

GRAD FIRST FORUM

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Togo and the Struggle for Democracy

Sent by

Dave PETERSON,
Executive Director,
National Endowment for Democracy (NED) USA

I regret that I am unable to be with you at your conference on Democracy in Togo, but I am happy to extend my greetings to you on this occasion, and to offer some brief remarks. The National Endowment for Democracy has supported the National Democratic Institute (NDI) and several Togolese civil society organizations in their efforts to promote democracy in Togo. We remain committed to assisting in whatever way we can the non-violent struggle for democracy in Togo.

Last year, the passing of President Gnassingbe Eyadema generated great hope that Togo might finally complete the long-delayed transition to democratic government that began with the Sovereign National Conference 15 years ago. Instead, the elections proved to be a great disappointment, and democratic progress seems to have stalled. We fear that social tensions are increasing, and that Togo may continue to decline economically and politically unless democratic reforms are implemented soon. The task for Togolese democrats is great. You must keep alive the hope that peaceful change is possible, and identify and take advantage of opportunities to promote that change. It is a challenge that may require great sacrifice.

Togo is one of the last hold-outs in the movement towards democracy in West Africa. Your neighbors, Benin and Ghana, are democratic. Senegal, Mali and Niger are democratic. The Nigerian legislature has stopped a campaign to allow the president to run for a third term. Liberia and Sierra Leone have held democratic elections after terrible wars. Mauritania's military government has committed to holding democratic elections within two years. Even Cote d'Ivoire seems to be emerging from its crisis, and is set to have democratic elections. Only Guinea, Burkina Faso and the Gambia remain under dictatorships. Togo can do better. You have struggled too long for this. Your democratic progress would be a major step forward for the entire region.

Once again, I congratulate you, and extend my best wishes for a successful conference. I look forward to reading the final report, and continuing to work with Togolese democrats and human rights activists.

Dave PETERSON,
Executive Director of
National Endowment for Democracy (NED)
USA

CH OF NATIONAL RECONSTRUCTION

Sent by
Francois GBIKPI-BENISSAN
Former Minister of State
Lecturer at the University of Lome
Founding member of GRAD

Invited Guests,
Ladies and Gentlemen,

Why are we seeking national reconstruction?

Togo is in danger of implosion. It is high time all Togolese came to terms with the fact that a country cannot endure the whims and caprices of others for so long a time. It is high time every one understood that by denial of basic human rights, injustice, oppression and violence, Togolese have lost all self-esteem in themselves, oppressed and oppressors alike, Togolese no longer respect one another; they no longer even respect themselves. They increasingly have the impression, justified of course, of living like animals or sometimes even lesser. Some want to maintain this status quo. However, by so doing, they dehumanise themselves: in fact, he that no longer recognises the human element in his fellow-man, is himself no longer human, for only man has the sense of human element and can recognize it in the other. To recognize the human element in your fellow man is to accept that your fellow man lives as a man, live as a man should, with this minimum of rights that we call human rights. It is to do all within one's power for it to be this way.

Togolese have suffered enough. That's true, Ernest Renan affirmed that:

"the suffering together binds more than the joy, in fact national memorials, grieving is better than triumphs, because they impose duties, they command common effort" (Renan E, 1882, *What is a nation?:27*).

However, for us, this is enough. It is time to stop and start again from scratch, to rebuild on more solid bases. For, what is at stake here? Living together, to continue living together in spite of all odds, to believe that having a common future, a bright future, is still possible. Otherwise, what is the point in continuing? Some, admittedly, no longer believe in this, traumatised as they were by the sad events that followed the death of the Head of State on the 5th of February of last year. What brutish madness so suddenly came over some Togolese to make them commit the most inhuman atrocities in our cities and our villages? What! Are Togolese no longer human?

Whatever be the case, some, however, still try to believe that deep down inside us, deep down every Togolese, whatever it is, whatever act he might have committed, deep down in every one, a glimmer, no matter how faint, continues to shine: a glimmer of humanity. And, it is with this hope, that they propose to all Togolese to join hands in search of national reconstruction, to restart building the nation, have this common vision, no matter how fluttering, and which alone could restore our courage to put our energies and our hopes together, and accept new sacrifices.

Our presentation, ladies and gentlemen, will be in three segments:

1. What is a nation?
2. Birth of the Togolese nation
3. Nation, State and democracy

1. WHAT IS A NATION?

11. *Components of a Nation: naturalist theory, contractualist theory*

There two competing traditional theories: the "naturalist" theory and the "contractualist" theory. According to the "naturalist" theory, the nation is built based on a community of territory, race, language, religion: the nation should be a material fact and should rely, in the final analysis, on the decisive combination of these four factors. The "contractualist" theory believes that the origins of a nation is in a contract drafted and accepted by individuals desirous of living together, without the community of territory, race, language, religion being determining factor: the "contractualist" theory gives more importance to the psychological factor: the nation should be a product of the goodwill of individuals. These two theories, which are quite inadequate, will serve as the basis of our reflection.

12. *Geo-political factors and socio-political factors*

A definition of nation should take account of two types of factors: geo-political factors and factors socio-political. The geo-political factors are the territorial unit and the reference to the same political institutions. They can foster the emergence of a major socio-political factor, without which the nation remains un-formed: national consciousness. According to Ernest Renan:

"the nation manifests itself in a collective consciousness (□□).Insofar as this consciousness is un-formed one cannot speak of nation "(Renan E, 1882:9).

This national consciousness is reflected in a common will of unity and sovereignty.

13. *Nation and history*

These factors, geo-political and socio-political, can be identified in all historically built nations; historically built, because the nation is first and foremost a product of history: it is not a given fact, coming into being as a course of nature; it is always rooted in a very precise history and its characters bear the mark. The nation is never complete; it undergoes a constant formation, it is ever changing. There is therefore no ideal nation, but only of the nations rooted in their history.

"the modern nation is therefore the historical result led by a series of facts converging towards the same direction. Sometimes unity was achieved through a dynasty (□□), sometimes (□□) by the direct will of the provinces (□□) "writes Ernest Renan (1882:9).

2. BIRTH OF THE TOGOLESE NATION

21. *Colonisation and building the Togolese geo-political entity*

One cannot deny the unifying role that colonisation, in African countries in general, and Togo in particular, played for the population groups, in terms of the territory, language, religion,

contact, or otherwise intermingling, of ethnic groups and the reference to the same administrative institutions. In reality, these population groups constituted an objective unit whose essence was dependency. Colonial domination was felt at all the levels: politics (loss and destruction of old authorities), economic (destruction of the subsistence economy), cultural (destruction of the culture replaced by a sub-culture, colonial culture). What remained was for the population groups to become aware of this objective unity, i.e. the birth of the national consciousness. And it was still colonisation which admittedly, was to involuntarily provoke it.

One can most certainly argue that the emergence of this awareness was provoked, not only by the observation of the objective geo-political entity, but particularly by the methods used by the colonial administration to maintain his domination.

The colonised felt this domination at the political, administrative, legal, social, economic, cultural and racial levels. The domination was maintained by material and ideological means: material means such as physical violence and division; racist-based ideological means, including colonialist speeches aimed at convincing the colonised people of its inferiority, the need "for civilizing it", and thus, of the normality of colonisation. In this regard, Jean-Paul Sartre wrote:

"it is the colonialism that creates patriotism among colonised people" (*the Foreword to Memmi A., 1966, Portrait of the colonised:37*).

After all is said and done, it is colonisation that induces the emergence of the feeling of the unity: through its policy of oppression, it causes the awakening of people's consciousness of their situation of being dominated. However, at the same time, it slows down this awakening through its policy of division which can make certain population groups (those of North) believe that other population groups (those of the South) are privileged compared to them and are thus not in the same situation of objective dependency as they. Colonisation thus goes by a double contradictory movement: consolidation of the geo-political entity, on the one hand; undermining of the virtual socio-political entity, on the other.

Colonisation does not only promote the emergence of a feeling of unity. It also promotes the emergence of a determination among the colonised people to break the colonial yoke. Colonisation does not only create the struggle for independence, but it goes as far as moulding the character.

22. Struggle for independence and the birth of the Togolese national consciousness

The struggle for independence, which started shortly after the Second World War, under the leadership of Togolese political parties, could be, rightly, understood as a common determination to attain national sovereignty, like the first demonstration of the Togolese national consciousness. After 1946, when Togo was moved from the Mandate system to that of Trusteeship, Togolese increasingly took part in the management of the affairs of their country. As a matter of fact,

"France, anxious to remain faithful to the mission had assigned itself, wanted to gradually bring the population groups under its responsibility to a greater consciousness of their own social and political obligations". (*The French Union, 1955:260*).

In 1946, France carried out reforms in its colonies: it extended French citizenship to all the citizens of the overseas territories, in addition to public freedoms (law of 7.5.1946) and established therein representative local assemblies (law of 7.10.1946).

Under the terms of the 1946 French Constitution, Togo had the status of "Associate Territory within the French Union". It had a Representative Assembly (RAT) which was to become territorial (ATT) in 1952. This 30 - member Assembly elected for a five year term, met in ordinary session twice a year to discuss issues bordering on taxation, customs duties and the organisation of the public services.

In 1951, the districts elected Councils were established. Initially consulted during the discussion of the budgets of the district, they were given the corporate status and decision-making power in 1955.

In 1955, a Government Council was established (law of 16.04.1955): it was made up of nine members, five officials elected by the ATT and four appointed by the Police Commissioner of the Republic.

In 1956, Togo attained the status of an autonomous Republic (framework law of 23.06.1956 and Decree of 24.08.1956). It had a legislative Assembly and a Council of Ministers chaired by a High Commissioner of the French Republic who, after consultation with the legislative assembly, appointed the Prime Minister. The autonomous Republic of Togo was proclaimed on 30.08.1956. On 10.09 1956, Nicolas Grunitzky is sworn into office as Prime Minister by the Togolese Legislative Assembly (deliberation n°1 of 10.09.1956 of the legislative Assembly of Togo relating to swearing into office.)

In 1957, the responsibility for the internal public law and order was transferred to the Togolese Government (Decree of 22.03.1957).

At the beginning of 1958, the autonomous Republic was changed into Republic of Togo, the legislative Assembly to House of Commons; the Prime Minister was to henceforth chair the Council of Ministers in replacement of the High Commissioner of the Republic (Decree of 22.02.1958). The judicial powers were transferred to the Togolese Government (29.03.1958). At the end of the first quarter of 1958, the French authority had nothing more but foreign relations, the currency, trade and defence.

On 27.04.1958 elections for the renewal of the House of Commons (former ATT elected in 1955, without then participation of the nationalists) which were dissolved in February 1958, was to take place upon the recommendation of the UN General Assembly. On 05.03.1958, the UN sent an election observer mission to Togo led by Max Dorsinville and responsible for the double role of:

“ consultation concerning the organisation and conduct of the election” role of supervising the conduct of the electoral process: preparation of voters' lists, supervising the election and counting of votes” (Gayibor N. (dir) 2005: 651).

It sought to elect 46 parliamentarians (23 for the north, 23 for the south) by direct universal suffrage, with a one round only single constituency voting. (law of 20.02.1958) The voters were (490.000 registered voters), the citizens of the two sexes (over 200.000 women registered), aged 21 and above, domiciled in the electoral district for at least 6 months, duly registered on a voters' register. The UN observer mission recommended the revision of the voters' lists following petitions submitted; the Togolese Government, supported by the High Commissioner of the French Republic refused; on 18 April, "an ultimatum motion "of trade unions threatening to hold a general strike on 23 April, compelled them to backtrack. The nationalist forces won it (33 parliamentarians including 4 independent candidates) (see Gayibor N (dir.), 1997:216-218); also see Gayibor N. (dir) 2005: 650-663)..

On 16.05.1958, Sylvanus Olympio was sworn into office as the Prime Minister by the House of Commons (Deliberation n°1/Ch-D of 16.05.1958 of the House of Commons of Togo swearing into office Mr. Sylvanus Olympio, Prime Minister). On 20.05.1958, he appointed the other members of the first autonomous Government of Togo (Order n°100/PM of 20.05.1958 relating to appointment of the members of the Government Council). Independence was celebrated on 27.04.1960. Togo joined the UN on 20.09.1960.

The changes in the political institutions that we just briefed you about, was result of political demands made by the peoples' representatives. In fact, the political change was strongly inspired by the will and determination of the people; at the same time that

this change was taking place, the will of the people was also building up, strengthening itself, growing and was directing this change. It was the political parties that shaped this popular will of unity and sovereignty. And this, in spite of the tactics of the colonial administration to undermine this will, by driving a wedge between the educated elites and illiterate masses, by promoting the establishment of ethnic and regional-based political parties, by supporting the progressive forces against the nationalist forces. It is by sowing division that the colonial power shaped the direction of the struggle for independence: the flag of the autonomous Republic had two stars, one represented the South, and the other represented the North. Nevertheless, even if the political parties maintained and directed a certain division among the people, they converted its will and determination for sovereignty: in fact, in 1958, the people massively opted for independence.

The Togolese nation was therefore in gestation right from the historical moment of the demarcation of the Togolese territory and the establishment of the colonial administrative institutions. And, it is appropriate to agree with Jean Suret-Canale, that

"independence is the prerequisite of nation building, and this is where the independence movement takes on a national scope in the full sense of the word, though the contents of the nation or African nations do not seem to be clearly defined" (J Suret-Canale, quoted by Jacques Lombard, "Tribalism and national integration in Black Africa", *Man and Society*, 12, 1969:69-86).

23. The Togolese nation in limbo after independence

After independence, history, all at once, moved fast and came to a stop. As written by

Jean Ziegler, once independence is attained,

"the dialectical unity which (...) had bound the masses and elites (...) disintegrated" (Ziegler J, 1964, *Sociology of the New Africa*: 46-47).

On 13 January 1963, the President of the Republic, who was himself the embodiment of the nation Togolese, was assassinated. History stopped on this trauma. Then began the long era of national reconciliation which has been eluding Togo ever since. The divorce between the people and the State was sealed by the installation of an authoritarian rule in 1967 and a single party above the State institutions from 1969. The national consciousness relaxed. Consequently the State became incapable of continuing to build the nation. Hence, the popular national consciousness which emerged from history and particularly the popular common struggles, which united the elites and masses, could no longer be expressed, but only the will of the single party prevailed.

The Constitution of the "Rassemblement du Peuple Togolais" adopted at its Constituent Congress held in Lome in November 1969, stated:

"RPT shall determine the major policy, economic and social policies of the Nation, and shall ensure its implementation". (Constitution of the "*Rassemblement du Peuple Togolais*" Chap. 1 Art. 3 sub-paragraph 3, Constituent Congress, Lome, 28-30.11 1969, Green Book, Editogo: 38)

In December 1986, during the IV Statutory Congress, this provision, which was extended to embrace culture was further reinforced:

"RPT shall determine the major policy, economic and social policies of the Nation, and shall ensure its implementation" (Constitution of the "*Rassemblement du Peuple Togolais*" Chap. 1 Art. 3 sub-paragraph 3, Constituent Congress, Lome, 28-30.11 1969, Editogo 1987:6

RPT with its organs at the top of the structures of the State apparel and specifically the National Political Bureau placed under the Government". (Constitution of the "*Rassemblement du Peuple Togolais*" Chap. 1 Art. 3 sub-paragraph 3, Constituent Congress, Lome, 28-30.11 1969, Editogo 1987:5

If from 1960 to 1963, the Togolese national consciousness was less affirmed that during the independence struggle, from 1963, the ethnic consciousness imposed a divided State; then, from 1967 to 1990, the domination by an army and a single party organised along ethnic lines together triumphed over tribal ideologies being expressed in deceptively exaggerated declarations of nationalism. From 1990 to 2006, the State, entirely controlled by the party in power, tried to establish the Rule of Law, tried to promote and respect democracy and human and citizens' rights. This period of wide-spread violence, whose climax was undoubtedly in the quarter following the death of the Head of State, was also that of the sealed divorce between, on the one hand, the people who are claiming the exercise of its inalienable and imprescriptible rights of sovereignty and, the State on the other, i.e. the party in power, which is denying them of it.

It is thus nearly forty years now that a single party above all the State institutions, which

became the party in power and which controlled all the State institutions, the Executive, legislature and the judiciary, confiscated the sovereignty of the people-nation. Today the people-nation is firmly demanding its rights. The unfair distribution of national wealth should end now.

3. NATION, STATE AND DEMOCRACY

31. *The people, national consciousness and democracy*

The lessons to be learnt from the history of Togo attest that the material and geo-political components can be put together without a nation being built; that the mental and spiritual components, particularly national consciousness, the common will for unity and sovereignty, the will and determination to continue living together, now and the future, are essential to the existence of the nation; and that a nation without these mental components becomes weak and falls apart.

National consciousness is necessarily popular and democratic. National consciousness cannot be imposed. It is a collective consciousness which emanates from the people. It is supported by the democratic nature of the political structure that governs the national community. In this respect, the State is national. If the State is not

democratic, if the leaders are not freely chosen by the people, there is separation of the State from the nation: the State becomes dictatorial and, thus, becomes incapable of contributing to nation building; it becomes an obstacle to this nation building: There is a contradiction between the State and the nation. The State becomes an instrument of oppression of the people, in the hands of a group which self-appoints itself to rule the country.

If it is the duty of the State to build the nation, it is actually the duty of the people to build both the State and the nation: because each one of them an emanation of the people. The State is the entire political institutions that the people create, while the nation, inspired by popular collective consciousness, is the united people. The can be not nation-State without democratic State. The disappearance of an authoritarian State that imposes a fictitious nation leads to the collapse of the latter (Eastern European countries).The nation grows as the democratic State grows (South Africa).The failure of nation building in Africa is connected to the failure of the building of democratic States. Thus, the building of democracy and nation building go hand in hand.

Mc Dougall wrote:

"A nation has reality and vitality only in proportion to the fullness and the clarity of the consciousness that it takes by itself" (Mc Dougall, *The Group Mind*, quoted per G Davy, 1950, *Sociologists of yesterday and today*:144),

national consciousness can only achieve this clarity within the framework of democratic political institutions.

To avoid and prevent the totalitarian drifts of the nation-State, the State in the nation should necessarily be controlled by the people, i.e. it should be democratic: it should be a State of Law. Sovereignty should remain the exclusive symbol of the people which, only, are mandated to elect its leaders, through completely free, transparent and equitable mechanisms and processes. Democracy is thus at the centre of the nation building process. An anti-democratic single party cannot guarantee any form of nation building: it is a State within the State, a State above the State. Hence, for example, it can, at its will, change the symbols of the nation-State: the national anthem, the national flag, the national currency, and national Coat of Arms.

32. The dangers staring at the nation

Thus, in Africa, several dangers stare at the nation, starting with a taking over anti-democratic power, whose basic reason is the determination to confiscate national resources. The strong energy of ethnic groups, which are human communities of the same nature as the nation, can also be an obstacle to the vitality of the nation when the State artificially maintains these ethnic groups on the same territory. Only a common history, relatively long, can allow for the emergence of a supra ethnic, national collective consciousness. Groups can take advantage of this multi-ethnic situation to develop

ethnic-based or tribal-based ideologies, divide the people, attain power by force and maintain it with the aim of confiscating the economic wealth of the country.

33. Confrontations and conflicts in the nation

Lack of democracy and unfair distribution of national wealth are often the causes of confrontations and conflicts in a nation, which can lead to civil wars or genocides with its trail of displaced and exiled people, and refugees. (Rwanda, Burundi, Angola, Zaire-Congo, Congo Brazzaville, Central Africa, Chad, Sudan, Somalia, Liberia, Sierra-Leone, Cote d'Ivoire, Nigeria..., just to mention a few). Majority of the African countries (including Togo) experienced clashes during election periods, at the time when the sovereign people have to choose its leaders freely: the cause is that, generally, the party in power try to prevent people from exercising their sovereign rights, if is to challenge him and take power away from him. There also there is a trail of killings, displaced people, exiled people and refugees. These confrontations and conflicts after various interpositions and multiple mediations are usually followed by so-called national reconciliation.

34. National reconciliation

Deciding to hand over sovereignty to the people, such should be the only focus of national reconciliation. Restoring people's rights to them, handing over power to the people in order to reconcile the State, i.e. the party in power and the people-nation.

Given that it involves a question of restoring confiscated sovereignty to the people, it is during national assemblies, bringing together the entire bone and sinew of the nation (including the representatives of the Diasporas) that the party power should solemnly make this decision. Inspired by real democratic intentions, the party in power should institute such a framework where the bone and sinew of the nation would discuss successive methods and phases of the reconciliation process, in relation to the impunity, justice and the truth. In any case, the sovereignty of the people should be the ultimate and not even negotiable. An ethical consensus on the sovereignty of the people should be strongly reaffirmed in accordance with the *Declaration of the Rights of Man and of the Citizen* and with the *Universal Declaration of Human Rights*

Declaration of the Rights of Man and of the Citizen, decreed by the French Constituent Assembly on 26.08.1789 and accepted by the King, stipulates in its Article 3 as follows:

“The fundamentals of sovereignty has its origins essentially in the Nation. No organisation, nor individual, may exercise any authority that does not expressly come from there”

The Universal Declaration of Human Rights adopted and proclaimed by the United nations general Assembly on 10.12.1948, stipulates in Article 21 paragraph 3 as follows:

“The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal

and equal suffrage and shall be held by secret vote or by equivalent free voting procedures”

This ethical consensus should not be confused with a political agreement or compromise; for the sovereignty of the people is ethical: it is above politics, which should only be the tangible manifestation of it.

This therefore is the direction of our search for the national reconstruction, so that once again sovereignty is handed over to the people. It is not a political issue. It is an issue of ethics. How do we achieve this? This is the real question!

Invited Guests
Ladies and gentlemen

Thank you for your attention

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Dr. Charles Mensa,
President
Institute of Economic Affairs (IEA)
Ghana

The transition from a one party state to a multiparty democracy is not easy to accomplish successfully. A number of conditions have to be met before this can be achieved.

First and for most there must be a national constitution which guarantees fundamental human rights based on the UN declaration of human rights and freedoms. These include the right of citizens to form and join political parties which should be able to operate and compete on an even playing field. The constitution must ensure that political parties are organized and operate on a national basis and can function on the principle of equality before the law. This is particularly important in a situation where one party has had a monopoly of power over many years. The constitution must also provide for an even balance between the Executive, Legislature and the Judiciary and in particular ensure that the Judiciary is truly independent. There should be a fair measure of decentralization of governmental power and functions, so that the people can fully participate in the formulation and implementation of policies and programmes at the local level.

Secondly there must exist viable political parties with solid national bases. As the term implies multi party democracy depends on the existence of political parties. However, it will be difficult to establish a stable democratic order where there is a proliferation of sectional political parties. Third there must be political leaders who are genuinely committed to the concept of multi party democracy. The manner in which a political party functions is determined to a very large extent by its leadership. It takes a crowd to make a political party; the bigger the crowd the better. But it is the small number of persons who are chosen as leaders of the party who do the real thinking, planning, organization, and formulation of policies which shape the character of the party. Political leaders can promote peace cooperation and stability in the country. They can also ignite conflict and create instability. The way in which the leaders of different political parties relate to one another determines how their ordinary members also see one another whether as fellow citizen of the same nation in friendly competition or as enemies.

Every country has its own history, traditions, culture and peculiarity. A country cannot totally ignore its past because the past can in many ways determine the shape of the present. It is, however, of vital importance that a country should not allow itself to be held hostage by the past.

Democracy requires that a country must come to terms with its past, learn from it and carry on with the present, while making such provision for the future as is humanly possible. Whether and how this can be achieved depends almost entirely on the leadership of the county's political parties and their leadership. You the good people of Togo know your history, culture and traditions. You know your recent past only too well. Are you coming to terms with it or you are being held hostage by the past? Today we have the leaders of your political parties sitting together and thinking of the way forward, I dare say, this is an encouraging indication that you are ready to come to terms with the past, face the present and prepare for the future. The mindset and attitudes, which prevailed during the period of one party rule, must change.

There should be no political enemies; only political opponents. The party in power must recognize and accept the fact that the other political parties have a right to exist. It should not use its incumbency to suppress or obstruct the other parties. The opposition parties need not obstruct the government. They can adhere to their principles or ideologies without necessarily being destructive and hostile. As a person looking in from the outside, the impression I have of Togo politics is that there appears to be deep suspicion and distrust.

Whatever the cause, this state of affairs must be overcome and changed. That is why we have met here as one people today.

Indispensable in any multi party democracy is a credible electoral System. Free and fair elections are essential features of democracy. Unfortunately elections can be conducted in a manner which sets them very far from being free and fair. The experience in Africa has been that election conducted by government-controlled agencies or institutions have generally not been free and fair. The conventional wisdom now is that the way to ensure free and fair elections is by the establishment of an independent electoral commission the members of which operate free from government control. It is not enough to have an independent electoral commission. The electoral process in all its stages must also be free and transparent, and every necessary measure must be taken to prevent such acts as the stuffing of ballot boxes, impersonation, multiple voting and intimidation of voters. The achievement of free and fair elections calls for the active cooperation and vigilance of all - the government, the political parties and the voting public. Badly conducted elections invariably give rise to strong even violent reaction from those who feel they have been cheated. It is only if elections are free and fair, that their outcome will be considered credible and acceptable.

In Ghana we have gradually been able to establish a regime of elections which has since 1996 commanded general public acceptance. Even so it has not been possible totally to eradicate all malpractices or errors, but such as have occurred are relatively minor and have been dealt with in the courts. With the passage of time I am sure that we shall have elections the result of which will be free from all taint.

I am sure that what we have been able to achieve in Ghana, Togo can also achieve not only in the choice of constitution and formation and operation of political parties but also in the electoral process if there is the will and the necessary cooperation. Freedom of expression and the media is another important feature of multi party democracy. For many years in many countries in Africa including our own, the government had a rigid monopoly and control of the media. Things have changed now in Ghana. I do not know the situation in Togo, but I think that you need independent newspapers and radio stations. Without such independent operators there can be no genuine freedom of opinion. There can be no true democracy if the only voice heard in the media is that of the government. Freedom of the media calls for a high level of tolerance from those in authority, because the media can and often do publish materials which are embarrassing to those in authority.

It also calls for responsible behavior on the part of the media. Freedom of the media does not and should not provide a license for the propagation of falsehood and irresponsible speculation. The dissemination of truth is the media's real function and democracy's greatest protection. Political education of the people is a vital function which must be carried out not only by the political parties

but all responsible civil organizations. Democracy cannot be expected to thrive in the midst of ignorance. Ordinary citizens in all part of the country need to be educated about the constitutional rights, about democracy and the role they can and should play in politics and in the electoral process. This is an important national task which should not be left to the government. Political leaders can achieve a great deal in this area through their respective political parties. Permit me to end by posing the following questions:

- 1 . I am sure that all of you here believe in the concept of multi-party democracy. I am asking what do you together intend to do to plant multi-party democracy in Togo?
2. Are you prepared in respect of your immediate past or perhaps even

because of your immediate past to join hands in the national interest to establish a new democratic order based on a new constitution? That is the question facing you.

You cannot runaway from it because it is obvious that the status quo is not acceptable to all of you.

Thank you.

The Role of the Armed Forces In A Republic

General Arnold QUAINOO,
*Former General Officer Commanding Ghana Armed Forces,
Former Commander of the ECOWAS Ceasefire Monitoring
Group (ECOMOG),
Executive Director of the Centre for Conflict Resolution*

1- Mr Chairman, I am delighted to have been invited here to share my views on this pertinent issue, the Role of the Armed Forces in a Republic. An issue that has become very topical and controversial in some African countries, on account of so many reasons.

2- I have heard some people questioning the continuing wisdom in maintaining an armed force at considerable cost to the taxpayer for the sole purpose of fighting an inter-state wars when wars between states are now being replaced by wars within states.

3- Many other people are also wondering why we are still committed to peacekeeping missions when the need for a peace-building role for our armed forces appear so pressing. Their reasoning is simple and straight forward to them.

4- a. The liberal markets liability to deliver economic justice;

b .The ever-widening gap between the rich and the poor;

c The ever increasing numbers of people who continue to be driven to the margins;

d The large tracts of arable land that continue to turn into deserts and;

e .The large quantities of illegal arms that remain hidden all seem to recommend peace building roles for armed forces; a peace building role that will help remove the structural conditions that generate dispositions to in the first place instead of our over-concentration on peacekeeping which only contributes to temporary termination of conflicts.

5- Some other people also call for a change in the armed forces role because of their

a. occasional assumption of direct responsibility for the running of the state administrative machinery, because of their excessive influence over the political process;

b. their employment on tasks which are in the province of other national institutions and because of the armed forces tendencies to molest, brutalise and to sometimes even kill the very people, that they are being armed to protect with impunity as if they are not responsible to any God or man in the holy name of law and order.

6- The Republic of Togo is not really the on country discussing the Role of the Armed Forces. This discussing is also going on in Ghana. As a matter of fact the debate

over this issue has been going on throughout the length and breadth the African continent and I am delighted to have been invited here to share my views on the subject.

7- Mr Chairman, I must confess from the onset that I have not been able to see anything particularly inappropriate about Ghana's armed forces role:

- a. to defend the nation against external threats;
- b. to support national policies in the conduct of armed conflict; and in EXCEPTIONAL CIRCUMSTANCES;
- c. to assist the civil authorities in maintaining internal security.

8- I also do not have any serious misgivings about the roles that have been assigned the various armed forces in Africa.

9- You all know as well as I do that although the threat of inter-state wars have dramatically reduced in frequency it has not suddenly vanished as such and the principal objective of national security will continue to be the protection of the state against aggression and the role of the armed forces in this connection will continue to be important and necessary.

10- We also know that the security of the state is not meant to be an end in itself but meant to be the necessary condition for the protection of the people from fear and want.

11- What I consider objectionable in respect of this question of role therefore relate rather

- a. to the irresponsible way and manner in which members of the armed forces execute their roles;
- b. the failure to integrate and coordinate strategies for state security with the strategies for human security in such a way as to make the two strategies to be mutually supporting;
- c. thirdly I also find the habit of assigning roles to the armed forces without the necessary corresponding resource commitment to be very unfortunate

In 1948 troops of the Gold Coast Regiment of the Royal African Frontier Force returned from Burma in South East of Asia to discover that no satisfactory arrangement had been made for their resettlement. Their consequent march to the Castle the seat of Government to present a petition to the Governor was met with still police resistance. The police opened fire on the ex-service men killing three of them instantly. The Governor was recalled to Britain but the status quo was changed forever. British rule over the Gold Coast was eventually overthrown.

I have read that a similar situation occurred in the Republic of Togo in 1963.

In September 1990 the entire stock of Sierra Leones Ecomog contingents ammunition got completely exhausted after one and half hours fire fight with MPFL forces at the Freeport of Monrovia. The contingents march to Government House to complain about their predicament in Liberia led to the overthrow of the Momoh government.

12- The pages of African history are filled with various other stories of these unfortunate situations. Situations that had always been attributed to the role of the armed forces.

13- I am of the opinion that we should redirect our search for solutions to our national security problems to other areas and not principally on the armed forces role.

14- For example there is the need to always bring board all citizens who are willing and capable for combined analysis and concerted responses to any problem generating our national concern.

I see the need for our national to articulate our national vision clearly, widely and in such a way as to excite the creative imagination and commitment of all citizens towards its realisation.

There is no quest without vision and as the Good Book tells us “it is for want of vision that the people perished”.

I also see the relevance of a set of national principles values to which all the people are committed; values that are made to under guide the character of the nation without the sense of humility necessary to show respect on the welfare wellbeing and feeling of fellow citizens; as we said yesterday without the willingness to sacrifice for the collective good instead of for self gain; and above all without the courage to stand up for ones convictions for what we know to be right even when it is contrary to the opinion of those around us all our most dedicated efforts will come to nought.

I also find our constant failure to monitor and periodically evaluate our processes and inputs as well as the outputs and the outcomes of our various projects and programmes also regrettable. Had we been doing so we would not have been facing many serious political, economic and social problems in Africa today.

15- What we are doing now to review the situation in Togo and reform a much more responsible, accountable and transparent armed forces with the ability and the willingness to provide security to the state and to all other citizens and create conditions conducive to peace and development is certainly a step in the right direction.

As we said yesterday by Dr Meyer this new armed forces cannot materialise without the necessary political will. The requirement is for a change in our mindsets for the necessary commitment for change.

16- We in Ghana had also been faced with the same need for change.

That was in 1981 when the Armed Forces Ruling Council under President Rawlings took the bold decision to start effecting reforms in the Ghana Armed Forces and the result is evidenced by the situation in Ghana today.

17- Our approach was simple

- a. consultation with all stakeholders, other security services, political leaders including those belonging to the outsted regime;
- b. the determined and decided on the aims to be achieved

- (1) withdrawal of the military to barracks
- (2) restore the loyalty of the armed forces to military professionalism
- (3) prevent docility slogan was fight for your rights
- (4) restore self respect
- (5) ensure cordial civil military relations
- (6) ensure respectful officer-other ranks relations
- (7) restore public trust and confidence in the armed force

18- The strategy that we used to achieve these aims can be discussed later in the subsequent forum and they are quite interesting.

- a. Field exercises
- b. Route marches
- c. Self reliance
 - British Brigadiers visit
 - I said sent by the Queen
 - Asked for only underwears
 - To give the soldiers self respect
- d. No one respects any other person if he/she does not respect himself or herself
- e. make sure concurrent reforms are taking place in order civilian institutions .Gave them military training and lectures at the staff college on military role, mission and ways of doing business.
- f. Deliberately created the impression you cannot have a good with bad civilian that although the reforms are necessary they were not urgent
- g. By our gestures, postures and utterances we made it known that the reforms were not meant to be punitive but are directed rather to our common good.
- h. Ensured that we had various standing operational and Administrative Procedures to be followed to prevent abuses in task implementation.

As highlighted yesterday all these efforts cannot result in any meaningful outcome without EDUCATION. Not the kind of education that produces arm chair theoreticians but the kind of education that leads to attributional change; to the development of character that inspires confidence but promotes tolerance and strengthen respect for democracy, justice and human right. The kind of education that enables creative and

collaborative problem solving and cooperation. And above all the kind of education that encourages, commitment to TRUTH.

Ladies and Gentlemen I wish you Good Luck much success in all your endeavours.
I thank you for the honour Mr Chairman

To ensure objectivity and transparency and to avoid unnecessary suspicion of our motives I will like to recommend that before the next gathering of GRAD there should be

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| GRAD | Forum « La Construction d'une Société Démocratique au Togo » |
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- a. a clear and inspiring statement of the GRAD mission for Togo
- b. the GRAD mission and
- c. the principles upon which the work of GRAD is based

Mr Chairman, Ladies and gentlemen I thank you all for the honour.

**The Role of the Media
In the Construction of a Democratic Society**
by
Kodjo **YANKAH**

Presented by

Ato Amoaning-Annan,
Director,
Africa Institute of Journalism
and Communications (AIJC) in Ghana

Mr. Chairman,
Distinguished ladies and gentlemen,

The role of the media in the construction of a democratic society is a subject that has been recurring in major discussions across the continent of Africa and the rest of the developing world. That subject has become relevant and popular primarily because, in the context of western democratic practice which has engulfed most parts of the world, the press is an active partner in the process of social and political change. This presentation therefore assumes that the democracy that is being constructed in Togo is based on the best known values of western democracy as we have come to know them.

Mr. Chairman,
Since the year 1990, a new wave of political agitation has rocked most parts of the continent of Africa. It is on record that between 1990 and 1994 alone, 31 countries on the continent of Africa held multi-party elections. The post-independence one-party and closely-guarded oligarchies gave way to the establishment of constitutional multi-party systems of governance. And it is important to quickly note that in all cases, the media, in spite of the difficulties some of them faced in their countries, played a noble and major role. At the risk of their lives, media personnel played advocacy roles in defence of the right of the people to participate in decision-making.

Perhaps, it may be pertinent to contribute to the discussion on what constitutes the 'construction of a democratic society'. Any society that decided to build a democratic society has had to go through some form of transition. While some have cautiously chosen the path of democracy as part of their post-independence arrangements, others have been forced into it by public opinion and agitation. In all cases, there arrives a consensus on allowing and entrenching political pluralism. People are given the opportunity to express themselves freely within any political party they wish to belong to. Every citizen is allowed to exercise his or her God-given right to life and to all the liberties that are socially desirable. This right of expression is extended to those who wish to practice journalism and have the requisite training and orientation. Civil, social and political rights of all members of the society are therefore respected. The environment is then created for popular participation in the decision-making process.

These conditions can be established by both Government and civil society working together. Where, for one reason or the other, Government decides to impose its will on the people and deny freedoms to the people in the society, agitations naturally follow, and the media become advocates for freedom.

But then, the transitional process should not be a monopoly of the people in power; it should not be at the wish of only a section of society. The will of the people, it is often said, is supreme; and no amount of repression can permanently erase the determination of a people to be free.

As has been the experience of most African states charting this democratic path, the

democratic transition has normally led to the establishment of a constitution that expresses the will of the people. And this constitution embodies guarantees for a free press, among other freedoms, and gives people the right to establish a medium of mass communication.

Establishing a constitution is one act in the process. Operating the constitution in a multi-party political system is another. This is where the TOLERANCE of the government is tested by the press. And this is where the occasional confrontations occur.

Does the press have any special role to play ?

Mr. Chairman,

Before I examine and analyse the role of the media in all this, let me quickly add that the aim of every democratic process is to build a political culture in which the people themselves internalise democratic values and make them part and parcel of their daily lives. This is where it becomes necessary for a strong civil society, with the cooperation of government, to embark on a sustainable civic education that makes one proud of being a citizen of a democratic nation. In some cases, an independent commission is established to oversee civic education and to ensure that citizenship in a democratic society is given real meaning.

Having said all that, let me now turn to the media.

In any agitation for freedom, there is room for advocacy, which often is occupied by the media. The media, as agents of social change, take it upon themselves to intensify the search for democracy and to become the watchdogs of the people's freedoms, which is their duty. The media, when, established by the state, could also defend the people's rights as against those who want to hi-jack the rights of the people for their own selfish ends in the name of private press. Then, of course, the private press could take it upon themselves to protect the people against the arbitrary use of state power by Government.

The media landscape in most African countries that are engaged in building democratic societies is often characterised by a blend of private and public (Government) ownership, trained and untrained journalists, highly political and agitating editorials, government intolerance of excessive media freedoms, upsurge in media pluralism, the private media's dedication to curb abuse of power by government, journalists' inability to adhere to the ethics of the profession, and sometimes a parade of court cases against journalists.

Mr. Chairman,

1. Determining a fine line for the performance of the media is not an easy thing to do. But, to help, permit me to draw attention to a few realities.

Africa, as a whole, is reputed to be very rich in natural, mineral and human resources. With a population of 900 million, Africans constitute 14 per cent of the world's population. We have a population growth rate of 3.5 per cent, and we probably have the best agricultural land on the surface of the earth. On the other hand, over 50 per cent of

our people live below the United Nations poverty line; most Africans go to bed hungry, and our governments compete in importing food from other countries.

We have the largest number of countries that are highly indebted and poor; we have allowed ourselves to engage in inter-ethnic and civil wars, using about 30 million illicit small arms to kill ourselves while the rest of the world advances in science and technology. It is estimated that about 55 per cent of our people lack access to good drinking water. HIV-AIDS is decimating our people by reducing our populations and impacting negatively on our economic development.

We are far from achieving the UN Millennium Development Goals which seek to reduce poverty by half by 2015. And yet, we have records of African leaders and government officials amassing illegal wealth at the expense of the people; we have rampant corruption in many countries; and we look on helplessly as our minerals and raw materials are harvested for processing outside Africa.

We are good at taking loans from international bodies, and yet some of our governments do not want to hear about social accountability. In most parts of the continent, human rights records are appalling, and we are only substituting democracy with elections. Infant mortality rates are shocking and we are at the mercy of donor agencies when it comes to dealing with preventable diseases.

These conditions exist all over the continent, and yet we add our names to the list of democratic countries.

Mr. Chairman,

In my fervent opinion, it is these same conditions which make it even more urgent for countries building democracies to encourage a vibrant and responsible media.

A vibrant media should aim to expose abuse of power, abuse of human rights, lack of transparency, inequalities, underdevelopment, and defend the powerless, disabled, and marginalised sections of society. A vibrant and responsible media should draw attention to the prevailing social inequalities, the filth in our gutters, the high level of environmental degradation, the declining levels of educational standards, the poor health system and the blatant disrespect for human rights. The media should pay more attention to the future of our youth in migration, the transformation of agriculture, food security, causes of poverty as well as respect for human rights.

The African condition, which is a sorry one, cannot be changed by lip service pronouncements and prognoses on democracy. A change in that condition calls for regular and consistent debate, discussions, analyses and dialogue over the issues which confront us as a people and which dehumanize and degrade us in the eyes of the world.

In performing their role, media personnel should educate themselves, learn and work with the ethics and ropes of the profession, be knowledgeable, be truthful and honest, and be worthy of the true voice of the voiceless. It is fashionable for the media to parrot the basic functions of informing, educating and entertaining, but I would like to suggest that

society has a right to call to question the content of these functions. What kind of information are the people entitled to? What should be the content of the educational programmes of the media? And, of course, what kind of entertainment should the media offer?

Mr. Chairman,

It is my considered opinion that on a continent where most people rely on radio, especially, and also on newspapers and television for information and education, the media is so important to the total development of man that it should become a purposeful tool in the overall socio-economic development of the country. Information and education should be uplifting and entertainment should lean towards the preservation of the culture of the people. And, of course, the developmental approach does not rob the media of the basic right to defend the voiceless, protect freedoms and keep governments accountable to the people for their actions.

Africa's construction of democracy depends on the commitment and sincerity of those who rule; but the greater responsibility lies on a professionalized, purposeful, development-oriented and fearless media.

I thank you.

KOJO YANKAH

Kojo Yankah is the Founder/President of the Africa Institute of Journalism & Communications (AIJC), based in Accra. A journalist and communicator of international repute, Kojo Yankah has been a former editor of the widely-circulating daily newspaper, the Daily Graphic, Director of the Ghana Institute of Journalism, Member of Parliament in Ghana for 8 years, and Minister of State in the 1992-2000 Government of Ghana. He is currently an International Media Consultant and President of the Institute of Public Relations of Ghana.

Mr Kojo Yankah has been educated at the University of Ghana, the University of Nairobi and Cornell University, Ithaca, New York.

FINAL COMMUNIQUE OF THE DELIBERATIONS OF THE FIRST FORUM OF GRAD

The first ever Forum organized by GRAD in collaboration with Netherlands Institute for Multiparty Democracy (NIMD) and Institute of Economic Affairs (IEA) on the theme: “the Construction of a Democratic Society in Togo “ was held at the Corinthia Hotel 2 Février from 19 to 20 June 2006.

The Forum was attended by many personalities from Togo, Africa and Europe. The main theme: “Construction of a Democratic Society in Togo” was developed in five sub-themes:

- the search for national reconstruction,
- the need for a new constitution,
- role of the media in the building of a democratic society,
- role of the armed forces in a republic,
- need for an independent and credible justice system

These five sub-themes were presented by His Excellency Win Van Eekelen, Former Minister for Defence of the Netherlands, Former Secretary General of the Western European Union. This latter lay emphasis on the fact that the quality of democracy depended on how it was used. Concerning his Institution (NIMD), he revealed that it is developing an inclusive approach and neutrality.

The ten topics which were developed from the sub-themes were followed very rich and very enlightening debates at the end of which several recommendations were made by the Forum.

1. Recommendation to the Government

- to continue the on-going national political dialogue, to open it up to all the bone and sinew of the nation and to call in facilitators;
- to invite the army to take part in the dialogue in order to present its specific problems;
- to ensure the political neutrality of the armed forces in all circumstances;
- to initiate more training programmes in humanitarian law and human rights for the armed forces;
- to set up a constituent assembly in order to establish a democratic process, guarantee for political stability and progress.

2. Recommendation to the media

- to contribute to the emergence of a democratic society while fully and objectively playing their role of information and training of the populations;
- to contribute to national cohesion
- to develop professionalism among themselves.

3. Recommendation to the judiciary

- to play fully, with courage and responsibility, its role of pillar of democracy and the Rule of Law;
- to effectively guarantee personal freedoms and the basic rights of citizens;
- to effectively combat corruption.

4. Recommendation to GRAD

- to continue with determination its action for dialogue, democracy and development;
- to work with the other organizations partners for the consolidation of a strong and dynamic civil society in Togo;
- to work relentlessly for the eradication of North-South divisions and mistrust among Togolese.

Lastly, the Forum pointed out that the success of all the actions undertaken and to be undertaken for the construction of a democratic society in Togo depended on the moral value of the women and men running the affairs of the State, the sacrifices which they are prepared to make and their conviction that this construction can only be the work of Togolese men and women themselves.

Done at Lome, 20th June 2006

THE FORUM