

The African Union: The challenges of implementation

by Rok Ajulu*

Introduction

At the extraordinary summit of the Organization of African Unity (OAU), in Sirte in September 1999, African heads of state and governments took the historic decision to establish the African Union in conformity with the ultimate objectives of the Charter of the OAU and the provisions of the treaty establishing the African Economic Community. At its 37th Ordinary Session in Lusaka last July, the OAU Assembly of Heads of States adopted the New African Initiative (later renamed NEPAD) and more importantly, resolved to take steps to bring the African Union into fruition. Accordingly, in July 2002, South Africa will be hosting the first Assembly of the Heads of State and Governments to give birth to the African Union.

These decisions are thus seen as momentous events in the history of the continent. The launch of African Union in July is not simply a continuation of OAU by another name; rather, it is argued that this is the beginning of a new paradigm of development in Africa. The African Union/New African Partnership for Development (NEPAD) is seen as a more thoroughgoing project aimed at ending poverty and underdevelopment, deepening democracy and economic governance, and more crucially, pioneering a completely new relationship and partnership with the developed world. As we approach the birth of the Union, it is imperative that we assess the fecundity of Africa's attempt to capture the 21st century.

Why an African Union?

Why an African Union at this crucial juncture in the history of the continent? The answer is probably to be found in President Mbeki's idea of an African Renaissance. President Mbeki has successfully steered the continent in the direction of a debate around a rebirth of the continent, a political renewal and economic regeneration. The idea of an African rebirth, of something new and constructive out of Africa, is however not new. What is new is the context in which this debate has been revived; a context in which the continent's position in the global system has declined remarkably over the last thirty years; in which Africa has been enmeshed in a conjunctural crisis, political instability, and eternally embraced in conflict. The following considerations are relevant with regard to Africa.

- Its economic performance, never a spectacular success, is now certainly the weakest within the global system. The marked failure to diversify the export base and continued reliance on one or two commodities, deteriorating terms of trade and sharply reduced access to international finance, has indeed engendered devastating consequences for the position of Africa in the world market. Human development indices have been on a downward spiral. Half of Africa's population now lives on less than a dollar a day. Child mortality is one of the highest in the world, namely 140 per 1000, and life expectancy is a measly 54 years.
- Similarly, over the last two decades, the processes of globalisation have imposed demands on the nation-state, drastically curtailing its regulatory role, sovereignty, and gradually rendering it almost irrelevant within the global market. Africa has largely been marginalised from the globalisation of production, and its ability to control its own development processes has been largely undermined by globalisation.
- This picture is further complicated by the proliferation of kleptocratic ruling elites in the majority of African countries, a social class which, in the words of President Mbeki, "have robbed and pillaged and broken all laws and all ethical norms with great abandon to acquire wealth, who seek access to power or those who have access to power so that they can corrupt the political order for personal gain at all costs..".

It is this picture of unmitigated political and economic crisis, and an almost inevitable collapse of a continent, which Mbeki's African Renaissance is about; a concern that something must be done to stop the continent from sinking into to anarchy. The Constitutive Act of the African Union and all its components are thus a response to this challenge. It is a bold attempt to recon-figure the continent's political and economic institutions so as to capture a new developmental initiative.

As was emphasised at the Lusaka summit, the African Union is not the OAU by another name. The African Union through its organs and its sister institutions under the African Economic Community (The Abuja Treaty of 1994 contemplates six phases towards the establishment of the African Economic Community in 2025) is, so to say, a double-edged sword: the one side aimed at the political ills, the other at the economic regeneration and reconstruction of the continent. The African Union thus has as its core objectives the promotion of democratic principles and institutions; peace, security and stability; greater unity and solidarity between African countries and African peoples on the one hand, and the acceleration of political and socioeconomic integration on the other. The political governance issues are supposed to be driven by the following organs: the Assembly, the Executive Council, the Commission, and other related political organs. A Peace and Security Council to be established under the Act, will be responsible for security and in all probability will have the powers to intervene militarily in conflict areas.

The economic governance issues will broadly fall under institutions and protocols to be established under the African Economic Community and projects initiated under NEPAD. Finally, to be put in place in the not so distant future, will be the Financial Institutions - the African Central Bank, the African Monetary Union and the African Investment Bank, and of course, an array of regional financial institutions, which are supposed to drive the process of financial restructuring. Through NEPAD a new kind of partnership is envisaged with the European Union, the Bretton Woods Institutions - the World Bank and the IMF, the World Trade Organisation, other international financial institutions, and the private sector.

The African Union does introduce a new agenda for Africa. It is indeed a statement of commitment and determination to address the continent's underdevelopment and marginalisation. The implications of the Constitutive Act are indeed quite revolutionary. In real terms the AU project is calling for a new kind of Africa, a new kind of politics, and more importantly, a new way of conducting those politics. It calls for a fundamental break with the political practices of the past and an end to corrupt and dictatorial rule, which has engulfed the continent over the entire post-colonial period. However, quite apart from the technical processes of harmonisation of the rules and procedures of the various organs and drawing up the protocols of the different institutions, there are significant outstanding political questions which ought to be placed on the agenda for debate.

Some problems of implementation

Sovereignty

Sovereignty is likely to be one of the areas of unmitigated contestation. African states have hitherto retained total sovereign control of their territories and all aspects of decision making, and have demonstrated a remarkable unwillingness to cede any part of this authority for the common good of the continent. If it is true that ultimately the Union will have to be based on some degree of power sharing, or rather, the idea that member states will have to cede some of their powers to the Union, then the Constitutive Act remains rather ambiguous. On the one hand, it seeks to defend the national sovereignty of the member states while on the other it proposes to appropriate the right to intervene in the internal affairs of member states. The enormity of the problem of sovereignty therefore becomes obvious. How much of their sovereignty are member states willing to cede to the Union? While there is recognition that this is a potential area of friction, there does not appear to be a clear way forward.

Political will

Much of what has been proposed is predicated on a substantial degree of political will. The assumption that there is a sufficient degree of political will has not been interrogated adequately. It is one thing to sign a declaration of intent but quite another to follow these laudable intentions through to their logical conclusions. The experience of the last forty years casts enough doubt that there is indeed sufficient political will to carry through the objectives of this revolutionary project of the African Union.

The role of the ruling elite

Part of the problem of political will is directly linked to the character of Africa's ruling classes. Over the last three decades, the majority of African states have been ruled by a horde of parasitic non-hegemonic classes, which have consistently lacked the capacity to establish their legitimacy and reproduce some semblance of a hegemonic ideology. Patrimonial authoritarianism associated with this kind of rule has gradually fostered a kleptocratic ruling elite whose most distinctive trademark has been the systematic deployment of the state for predatory activities. Broadly speaking, this is a ruling elite which has neither loyalty nor confidence in its people and the continent. At the beginning of the 1990s there was some degree of optimism that we were indeed witnessing the birth of a different generation of African leadership. After the DRC debacle, the recent Uganda presidential elections, and most recently, Ethiopia/Eritrea clashes, all that is left of this 'new' leadership is South Africa.

The African Union will therefore be relying on this class to commit political suicide. Can this class reinvent itself? How does the Union propose to tame this predatory character of the majority of our ruling elite? Can the African Union tame the African state? These questions assume a significant dimension as we move towards the end of the transition period towards the African Union. In July 2002 when South Africa hosts the 1st Assembly of the Heads of State and Government of the African Union, it is generally acknowledged that there is no mechanism in place for evaluating member states. In other words, OAU member states will automatically become AU member states. Obviously the balance will already be heavily loaded in favour of the predatory category. How do we reconcile the new body and the stated objectives of the African Union, and how will the AU relate to the existing undemocratic institutions in member states?

Public participation

There is very little evidence that the rank and file of the populations have entered the political terrain of the AU project with their own independent political demands. Admittedly, civil society, precisely because of the questions raised above, has not been very strong. The notion of civil society has not been adequately interrogated either. It has become almost natural to equate NGOs with civil society. The redemocratisation process in Africa has witnessed a proliferation of all kinds of undemocratic organisations, funded by outside donors and pursuing all kinds of agendas. We need to think through the roles of such organisations and their capacity to engage the AU to the benefit of the rank and file. A related question is one of the representivity of the Pan African Parliament. To what extent will it be capable of becoming a genuine representative of the will of the majority of African people?

What kind of partnership with the North?

NEPAD envisages various partnerships between Africa and the industrialised countries and multilateral institutions: the United Nations New Agenda for the Development of Africa; the Africa-Euro Summit's Cairo Plan of Action; the World Bank's Strategic Partnership; and IMF's Poverty Reduction Strategy Papers. Are these bodies likely to open a new chapter with Africa just because we have made declarations on a new beginning? It is important that Africa engages the institutions of globalisation and grafts its developmental agenda onto the possibilities offered by the world system. We have, for example, to rethink the kinds of relations we propose with our northern partners. The current uncritical preoccupations with IFIs are unlikely to alter the age-old relationship of dependency between the South and the North.

Bringing the state back in

The idea confronting the AU project is about bringing back the state in a very creative way. There is thus an imperative to revive the debates around developmentalism, particularly at the regional level where successes are most likely to be realised in the short and medium term. The idea of a developmental state is not new. It straddles the intellectual traditions and practices of the last two centuries. At the centre of its theoretical elaboration is the idea that late starters needed the intervention of the state to achieve industrialisation and competitive penetration of the global market.

Developmental regionalism is simply an extension of a developmental state at a regional level. It is based on the recognition that successful participation on the global economy may be achieved through membership of regional trading blocs. It is argued that individual African economies lack the capacity to cope with the challenges of globalisation and therefore need to come together to enhance their bargaining power *vis-à-vis* MNCs, IFIs, developed nations, and, of course, the international institutions of governance. Through regional blocs it is hoped that states can

control that which they are not capable of achieving nationally. The state has to provide the political leadership and economic incentives and bureaucratic regulation to prioritise those specific interests or sectors capable of achieving global competitive advantage. So given the fact that Regional Economic Communities (RECs) are likely to constitute the building blocks of the African Economic Community, a regional developmentalist approach does indeed offer a probable way forward.

The crucial question however is what political class is capable of driving the AU project along these lines?

Conclusion

What is new about all this? What is essentially new is the conjuncture at which the question of an African renewal has once again been raised. It would seem that Africa has no alternative but to find a constructive way of engaging the forces of globalisation. The birth of the African Union offers an opportunity, but also many challenges which promise to make it a hotly contested terrain. It therefore marks the beginning of the battle for the soul of the continent, a battle in which genuine patriots and true nationalists are summoned to the front line.

Policy Considerations

1. *There would be a need to identify at the very early stage areas of shared sovereignty. This would, for example, start with the so-called 'softer' issues of cooperation - economic, social, communications and environmental matters - in order to foster some degree of confidence building. This can be followed by commissioned studies on shared sovereignty in policy making with the gradual objective of increasingly subjecting states to cooperate on policy making and policy outcomes. A third stage would be the creation of systems of continental policy governance, with the ultimate aim of redefining the parameters of powers of the sovereign state on continental policy issues. This process would gradually witness the incremental erosion of the centrality of nation-state in policy design and of increasing appropriation by the Union.*
2. *The two issues of political will and the taming of the predatory state, could be dealt with through the establishment of a regime of deliverables within given deadlines and a corresponding set of sanctions. For example, soon after the establishment of the African Union, a deadline could be set for the achievement of a particular regime of human rights and rule of law with a set of sanctions or warnings in cases of non-compliance by due dates. A series of red cards would eventually involve expulsion from the Union with concomitant loss of all privileges.*
3. *Attention must be given to popularising the idea of the Union and its accompanying institutions. An aggressive campaign by all member states, emphasising the issues raised above, especially the desirability of Africa capturing the 21st century through this initiative, must be launched immediately.*
4. *How Africa engages the IFIs and the question of bringing the state back in remains intricately intertwined. It simply is not a question of attracting requisite levels of FDI and multilateral commitments from northern partners. The critical question is one of engaging the institutions of globalisation and subordinating them to Africa's developmental agenda. But this needs political will. Hence the question: what kind of state and political class? The Union must open up political space for these debates and establish appropriate institutions to provide intellectual leadership on these issues, perhaps through a new kind of Economic and Political Commission for Africa.*

*** Rok Ajulu is an Associate Professor of Political Economy at Rhodes University.**

Suggested Reading

- M. Genge *et al*, 'African Union and a Pan-African Parliament', Africa Institute Research Paper No 63, 2000.
- www.dfa.gov.za/for-relations/multilateral/treaties/auact.htm
- www.dfa.gov.za/events/nepad.htm