The Tension between Democracy and Self-Determination in Africa: A Resolution Framework

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Abstract:- Since the dawn of human civilization, democracy has been a highly contested topic among scholars and politicians. Today, the word is not only associated with a system of government but also with the freedom of the people within a polity.

This paper argues that democracy in the context of Africa has caused more problems than solutions and can be seen as a paradox of some sort: blessed with abundant human, mineral, and agricultural resources, the continent remains one of the poorest regions in the world. The objective of this study is to advances the theory that there can be fully self-determining societies with rights to collective self-determination when the government is doing the people's bidding.

This paper suggests that a responsive and responsible government is preferable to the people and would potentially mitigate the desire for self-determination. There is no doubt that democracy cannot solve all the problems of society.

Keywords:- Africa, democracy, government, people, self-determination.

I. INTRODUCTION

Almost all African countries practice democracy as a political system, but the question that keeps arising is how efficient it has been hitherto: how have democratic institutions and policies been able to support the growth of the people and the overall development of the society?The question has been whether the democracy currently practiced is legitimate and functional or only a mirage.

Concerns about whether the government is meeting the aspirations and desires of the population are at the heart of the discussion about what constitutes true and functional democracy. Numerous African nations hold regular elections and view them as a barometer of democracy, but in reality, democracy is only representative government and people-centered representation, not elections.

The fact that Angola, Cameroon, and Chad were listed as not being truly free in a rating of free nations published by the watchdog group Freedom House in 2018 is fascinating to note, even though these nations hold regular elections to choose their governments. The research claims that while regular elections support democracy, there is insufficient actual representation of the people.

Scholars and political scientists have often lashed out at African leaders for running corrupt economies coupled with an insatiable thirst for power. Still, records show that in several countries on the continent, the governments have created institutions tasked with the mandate of checking excesses within their ranks.

In Ghana, for instance, adhesive relationships among the political class have given rise to a growing consensus on the essence of democracy in Africa. Since 1994, in South Africa, leadership without racial bias has been critical in overcoming political divisions and building trust in the new post-apartheid South Africa, leadership without racial bias has been critical in overcoming political divisions and building trust in the new post-apartheid South Africa.

Also in Namibia, successive governments since its independence in 1990 have not yielded to the use of electoral dominance by the ruling party to oust the opposition. The people of Africa also deserve some accolades and recognition in this matter. Their willingness to take to the streets forced democratic openings that led to the collapse of apartheid in South Africa and other political cruelty in the 1980s and early 1990s. The same has been confirmed recently, with mass action challenging totalitarian governments in countries such as Burkina Faso, Algeria, and Sudan.

The world we live in today is created along the lines of nation-states; however, democracy and the principle of self-determination continue to form the core issues within the political space. Many political debates are centered on the problems arising from borders and the distinctive people who tend to proclaim self-determination within a sovereign state. In the current dispensation of technological developments and globalization, one would posit that physical borders are irrelevant to the advancement of the people; however, this issue has refused to disappear, with much agitation for self-determination throughout the world.The question then becomes, "Why is this so?"

What we know within academia is that the principle of self-determination as a political right is old, with some historians tracing it to ancient Greece and Rome. Nonetheless, the French Revolution was the big boast that brought the concept to the forefront and proclaimed it as a political right and people's right to statehood. Since then, self-determination has become a political tool in the bid by nations to politically determine their destiny, giving rise to

the notion as an integral part of international relations and international law.

The Universal Declaration of Human Rights (UDHR) did not clearly define the principle of the right to self-determination; however, under Article 15 of the Declaration, it was mentioned that everyone has the right to a nationality and that no one should be arbitrarily deprived of a race or denied the right to change nationality.

By examining how the world meticulously managed its affairs during the twentieth century and onward within an international order that was increasingly based on the significance of states and the principle of territorial integrity, this study contributes to the argument about the problem developed by this subject matter.

The objective of this paper is to investigate and expose the complexities and perplexities of democracy in its relationship with self-determination in Africa, as tensions continue to rise due to the obvious lack of representation and voice of the minority class in many African societies. Quantitative research materials were used to explain this dilemma in a novel way, given its detailed analysis of the current state of the continent from a skeptic's perspective as opposed to the mainstream opinion that all is well on the continent.

Democracy and self-determination appear to have quite a lot in common. Still, they are most often construed as being in contrast with each other, with some scholars arguing that democracy conflicts with the principle of the right to self-determination of people when, within a given political space, there is a persistent quest by a group to internally or externally manage their political, economic, social, and religious destinies. The argument submitted here is that the two need to meet and agree for peace, security, and development to thrive.

II. THE MAKING OF WEAK AFRICAN STATES

Colonial powers imposed their ideas of democracy and government on newly independent African republics. Still, they neglected to consider the reality that Africans were distinct people with their own political peculiarities. The failure of democracy in Africa can be explained by the lack of knowledge of traditional political culture and the violent means by which it was supposed to be adopted. The purported achievement of democracy is still being undermined by the failure to acknowledge ethnic differences and loyalty among various individuals within a given society.

Before the advent of colonialism, most African "nation-states" had a political system that made use of the "patron-client relationship" format. This system essentially conveyed the influence of the ruling class. Each community had a representative at the ruling level, carrying out the wishes of their community through a well-laid-out democratic process. This system has come under fire, and the West believed it lacked credibility because it wasn't equally distributed and was not representative enough. Africa has to learn about the Western political system, which has been around for hundreds of years, because its political resources are not spread out well and it needs a foreign form of democracy right away.

Early on in the history of independent African governments, democracy was perceived as a post-colonialist strategy by the West to support or even grant independence to restive states. The people's traditional political views and ideals were never taken into account by the West.

Early political leaders believed the concept would give them desperately needed independence and, to some extent, western guarantees to win electoral votes. Still, all of that quickly faded away, with the next generation of political leaders fighting only to gain dominance and power with no intentions of ceding them. A new era of political leadership and violent power struggles unfolded throughout Africa.

The colonial powers' hastily created democratic systems quickly lost their appeal to the new rulers, and in many countries, like Ghana, Uganda, and Nigeria, democracy was overthrown from above. Democratic institutions cannot be recognized as legitimate unless most Africans value the idea of democracy. African republics were not only unfamiliar with the idea of democracy in the West, but they also had no experience with European colonial rule, which was not a good example of democracy.

The colonial empires had violent and oppressive authoritarian regimes that used these methods to maintain their hold on power. Part of the reason for the intolerance and anti-democratic behavior in post-independence politics can be attributed to the suppression and lack of democratic training during the latter years of the colonial administration. In a similar way, in places where armed conflict led to independence, violence was seen as a legitimate way to get things done in politics, which hurt the development of a moderate democracy.

As a result, democracy's values and governance model were alien to the African people, giving the imposed "democratic" state little legitimacy. Government representatives have minimal power because there is little knowledge of, and confidence in, the democratic process and the representation of ethnic interests. Governmental legitimacy is currently suffering as a result of this. Particularly in locations where smaller minorities are concentrated, there is a lack of trust and a sense of societal unease.

The breakdown of patron-client solid bonds has reduced the former source of stability. We now have governments that were elected but are not legitimate in place of the previous system. In Africa, democracy and constitutional law have not received much attention. There are many instances of liberal constitutions that are blatantly ignored. We discover that many countries will approach the legislative and judicial systems with carrot-and-stick strategies. When he declared an executive action unlawful in Zimbabwe, the Chief Justice of the Supreme Court came under fire.

Conflicts like these undermine a weak government's credibility. The UN has lately prioritized elections over the democratic process as a whole. Further investigation reveals that while accountability, the rule of law, and the division of powers are what democracy is actually about, for the foreign world the election's methodology is obviously more significant (since it is simpler to monitor). African states' inadequacy and weakness are due in part to the lack of a democratic culture and the fact that the system they were forced to adopt was unfamiliar to the continent's people, but they are also poor in terms of protecting their residents.

Typically, a social contract underpins the democratic relationship between a state and its society: compliance on the part of society in exchange for protection from the state on both a social and physical level. However, in Africa, most people do not feel a sense of loyalty to their frequently ineffective and weak governments, which offer only a minimal level of protection and a low standard of living. Because of the things we've talked about, the modern state model that was forced on the African continent lacks the legitimacy needed for democratic progress.

III. AFRICA: ELITE POLITICS, ELECTORAL IRREGULARITY AND CORRUPTION

It was not intended for democratization to occur in Africa. It lacked way too much of what appeared essential for constitutional democracies. The required civic culture was lacking in Africa's poor, culturally dispersed, and insufficiently capitalist nations. The middle class was typically weak, more bureaucratic than entrepreneurial, and frequently used as a tool by authoritarian political systems. The working class was in its infancy, with the exception of a few countries like Zambia and South Africa.

Indeed, academics offer a bleak picture of African democracy. Even though it sounds harsh, there is some validity to this claim. Many African nations still have fragile political and economic systems that are in their early stages of development. They lack the prerequisites for establishing liberal democracy, including a robust and independent middle class, a competitive party system, constitutionalism and the rule of law, an unbiased bureaucracy, and robust market economies. It is challenging to establish a liberal democracy in such a situation.

At a time when African nations were moving in huge numbers towards so-called liberal democracy, in the work of some Ake (1993) "it is difficult to distinguish what form of democracy is emerging in Africa and what distinctive traits would give it depth and longevity in African settings"

Chabal's argument amplifiesAke's criticism about the reasons why liberal democracies in Africa are having trouble spreading. First and foremost, there is the recurring allegation that incumbent regimes manipulate and control multi-party elections, if not outright rigs them. Second, there is a constant worry that democratically elected governments will do everything they can to stop the trend toward political freedom by running the country like the old one-party systems.

Thirdly, there are very clear restrictions on how democratic fully-functioning multi-party systems may be, the most important of which appears to be that political opposition has no place in them. Last but not least, and perhaps most concerning, there is the undeniable truth that Africans have started to lose faith in "democracy" in those countries where multi-party elections have not resulted in real progress. Contributions to the current volume of Information, Society, and Justice amplify Chabal's worries and bring up new concerns about the challenges of establishing a liberal democracy in Africa.

Hegemony and subordination in elite politics, political corruption, and elections are all examined in relation to Nigeria. In order to analyze the actions and results of Africa's political class in establishing legitimacy, subordination, and hegemony, Tar and Shettima (2008) cite empirical data from the general elections in Nigeria in 2007 and 2011. They point out that the elections are nonetheless significant because they offer new empirical information about the nature of the struggle for dominance among elites, which, despite being marred by injustices and flaws, has mostly remained unopposed by national or international forces.

They write that "Elite power politics has attained new but ghastly heights," as African nations continue their march towards neo-liberal democracy. They continue, saying that rival elements of the ruling class are involved in a vicious cycle of subordinating one another, even though this poses no threat to their hegemony but has significant implications for the prospects of a stable liberal democratic culture. The people who run the continent are acting in a dramatic way to get and keep power by any means possible.

They use Antonio Gramsci's phrase "subordination and hegemony" and Michael Foucault's ideas of "new economy of power relations" and "legitimation" to show that the ruling class intentionally and unintentionally reproduces and maintains dominant forms and structures of power. The paper shows that dominant elites (incumbents and their allies) use state structures and an emerging single-party machinery to get an upper hand over opposition elites.

Nigeria's electoral democracy and zero-sum power dynamics appear to have significant effects on the survival of liberal democracy. The fundamental concerns are: how could democracy be established in a country whose elites have hijacked ethnicity, wealth, and religion to outwit one another and maintain power since democracy is about participation, the rule of law, and legitimate power negotiation? When the stakes for state control are so high and official corruption and resource misuse are elevated to near-state policy, how could democracy survive?

In a system where voting is abused by ballot box stuffing, commercialization of votes, and manipulation of election outcomes, how could democracy survive? In his book, Osiki(2010) examines Nigeria's perplexing electoral irregularities and how they prevent the consolidation of democracy. Osiki investigates the influence of illegal use of cash, guns, and thugs as features of electoral irregularities in

the course of the holding of elections in Nigeria between 1999 and 2010. She also looks at the historical and political contexts of election irregularities. Nigeria, according to Osiki, is an ugly specimen: "Although Nigeria's case of electoral irregularities may not be exceptional, its scale makes it a worthy subject for historical research." It is helpful to note Osiki's conclusion:

Between 1999 and 2010, Nigeria's political history and election politics continued to involve bribery, the employment of thugs, and physical violence. The political class successfully alienated the electorate in order to maintain control over the legislative and executive branches of government by utilizing elements of money politics, the deployment of thugs, and lethal weaponry. The pattern supported the "godfatherism" craze, which was particularly strong in Nigeria at the time. Because Nigeria's election system was based on favors, it was best for the political elite to use illegal money, guns, and thugs.

In his study of Nigerian corruption, Mustapha (2010) looked at both theoretical and empirical aspects of it. In his article, he identifies the fresh effects of corruption in Nigerian politics. The formal and informal aspects of corruption are mentioned in this article to challenge state-centric interpretations of Nigerian politics and democracy. Formal corruption, often known as "official corruption," is said to coexist with informal corruption, which operates at the micro and even unofficial levels of the state and includes financial fraud known as "419," oil bunkering, etc. Both forms of corruption, he contends, have a deleterious effect on democracy and the interactions between the state and society. The conclusion of Mustapha is startling.

The claim is that the current ubiquitous nature of the plunder system and the misuse of official resources for personal gain are inextricably linked. The problem of poverty has gotten worse due to poor governance and the "cunning to milk the state" strategy used by a select few. Because "corrupt politics" hurt the majority of the population and made them feel like they did not have a voice, most people turned to a number of illegal activities that have become commonplace.

A people's right to national self-determination is now viewed as a jus cogens rule or fundamental principle of international law. Self-determination is a much-debated concept that directly refers to the freedom to choose one's actions free from outside pressure. Therefore, the thesis of this essay is that the colonization of Africa by external forces resulted in the creation of democratic systems that were foreign to the people and institutionalized corruption through the deliberate branding of individuals based on their ethnic backgrounds. Some ethnic groups were given the power to rule over others in nations like Nigeria and Kenya, leaving them with little room for internal self-determination.

The result of this plan was corruption, which occurs when the ruling class misuses its position through nepotism and favoritism. The place of self-determination has been pushed to the margins of African politics due to the presence of an elite in power and well-managed electoral frauds,

making it difficult, if not impossible, for the voice of the minority to be heard. When we discuss this topic, the cases of Nigeria, Kenya, Cameroon, and Zimbabwe readily spring to mind.

Therefore, it is essential to emphasize that the imposition of national identities and limited internal self-determination of any people impedes their national growth through research into the history, politics, and economy of Africa.

IV. STATE POWER AND DEMOCRATIC RESILIENCE

Let's examine the experiences of a number of governments, including Burkina Faso, Côte d'Ivoire, Senegal, Mali, Ghana, Zambia, Mozambique, Nigeria, and Kenya, where the preservation or restoration of pluralist democracy necessitated major assistance from outside nations and organizations.

After a protracted period of post-colonial instability, Thomas Sankara and a handful of radical military officers took control of Burkina Faso (previously Upper Volta) in August 1983. After Sankara was overthrown, a top member of the junta named BlaiseCompaoré set up a plan that led to his death in October 1987.

The Burkinabe people ousted Campaoré from power in October 2014 after 27 years. In September 2015, as his presidential guard attempted to overthrow a transitional administration, they rose up once more. Therefore, as happened in Africa in the early 1990s, popular uprisings can still topple despotic governments there. After Félix Houphouet-Boigny died, there were a number of takeovers of power in Côte d'Ivoire.

A coalition of internal and external forces, including the former colonial power France, succeeded in toppling Laurent Gbagbo, the last of these usurpers. The results of an international organization-monitored election had been rejected by Gbagbo. While Abdoulaye Wade of Senegal did not put up as much of a fight as Laurent Gbagbo did, Wade's ouster from government following elections in February and March 2012 required comparable collaboration from both local rivals and foreign countries and agencies.

Alpha Conde, a former president of Guinea, and 26 of his former colleagues are being prosecuted for suspected crimes, including violence committed while they were in government, according to the country's attorney general. According to the formal document signed and made public by the attorney general, the allegations against 84-year-old Conde and his allies vary from involvement in murder and assault to property destruction.

Army officers led by Colonel MamadyDoumbouya, a former Special Forces commander, overthrew Conde in a coup in September 2021.The current provisional president, Doumbouya, has taken action against alleged corruption by the previous administration.

Mozambique and Kenya offer two remarkable examples of how states and democracies have been built in East Africa. After a protracted civil war, the two main rivals in Mozambique were united under an unified governmental structure as a consequence of persistent negotiations by other nations and organizations. In stark contrast to Angola, which also saw a post-colonial military fight for control, the ruling party in Mozambique hasn't forcibly ousted the opposition. Instead, the national agreement was renegotiated along with the re-division of the gains of office following the resumption of hostilities in 2013–2014.

The election of William Ruto as Kenya's fifth president heralds a paradigm shift in the nation's politics. A large-scale movement of workers, unemployed people, peasants, and other "hustlers" participated in Ruto's campaign, which aimed to break with the political dynasties that have long dominated Kenya. RailaOdinga, his rival, is the son of Kenya's first vice president and a former prime minister. Kenyans and other African observers consider Ruto as the embodiment of a transformational programme that, despite fierce opposition, places a major emphasis on the plight of the populace and the true essence of democracy. It epitomizes the voices of the minority, given the fact that Ruto represents a people who ordinarily would agitate for self-determination as a minority if they were not considered good enough to vie for the top office of the country.

Although states and international organizations have long practiced the right to self-determination, which is a fundamental tenet of international law, it has been challenging to establish this right as a legitimate legal right. There were still individuals who argued that self-determination was nothing more than a political dream when the International Court of Justice (ICJ) addressed this issue in the South-West Africa (Namibia) and Western Sahara cases, as was properly noted by Dame Rosalyn Higgins, former President of the Court.

It is clear that the correct application of the right of people to self-determination was crucial to the decolonization process. The main UN bodies, particularly the General Assembly, played a crucial role in carrying out this drawn-out and arduous procedure. Although abolishing colonial authority was not one of the UN's initial objectives, Chapters XI, XII, and XIII of the UN Charter deal with trust and non-self-governing territories.

Therefore, focusing on some of the ICJ's significant findings in the South-West Africa cases, the Western Sahara case, the East Timor case, and the more recent case of the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory allows us to analyze the Court's contribution to clarifying this crucial principle of international human rights law and the principle of self-determination.

V. AFRICA AND THE QUALITY OF ITS DEMOCRACY

The topic of democracy in Africa has been written about by a number of authors. However, I examined Jonathan Van Eerd's book, "The Quality of Democracy in Africa; Opposition Competitiveness Rooted in Legacies of Cleavages," to better comprehend the quality. It's interesting how he connects this to a series that examines threats to democracy in the twenty-first century. In the nations of the so-called third wave of democratization, which included the sub-Saharan region of Africa, the end of the Cold War "started a wave of electoralization."

Following two decades of experimentation with multi-party elections across the continent, the outcomes were uneven, with only a few liberal democracies and a large number of "incomplete" or "hybrid" regimes or, at worst, electoral autocracies. These "hybrid" governments straddle the line between democracy and autocracy. They have a mixed and less stable democracy, making them more vulnerable to a full authoritarian backlash than democracies with a stable democracy.

Only a small portion of these third wave electoral systems evolved into representative democracies or polyarchies, according to Eerd (2019). This is in reference to Robert Dahl's eight criteria, which include elected incumbents, free and fair elections, inclusive suffrage, the right to run for office, freedom of expression, alternative information, freedom of association, and institutions for making government policies depend on votes. (A polyarchy, according to Robert Dahl, takes the form of neither dictatorship nor democracy.)

It has been more debatable whether or not states' internal populations, such as the "southern Sudanese" in Sudan or the "Bari" in South Sudan, are also "peoples" with the right to internal or external self-determination, and if so, what rights this gives them. This argument is crucial since most African countries' constitutions uphold a democracy based on populism and the game of numbers. When the oppressed people's voices are silenced, South Sudan's democratic system, like that of the majority of the continent's nations, clashes with any sort of self-determination. There is little established law regarding what this right involves and how it might be realized, despite claims that groups within states have the same rights as the population of a state as a whole.

I therefore draw the conclusion that the majority of policymakers concur that elections in competing authoritarian regimes are generally free but not adequately fair. One aspect of democracy that still requires improvement, especially in Africa, is the one that allows for self-determination in whatever form or shape that allows for peace and security within a territory. You cannot say enough about how important it is to look at opposition parties and minority groups in Africa and how they work in a so-called democracy.

Using Freedom House data, Bratton and van de Walle (1997) made the first systematic effort to comprehend the democratic transitions in Africa between 1989 and 1994, when 23 governments that had previously only had one party held their first multi-party elections. The authors pointed out that the use of public resources for political support through neo-patrimonialism and nepotism was a barrier to political rights, particularly political self-determination as the right of the people but they also pointed out the benefits of having had political competition in the past.

However, they had a negative general assessment of the five democratic consolidations in Africa. And in fact, their research question—why some nations appear to thrive in democratization while others don't—has held true. International comparison databases, such as Freedom House, V-Dem, and the Polity Project, as well as Afrobarometer surveys of public opinion on the state of democracy, demonstrate the persistent variability of the African experience. To mention a few, Zimbabwe has stayed authoritarian despite having a long-standing multiparty system, democracy is in danger in Senegal, one of its strongholds in Africa; and Ghana, which had previously experienced military dictatorship, has successfully made the transition to democracy.

In their thorough analysis of Africa's first two decades of democratization, Lych and Crawford identify a number of areas that have simultaneously advanced and regressed, including: military rule that is still in place but is becoming less legitimate; regular elections and democratic institutionalization; personal rule and corruption; political parties with policy platforms; identity-based movements; vibrant civil societies; high levels of terror; economic growth; and deprivation Lych& Crawford, (2011). Certainly, it has been challenging to explain such variability.

Bratton and Chang used Afrobarometer survey data and World Bank Institute governance indicators in their 2006 study of this heterogeneity's significant variances in institutional structures and rule of law. It should come as no surprise that there is a strong association between these two and democratic participation rates, but the authors recognized that there is constant interplay between state institutions and democratic practices rather than assuming one-way causality Bratton & Chang, (2006). Instead of being the cause of a lack of democracy, a weak state seems to be a phenomenon connected to it. The "Big Man" rule, the accumulation of power in the executive branch, and democratic breakdowns were all connected, according to Cranenburgh, (2008).

The issue is the executive branch's extensive powers and the lack of separation between the legislative and executive branches of government. Dominant party systems exacerbate the situation. In this perspective, Reyntjens (2020)advocates a constitutional amendment that extends the authority of political leaders. Examples include Uganda, Burundi, Rwanda, Burundi, Djibouti, the Republic of the Congo, and Cameroon. The fact that the current administration got rid of term limits for the head of state is the clearest sign that executive accountability has been harmed.

A constitutional amendment as such complies with democratic law because the regime is acting on its mandate from the people, but if it is carried out in order to give the incumbent more authority or lengthen their period in office, it is against the democratic concept. In fact, if you want to amend the constitution, you should do it for your successor, not for yourself, according to the African Charter on Democracy, Elections, and Governance, which has been in effect since 2012 but has not been ratified by all African Union member states.

Conclusively, some legal scholars have argued that a group within a state has the right to internal or external self-determination as a matter of international law if the state commits massive, discriminatory human rights violations against the group's activists, or if internal self-determination, through self-government or participation in the national government, is proscribed in any way. Hannum (1998).

VI. SELF-DETERMINATION AND THE RIGHT OF INDIGENOUS PEOPLE

The right of nations to self-determination is recognized as a jus cogens rule since it is a fundamental tenet of contemporary international law. According to this, countries that support the ideal of fair and equal opportunity for all people have the freedom to determine their level of sovereignty and international political standing without external intervention or forces. "All peoples have the right to self-determination; by virtue of that right, they freely determine their political status and freely pursue their economic, social, and cultural development," reads Article 2 of the United Nations Declaration on the Granting of Independence to Colonial Territories and Peoples. Similar to this, the African Charter on Human and Peoples' Rights' Article 20 states that:

The right to exist shall belong to all peoples. Their right to self-determination will be unassailable and inalienable. In accordance with the policies they voluntarily select, people shall decide their political position and pursue their economic and social development.

- People who are colonized or subject to tyranny have the right to use any technique accepted by the world community to break free from the grip of oppression.
- All peoples have the right to the support of the States Parties to the current Charter in their quest for independence from foreign political, economic, or cultural dominance.

One could wonder why it's crucial to provide indigenous peoples their own form of self-determination. Or, put another way, are there any specific human rights instruments that are lacking? What purpose does it serve to create a brand-new right to self-determination for indigenous peoples when the existing human rights legislation already grants them this right? Is this clause not misleading in any way? The next paragraphs illustrate the shortcomings of recognizing indigenous peoples' rights as general human rights and look at the arguments put forth in

favor of the creation of a distinct rights instrument for indigenous peoples.

The UN Charter and Article 1 of the two international human rights covenants, which are both common, could be used as proof that the right to self-determination is adequately protected. The UN Charter states in Article 1 among other things that the organization's mission is to "develop friendly relations between nations based on respect for the principle of equal rights and self-determination of peoples".

These international agreements may be viewed as being essentially sufficient because they do not make a distinction between the categories of people or groups protected. Therefore, the reasoning goes, another tool tailored to indigenous peoples is not necessary. The same question would have been raised regarding the need for specific instruments to protect women's rights, child and minor rights, and minors' rights. There wouldn't have been a need to over explain the argument if those tools had been adequate.

There is, however, evidence to support the uniqueness of indigenous peoples' rights. Since heritage and the rights connected with it are distinct, theirs cannot just be seen as universal human rights.

In contrast to individual rights, the rights of indigenous peoples are a collective matter. While the rights outlined in the international covenants may be enforceable as individual rights within the international human rights framework, the rights of indigenous peoples would be enforceable as a collective right. In addition, the concept's many limitations under UN practice did not extend it to include minorities and indigenous peoples.

It speaks to the defense of indigenous peoples against genocidal acts and discrimination. Reaffirming their right to preserve their distinctive cultural practices, it also acknowledges their right to self-determination, which includes having safe access to the lands and resources necessary for their existence and welfare. While UN treaty organizations have frequently reaffirmed states' responsibility to safeguard indigenous peoples, the severe human rights atrocities they have endured have persisted unabatedly in every part of the world. 'Indigenous peoples are among the most vulnerable and marginalized,'

VII. AN EXPOSITION ON SELF-DETERMINATION IN THE CONTEXT OF PEACE AND AGREEMENTS

Examining the extent of Southern Cameroonians' right to self-determination is a strong argument under this sub-title. Findings thus show that the Southern Cameroonian aspiration for self-determination has yet to win international acceptance, despite the strong argument that the gap between Anglophone and Francophone Cameroonians was a product of colonialism. In conclusion, the researcher makes the case that reverting to the federal constitution from 1961 will significantly help to address the Anglophone issue in Cameroon and cease the continuing demand of Southern

Cameroonians for the recognition of their right to self-determination.

It is incorrect to claim that the Southern Cameroons were decolonized in accordance with Article 5 of Resolution 1608 in the UN archives without any proof of a union contract. The UN has seen an expansion in membership since its founding due to the establishment of new states that come into being by claiming the right to self-determination, even though this has partially thwarted the Southern Cameroons' aspiration for self-determination.

A geographical entity that satisfies the requirements under international law for the establishment of a new state is free to exercise that right, and there is no law that forbids it. When a claim for sovereignty is being contested, it is reasonable to put it to the test by using the Crawford criteria listed earlier to determine whether it is compatible with the international law standard on statehood, which is, in essence, understood to be the expression of a collective entitlement and a common will.

Without a clear commitment to investigating the underlying causes of the Southern Cameroons' demand for self-determination, the next round of violence is likely to worsen and turn into a devastating humanitarian catastrophe, as Okereke correctly asserts. The trusteeship over the Southern Cameroons was not properly terminated, leading to an attempted decolonization that failed and has now devolved into an armed conflict; in order to end this conflict, the underlying causes must be addressed.

Article 76(b) of the UN Charter, Resolutions 1514(XV) and 1608(XV), which conferred de facto independence on the Southern Cameroons, as well as Articles 19 and 20 of the African Charter, which maintain the unassailable right to self-determination, must all be revisited in this context. These documents provide the basis for the Southern Cameroons' claim to independent statehood, which is recognized by international law as a legal right that all oppressed and colonized peoples are entitled to.

Addressing the Southern Cameroons issue necessitates either facing reality and going back in time to fix the errors made in 1961 or playing the proverbial ostrich and burying your head in the sand in the middle of a storm. It is unclear whether it is preferable to deal with a conflict that threatens the peace or to support the statehood of the Southern Cameroons, which has more potential than many African countries combined in terms of land area, population size, human development, and natural resource endowment. Over the years, the AU and the UN have remained conspicuously indifferent to the Southern Cameroons' question.

Because of this, it is advised that the country's structure be based on the Federal Constitution of 1961 and that it revert to the two-state federation that was originally intended by the Foumban Constitutional Conference. The opportunity for a more expansive definition of self-determination was lost, and internal efforts against new governmental powers to obtain the full enjoyment of fundamental rights through a secessionist-based process

were all that remained (Moore 1998; Walter et al. 2014). The concept of territorial integrity has to be rigorously examined in light of individual and group commitment to achieve self-government; this was demonstrated when secessionist demands from populations or minorities that were relevant components of the same population were involved (Crawford 2001).

If efforts to prevent conflicts in Africa are to be taken seriously, it makes sense to consider the validity of the complaints made by the people of Southern Cameroon rather than just dismiss them. On the contrary, the Republic of Cameroon's administration chose to demonize the "dog" in order to strangle it.

To further understand the conundrum of peace and agreements in Africa, a few theories were developed by the best doctrine to address these contradictions and highlight the internal aspect of the principle of self-determination. All of these theories are based on the same historical event: negotiating peace treaties after a conflict between two states. The UN has often played an important and positive role in recognizing and putting these theories into practice.

The notion has been viewed as a legal right to be enjoyed by those who have a strong desire to take part in decisions that directly impact them. This has meant taking part in all decisions about protecting and advancing civil, political, economic, social, and cultural rights, as well as rights related to direct democracy after a war (Klabbers, 2006).

The internal legitimacy and the exterior independence of a nation-state have both been established using a different interpretation of the notion of sovereignty. Regarding the former, the advancement of international law has helped increase the principle of self-relevance. Determination's it was outlined as a fundamental right that should be upheld on a national basis in favour of the people. The duty to ensure the exercise of democratic rights, participation in electoral processes that freely determine the political status of the nation-state, protection of minority rights, and the progressive realization of economic, social, and cultural rights were all envisioned as core obligations imposed on governmental authorities.

In a broad sense, the peace agreement is the instrument that allows the institutional and non-institutional counterparts of a conflict to compose their contrasts in accordance with their primary political, economic, and social interests. It encompasses the various legal patterns of the cease-fire agreement, the framework agreement, and the agreement for the implementation of legal commitments at the national level (Bell 2006; Carletti 2008).

The idea of self-determination could manifest and be handled at several key stages in order to help bring about a sustainable peace (Bell 2008). The initial goal is to redefine the nation-state setting, which entails reiterating the legitimacy of the governmental system at both the national and local levels and amending or incorporating key constitutional principles essential to its operation, such as democracy, the rule of law, human rights, inclusiveness, and

participation in decision-making processes (Aroussi and Vanderginste 2013; Kaldor 2016).

Both the disaggregated territorial authorities and the central governance organizations and procedures should be built with a full institutional framework in accordance with the nation-state's territorial integrity and full sovereignty. The latter are helpful when considering the request for participation from individuals upholding the self-determination principle within a non-violent power disaggregation process.

An additional phase is symbolized by the acceptance of outside assistance: it is represented by the foreign power temporarily removing itself from the national territory to support the "sustaining peace" process and strengthen the connection between the population and the restored legitimate institutional framework in the execution of the peace agreement

This strategy, as earlier examples showed, might be quite useful in preventing any secessionist movement. This anxiety can be addressed only if the international presence in domestic governance management is truly transient and aims to take into account the disparate but complementary interests of the various groups that comprise the entire population. So far, neither an internal nor an external power has sole control over the exercise of national sovereignty; rather, both share it.

VIII. CONCLUSION

This paper has demonstrated that Africans are supportive of democracy and the people who can vote in these countries say that democratic rules and values are important to them in so many ways. Under these circumstances, it does not seem too far-fetched that people could make democracy stronger in at least some African countries. But the cases in Africa are different from those in other new democracies because people there are less happy with how the system works.

Even though African respondents like democracy, they are not thrilled with what it has done for them in actual situations. This shows that they like democracy for its own sake, not because of what it has done for them. But even though there may be a lot of support for democracy, we cannot be sure it is strong. We do not know yet if people will fight hard for the political system if the economy takes a big turn or if the government starts to take away hard-won entitlements.

Even though there are a lot of political systems in the world, democracy seems to be the most common way that most countries choose their leaders. People all over the world practice different kinds of democracy, and as the international arena continues to grow and become more globalized, traditional African governance has been and will continually be a major part of the culture.

Africans seem to care more about the availability of political goods than the contents of the economic basket when they decide whether or not to support democracy. This

result is in line with what scholars have found about the complex factors that affect support for the government in other new democracies. In light of this, the question would be: What purpose does the idea of self-determination serve in a true democracy? Self-determination does not mean much by itself; when it is put in the context of a political situation, it takes on a meaning that is as complex and debatable as the political situation itself.

Albeit that territorial integrity, the premise on which the African Commission denied the Southern Cameroons the right to self-determination, is a crucial element of international law for maintaining world peace and security, neither of these can be ensured as long as a subjugated people's right to self-determination is not respected. As a necessary aspect of human existence, the yearning of oppressed peoples to rule themselves and control their own destinies has historically been accompanied by violence more frequently than not.

According to all indications, the people of southern Cameroon might rely on the fact that they have a solid legal basis for sovereign statehood under international law. It remains to be seen, however, what the political future of these people would be in light of the determination of the oppressed people of the territories to establish a new nation-state due to the dynamics of the power play among colonial and corporate stakeholders, which are driven more by global geopolitics than by any democratic school of thought.

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