strong powers given to the Council under the present supplementary act to adopt the budget even without the opinion of the parliament.

4. There is also a need to establish an ECOWAS ombudsman as an institution to help look into issues of maladministration and inter-institutional strain in their relationship. It would also help citizens of member states to report cases when not satisfied with service rendered by institutions of the community. This has been important to ensure the responsiveness of institutions to citizens needs in the EU and will be important in ECOWAS especially as it tries to move from an ECOWAS of States to ECOWAS of the people.

5. This research also recommends a complete overhaul of the website of the ECOWAS parliament to be able to provide more on-demand services as can be seen in the European

parliament where citizens receive on-demand information about the activities of the Parliament through its AskEP portal. This will be important in enhancing the popularity of the parliament and its activities.

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## APPENDIX “A”

**Interview questions for members of the ECOWAS parliament Abuja,**

**Department of Political Science and International Studies,**

**Faculty of Social Sciences,**

**Ahmadu Bello University,**

**Zaria-Kaduna State.**

**Topic: A comparative study of the treaties establishing the European and ECOWAS parliaments.**

1. The European Parliament is internally organized into committees and supranational political parties, how is the ECOWAS Parliament organized internally? (Ideologically based on supranational political parties or based on nationality)
2. Members of the European Parliament are directly elected by the electorates while members of ECOWAS parliament are also members of national parliaments, how does this affect the performance of your functions as a member of ECOWAS parliament and national legislature?
4. The European parliament meets 12times every year while the ECOWAS parliament meets twice in ordinary session every year, how does this affect the effectiveness of the parliament in performing its functions?
5. The seat of the ECOWAS parliament is situated in Abuja unlike that of the European Parliament situated in three (3) cities; do you think this affects the popularity of the Parliament?
6. Does the Parliament make laws? If yes, what laws have been made by the parliament to enhance integration in West Africa? If no, what then is the contribution of the Parliament to the integration process?
7. What are the challenges facing the ECOWAS Parliament?
8. How can the ECOWAS Parliament be made more effective?

## **APPENDIX “B”**

### **Interview questions for Secretary General of the ECOWAS parliament Abuja.**

**Department of Political Science and International Studies**

**Faculty of Social Sciences**

**Ahmadu Bello University**

**Zaria-Kaduna State**

**Topic: A comparative study of the treaties establishing the European and ECOWAS parliaments.**

1. What are the functions of the secretariat?
2. How is the internal structure of the Secretariat organized?
3. Members of the ECOWAS parliament are elected from national parliaments unlike in the EU where they are directly elected. How do you think that affects the performance of the Parliament?
4. What are the challenges inhibiting the effective performance of the ECOWAS parliament secretariat?
5. How can those challenges be overcome to make the secretariat more effective?

## **APPENDIX “C”**

### **Interview questions for Head of Department, Administration and Finance ECOWAS parliament.**

**Department of Political Science and International Studies**

**Faculty of Social Sciences**

**Ahmadu Bello University**

**Zaria-Kaduna State**

**Topic: A comparative study of the treaties establishing the European and ECOWAS  
parliaments.**

1. What are the functions of the department of administration and finance play within the ECOWAS parliament?
2. What role does the parliament play in the budgetary process of ECOWAS?
3. Does the parliament play any role in the long term financial planning in ECOWAS?
4. Which institution is responsible for budget implementation in ECOWAS and does the parliament play any role in that?
5. What are some of the challenges facing the department?
6. How can some of these problems be solved?

## APPENDIX “D”

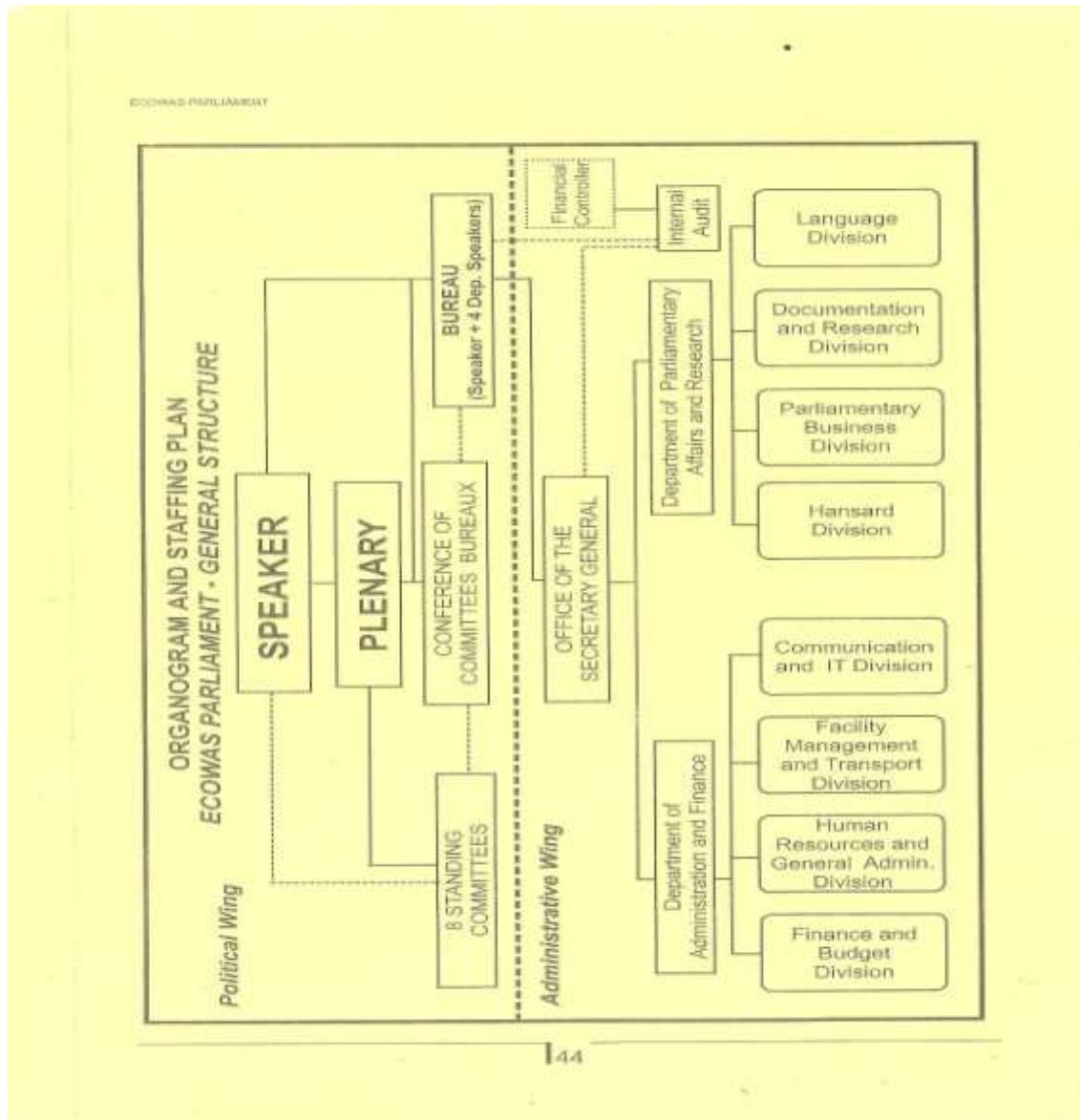
### List of people interviewed

S/N	NAME	PORTFOLIO	DATE OF INTERVIEW
1.	Mrs. AdelekanAdedeju	Chief Librarian, ECOWAS Parliament.	17 <sup>th</sup> -10-2018
2.	Hon. Edward Daika	Former member, ECOWAS Parliament	19 <sup>th</sup> -10-2018
3.	Hon. Samba Jallow	Member, ECOWAS Parliament.	22 <sup>nd</sup> -11-2018
4.	Mr. Minapo Mo	Staff Finance and Budget Division, ECOWAS Parliament.	22 <sup>nd</sup> - 11-2018
5.	Dr. Mohammed Kabeer	Bureau Manager, ECOWAS Parliament.	23 <sup>rd</sup> -11-2018
6.	Mr. John Azuwah	Secretary General, ECOWAS Parliament.	23 <sup>rd</sup> -11-2018
7.	Hon.. Clarence Massaquoi	Member, ECOWAS Parliament	21 <sup>st</sup> -11-2018
8.	Hon. Shiaka Musa Sama	Member, ECOWAS Parliament	22 <sup>nd</sup> -11-2018
9.	Hon. Ibrahima Baba Sall	Member, ECOWAS Parliament	22 <sup>nd</sup> -11-2018
10.	Hon. Orlando Pereira Dias	Member and 4 <sup>th</sup> deputy speaker, ECOWAS Parliament.	23 <sup>rd</sup> -11-2018
11.	Hon. Prince Y. Johnson	Member, ECOWAS Parliament	23 <sup>rd</sup> -11-2018

## APPENDIX “E”

### List of figures

Figure 1. The Organogram of the ECOWAS Parliament



Source. Strategic Plan of the Fourth Legislature, ECOWAS Parliament.

Figure 2. Map of the European Union showing all Member states.



Source: Extracted from [www.schengenvisainfo/eu-countries/](http://www.schengenvisainfo/eu-countries/)

Figure 3. Map of West Africa showing members states of ECOWAS



Source: Extracted from [www.ecowas.int/member-states/](http://www.ecowas.int/member-states/)

**Figure 4. Sample of First email response from European Parliament**



Figure 5. Second email response from European Parliament.



## APPENDIX “F”

### List of plates



researcher with Hon. George Daika (Former member, Parliament) ECOWAS Parliament). 19<sup>th</sup>/10/2018.



Hon. Samba Jallow (Member, ECOWAS Parliament) With the researcher 22<sup>nd</sup>/11/2018.

The



A view of members of ECOWAS Parliament

during plenary 22<sup>nd</sup>/11/2018



The Researcher with Dr. Mohammed Kabeer (Bureau Manager, ECOWAS Parliament) 23/11/2018.



**The researcher with Mr.Minapo Mo (Staff Finance Researcher with Hon. Clarence Massaquoi(MP) and Budget Division, ECOWAS Parliament) 22<sup>nd</sup>/11/2018.**



**The researcher with Hon. Shiaka Musa (Member ECOWAS Parliament 22<sup>nd</sup> /11/2018**



**Researcher during State of the Union address by the ECOWAS Commission president at ECOWAS parliament, Abuja. 21<sup>st</sup>/11/2018**



**A view of sitting arrangement in the ECOWAS Parliament.    A view of ECOWAS Parliament Bureau sitting arrangement.**



**A view of the Members of ECOWAS Parliament during Plenary. 21<sup>st</sup> /11/2018.**

