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Social Impact of the Gambia's Conflict Management Strategy During the Presidential Election Crisis of 2016: An Evaluation

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Abstract

The Gambia, the smallest country in continental Africa, has faced many social challenges since gaining independence, such as official corruption and electoral fraud. These problems have resulted in the deaths of numerous journalists and members of opposition parties. Through a variety of dishonest methods, Yahya Jammeh rigged elections and embezzled public funds from the Gambia, intend to gain control over the country as his own personal property. Consequently, he declined to hand over power to Adama Barrow, the 2016 presidential winner. To end the crisis, ECOWAS's earlier established procedures were applied, such as the democratic and good governance mechanism as well as security, peacekeeping, and conflict management and resolution. Throughout the course of this study, data was acquired from secondary sources by looking through a variety of books, newspapers, magazines, and internet resources. The number of disputes that ECOWAS has been able to settle in West Africa is a proof that the organization has had considerable success in that region in applying its conflict resolution mechanisms. The nations of Togo, Cote d'Ivoire, Sierra Leone, Liberia, and, most recently, the Gambia, which is the subject of this inquiry. The study recommends that other subregional organizations to adopt the ECOWAS dispute resolution procedure within their own subregion, in order to defend and uphold human rights, democracy, and responsible government.

Keywords: conflict management, ECOWAS, election, peacekeeping

Introduction

On December 1, 2016, The Gambia held presidential elections. In an unexpected result announcement, opposition candidate Adama Barrow defeated longtime incumbent Yahya Jammeh. This election was the first popular election held in the Gambia since its 1965 separation from the United Kingdom and its first presidential transition since the country's

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military takeover in 1994. However, on December 2, 2016, ahead of the results' official announcement, Jammeh graciously accepted defeat, shocking those who had been counting on him to retain his position of authority. BBC News referred to it as "one of the biggest election upsets West Africa has ever seen". The final official results show that Barrow won by a plurality of 43.3%, or a 3.7% margin of victory, over Jammeh. Mama Kandeh, the third candidate, was awarded 17.1% of the total vote.

Beswick and Jackson (2013)

At first, Jammeh congratulated Barrow on his victory. However, a constitutional crisis was sparked by Jammeh's declaration on December 9, 2016, that he was demanding a new election and contesting the results. The situation worsened after Jammeh's term ended on January 19, 2017, and Barrow was elected president of the nation on Gambian territory.

Statement of Problem

Elections, democratization, and electoral violence all have intricate relationships. But this intricacy might not come as a huge surprise, considering the widespread belief that elections act as the glue that holds democracy and peace together. Not only do elections offer political legitimacy, competition, and participation, but they also facilitate the peaceful transfer of power, allowing those in positions of authority to be assigned responsibilities. The claim that "elections have symbolic purposes by giving voice to the public, and also facilitate communication between the government and the governed" is frequently made (Höglund, [2006](#)). Consequently, it makes sense that a democratic society would be orderly and peaceful. This contributes to the rationale behind including elections in global initiatives aimed at promoting peace.

However, depending on its form and nature, democratization may have security implications that either encourage or discourage violence. This is because elections serve as an instrument for the state's distributive and redistributive mechanisms, which can be significantly impacted by democratization (Omotola, [2008](#)). Consequently, the democratization process encounters significant challenges at every stage, such as those presented by transitional contexts, the topic of the transition, and the problem of consolidation after the transition.

Although most people can agree on how awful the conditions were in that early stage, from which society is supposed to transition. Varying

opinions exist about the necessity of transitioning and who should be in charge of this transition process. Moreover, it could be difficult to define the terminus ad quem, or what should be included in it to accomplish both the goals and the objectives, and this could lead to disagreements among the relevant political actors or parties. They also exist in the post-transition phase. In fact, there may be far sharper and more intense arguments here, and the subjects covered may be basic in nature, with an emphasis on explaining the dynamics of social change and the political process in African society. While most people agree that those early days were terrible, and that society should move on from them, there are disagreements about the necessity of transiting, who should be in charge of that process of transition, and statements made by Barrow in an interview conducted shortly after the election. He thanked the Gambian peoples, including those living abroad, and urged them to set aside their disagreements in order to cooperate for the betterment of their nation. Although I understand that Gambians are in a rush, nothing will be accomplished in a single day, he remarked. I would thus like to extend a call to all Gambians and friends to come along and advance this wonderful nation. Not what I want personally rather what is need for Gambia to move ahead as a stable nation in Africa and the World at large.

Yayah Jammeh, the controversial and long-serving president of Gambia, rejected the results of the presidential election earlier this month on Friday, potentially igniting tension throughout the nation. In a nationally televised speech, Jammeh cited malpractice and irregularities by the election commission. Unintentionally, some figures were switched around. "The IEC (Independent Elections Commission) made several errors in several areas, instead of adding the total number of votes for (President-elect Adam) Barro in the Basse area and other areas," he said.

According to Jammeh, all political parties were summoned to the IEC and apprised of the commission's errors, implying a lack of competence on the part of the organization. Having said that, I would like to clarify that in the same spirit that I received the results in the hopes that Even though it was sincere, I reject it in its entirety, Jammeh declared. "I refuse to accept the results due to the fraud that took place."

Research Questions

1. What was the impact of social crisis during the Gambia Presidential Elections in 2016?
2. How can future election crisis in Gambia be effectively managed?

Research Methodology

Data for this study was collected through secondary sources, primarily from documents produced by various national and international bodies dealing with counter insurgency and its management. These sources included journals, reports, periodicals, statistics from text books, and other relevant documents. The collected documents served as important sources of information to the study. The study's goals and research questions guided the analysis of both created and gathered data. Information obtained from the various literature was organized in the process of discussing the vital issues of the Gambia Presidential crisis of 2016. This study adopted a qualitative approach with descriptive research design to uncover the truth in understanding the phenomenon under investigation

Importance of the Research

This research holds significance both theoretically and empirically. Additionally, it will provide a solid basis for teaching about electoral conflict, the importance of resolving disputes in Africa, and the impact on democratizing nations. The corpus of knowledge currently available about the mechanisms of conflict resolution and the consolidation of democracy in West Africa will likely be significantly impacted by this, theoretically. It will serve as a valuable reference for other researchers and a resource for future studies on democratization and conflict resolution techniques. Empirically, the research is expected to improve ECOWAS's decision-making capacity in formulating peace-promoting and conflict-resolution policies amongst belligerent states. It will also create space for stability and harmony in Africa.

Ethical Considerations

In this research study, ethical considerations regarding the conduct of research such as informed consent, confidentiality, privacy and anonymity were upheld. Ethics is the norms or standards of behavior that guide moral choices about our behavior and our relationships with others. Participants and respondents were given full information on the purpose and objectives



of the study, enabling them to make informed decisions about their participation. Moreover, all information concerning the identity and personality of respondents was treated with utmost confidentiality. It is important to note that all gathered information was used exclusively for the purpose of this research study.

However, the following measures were implemented by the researcher to ensure confidentiality of the information provided by the respondents and adherence to ethical practices:

1. The respondents were coded rather than reflecting their names.
2. The researcher requested the respondents to sign in the informed consent form.
3. Authors whose ideas were used were duly acknowledged through citations and referencing.
4. The findings of this study were presented in a generalized manner.

Scholars have employed diverse pertinent secondary data sources to corroborate the impact of social violence on the 2016 Gambia presidential election.

Foundational Framework

Election-related Violence and Social Unrest

Electoral violence, also known as "clandestine efforts to shape election results," is one of the deadliest manifestations of electoral fraud (Lehoucq, [2003](#)). This can be orchestrated by both the governing party's opponents and the incumbent power holder in an effort to avoid losing and seize political power. Voters, candidates, party agents, election workers, media, and monitors are among the primary targets of electoral violence. Other targets include electoral information, including ballots, vote totals, and voter registration data; campaign materials, like cars and public address systems; electoral facilities, like polling places and counting stations; and electoral events, like rallies (Höglund, [2006](#)).

Electoral violence is unquestionably one of the primary causes of instability in democracies, given that it can be employed by both the ruling party and the opposition, in addition to the range of possible targets mentioned above. As a matter of fact, it might pose a significant threat to the prospects of democratic consolidation. According to Schedler ([1998](#)),

"eliminating, neutralizing, or converting disloyal players" is one way to consolidate democracy. Another way is to advance toward completion and deepen democracy, as shown by high "expectations of regime continuity." Schedler (2001) asserts that these call for the development of the structural, behavioral, and attitudinal underpinnings—the three key components of democratization. Democracy, in all its importance, substance, and dynamics, remains a people-driven undertaking.

Conceptually, electoral violence refers to "any forms of organized acts or threats - physical, psychological, and structural - aimed at determining, delaying, or otherwise influencing an electoral process before, during, and after an election with a view to intimidating, harming, or blackmailing a political stakeholder" (Albert, 2007). This is significant because it shows that electoral violence has structural, psychological, and physical components. The physical aspects include the killing of political rivals, shooting, looting, arson, kidnapping, and hostage-taking, as well as violently interrupting political events and conducting armed incursions into polling places where ballot boxes and papers are taken at gunpoint. The psychological component deals with both official and informal acts that install fear in the populace, sometimes as a result of physical violence.

Social Discord, Unanimity, and Authority

A type of tension caused by conflicting or mutually exclusive behaviors, ideas, attitudes, or sentiments is one way to conceptualize social conflict. It is apparent when people or groups assess circumstances or reach decisions based on divergent viewpoints caused by incompatible differences in their socialization, upbringing, or past knowledge of the relevant subjects.

When people or groups feel that a disagreement could endanger their interests, conflict usually results. Conflicts can also result from inaccurate information, prejudices, stereotypes, divergent perspectives on justice, different sociocultural traditions, personal beliefs, or ideologies. Conflicts can take many different forms, including racial, sectarian, ethnic, religious, ideological, cultural, political, social, and economic ones (Kriesberg, 1973).

Conflict can also involve open confrontations between social forces and irreconcilable differences about goals, like the desire of each party to obtain what is entirely or partially within their grasp. (Dahrendorf, 1965). According to him, social conflict is the great, constant creative force that



brings about change. He points out that social structures and societies are not held together by consensus, but rather by the coercion of some people.

What is referred to as the "value system" is largely the product of the ruling party, not the values of the broader public. It is usually upheld by enforcement at any given time, not by popular opinion. He recognizes that social structures are dynamic, which is why restrictions could be seen as a tool for creating conflict. It is assumed that conflict exists everywhere that people create social organizations because constraints are present everywhere. The foundation of limitations is a constant source of contention in social conflict (Dahrendorf, [1967](#)).

Lasswell ([2018](#)) posited that the central question in politics is "who gets what, when, how." Conflicts in politics usually stem from attempts to acquire, exercise, and maintain political power. The logic of action holds that since politics or public policy are usually employed as conflict resolution tools, most disagreements ultimately turn out to be political in nature. Consensus advocates think that the majority of disagreements can be resolved most amicably through negotiation.

Unity, identity, coherence, harmony, stability, equilibrium, the universal, or social contract are the definitions of consensus itself. According to Dahrendorf ([1967](#)) it is said to reflect a broad consensus that, while not universal, does embrace the overwhelming majority.

ECOWAS's Role in Resolving Conflicts in West Africa

In order to govern itself in matters of peace and security, ECOWAS has established certain legal frameworks, including the Democracy Protocol, the Mechanism, and the ECPF. But unlike the UN, the organization has disregarded the necessity of enacting constitutional provisions on these. It could be argued that the institutional framework of ECOWAS offers a good deal of options for conflict resolution. For instance, the organization's choice to create a peace organ shows its dedication to long-term peace in the subregion. ECOWAS, which functions under either Chapter VI or Chapter VII of the UN Charter, has proven through its involvement in African governance and peacekeeping that it is a remarkably skilled organization at upholding, advancing, and defending peace.

Measures to encourage member countries to preserve democratic values in order to avert conflicts are outlined in the ECOWAS Protocol on Democracy and Good Governance. By implementing these measures, the

likelihood of inadvertent conflicts would be greatly reduced. The sub-region is less at risk from democratic governance and the potential harm it could bring, despite the continued existence of mismanagement, coups, and other problems. The ECOWAS's efforts to maintain stability and peace in the region are exemplified by the ECPF. Understanding the importance of democracy, peace, security, and development to the ECOWAS region's progress is a cornerstone of the ECPF. One of the goals of preventing the onset of violence and establishing peace, good governance, and the primary goals of the framework.

Nevertheless, by employing nonviolent, peaceful methods, the ECOWAS was able to effectively eliminate the nation's risk of instability. According to Fante (2009), ECOWAS remains the most effective early warning system on the market. In cooperation with civil society, ECOWAS established four early warning bureaus in Banjul, Ouagadougou, Monrovia, and Cotonou. However, there have been issues with the ECOWAS early warning system, ECOWARN. The enormous issues of underdevelopment, poverty, political and electoral violence, and general human security concerns that afflict a vast region the size of West Africa is beyond the capacity of the ECOWAS to address.

Through diplomatic maneuvers, ECOWAS has been able to mediate multiple ceasefires between opposing factions and has deployed peacekeeping forces to impose varying degrees of compliance. Similar to the Abuja Ceasefire Agreement that emerged from ECOWAS's involvement in Sierra Leone, President Vieira and General Mane, the rebel leader, were able to negotiate a ceasefire in Guinea-Bissau in 1998, thanks to the organization's mediation efforts. In light of this understanding, the government of Sierra Leone and the RUF decided to move forward with the disarmament process at the May 2001 Abuja meeting. In an effort to help stabilize the unstable nation, ECOWAS sent a senior ministerial delegation to Abidjan, Cote d'Ivoire, in 2002. The delegation's responsibility was to mediate disagreements between the government of Laurent Gbagbo and the rebel leaders.

In addition to threatening and enforcing sanctions, ECOWAS has successfully deployed peacekeeping and peace enforcement forces and used ECOMOG to manage several conflicts. Although ECOWAS has experience maintaining and enforcing peace, some of its shortcomings are revealed by a critical analysis. The lack of a centralized logistics system is one of them.



The fact that member states retain significant national control over their contingents is another issue. Other issues include variations in the professionalism, capability, and capacity of contingents, inadequate logistical support, and, as Sierra Leone's experience demonstrates, the inability to transition successfully from a peacekeeping mission to peace enforcement (Levitt, [2010](#)). ECOWAS deployments, also known as ECOMOG missions, include the following: Guinea Bissau (1990–1999), Sierra Leone (1997–1999), and Liberia (1990–1997, 2003).

Empirical Views

Politicians and Initiatives

According to Hartmann ([2008](#)), the Independent Electoral Commission authorized the nominations of three political organizations and registered them.

1. Mama Kandeh, the Gambia Democratic Congress (GDC) nominee, received approval on November 7, 2016.
2. On November 10, 2016, the Alliance for Patriotic Reorientation and Reconstruction (APRC) approved incumbent President Yahya Jammeh's candidacy.
3. Adama Barrow was approved as the Coalition 2016 candidate.

Though Jammeh could have won by majority vote, a coalition of seven prominent opposition parties banded together to support Barrow as their nominee, preventing further rifts. Parties to the coalition included the National Reconciliation and the People's Democratic Organization for Independence and Socialism (PDOIS).

Two other political parties that were being considered for election recognition were the Gambia Democratic Party (GDP) and the National Democratic Action Movement (NDAM). The commission, however, disqualified them in accordance with the election regulations, which stipulated that party officials had to reside in The Gambia, establish offices in each of the country's seven administrative regions, and provide audited accounting records. Based on the statement above, the significance of opposition parties in consolidating the electoral process can be comprehended. Lamin Waa Juwara, the NDAM's leader, also supported the formation of a coalition with the goal of toppling Jammeh.

From earlier discussion, it is evident that Mama Kandeh is the nominee of the Gambia Democratic Congress (GDC), the only opposition party not in the coalition. Kandeh was once a deputy in the APRC's ruling party, from which he was expelled. The Gambia's newest political party was called the GDC. It was founded in the summer of 2016 by Kandeh and several other well-known former members and supporters of the APRC. Although it had attracted some popular support and took part in some of the early negotiations leading to the coalition's formation, it decided not to join because of disagreements over its position within the alliance and the views of some other parties regarding the GDC.

Declaration of the Results of the Election

Prior to the official release of results, an announcement was made, indicating that Jammeh had conceded to Barrow on December 2, 2016. Jammeh conveyed, "You are elected president of The Gambia, and I wish you all the best," Jammeh called Barrow to congratulate him on his win. "I have no ill will," he added. Additionally, he suggested setting up a meeting with Barrow to plan the transition of his new presidency. He declared that he would "take the backseat" and not challenge the outcome on state television, adding, "I will help him work towards the transition." The result was described as a "huge surprise" by BBC News, since most people had assumed Jammeh would take any necessary steps to hold onto power. " (BBC, [2016](#))

Votes by Candidate Party 2016's Adama Barrow Coalition

47,708 -227.29Jammeh Yahya

Coalition for the Reorientation and Construction of Patriotism

38,487 208,487Mother Kandeh

Democratic Congress of Gambia

19,768 89,768

525,963 100.00 in total

525,963 valid votes, 99.97

165 inactive or blank votes = 0.03

Votes totaled 526,128 at 100.00.



Turnout/registered voters: 59.34 / 886,578

Citation: IEC

The author is C. F. Aboagye (2018).

Adam Barrow Constituency Coalition, 2016

Mama Kandeh	GDC	Yahya Jammeh	APRC	Votes Percentage	Votes Percentage
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Banjul	6,639	50	5,704	42	1,028	8
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	56,107	50	44,873	40	11,127	10
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Kanifing	74,823	43	76,880	44	21,656	13
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North Bank	23,346	37	18,316	29	22,039	34
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Lower River	15,048	17	5,996	27	16,476	56
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Upper River	28,102	44	24,490	38	11,289	18
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Central River	22,215	32	30,228	43	17,581	25
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Jammeh's Rejection of the Outcome

After the results were declared, a number of problems surfaced, leading Jammeh to publicly criticize the election outcome. He announced that he had "decided to reject the outcome of the recent election" on Gambia's state television because of "serious and unacceptable abnormalities... during the electoral process." He said that "a god-fearing and independent electoral commission" ought to preside over the following election. The announcement followed after opposition coalition chair Fatoumata Jallow-Tambajang demanded that Jammeh be prosecuted within a year of the January 2017 transfer of power, announcing that "we are going to have a national commission for asset recovery" in an effort to coerce Jammeh and his family to return money and property (BBC, [2016](#)).

In compliance with the 10-day legal deadline for contesting elections, Jammeh's party, the Alliance for Patriotic Reorientation and Construction (APRC), declared that it will file a lawsuit to overturn the election results Oyeshola ([2017](#)). Although there was a new Chief Justice in The Gambia, the Supreme Court hasn't convened to hear cases since May 2015. It was previously believed that before the Supreme Court could meet to hear the case, the nomination of at least four more justices would be necessary.

Human rights organizations that Reuters reached out to, claimed Jammeh holds significant power over the legal system with three Chief Justices serving in that capacity from 2013 to 2015.

Domestic Responses

The internal reactions of various Gambian organs or groups to the December 2016 Prudential election, which Jammeh rejected, will also be examined in this section of the paper. Barrow maintained that only the Independent Electoral Commission had the constitutional right to dissolve the legislature and call off the election. Jammeh did not. Barrow claims that in order to be safe, he moved into a safe house. Supporters of Barrow claimed that the police and military of the Gambia had declined requests to protect the newly elected president. The third candidate, Mamma Kandeh, attempted to force Jammeh to step down as well by citing "your precipitous resolution to concede defeat earlier and your subsequent move to call Adama Barrow."

The Gambia Bar Association scheduled an emergency meeting for December 12, 2016, citing this justification. They all came to an agreement on a resolution calling for the Chief Justice of the Nigerian Supreme Court, Emmanuel Oluwasegun Fagbenle, to resign due to grave misconduct. They cited his lack of impartiality and independence, his improper meddling in court decisions, and his support for Jammeh during the campaign. The Gambia Teachers' Union called Jammeh's action "a recipe for chaos and disorder which undoubtedly endangers the lives of all Gambians particularly our children".

The Gambia Press Union, the University of the Gambia, the Supreme Islamic Council, the country's medical association, and former Nigerian President Buhari all continued to support efforts to mediate a peaceful resolution to the impasse. Barrow said he would still take office on January 19 despite the disagreement. After non-consensual crisis talks on January 14, the African Union (AU) declared on January 19 that it would no longer acknowledge Jammeh as the president of The Gambia. Rather, Barrow was invited to a regional summit in Mali to discuss the transfer of power in greater detail. In the days preceding his inauguration, Barrow fled to Senegal out of fear for his life.



Worldwide Responses

The governments of the US and Senegal denounced Jammeh's action, so it is necessary to investigate international reactions after examining local or domestic responses. Furthermore, Jammeh's actions were deemed "null and void" by the AU. The United Nations Security Council (UNSC) unanimously decided that Jammeh must relinquish power amicably after Senegal demanded an urgent meeting of the body.

Four heads of state from West Africa were scheduled to visit The Gambia on December 13, 2016, with the intention of convincing Jammeh to concede the election's outcome and step down. Among them were the chair of ECOWAS and the president of Liberia.

Beswick and Jackson (2013). It was crucial to keep in mind that Jammeh would not be allowed to remain president indefinitely and would suffer dire consequences should he try to do so after his current term concluded. On December 14, 2016, UN representatives issued this statement. "Mr. Jammeh's tenure is coming to an end, and he can no longer contest for president in the future," declared UN Special Representative for West Africa and the Sahel Mohamed Ibn Chambas. By then (18 January 2017), his mandate will have ended, and he will have to give it to Mr. Barrow." UN Secretary-General Ban Ki-moon described the rejection of the election results as a "heinous act of disrespect for a fair and impartial election." Global acceptance of the election process occurred in 2017.

It is further noted that on December 16, 2016, ECOWAS issued a statement stating that Barrow "must be sworn in" and that ECOWAS "shall undertake all necessary actions to enforce the election's result" and that Barrow "must be sworn in" to "respect the Gambian people's will." John Mahama was named a co-mediator by ECOWAS, while Muhammadu Buhari, the former president of Nigeria, served as the primary mediator in the conflict. The African Union (AU) declared on December 19 that it fully agreed with the ECOWAS stance. The ECOWAS position was characterized as a "principled stand with regards to the situation in The Gambia" by Idriss Déby, the head of the UN Oyeshola (2017). As we can see, Jammeh appeared on television on the evening of despite pressure from the local authorities.

Court of Appeals' (Supreme Court) Consideration

In order to maintain justice and equality between groups, individuals, or states as well as to promote a peaceful society, disputing parties must appear in court. The Gambia's Supreme Court has upheld this concept. Six more appointments to the Supreme Court, including one from Sierra Leone (Nicholas Colin Brown) and five from Nigeria (Habeeb A. O. Abiru, Abubakar Datti Yahaya, Abubakar Tijani, Obande Festus, and Akomaye Angim), reportedly took place behind closed doors with Chief Justice Fagbenle's assistance beginning in October 2016. The Chief Justice of The Gambia was formerly Akomaye Angim, a recently appointed justice. But with the ongoing legal proceedings surrounding the presidential election, it was unclear if all of the new justices had consented.

Chief Justice Emmanuel Fagbenle, who is the defendant in this case, declared on January 10, 2017, that the case would need to be adjourned for several months because the foreign judges assigned to consider the APRC's appeal of the election results would not be available until May or November. The Supreme Court was scheduled to hear the case on this day. Declaring that the matter could only be heard by the Supreme Court with its entire bench present, Fagbenle formally adjourned the meeting until January 16. Onogeme Uduma, the Nigerian president of the court, was supposed to be unavailable until May. In addition, rumors circulated that Sherriff Bojang, a senior minister under Jammeh, had quit the government.

Even worse, Jammeh attempted to stop Chief Justice Fagbenle from ordaining Barrow as president by submitting a fresh request for an injunction. "Given that the injunction affects me in my capacity as the chief justice, I will recuse myself from hearing it," Fagbenle said in his refusal to take on the new case. A representative for Jammeh said that there was currently no way to get an injunction to stop Barrow from taking office.

Opening Ceremony Adawa Barrow and the Intervention of ECOWAS

Senegalese forces spearheaded the ECOWAS military response after a state of emergency was declared, sending soldiers to the Gambian border on January 18, 2017. The Nigerian Air Force provided aircraft, soldiers, and a ship to support them. The Gambian Army's commander, Ousman Badjie, reportedly stated that day that his men would not fight if foreign forces intervened against Jammeh. Vice President Isatou Njie-Saidy tendered her resignation on January 18, 2017. By that time, the crisis had forced out eight



cabinet members. Even worse, Jammeh attempted to stop Chief Justice Fagbenle from ordaining Barrow as president by submitting a fresh request for an injunction. Considering that I am the chief justice and am impacted by the injunction, I decline to hear it," Fagbenle declared, declining to take on the new case. There was currently no way to obtain an injunction to prevent Barrow from taking office, according to a lawyer for Jammeh.

Despite reports that Barrow's spokesperson, Halifa Sallah, stated he would be sworn in at a secret location, the opposition had promised to hold the inauguration at Banjul Mini-Stadium (Oyeshola, 2017). It was disclosed that the oath of office ceremony would be held at the Gambia's embassy located in Dakar. Jammeh met with Mohamed Ould Abdel Aziz, the president of Mauritania, with the intention of convincing him to resign. The meeting was not a success. Jammeh had until ECOWTAS time on January 19 at midnight to tender his resignation. Awaiting an order from the ECOWAS to enter the country, troops from nearby nations such as Senegal and Nigeria gathered at the Gambia-Senegal border. Over the Gambia, Nigerian Air Force aircraft was observed in flight. Following Botswana's approval of Senegal crosses over into the Gambia to trespass into Jammeh.

On January 19, 2017, the Senegalese embassy in Dakar hosted a ceremony where Adama Barrow, the president of The Gambia, took the oath of office. A few hours later, Barrow became president of The Gambia after the Senegalese Armed Forces invaded the country. The UN Security Council adopted a resolution urging Jammeh to step down and endorsing Barrow. It endorsed ECOWAS's efforts to ensure that the results of the 2016 presidential election are respected and supported "political means first" without endorsing military action. Later, Senegal withdrew its attack in an attempt at one last round of crisis negotiations; if Jammeh persisted in his refusal to cede power, the invasion would resume at noon on January 20, 2017. There are rumors that Jammeh fired the other members of his cabinet on that particular day.

Even after the deadline of noon had passed, and even after it was extended to 16:00 GMT, Jammeh persisted in his refusal to step down. He received resignation offers from Presidents Alpha Condé of Guinea, Mohamed Ibn Chambas, the UN regional chief, and Mohamed Abdul Aziz of Mauritania. Lieutenant-General Ousman Badjie, the head of the Gambian Army, declared his force would not fight the ECOWAS and pledged loyalty to Barrow. Later, Jammeh announced his resignation and his departure from

the country, according to Barrow and a Senegalese official. Subsequently, President Aziz of Mauritania declared that he had come to a decision to resign and depart the nation. In a declaration to state television, he announced his departure from the position and the country during the wee hours of January 21, 2017.

Theoretical Framework

Consensus -Conflict Debate

Conflict is a problem that has long plagued political theorists, particularly when it relates to the overall power structure in society.

Bernard ([1983](#)) attempted to capture a major portion of the development of these concepts from the ancient to the modern theorists in his comparative study of the consensus-conflict debate. Based on a comparison of seven pairs of theorists on different sides of the conflict and consensus divide, Bernard identifies three levels at which there could be conflict or consensus. The human level, the state of society as it is now, and the level of the ideal society are these three levels. He looks at each pair's performance at each of those three levels in terms of the prevalence of disagreement or agreement.

Throughout the discussion, the scholars focused on three primary concerns: (1) reconciling differing viewpoints about the application of laws, rules, regulations, fines, and penalties; (2) creating a link between the reconciliation process and the government, authority, and power; and (3) settling disputes at the three levels that Bernard distinguished (Bernard, [1983](#); Wrong, [1979](#)). Wrong goes on to say that the debate over consensus versus conflict brought to light the methods by which social theories were developed in relation to this reconciliation dilemma. The study highlights the distinction between consensus and conflict and recognizes Dahrendorf as its founder. Talcott Parsons' structural-functionalism at the time, which favored consensus and an equilibrium system, served as the foundation for this (Dahrendorf [1965](#), [1967](#)).

Relationships are seen by the conflict model as a struggle that reveals an unavoidable element of coercion wherever power structures exist, whether they be societal or personal (emphasis of this research). Bernard ([1983](#)) points out that the consensus model, on the other hand, emphasizes the legitimacy of authority as the dominant force in society (Wrong, [1979](#))



and maintains that the main consensual factor determining power is the lack of overt physical force.

In African literature, the terms "crisis," "conflict," and "war" are commonly employed, implying references to the system and the power struggle (emphasis of this research). Parsons notes that although these conditions refer to explicit and potential uses of force, they do not recognize consensus as a real political possibility (Bernard, [1983](#)). The nature of political power itself, which is essential to most issues that result in conflict and is basically resistant to reaching a consensus, may have something to do with the explanation. In the words of Weldon ([1962](#)), "we may all hold that the rights granted by the constitution are sacred (consensus) and yet fight one another (political struggle/conflict) because we cannot agree on what these rights are" (p. 3). The unresolved and open-ended questions the only things left for political upheavals are (about nature), which occasionally give rise to the most glaringly obvious manifestations of political authority. Frequently, the strict boundaries of state authority are the only places these issues can be resolved.

Results

The ECOWAS treaty's inaction put the early resolution of the Gambia's post-election crisis in jeopardy.

The conventional scenario of intervention by invitation to ascertain whether or not the use of force in The Gambia is authorized by existing international law is presented here, as was previously mentioned. The idea that using force on another state's territory with that state's legitimate consent does not violate the UN Charter's article 2(4) ban on using force is uncontested, at least in regards to the case law of the International Court of Justice (ICJ). However, once this line is crossed, you enter unknown territory. It is not necessary to go into great detail in order to address a few problems with the idea of intervention by invitation in this work. In the Gambia case, there are two most important issues. The first significant issue is whether the Gambia had previously authorized the use of force under those circumstances on January 19, 2017.

The second question is whether Barrow could legitimately consent to foreign intervention in the Gambia in compliance with international law, since this isn't the case. Regarding the first query, it's crucial to remember that The Gambia is a party to the Lomé Protocol in addition to being a

member of the ECOWAS regional organization. Protocol Article 25(e) states that in the event of the "overthrow or attempted overthrow of a democratically elected government," regional pro-democratic intervention may be possible. It is still unclear in state practice whether prior consent to a forcible intervention can be granted in this way; posing a question of international law. The issue of whether Barrow could consent legally and in a way that would be acceptable if this prior approval were to be recognized as valid reason.

ECOWAS Effectively Assisted the Gambia's Democratic Transition

Violent intra-state conflicts, which originated in Liberia in 1989, posed a threat to the subregion. In 1991, ECOWAS was compelled to try peacekeeping, conflict resolution, and conflict management in Liberia because there was little to no chance of international intervention. Since that development was viewed as unusual, there was opposition to it and disagreement among the member states. A year later, with yet another violent crisis about to break out, Sierra Leone was brought under the jurisdiction of the peacekeeping force created by the Liberian war, the ECOWAS Monitoring Group (ECOMOG). ECOWAS has admitted that its goals have shifted in light of political and security concerns since Sierra Leone and Liberia. Establishing new institutional and legal frameworks was essential to ensure to defend and advance modern principles like democracy, human rights, security, and peace.

The ECOWAS member states adopted the 1991 Declaration of Political Principles with the intention of advancing human rights, freedom, and democracy within the Community. Later, with Cape Verde's admission, the Community grew to sixteen (16) members; with Mauritania's departure, the number of members fell to fifteen (15).

Role of ECOWAS in Settling Disputes in West Africa

Effectively transforming from an economic organization into an eco-political union, ECOWAS aimed to manage conflicts, promote peace, and stabilize security in the West African subregion. Unquestionably, the organization has made a substantial contribution to the subregion of West Africa's conflict management and resolution. It remains debatable whether or not its institutional framework for resolving conflict has had the biggest possible impact. Put another way, can the ECOWAS conflict management framework effectively address the current causes of conflict in the region?



First off, every organization's constitution, including ECOWAS's, grants it the authority to perform any security-related duties or obligations stipulated in the body's founding agreement pointing out the function of conflict resolution or the institutional framework that permits the execution of this authority (Fante, [2009](#)).

ECOWAS established the Democracy Protocol, the Mechanism, and the ECPF, among other legal frameworks, to enable it to govern itself in matters of peace and security. However, in contrast to the UN, the organization has ignored the need to implement constitutional clauses on these. It could be argued that the institutional framework of ECOWAS offers a good deal of options for conflict resolution. The organization's decision to establish a peace organ, for example, demonstrates its commitment to enduring peace in the subregion. Operating under either Chapter VI or Chapter VII of the UN Charter, ECOWAS has demonstrated its significant competence in maintaining, promoting, and enforcing peace through its interventions in Sierra Leone (1997–2000), Guinea Bissau (1990–1998, 2003), and Liberia (1990–1998). This is how other countries, such as Cote D'Ivoire (2002–2004), Niger (2005–2010), Togo (2009–2010), and 2007–2010–2011), are shown. In addition to having a clear mandate, one could argue that ECOWAS has a very strong organizational capacity for establishing, upholding, and enforcing peace.

Conclusion

Notable differences exist among African subregions in terms of prevalence of democratic regimes. This would explain why ECOWAS finds democratization to be more contagious than other African regional organizations and why other regions of the continent are less likely to adopt the organization's restoration of democracy policy (Hartmann, [2013](#)). Most of the leaders of other subregions (and regional arrangements) of the continent, apart from Southern Africa, were selected using processes other than elections. As a result, even though ECOWAS's determined intervention is commendable, it also requires careful consideration.

The democratic agenda would have ended abruptly if Jammeh's exit hadn't been enforced. The reinstatement of Barrow's presidential election cleared the path but did not bring about the development of a functional democracy in The Gambia. For ECOWAS and all other regional organizations, encouraging the growth of democratic institutions and the

rule of law in member states is a far more difficult task than outright endorsing anti-democratic behavior. This is due to the fact that it demands improved capacity and communication between the Commission and the governments of the ECOWAS member states.

Limitation

This research is directed primarily towards assessment of the social impact of the Gambia conflict management strategy during the timeframe of Presidential Election Crisis of 2016. The research has not comprehensively addressed economic or political aspects of the crisis. The time frame is limited to the 2016 crisis, and subsequent developments may not be fully explored. Despite these limitations, the research aims to provide insights into the social impact of conflict management strategies during this critical period.

Further Consultations

The policy recommendations and their implications for regional peace operations presented in this research are as follows:

1. The ECOWAS member states need to address electoral risks and conflicts more aggressively in addition to settling intrastate conflicts. This raises the question of how the international community can support the military and peacekeeping operations in the region carried out by the ECOWAS.
2. The international community must acknowledge that "peacekeeping cannot be only an ECOWAS affair" and that it is its responsibility to support peacekeeping efforts in West Africa in light of the current global financial crisis.
3. The ECOWAS's triumph in 2016 results of the presidential election in The Gambia showed how committed the country is to upholding public safety, and this group can act as a model for other regional organizations.
4. The ECOWAS censure. The coup attempts in Guinea (2008), Togo (2005), and Guinea's exclusion from the heads of state summit serve as evidence of the broad consensus that advancing democracy and opposing military dictatorships are crucial.
5. Under the direction of visionary leadership, the member states of ECOWAS must experience a profound transformation along



participatory democratic and developmental lines in order to shift the region toward popular ownership of the peace and security agenda. It needs to put sustainable practices into action in keeping with its rhetoric of development, security, and peace.

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