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David Ibukun David

Abstract- The core trajectory of this essay is to explore further the transformative power of civil society as advanced in by neo-Gramscian scholars by looking closely at how platform civil society groups organized in transnational networks politicized the Economic Partnership Agreement (EPA) negotiation process between the EU and West Africa. The paper argued that platform groups politicized the EPA negotiation process by drawing attention to the potential development implications of concluding EPA with the EU for West Africa in particular and African, Caribbean, and Pacific (ACP) regions in general. Two questions are raised in the paper, the first of which addressed why platform civil society groups in West Africa contested the EPA. The second question engaged with how platform groups organized and mobilized action across national borders and regional divide for this purpose. The paper argued that platform groups in West Africa became resistant to EPA and organized mainly to block its ratification because EPAs are generally perceived to have a neoliberal undertone that potentially challenges African, Caribbean and Pacific (ACP) countries' prospects for socioeconomic development. This counter-hegemony posture is an expression of the agency that challenged mainstream development view of civil society as an agent of neoliberal development. Although platform groups were unable to stop the conclusion of EPA between EU and West Africa, they nevertheless succeeded at bringing the EPA debate to public discourse for the first time to score what could be termed the most important achievement of the civil society in the negotiation of EPAs between EU and ACP regions.

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I. Understanding the Emergence and Role of Civil Society in Development and the Pitfalls

Theorizing about world politics is traditionally pitched between realists and liberals. On the one hand, realists posit a world dominated by state actors who are engaged in an endless struggle for power (see Waltz, 1979; Mearsheimer, 2001). Little wonder, therefore the realist preoccupation with government-to-government relations has been criticized for ignoring the complex network of transborder exchanges (see Keohane and Nye, 1971; 1977). Liberals, on the other hand, conceive of international relations in terms of a plurality of actors such that states no longer dominate international relations as previously postulated. Some factors have been used to explain the multiplicity of actors that the liberals claim now characterizes international relations. Chief among the numerous explanations is the increasing globalization of the world and the trans-border nature of the challenges that accompany the interdependence imposed by globalization (see Patman, 2006; Scholte, 2002). Liberals have argued that states are becoming increasingly powerless against the challenges of contemporary international relations. As part of this growing awareness of the powerlessness of state actors in the context of a globalizing world, non-state actors (NSA), including civil society (CS) organized in transnational networks, have emerged as major players in contemporary international relations under what has come to be known as the participation twist in development thinking.

The involvement of civil society in European Union partnership with the African Caribbean and Pacific countries (EU-ACP partnership) must be understood within the context of the participation twist and the consequent pervasiveness of civil society in development, where civil society is viewed as a valuable mechanism for implementing participation. Some authors have therefore rightly pointed out that civil society provides the needed space for participation, either as invited or invented space (see Cornwall and Coelho, 2007; Mifratab, 2004). Expectedly, its (participation) inclusion as a core principle in negotiating and executing EU-ACP partnership, in general, has been premised on some developmental arguments. One of such being that this will allow the involvement of a cross section of civil society and other non-state actors in the partnership agreement. This will ensure that other actors, apart from state actors, can contribute to the partnership process. The inclusion of participation as a negotiating principle of Cotonou could also be viewed as part of the overall efforts to strengthen the general governance framework of the partnership agreement. In addition, it can createa sense of ownership in a way that legitimize the entire agreement process and outcomes (see Norad, 2013).

For both optimists and skeptics, therefore, CS is important for its transformative potentials (Korzeniewicz

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and Smith, 2001). Kean (2009), for instance, termed civil society as power scrutinizing mechanisms capable of holding the state accountable. These transformative potentials are also not lacking at the transnational stage of organizing. To underline the transformative powers of civil society at the transnational level, Keck and Sikkink (1998, pp. 2-3) argued that:

> *Tansnational advocacy networks affect state behavior by acting simultaneously as principled and strategic actors that frame' issues to make them comprehensible to target audiences, to attract attention and encourage action, and to 'fit' with favorable institutional venues. Network actors bring new ideas, norms, and discourses into policy debates and serve as sources of information and testimony. They also promote norm implementation, by pressuring target actors to adopt new policies, and by monitoring compliance with international standards. They seek to maximize their influence or leverage over the target of their actions. In doing so, they contribute to changing perceptions that both state and societal actors have of their identities, interests, and preferences, to transforming their discursive positions, and ultimately to changing procedures, policies, and behavior (Keck and Sikkink, 1998, pp. 2-3).*

In spite of its appeal, civil society has its pitfalls that become even more pronounced when organizing transnationally across national boundaries (see Clark, 2006; Batliwala, 2002; Florini, 2001). For instance, it is plausible to want to question the transnational in transnational civil society from representativeness and accessibility. Specifically, Smith (2005, p. 622) argued that "there are strong reasons to be skeptical that this 'global civil society' is 'global' in the sense that it is broadly representative of and accessible to all the world's citizens". Particularly questioned here are the limits of its global-ness and the weakness of the actual transnational interactions it incorporates. Expectedly, critics of global civil society have argued that domestic considerations and ideologies have continued to dominate much of the discourse and thinking of transnational activists, who continue to organize around state preferences and nationally defined aims (see Smith, 2005).

One other major challenge of CS in the transnational network is the varied opportunities it offers for participation to citizens of different countries. Just as states vary in abilities to affect conditions beyond their borders, so also are citizens of different countries confronted by varied opportunities to participate in transnational networks. Unequal opportunities for participation could manifest in the form of lopsided selection and support for CS actors in the development process. In this instance, Crawford (2006, p. 148) accounted for the skewed selection and support for CS actors in EU development policy, arguing that such selection and support stem

> …from donor interest in a neo-liberal conception of civil society in which its key role is perceived as anti-state and to hold the state to account. Thus, rather than widespread support to the range of CSOs that are potentially relevant to democratization processes, only modest financial assistance (in donor terms) is required to strengthen and consolidate that narrow range of Accra-based NGOs and think-tanks that can exert influence on policymaking processes and government decision-taking.

A similar argument was raised in Hurt (2006, p. 119) concerning the selective nature of the EU's participatory approach to development:

> *What appears to be common to the EU's relations with all parts of the developing world is that when civil society is included, it is mainly those non-state actors that are broadly supportive of the EU's approach, usually the private sector, that are included. The most significant aspect of the EU's current development policy is its emphasis on free trade, and the inclusion of civil society is designed to help cement the hegemony of this development model.*

The result is the concentration of support on a section of the CS in what Carothers and Ottaway (2000, p. 11) have termed 'advocacy and civic education NGOs' to the exclusion of membership organizations like trade unions (cited in Crawford: 2006, p. 149). The issue of unequal opportunity for participation could become a bigger issue where transnational civil society networks may sometimes involve collaboration between north and south civil society groups.

While it is clear that civil society has its challenges, this realization does not in any way foreclose the potentials of civil society to make meaningful contributions to development. Not oblivion of the multitude of problems that confront civil society particularly at the transnational realm, civil society groups in West Africa organized in a transnational network under a platform known as POSCAO (West African Platform for Civil Society in the Cotonou Agreement) to resist what could be termed the neoliberal tendencies of EPAs. In this sense, civil society could be seen as constituting itself into acounter-hegemony force to oppose the ratification of EPA by governments of West African states

II. Civil Society as a Force for Transformation

The democracy-promotion capacity of civil society (CS) has never been in doubt, as this theme runs through the heart of both advocates and critics of civil society (Putnam, 1993; 1995; Foley and Edwards,

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1996; Krznaric, 1999; Chambers and Kopstein, 2001; Fukuyama, 2001; Newton, 2001; Cox and Schechter, 2002; Scholte, 2002; Kean, 2009). Nevertheless, the civil society literature is fragmented and divided, lacking consensus on what precisely is meant by the term civil society. This conceptual difficulty has been premised on the fluidity of the concept, which has prompted Chandhoke (2007, p. 607) to describe it as very elusive, escaping conceptual grasps and every sure-footed negotiation. Cox and Schechter (2002, p. 97) have also labeled civil society as an "elastic concept" with different connotations, while Krznaric (1999, p. 3) termed it an ambiguous concept used in literature as a "catch-all" term. One core contestation in the literature is that the lack of precision on what exactly is meant by civil society has implied that just anybody or group could use the concept for any purpose, thereby resulting in overuse and flattening out (Shefner, 2007; also Chandhoke, 2007). What this implies is that theorists have conceptualized CS from different philosophical/ideological positions, thereby presenting civil society as a contested concept (Chambers and Kopstein, 2001; Armstrong, 2002; Kumar, 2007). Consistent with the preceding, Scholte (2002, p. 3) notes that the meanings of civil society have varied enormously across time, place, theoretical perspective, and political persuasion. The conceptual divide in the CS literature, therefore, finds expression in the different conceptual approaches to civil society.

In this instance, Cox and Schechter (2002) identify two conceptual traditions in the CS debate. First, is the neo-Gramscian dualistic approach where CS is either an arena for hegemonic consensus through co-option or a sphere for counter-hegemony forces (2002, pp. 100-101). In the neo-Gramscian sense, CS has a transformative or emancipatory role, albeit it could also be co-opted by into the mainstream hegemony. The other conceptual approach is rooted in Tocquevellian conception of CS as a realm for the assemblage of actors as autonomous self-organizing social groups (ibid). Like Cox and Schechter, most theorists agree with the Gramscian/Tocquevellian conceptual divide in the civil society literature, and this divide is often expressed in terms of activism version versus associational version, where the Gramscian approach is the activism version (Kumar, 2007; Chambers and Kopstein, 2001; Krznaric, 1999; Chandhoke, 2007; Foley and Edwards, 1996). As a realm of associational life, civil society is usually presented as an agent of neoliberal development (Kumar, 2007).

Understanding civil society as an emancipator fits better into the role played by platform civil society groups in EU-West Africa EPA negotiations in contesting the negotiation process and in resisting ratification of the agreement by ECOWAS member states when eventually negotiations were concluded. Robert Cox (1996), amongst other neo-Gramscian theorists, provides an analytic basis for presenting CS in Gramsci's thought. Often civil society in the Gramscian sense appears as a function of the state as in the frequently quoted equation: 'State = political society + civil society, in other words, hegemony protected by the armor of coercion' (*PN*, p. 263, cited in Cox and Schechter, 2002, p. 97).

Reading of CS in Gramscian sense by Cox and Schechter (2002) show that there is an inherent contradiction in the concept of CS. On the one hand, CS is the social order, educational and ideological agencies that are sustained by the coercive power of the state, while on the other hand it is an autonomous agent of transformation that also serves as the basis for the state (ibid). It can stabilize, reproduce and transform the social order, all at the same time. As an agency sustained by the state, CS stabilizes and reproduces the existing social order. But as an autonomous agency, it provides the basis for the transformation of the state. In a sense, it emanated from the state, being shaped by it. In another sense, it shapes the state, providing the basis for its existence. To put it in the expression of Cox and Schechter, CS is "both shaper and shaped" (ibid). Overall, the Coxian reading depicts Gramsci's conception of CS in an emancipatory sense, in which CS is conceptualized as the basis for the foundation of a new state, social order or hegemony.

Fowler (2012, p. 5) also captures this emancipatory rendering of CS, noting that "civil society is a site of agency which resists class-based hegemonic predilection of states towards its territory and citizens in the Gramscian sense". Fowler would further posit that the "Gramscian version of CS is also a 'location' for agency which counters the extractive and accumulative logic and monopolistic predispositions of capital". It is within the context of Gramsci understanding of civil society as captured in Cox (1996) and Cox and Schechter (2002) that the role civil society played in resisting the ratification of EPA with the EU by ECOWAS member states is understood in this essay as an expression of agency against the neoliberal structures of EPAs. Civil society is in this sense acounter-hegemony force contesting the EPA negotiation process and resisting the ratification of the agreement.

III. Why platform Civil society Groups Contested and Resisted the epa

Concerns with potential developmental implications are the main reasons civil society groups in West Africa, organized in a transnational platform, wanted EPA negotiations with the EU stopped, at least until all such concerns have been sufficiently addressed. EPAs are essentially free trade agreements that have their roots in the Cotonou Agreements. The Cotonou Agreement is a trade-driven development agreement between the European Union and a group of developing

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countries collectively known as the ACP (Africa, Caribbean, and the Pacific). This agreement signed on 23 June 2000 was meant to recast trade relations between the EU and (ACP) states, which were majorly former colonies of some EU member states. It is instructive to note that, in response to the global environment that frames EU-ACP trade relations, the Cotonou Agreement is subject to review every 5 years over its 20–year span. Fundamentally, Cotonou aims at facilitating a gradual shift from the non-reciprocal trade relations between the EU and ACP under the Lomé Convention.

Unlike Lomé, which allowed ACP non-reciprocal trade preference and access to the EU, Cotonou aims at gestating new trade relations based on reciprocity in compliance with WTO rules. Two primary reasons have been adduced for proposed reciprocal trade relations under Cotonou. The first reason is that non-reciprocity has not benefited the ACP as their share of the global market as a whole and total EU import has continued to fall despite the non-reciprocal agreements of Lomé. The general perception within the EU is therefore that the impact of non-reciprocal trade preferences under Lomé had proven disappointing, with the increasing rise in poverty in most ACP countrie. Bilal and Stevens (2009, p. 14) elaborated on the reasons for the shift.

> A key reason for this is that the trade provisions of Cotonou's predecessor (the Lomé Convention) were the subject of adverse rulings during the 1990s, first in the General Agreement on Tariffs and Trade (GATT) and then in the World Trade Organization (WTO). This is because they involve the EU discriminating in favor of some developing countries (the ACP) and against others in ways that cannot be justified under WTO rules. After two years of negotiations, and in the context of the Doha Ministerial summit, the EU obtained support from WTO members for a waiver that would allow this discrimination to continue – but only to the end of 2007.

Karl (2002, p. 21) illuminated on claims of falling ACP share on global trade that prompted the shift from Lomé to Cotonou.

The overall share of the ACP countries in total EU imports has systematically fallen from 6.7 per cent in 1976 to 2.8 per cent in 1999. Although they are at the top of the pyramid of advantages offered by the EU to its development partners, paradoxically, the ACP countries are bottom of the list when it comes to exports to European markets. Furthermore, a significant part of ACP exports to the EU, approximately 60 per cent, consists of only nine products. Already regarded as minimal, the ACP countries' share in world trade fell from 3.4 percent to 1.1 percent over the same period (Karl, 2002, p. 21).

Against this backdrop, Cotonouproposes to recast trade relations between the EU and ACP in ways that would expectedly address both the WTO-compatibility problem and the problem of falling ACP share of EU trade particularly inherent in the non-reciprocal deal of Lomé. Overall, the Cotonou Agreement is built on three pillars of cooperation.

- Political dialogue;
- Development cooperation;
- Andtrade relations (see Cotonou Agreement, 2000).

Fundamentally, the Cotonou Agreement and the new trade relations it proposes between the EU and ACP aims at fostering the smooth and gradual integration of the ACP states into the world economy for the overall socioeconomic development of the ACP (see also Arts. 34; 1; 36 and 37, Cotonou Agreement 2000). This integration is intended, in the spirit of Cotonou, to be pursued and achieved with due regard for their (ACP states) political choices and development priorities. Viewed this way, Cotonou is more than just a trade relation. It is a trade relation supposedly driven by the developmental goals of poverty eradication and sustainable development of ACP countries.

The trade-recasting imperative of Cotonou would mean that it is ultimately expected to lead to the conclusion of Economic Partnership Agreements (EPA) between the EU and ACP regions. However, the Cotonou Agreement, and especially the EPAs it aims at, has been the subject of serious debate from a development implication perspective. Kuhnhardt (2016, pp. 16-7) describes the EPA as the most debated issue within the framework of EU-ACP Partnership Agreement, noting in particular that the debate surrounding EPAs consumed most of the first decade of EU-ACP Partnership Agreement, which is otherwise known as the Cotonou Agreement. EPA negotiation between the EU and West Africa was eventually concluded in July 2014 with the endorsement of the partnership deal by ECOWAS Head of States. It is however instructive to note that this (conclusion of negotiation) is coming after more than a decade of negotiation.

While the EU asserts that the concluded EPA would lead to win-win, there are fears about the developmental backlash of the EPA on the West African side and within civil society. It is in this context that Kohnert (2014) noted that the win-win assertion of the EU about EPA in its present form is open to debate. Although Cotonou-EPAs aim at creating win-win situations based on a partnership of equals, Kohnert argues that these expectations were dashed in the face of mounting oppositions to EPAs and increasing calls for renegotiation of already concluded EPAs. Civil society groups organized in transnational networks have been at the forefront of such demands (see Kohnert,

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2015; 2014; Hurt et al., 2013). Notable in this sense is the Stop EPA Campaign that started in 2005.

A central contestation in EU-ACP relations concerns the issue of power inequality and bargaining asymmetry between the parties, which has made some authors to conceive Cotonou as an unequal partnership or even a relationship of coercion (see Onah, 2010; Osita, 2010; Nunn and Price, 2004; Solignac Lecomte, 2001; Ravenhill, 1985) between resource-rich ACP and technology-rich EU (Stevens, 2006). This perception is not helped by the colonial root of the relations. Solignac Lecomte (2001, p. 26) was very clear on this point in arguing that the signing of the reciprocal trade-oriented Cotonou Agreement by the ACP was borne largely out of "fatalistic pragmatism" rather than out of a firm conviction about expected gains from the EPA process that was set in motion (ibid). One or all of the following three pragmatic considerations might explain why the ACP accepted Cotonou's EPAs, according to Solignac Lecomte (2001, p. 26.).

i. because they gave priority to their political links with the EU and its member states, over their own sovereignty in trade policy matters;
ii. or because they feared that the refusal of economic partnership proposed by EU would imply indirect sanctions (less aid);
iii. or in the hope of facilitating the preservation of other privileges (such as benefits of the product protocols), a particularly profitable calculation for countries that do little trade with Europe.

Ravenhill (1985) has in this context called EU-ACP relations a patron-client relationship to underscore the unequal nature of the partnership. The patron in this sense has a history of economic prosperity as a former colonial master. It has the economic advantage as a major player in the global market, is technologically advanced, and thus went into the negotiation from a position of strength that positioned it (EU) to dictate the terms. No doubt literature abounds on the economic advantage of the EU over its ACP counterparts in the EPA negotiation (Solignac Lecomte, 2001; Stevens, 2006; Onah, 2010). For instance, recent data shows that the Euro area which makes up 4.7% of world population accounts for 25.6% of global exports and 12.0% of global GDP as of October 2016 (IMF World Economic Outlook, 2016). On the converse, Sub-Sahara Africa (SSA), which makes up 12.8% of world population, accounts a mere 3.1% of world GDP and 1.7% of world trade respectively (ibid).

This picture of inequality becomes more obvious when it is taken into consideration that the Euro area represents mere 19 economies as compared to 45 represented by SSA (ibid). Perhaps, it is even more intriguing to note that SSA is also poorly positioned within the emerging economies, thereby making it the most marginalized on the margin or the southernmost in the South! Specifically, SSA economies represent a mere 5.4% of the total share of emerging economies and 4.5% of total trade, even when it has a 15.0% share of the total population of the emerging economies (IMF World Economic Outlook, 2016). As Godfrey (2006) pointed out, it is in this sense not hard to see where the power lies as far as EU-ACP relations and EPAs are concerned.

It is worth noting that in spite of conspicuous development gap between the parties, EPA negotiations were based on trade principles that acknowledge no basis for discrimination (see Byron and Lewis, 2007). For instance, insistence on the free trade doctrine of reciprocity as a condition for negotiation of EPAs implies negotiations took place between the EU and ACP regions without due consideration for any form of developmental disparities between the partners. This approach to negotiation is against the significant developmental differences noted to exist between the EU and ACP parties to the EPA negotiation (Fontagné, et al. 2008). It is in this context that Hurt (2010) compared Cotonou with its immediate predecessor and then concluded that Lomé was more favorable to the ACP in that it took account of the development gulf and disparity between the EU and ACP regions. Accordingly, Hurt analyzed the shift from Lomé to Cotonou EPA as the triumph of the neo-liberal hegemony. Specifically, Hurt (2010, p. 162) explains the shift thus.

> As neoliberalism has assumed a position of hegemony in the international political economy, the development of North–South relations has altered predictably from a belief in the view that the South should be protected from the excesses of the market to achieve development, to a position where the market and assumptions of development through liberalization have held sway.

However, as part of the overall EU's efforts to cast a developmental outlook for EPAs, David O'Sullivan, DG External Trade at the European Commission had been quoted to have argued that:

> I am a trade negotiator – normally, a mercantilist profession! But DG Trade does not approach these negotiations in the usual way, where we seek to gain economic advantage from each other. This is clearly not the objective with the ACP. Our objective with you is to build on our privileged relationship and to secure and improve your market access into the EU, in order to serve a wider development goal (see Weinhardt, 2015, p. 37).

Arguments of this nature are nothing but a positive external imaging of EPAs that may not correspond with the realities of how the EU has gone about negotiating trade deals with the ACP. In effect, the EU has been criticized for adopting negotiating strategies that often reflect a deep-rooted concern with

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its (EU) commercial interest than with the development of the ACP. The use of deadlines and threats of market access withdrawal to force the hands of ACP states into signing EPAs has been criticized in this context. Weinhardt (2015) has pointed to how the negotiating style of the EU reinforced a lack of trust deeply rooted in the colonial histories of the Cotonou-EPA negotiations with ACP regions. The EU's approach to negotiating EPAs with ACP has been particularly singled out for criticism for its failure to articulate an understanding of trade as an instrument of development (see Kuhnhardt, 2016). Without this form of understanding, it will be difficult for Cotonou and the EPAs it proposes to address core development concerns of ACP stakeholders.

Accordingly, the EPA between the EU and West Africa could be said to have raised more development questions than it answers. Concerns have therefore been raised about potential development implications of EPAs for the ACP (Bilal and Stevens, 2009; Bilal, 2009; Stevens, 2009; Bilal and Rampa, 2006). In light of the attendant development concerns, doubts have therefore been cast on the prospect of EPAs delivering on the intended development objectives for the ACP regions, and indeed West African states. The Economic Justice Network (EJN), a group of organized civil society, summed up some of these fears as follows.

The EPA could turn Africa into nothing more than a perpetual supplier of raw materials by hindering Africa's ability to industrialize and move up the value chain (as cited in Bridges Africa, 2012).

The contention is that rather than promote the development of ACP states, EPAs would further stunt it. The general concern within civil society is that EPAs will undermine rather than deliver the stated and envisaged development objectives (see Bridges Africa, May 2012; Toornstra, 2012; Bridges Weekly, March 2010). Concerns with the potential development implications of an EPA with the EU resulted for example in the "Stop EPAs" campaign that was started by a coalition of civil society organizations in April 2004.

The Cotonou-EPA was also criticized for balkanizing the ACP and weakening regional integration by implication. In West Africa for instance, this balkanization is noted to have manifested in the form of five (5) different trade regimes for the region. While Ghana and Cote d'Ivoire traded with the EU under an interim EPA that was initialed by the two West African countries but signed only by Cote d'Ivoire, some 11 West African states traded with the EU under the EBA regime as LDCs. The remaining two (2) states trade with the EU as non-LDCs. Among the non-LDCs, Nigeria traded with the EU under the GSP regime, while Cape Verde traded under the GSP+ trade regime.

In providing insight into how the EU deployed its strategy of co-option/divide-and-rule, the interviewee at TWN-Africa noted that.

> In Ghana for instance, the EU came and look for CEPA (Centre for Policy Analysis) ……..one of the think-tanks in Ghana. They gave them money to do a study on EPA and how it is going to affect the private sector and all that. They came out with a position in line with the EU's intention. And then all of a sudden exporters started saying if the government was not going to sign this, they were going to lose market access. At that point, they (government) had to take a political decision, and that is how they initialed the I-EPA (Interview at TWN-Africa, October 2016).

Field study yields even further insights into the EU's strategy of co-option, revealing that.

> When the EC realized that Senegal was very powerful against the EPA, and also Nigeria. What they did is to divide these two countries to give them (EU) the chance to bulldoze their way to get the EPA through. In effect, Senegal was made the chair of the EPA. Once they became the chair, they couldn't talk again. Senegal became silent. So the EU at every stage you can see their politics, strategy, you can see ……they bring everything to bear. That is the problem (Interview at TWN-Africa, October 2016).

It is in this context that the interviewee maintained that 'the EU is very treacherous in terms of their approach to issues ……they divide and rule' (ibid).

In this context, EPAs are seen to have divided Africa more than ever. Calls for development-friendly partnership between EU and the ACP through the involvement of civil society in the Cotonou Partnership process have therefore built around developmental concerns with EPAs. Accordingly, there have been increasing demands for mechanisms like civil society to monitor the developmental impacts of EPAs (see Bilal, Rampa, Jerosch and Makhan, 2007; Dur and De Bievre, 2007; Bilal and Rampa, 2006). These calls for participatory EPAs have continued to grow louder (see Montoute, 2011; Slocum-Bradley and Bradley, 2010; Thorburn, Rapley, King and Campbell, 2010; Dur and De Bievre, 2007; Bossuyt, 2006; Hurt, 2006).

IV. How civil Society Contested eu-west Africa epa Negotiation

Primarily, civil society contested the EPA by trying to frame the partnership discourse within a broader development debate in the public sphere that takes it (EPA) beyond just trade matter to one with potential development implications for ACP countries. Part of the strategy in this direction is to go beyond highlighting how EPAs potentially challenge the prospect of ACP countries for socioeconomic development to proposing what they view as

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development-friendly alternatives like the EPA Development program (EPA-DP).

Also, in response to the ample provisions for participation in the Cotonou Agreement (see Articles 4, 8, 10, 18, 33), civil society groups across national and regional divides have organized in transnational networks around issues in the Cotonou Agreement. The West African Platform for Civil Society in the Cotonou Agreement or la Plateforme des Organizations de la Societe Civile de l'Afrique de l 'Ouestl' Accord de Cotonou, better known as POSCAO, provides the platform through which civil society groups across West Africa participated in the EPA. As the regional platform for civil society groups in West Africa working on the EPA, POSCAO is composed of representatives of civil society from the various West African states. An interview with the President of the National Association of Nigerian Traders (NANTs) reveals that POSCAO was formed by CS entities across West Africa; it refers to CSOs that have been working on the Cotonou Agreement. It (POSCAO) is like an umbrella or a network, or even a coalition, which houses CS entities working on the Cotonou Agreement. NANTsis a national civil society umbrella for traders and Small and Medium Scale Entrepreneurs(SMEs) in Nigeria under POSCAO. Like other platform civil society groups within POSCAO, NANTs engages in the EPA because it perceives the outcome of EPA negotiations as something that could potentially harm the small scale sectors it represents in Nigeria (Interview at NANTs, January 2014).

While it is true that the Cotonou Agreement made provisions for involving CS in the EPA in what could be viewed as invited space of participation, it is also true that civil society invented for itself a space of participation in the EPA through its development-focused activism as regards the EPA. It gained more recognition as a result of its activism than as a result of the participatory provisions of the Cotonou Agreement and other documents for negotiating EPAs. This position waswell captured in an interaction with a representative of civil society.

> 'I would say our involvement in the EPA was not recognized initially. It was a battle for recognition;a concerted battle to make the government cave-in or yield to our official recognition. West Africa has made history as the only region that has a clear recognition of civil society in the EPA negotiation process. And this recognition was achieved through persistent pressure from CS' (Interview at NANTs, January 2014).

To further emphasize the impact civil society had on the EPA and how this enhanced official recognition of civil society in EU-West Africa EPA, the source also maintained that.

> 'The issue of negotiation started seriously with the entrance of civil society. Many countries were docile about the negotiations. Nigeria, for instance, was not taking it seriously; it went into negotiations without understanding the impacts on our economy. The same could be said about all countries in West Africa, until CS started raising the alarm. Secondly, it was also the CS that started looking deeply into the analysis of the thematic issues in the negotiation. And they started revealing lop-sidedness in the negotiation. We furthered our stake even before the state could come in. So officially today, whatever government wants to say, they also want to hear from CS' (Interview at NANTs, January 2014).

In this sense, civil society can be viewed as having gained a foothold in EU-West Africa EPA as a result of its activism of keeping a close tab on the EPA negotiation, especially with regards to raising awareness on potential development impacts for West African countries. While it is true that civil society has contributed immensely to the EPA negotiations through its activism, it is also true that being involved in the EPA process has also benefited civil society participants. Importantly, civil society organizations and participants involved in the EPA have been able to increase their knowledge of the partnership and its development dimensions.

> 'The involvement of CS has opened our eyes as CS ……..our depth of knowledge has increased, because the more we conduct analysis, the more our eyes are opened to the deeper things and further implications that we have not envisaged. Some of us have therefore acquired more knowledge in the process of researching on the negotiation and analyzing the conduct and technical issues in the negotiations' (Interview at NANTs, January 2014).

The refusal of Nigeria, and indeed ECOWAS, to sign the EPA was attributed to civil society activism (Interview at NANTs, January 2014). More so, civil society was credited with drawing attention to the development side of the EPA. Findings from a study conducted at the NANTs secretariat in Nigeria show that unlike the government, CS looks at the EPA from the developmental perspective of poverty reduction. In this context, the NANTs source noted that.

> It was the civil society that coined the idea of EPA-DP. We said if we are going to open up our market, let us tie it to development. This (the idea of tying market access to development) gave birth to the EPA development program. The EPA-DP has the motive of tying market accessto development, so that we just don't open our market and leave development out (Interview at NANTs, January 2014).

As documented in EP (2014, p. 19), Stop EPA Campaign, which was launched April 2004 in London at

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the instance of the Accra based Africa Trade Network (ATN) together with some of European NGOs, is a reference for NGO participation in the EPA negotiation process. The Stop EPA Campaign provided opportunities for civil society to collaborate trans nationally across the EU-AU regional divide against the EPA, and its activities were premised on the argument that EPAs are driven by the interests of European business and a small economic elite in the ACP states. In response, civil society under the Stop EPA campaign expressed fears that EPAs would significantly harm the ACP producers. Like other stakeholders that have expressed concerns about the development implications of EPAs, they also pointed out that the scope of the new agreements was broader than what is required under WTO rules and that the EPAs EU is advancing contained issues that were rejected by developing countries in the WTO negotiations (see EP, 2014, p. 19).

V. Conclusion

In drawing attention to how EPAs can potentially stunt growth and development in the ACP, platform civil society groups have succeeded at transforming understanding of EPA negotiations between EU and ACP regions into a highly politicized and contested process from an otherwise depoliticized understanding. While it is true that Platform groups were unable to stop the conclusion of EU-West Africa EPA negotiation, it is also true that civil society succeeded in bringing EPA to public discourse through its counter-hegemony posture. Overall, civil society displayed counter-hegemonic inclinations in the EPA by bringing to public sphere salient development concerns inherent in the EPA that were hitherto neither available nor understood in the public domain. Consistent with Keck and Sikkink (1998), this counter-hegemony role was facilitated through strategies that include (Interview at TWN-Africa, October 2016).

- Framing the EPA discourse as one that potentially poses development challenges to the ACP as a whole and West Africa in particular. It in this context that emphasis was placed on making EPA development-friendly EPA, if at all West Africa must go ahead to enter into EPA with the EU.
- Networking across the national and regional divide, as the idea of POSCAO itself suggests
- Keeping a close tab on the EPA process and raising public awareness to specific development challenges posed by the EPA
- Demonstration and protest to raise awareness about the development side to the EPA
- Policy briefs and publications
- Pressuring and lobbying both state and non-state stakeholders involved in the partnership negotiation process to either stop negotiation or to ensure that the strong concerns of civil society are taken into consideration while negotiating and finalizing negotiations on EPAs

It is worth noting that in playing its counter-hegemony role in the EPA, platform civil society groups in West Africa had to withstand concerted efforts of the EU to break its rank. In providing insight into how the EU deployed its strategy of co-option/divide-and-rule, the interviewee at TWN-Africa noted that.

> In Ghana, for instance, the EU came and looked for CEPA [Centre for Policy Analysis] ……one of the think-tanks in Ghana. They gave them money to do a study on EPA and how it is going to affect the private sector and all that. They came out with a position in line with the EU's intention. And then all of a sudden exporters started saying if the government was not going to sign this, they were going to lose market access. At that point, they (government) had to take a political decision, and that is how they initialed the I-EPA (Interview at TWN-Africa, October 2016).

The counter-hegemony role of civil society in the EPA, in spite of the EU's efforts to break its rank through strategies of "co-option" and "divide-and-rule", must pass as an expression of agency in the typical Gramsci sense. Such articulation of agency is necessary if civil society must play the role of an emancipator and shaper of state-led policy in development. If EPA and similar state-led development cooperation/initiatives must answer to the call of development, it is imperative that civil society lends itself to the emancipatory cause.

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