

Explaining the Gap between the African Union and its Member States

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Introduction

While the African Union (AU) that was launched in 2002, made progress for example in the realm of the African Peace and Security Architecture (APSA), it lacks behind its ambitions in other realms such as economic and social integration. In general, there is a reluctance of AU member states observable to engage in the building of a strong continental organisation. The reasons for this reluctance are various and include a lack of interest to cede sovereignty, an unwillingness of national leaders to give up personal power, a lack of capacities and resources and the very fact that regional integration processes, which are build parallel to the continental organisation, are often more beneficial for its member states than the AU. Even the aforementioned progress that is being made within the realm of APSA is undermined by several AU member states which topple the achievements of APSA by reversing the AU policies on a national level. This is often done by a strict adherence to the principle of non-interference that is omnipresent on a national level, even though the AU explicitly undermines

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this principle with its Constitutive Act that was unanimously adopted by the AU member states at the turn of the millennium.² In short, there is a gap between the AU and its members.

Drawing on this, the main argument made in this paper is twofold: first, while we have to acknowledge the achievements of the AU particularly in the realm of APSA, we also see that several member states undermine these achievements and effectively work against AU policies in many ways. They thus even widen the gap between the AU and its member states. There is often what is called herein a schizophrenic behaviour of the AU member states which verbally support AU policies but eventually undermine or oppose them. Secondly, there is a 'culture of conservatism' when it comes to the continental integration process. The majority of leaders wants to maintain the *status quo* and does not want to move beyond it, which in turn is not supportive for closing the gap between the AU's ambitions and its member states' policies.

The Member States' schizophrenia

The so-called Grand Debate on the establishment of the United States of African and the building of a Union Government for Africa as intermediate step is illustrative to show what is called herein a schizophrenic behaviour of AU member states: The plan of establishing a Union Government was unanimously endorsed by the AU member states during the AU Accra Summit in mid-2007³ yet, most governments in fact refused the implementation of this declaration. The first exit the national leaders saw was to refer the matter to a committee⁴ and later on to point to an infringement of the Constitutive Act with the declaration on the United States of Africa.⁵ The AU Commission suggested that instead of forming a Union Government, the AU Commission should be transformed into an AU Authority with more power than the former.⁶ The debate provoked by this proposal became wedged in the question of whether the AU Constitutive Act had to be amended for the realisation of the AU Authority. Colonel Gaddafi of Libya, the key driver behind the Grand Debate, then acceded the AU chairmanship in 2009 and pushed hard for his vision during his year in office. Yet, he

² African Union 2000. Constitutive Act of the African Union. Lome, 11 July 2000: Art. 4 h and j.

³ African Union 2007. Accra Declaration. Accra, 1-3 July 2007, Assembly/AU/Decl.1-2(IX).

⁴ African Union 2007. Accra Declaration. Accra, 1-3 July 2007, Assembly/AU/Decl.1-2(IX).

⁵ African Union 2009. Decision on the Special Session of the Assembly on the Union Government. Addis Ababa, 1-3 February 2009, Assembly/AU/Dec.233(XII).

⁶ African Union 2009. Decision on the Special Session of the Assembly on the Union Government. Addis Ababa, 1-3 February 2009, Assembly/AU/Dec.233(XII).

failed to overcome the deep-rooted resistance in the AU member states. As soon as the new chairman of the AU, the Malawian President Bingu wa Mutharika, took office in 2010, the debate stopped and there are only a very few people in the member states, who regret the end of the debate and the abandoning of the plan.⁷ Nevertheless, it remains an official policy of the AU.

Reasons that Explain the ‘Culture of Conservatism’

Four reasons that explain the ‘culture of conservatism’ are elaborated in this section. These are a lack of capacities, a lack of willingness to cede sovereignty, the national leaders’ refusal to surrender personal power and the fact that regional economic communities might be more attractive and hence the focus of most African states shifts away from the AU to these communities. This list shall not suggest that it is exclusive. There are many other explanations that come into play such as economic reasoning or the legacies of the independence struggle which cannot be elaborated in detail in this paper.⁸

Firstly, with regard to the lack of capacities it is easy to agree that a large number of African states do not have the resources to engage in the continental or even regional integration. The reasons for this are various including a lack of financial resources or the fact that there are vital domestic problems – such as post-conflict reconstruction – to solve. It is not difficult to imagine that a state that is suffering from a civil war, is in the middle of a post-conflict reconstruction or is experiencing a *coup d’état* has no resources and more importantly no energy to spend for not-immediately or not-necessarily needed policy realms such as a visionary continental integration that offers little direct and immediate benefits. For instance, the case of Burundi, which has not entirely recovered from its civil war (1993-2005), suggests that the foreign policy focus of a post-conflict state is on the donor countries that assist the states to recover.⁹ The region only comes second; let alone the continental level.

Secondly, one of the bigger – perhaps even the biggest – stumbling block for a deeper integration and thus of great explanatory power with regard to the ‘culture of conservatism’, is

⁷ Interviews with decision makers in various African countries and in the AU headquarter 2008-2010.

⁸ The author, forthcoming.

⁹ See Bauer, Stefan & Langen, Marc 2007. Burundi. Pages 89-95 of Gieler, Wolfgang (ed) Die Außenpolitik der Staaten Afrikas: Ein Handbuch: Ägypten bis Zentralafrikanische Republik. Paderborn: Ferdinand Schöningh Verlag.

the lack of willingness of African states to cede sovereignty *vis-à-vis* the AU.¹⁰ Sovereignty indeed plays a determining role in the current debate on political integration on the continent.¹¹ In the context of the debate about building the United States of Africa, for instance, the member states decided to establish a ministerial committee which mandate was *inter alia* the “identification of domains of competence and *the impact of the establishment of the Union Government on the sovereignty of member states*,”¹² indicating that the sovereignty question was part of the member states’ reasoning. In fact, several documents on the Union Government and related issues stress that the sovereignty of the AU member states must remain intact.¹³ The way a Union Government should function when there is no sign that the countries which should be subordinated to it are willing to give up parts of their sovereignty remains unclear.

Research on Algeria, Ethiopia and Zimbabwe, for example, revealed that the principles of non-interference and sovereignty are still considered as important if not sacrosanct. In Algeria, the elite that fought against the French oppression in the 1950s and achieved independences guards its sovereignty very strictly.¹⁴ In Ethiopia, a long standing tradition and pride that dates back to the Aksumite empire, more than 2,000 year ago, and the fact that Ethiopia is the only African state that has never been colonized makes it unthinkable for Ethiopia’s leadership to even think about ceding sovereignty.¹⁵ Zimbabwe’s President Robert Mugabe said in the context of the presidential elections in 2008 that “No country in the world, including those in the African Union and SADC can dictate how Zimbabwe should conduct its elections”, and even went further to threaten that the “irresponsible and reckless statements

¹⁰ Schmidt, Siegmund 2005. Prinzipien, Ziele und Institutionen der Afrikanischen Union. Aus Politik und Zeitgeschichte, 4/2005: 25–32; Sturman, Kathryn 2007. ‘New Growth and Deep Roots’: Prospects for an African Union Government. ISS Paper 146; Makinda and F. Wafula Okumu 2008. The African Union: Challenges of Globalisation, Security, and Governance. Abingdon: Routledge; also see Laurie Nathan, ‘The Absence of Common Values and Failure of Common Security in Southern Africa 1992-2003’ (Working Paper No. 50, Crisis State Research Center, LSE, 2004); Kambuzi, Admore Mupoki 2008. Portrayal of a possible Path to a Single Government for Africa. Pages 13–28 of: Murithi, Timothy (ed), Towards a Union Government for Africa. Pretoria: Institute for Security Studies.

¹¹ Gans, Christiane 2006. Die ECOWAS: Wirtschaftsintegration in West Afrika. Berlin: Lit Verlag; Kambuzi, Admore Mupoki 2008. Portrayal of a possible Path to a Single Government for Africa. Pages 13–28 of: Murithi, Timothy (ed), Towards a Union Government for Africa. Pretoria: Institute for Security Studies; the author, forthcoming.

¹² African Union 2007. Accra Declaration. Accra, 1-3 July 2007, Assembly/AU/Decl.1-2(IX), emphasis added.

¹³ E.g. African Union Assembly 2008. Report of the First Meeting of the Committee of Twelve Heads of State and Government of the Union Government, Arusha, Assembly/AU/11/(XI); African Union Executive Council 2008. Report of the Ministerial Committee on the Union Government. Executive Council Twelfth Ordinary Session, Addis Ababa, 25-29 January 2008. EX.CL/390 (XII)-b (Annex).

¹⁴ Akacem, Mohammed 2004. The Role of External Actors in Algeria’s Transition. Journal of North African Studies, 9(2), 153–168; APRM 2007. APRM Country Report No. 5: Algeria. Midrand; Hill, Jonathan N. C. 2009. Identity in Algerian Politics: The Legacy of Colonial Rule. Boulder: Lynne Rienner.

¹⁵ The author, forthcoming.

by some SADC leaders could lead to the breaking up of the regional grouping”¹⁶ thus showing how important he considers integration processes. Albeit one should not generalize from four cases, there should be little doubt that similar resistances to cede sovereignty and to engage in the building of a strong continental organisation can be found in several AU members states.

However, whereas sovereignty was absolute in the OAU, the principle was legally undermined with the establishment of the AU as shown above. One of the main differences between the OAU and the AU is the fact that the Constitutive Act of the AU allows for interventions in grave circumstances, namely war crimes, genocide and crimes against humanity.¹⁷ Such a policy seemed unthinkable during the OAU’s time. Thus a mixed picture emerges: Despite the right of the AU to intervene in other states’ international affairs in specified circumstances, it is also true that the protection of sovereignty still remains a guiding principle in the AU.

Thirdly, the sovereignty question goes hand in hand with the personalisation of power on the continent. This personalisation of power is implied by the literature on neo-patrimonial rule¹⁸ and indeed a given fact in many states such as Burkina Faso, Libya, Swaziland and formerly Tunisia. Many cases suggest that this personalisation of power results in an unwillingness of national leaders to cede their power. Even though the number of African leaders that leave office after lost elections or when a constitutional term limit does not allow for a re-election is growing (e.g. Ghana, Mauritius, Namibia or South Africa), there are also several African leaders that let amend the constitutions to allow for re-election despite earlier term-limits (e.g. Algeria, Burkina Faso and Uganda) or try to stay in power by using coercive means as recent events in Côte d’Ivoire, Egypt, Libya and Tunisia suggest.

¹⁶ The Herald, 27 June 2008.

¹⁷ Constitutive Act of the African Union, Article 4 h, j.

¹⁸ Vine, Victor T. 1980. African Patrimonial Regimes in Comparative Perspective. *Journal of Modern African Studies*, 18(4), 657–673; Médard, Jean-François 1982. The Underdeveloped State in Tropical Africa: Political Clientelism or Neo-Patrimonialism? Pages 162–189 of Clapham, Christopher (ed), *Private Patronage and Public Power*. London: Frances Pinter; Bratton, Michael & van de Walle, Nicolas 1994. Neopatrimonial Regimes and Political Transitions in Africa. *World Politics*, 46(4), 453–489; Chabal, Patrick & Daloz, Jean-Pascal 1999. *Africa Works: Disorder as Political Instrument*. Oxford: James Currey; Englebort, Pierre 2000. Pre-colonial Institutions, Post-colonial States, and Economic Development in Tropical Africa. *Political Research Quarterly*, 53(1), 7–36; Erdmann, Gero 2002. Neo-patrimonial Rule. Transition to Democracy has not Succeeded. *D & C Development and Cooperation*, 29(1), 9–11; Erdmann, Gero & Engel, Ulf 2007. Neopatrimonialism Reconsidered: Critical Review and Elaboration of an Elusive Concept. 45(1), 95–119.

Lastly, field work has shown that the regional economic communities are often considered more attractive for African states than the continental integration project.¹⁹ This becomes apparent for instance in Burkina Faso, which champions the Economic Community of West African States (ECOWAS) integration processes. The landlocked country in West Africa conducts 26.5% of its trade within the ECOWAS region.²⁰ This large figure reveals that it uses its regional grouping for economic purposes. But it also aims to intensify political integration, including free movement of people within the communities and the use of a common passport. The same is true for Uganda where President Yoweri Museveni is a strong supporter of fast-tracking regional integration.²¹ On the contrary, South Africa is economically strong enough that it does not need the SADC or the AU. The bigger part of South Africa's trade is with Europe and China.²² 11.6% of South Africa's trade are within the SADC region and only 4.4% of South Africa's exports are to parts of Africa beyond this region²³ showing the relative importance of South Africa's immediate region for trade compared to the continent.²⁴ In short: all cases show that the regional economic communities are more beneficial than the AU in economic terms and a consequence of this is that states focus on these regional organisations and give them priority.

While the first and the last explanations are part of the political reasoning in the member states, they should be rather considered as context variables. The core of the explanation why there is a 'culture of conservatism' and why AU members tend to keep the *status quo* and not develop the AU further lies in the sovereignty and power questions which overshadow other explanations. That is due to the personalisation of power in many African countries and due to the deep-rooted adherence to the principles of non-interference and sovereignty. Field work in various African countries has not suggested seeing this differently. This leads directly to the conclusion of this paper.

¹⁹ The author, forthcoming.

²⁰ Calculated with figures provided by Cernicky, Jan 2008. Regionale Integration in West Africa: Eine Analyse der Funktionsweise von ECOWAS und UEMOA. Bonn: Scientia Bonnensis.

²¹ Also see Braude, Wolfe 2008. Regional Integration in Africa: Lessons from the East African Community. Johannesburg: South African Institute of International Affairs.

²² Department of Trade and Industry 2010, South African Trade by Regions. <http://www.dti.gov.za/econdb/raportt/rapregi.html> (assessed on 17 February 2011).

²³ Calculated from figures provided by the Department of Trade and Industry 2010.

²⁴ Ahwireng-Obeng, Fred & McGowan, Patrick 2001. Partner of Hegemon? South Africa in Africa. Pages 55–80 of Jim Borderick, Gary Burford & Gordon Freer (eds) South Africa's Foreign Policy: Dilemmas of a New Democracy. New York: Palgrave: 62-63.

Conclusion

It is particularly the debate about the formation of the United States of Africa that reveals a 'culture of conservatism' with regard to the sovereignty question. The Grand Debate is very illustrative for the core arguments of this paper as it not only shows the 'culture of conservatism' but also the schizophrenic behaviour of AU member states that endorse the plan of building the Union Government but factually strongly oppose it.

Four reasons for the reluctance to engage in the integration process were elaborated and it was noted that it is particularly the sovereignty question and the personalisation of power that are of great explanatory power for the argument about the 'culture of conservatism'. Economic reasoning and lack of capacity only come second even though it shall not be denied that they do play a role in explaining the AU member states' tendency not to move the integration process forward.