

## ‘AFRICA UNITE!’ ...

By L. Muthoni Wanyeki\*  
May 2007

*Africa unite...because we are moving right out of Babylon<sup>1</sup> ...*

*The ultimate objective is to achieve, through political, economic, social and cultural integration, a strong multi-racial and multi-ethnic united Africa, based on the principles of justice, peace, solidarity and the judicious exploitation of its human and natural resources.<sup>2</sup>*

### 1. Summary

The mid-2007 African Union (AU) summit of heads of state and government has as its primary agenda a ‘Grand Debate on the Union Government.’

The ideological differences present in the first three decades of Africa’s political independence seem to have been rendered irrelevant due to the current ascendancy of neo-liberalism as the only valid ideological basis for economic organisation both within national political-economies as well as globally. But new political distinctions have emerged—in part due to the emergence of the so-called ‘new breed’ of African leaders following the end of apartheid in South Africa and the movements towards political pluralism elsewhere. Such leaders have posited themselves as both able and willing to speak and act on behalf of the rest of Africa—Africa presented as being determined to re-birth itself as encapsulated in the concept of the ‘African renaissance’. Similarly, economic distinctions are now also clear—in part as a result of the economic directions initially pursued post-independence, in part due to variations in both the presence and utilisation of mineral and other natural resources and in part due to governance.

The result is that certain African states are, in effect, positioned as metropolises for the other African peripheries. Such African states, worried about the potential impact of union on their national political-economies, are hesitant about the potential for immediate union. Other African states, seeing nothing but advantages from a union, argue that, given Africa’s diversity, there will never be an ideal time and now is as good a time as any. Still others are simply sceptical.

The scepticism is not unwarranted? Has the time come for union? Is Africa’s leadership genuinely ready for what union would entail?

The ‘Grand Debate’ in (fittingly) Accra this June seems set to answer these questions. While idea of the ‘Grand Debate’ may seem incredible given the lack of popular awareness of (let alone informed debates around) the process leading up to it, its potential impact on Africa and African peoples is not in question. But the process leading up to it is informed by motivations and rationales that are not as incredible. In fact, an exploration of these motivations and rationales reveal the process leading up to the ‘Grand Debate’ as somewhat inevitable—informed both by history and by the current context of Africa within the global political-economy.

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\* L. Muthoni Wanyeki is a political scientist based in Nairobi, Kenya.

<sup>1</sup> Marley, Robert Nestor.

<sup>2</sup> (2006). *Study on an African Union (AU) Government towards the United States of Africa (USA)*. Addis Ababa: the AU, page 35.

This paper thus attempts to re-visit that history and highlight the reasons for the current impetus toward union among Africa's leadership; explore the implications of the union on Africa's current intergovernmental organisation, the AU; outline challenges to the union project and set out conditions for its success. In so doing, the paper sets out and critically assesses the study which will inform 'the Grand Debate,' and drawing from debates within African civil society (including the African women's movement) on the experience of the AU to date. It also assesses the financial proposals made by the study from the perspective of theory relating to processes of integration.

It concludes by noting that the time frame given in the study is too short. The low level of public awareness about the study, its recommendations and the upcoming 'Grand Debate' are bound to militate against implementation of the recommendations—even if the idea of pan-Africanism is an idea that has long been aspired to. The recommendations will be seen as imposed on African populations from the top-down, rather than arising from a consultative process which all Africans buy into and support. In addition, the financial proposals in particular cannot be achieved (as the study itself notes) within the nine years. Technical questions aside, they hinge on critical pre-conditions for success such as, at best, African citizenship (including African women's autonomous citizenship rights) or, at least, freedom of movement across the continent—the achievement of either which will be difficult to implement given the varied economic performance of individual African states as well as the persistence of internal conflicts across the region.

This is not, however, to suggest that the study's recommendations are unfeasible. True, the experience of the AU to date paints a picture of somewhat inconsistent and patchy progress that is more incipient than felt on the ground. But it also points to a significant shift towards meaningful collective action that bodes well for further intensification of the regional integration agenda.

But for the study's recommendations to be achieved and the clarion call 'Africa Unite' to be realised, political will will need to be built up at the highest and lowest levels. Enhanced delivery by the AU as currently constituted is critical. While working towards an aspirational framework within a more reasonable timeframe, the focus should now be on resolving the gap between the AU's normative framework and institutional and programmatic/project delivery.

## **2. What is the debate?**

The upcoming mid-year AU summit of heads of state and government has as its primary agenda a 'Grand Debate on the Union Government.'

The debate comes half a century after the achievement of political independence from colonial rule of Ghana, whose founding head of state, Kwame Nkrumah, championed the cause of pan-African unity. From the perspective of those who believe in pan-Africanism, the debate is coming 50 years too late. But it is clear that the tensions that existed during Nkrumah's time as to the proposition still persist, albeit for different motivations.

True, the so-called 'Addis Ababa/Casablanca' and 'Monrovia' groups no longer exist—the latter of which advocated a re-visiting of the borders drawn up as a result of the so-called 'scramble for Africa' and the Berlin Conference, and an immediate union of the continent. The former, however, urged continental collaboration and cooperation by the autonomous states established by those borders. Certainly, the ideological differences present in the first three decades of Africa's political independence seem to have been rendered irrelevant due to the current ascendancy of neo-liberalism as the only valid ideological basis for economic organisation both within national political-economies as well as globally. But new political

distinctions have emerged—in part due to the emergence of the so-called ‘new breed’ of African leaders following the end of apartheid in South Africa and the movements towards political pluralism elsewhere. Such leaders have posited themselves as both able and willing to speak and act on behalf of the rest of Africa—Africa presented as being determined to re-birth itself as encapsulated in the concept of the ‘African renaissance’. Similarly, economic distinctions are now also clear—in part as a result of the economic directions initially pursued post-independence, in part due to variations in both the presence and utilisation of mineral and other natural resources and in part due to governance.

The result is that certain African states are, in effect, positioned as metropolises for the other African peripheries. Such African states, worried about the potential impact of union on their national political-economies, are as hesitant about the potential for immediate union as was the ‘Addis Ababa/Casablanca’ group of Nkrumah’s time. Other African states, seeing nothing but advantages from a union, argue that, given Africa’s diversity, there will never be an ideal time and now is as good a time as any. Still others are simply sceptical.

The scepticism is not unwarranted? Has the time come for union? Is Africa’s leadership genuinely ready for what union would entail?

The ‘Grand Debate’ in (fittingly) Accra this June seems set to answer these questions. While there has been a shameful paucity of African media coverage of the process leading to the ‘Grand Debate’, it is certainly not as ill-conceived and spontaneous as that coverage would imply. It arises from the work of two committees of African heads of state and government convened under the AU, in part due to pressures from Libya, who determined that the necessity of union was no longer in doubt. The committees, however, noted that any union must be based on African peoples’ informed agreement on common values and interests and occur in an incremental and multilayered manner—with actions at the national level to resolve what were termed ‘internal contradictions’, using the Regional Economic Communities (RECs) as building blocks and deepening the institutions of the current AU. The committees further noted that any union must be based on adherence.<sup>3</sup>

To elaborate on the recommendations of the committees, the AU Commission developed the ‘Study on an AU Government: Towards the United States of Africa (USA)’. This study was first tabled at the AU summit of June/July 2006 in Banjul. Discussions and decisions on it were deferred to the AU summit of January 2007 in Addis Ababa. At that time, it was decided it should be the primary focus of the mid-year AU summit in Accra—hence the ‘Grand Debate,’ in preparation by the AU’s Executive Council of African Ministers of Foreign Affairs meeting in May 2007. All these decisions were made at the level of heads of state (informed by input from the usual summit process) with little reference to national legislatures or public consultation.

While idea of the ‘Grand Debate’ may seem incredible given the lack of popular awareness of (let alone informed debates around) the process leading up to it, its potential impact on Africa and African peoples is not in question. But the process leading up to it is informed by motivations and rationales that are not as incredible. In fact, an exploration of these motivations and rationales reveal the process leading up to the ‘Grand Debate’ as somewhat inevitable—informed both by history and by the current context of Africa within the global political-economy.

This paper thus attempts to re-visit that history and highlight the reasons for the current impetus toward union among Africa’s leadership; explore the implications of the union on Africa’s current intergovernmental organisation, the AU; outline challenges to the union project and set out conditions for its success. In so doing, the paper sets out and critically

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<sup>3</sup> Background.

assesses the study and draws from the debates within African civil society (including the African women's movement) on the experience of the AU to date. It also assesses, in particular, the financial proposals made by the study from the perspective of theory relating to processes of integration.

### 3. Some history

Pan-Africanism as an ideology was birthed by the struggles for both African independence from colonialism and an end to the systemic racial discrimination engendered by the enslavement of African peoples in the Diaspora of the Americas and the Caribbean. Extolling pride in African ancestry and seeking to valorise African cultures and traditions, Pan-Africanism as an ideology could be (and was) critiqued as being essentialist in nature and potentially discriminatory against women. Questions of defining 'Africans' given the presence of both older 'settler' communities dating back to the colonial period and newer immigrant communities remain contested today. Similarly, questions persist as to the interpretation of culture and culture and tradition (and who holds the onus for such interpretation) as well as the need to understand culture and tradition in non-static ways.

That said, however, pan-Africanism had many adherents and critical supporters on the continent as well as in its Diaspora—African academics, artists and, importantly, political activists of Africa's first independence generation. These political activists also professed a variety of other ideologies, infusing pan-Africanist ideals into 'liberation' platforms. 'Liberation' was necessarily understood as being both political and economic. Pan-Africanist political leaders of Africa's independence generation thus stressed the need for political independence including unity and collective action as well as for economic self-reliance and self-sufficiency.

These political and economic imperatives never truly died away, despite the seeming resolution of them in the 1963 formation of the Organisation of African Unity (OAU)—a compromise between the 'Addis Ababa/Casablanca' and 'Monrovia' groups, enabling African cooperation at the highest levels without a full continental union in the form of political federation and regional integration. The OAU's liberation committee can be credited with its work towards political independence across the continent through the 1960s and 1970s as well as its work to end apartheid through to the 1990s. Over time, the OAU's membership grew from 35 members to 53.

By the 1990s, the political imperative that underlay the founding of the OAU appeared to be achieved at the national level, but new political challenges emerged. The fall of the Berlin Wall and the end of the so-called Cold War gave new impetus and enabled international support for the movements for political pluralism across the continent. The genocide in Rwanda posed difficult questions for the OAU regarding its role with respect to internal conflict, particularly when accompanied by grave or widespread human rights violations. The OAU's African Commission on Human and Peoples' Rights—the regional human rights mechanism—re-strategised on how to exploit its mandate to the maximum extent possible in similar situations.<sup>4</sup> The questioning of previous rigid notions of state sovereignty and non-interference had begun.

It is this questioning that enabled the formation of the AU through the adoption of the Constitutive Act establishing the AU in 2002 in Maputo. Under the Constitutive Act, the AU differs significantly from its predecessor, the OAU. It highlights human rights, including

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<sup>4</sup> See, for example, the report from the meeting of the African Commission on Human and Peoples' Rights on responding to human rights emergencies convened in collaboration with the International Commission of Jurists (ICJ)-Kenya and Interights in Nairobi, Kenya in 1996.

gender equality and makes clear that state sovereignty and non-interference shall not apply in situations of grave or widespread human rights violations. Relevant institutions envisaged as needing creating and/or upgrading included the proposed African Court of Justice (now to be a merged African Court of Human Rights and Justice) as well as the Peace and Security Council (PSC). It also presents itself as being a union of African peoples, rather than African leaders, and allows for popular participation in the AU through institutions such as the Economic, Social and Cultural Council (ECOSOCC) and the Pan-African Parliament (PAP).

Meanwhile, in the wake of the structural adjustment programmes (SAPs) imposed on Africa's dependent political-economies in the 1980s, the OAU had begun to question how best to address Africa's economic imperative. Alongside the 'democratisation' process spawned by the movements for political pluralism, the economic liberalisation and privatisation process had begun. But, for the first time, Africa's so-called 'new breed' of leadership seemed prepared to attribute Africa's slide down the economic map not only to decreasing overseas development assistance (ODA) and related debt, limited foreign direct investment (FDI) except for resource-extraction and unfair terms of trade. 'Governance' was also put on the table. The foundation document of the New Partnership for Africa's Development (NEPAD) was thus based on an 'exchange'—Africa was to address 'governance' and, in return, the Group of Eight (G8)—and the development financing states of the Organisation for Economic Cooperation and Development (OECD) in general—was to move on development financing in all relevant arenas. Thus the incorporation into the NEPAD of the African Peer Review Mechanism (APRM)—essentially a state governance monitoring and evaluation tool to be acceded to voluntarily for assessment by peers from other states. Despite initial (and somewhat persistent) contention as to the NEPAD's relationship to the emerging AU, the NEPAD was eventually adopted as the development programme of the AU.

**Timeline : Critical moments in the debate on union government**

1957	Ghanaian independence
1963	Formation of the OAU
1980	Lagos Platform for Action (LPA) and the Final Act of Lagos (FAL)
1981	African Charter on Human and Peoples' Rights
1990	Abuja Treaty establishing the African Economic Community (AEC)
1990	Charter on Popular Participation in Development and Transformation
1991	Kampala Conference on Security, Stability, Development and Cooperation in Africa (CSSDCA)
1995	Relaunching Africa's Economic and Social Development: The Cairo Agenda for Action
1998	Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights
2000	OAU Declaration on Unconstitutional Changes of Government
2000	Solemn Declaration on the CSSDCA
2000	Constitutive Act of the AU
2002	NEPAD
2003	AU Convention on Preventing and Combating Corruption
2003	Memorandum of Understanding on the APRM
2003	Protocol to the African Charter on the Rights of Women in Africa
2007	African Charter on Democracy, Elections and Governance
2006	Grand Debate on Union Government

Looking through the timeline above, several observations can be made. First, questions of political integration seemingly settled by the formation of the OAU were finally re-visited in new ways with the formation of the AU. However, institutional provisions necessary for both political and economic integration included in the Constitutive Act had, in fact, been anticipated in several documents adopted by the OAU. Primary among these was the Abuja Treaty establishing the AEC. The Abuja Treaty not only set a timeline for the economic integration—to take place in six stages over 34 years—building on the RECs and envisaging an African Central Bank (ACB). It also anticipated the institutions enabling popular participation in the union through the ECOSOCC and the PAP.

Second, intensified consensus-building on norms on which to base political and economic integration were also set following the adoption of the Abuja Treaty. While the African Charter was notable for its inclusion of collective (peoples') rights in line not only with purportedly African 'values' but also with the right of all African peoples to self-determination, it is only following the adoption of the Abuja Treaty that these norms were elaborated on to reflect changes in Africa's political-economic landscape such as the emergence of autonomous civil society as well as the new focus on democracy, governance, human rights (including women's human rights) and participation (including women's participation). It is this process of consensus-building regarding norms that, to a large extent, enabled the definition of common values and common interests at the heart of the study to be debated in Accra.

#### **4. The Study on an AU Government: towards the United States of Africa**

The study thus does not come out of the blue. It is informed both by the changed context in which Africa finds itself and by steady progress (at least at the declarative and normative levels) towards political and economic integration deemed necessary to address that changed context.

The study itself, while concise, is quite clear as to how this progress has informed the study—referencing back to many of the agreements made from the 1990s on. It briefly sets out the background and then moves on to set out: a framework for an AU government (including shared values and common interests, strategic focus areas to be agreed upon as 'community domain' and implications for the current institutions of the AU); and, finally, a roadmap towards achieving an AU government and, ultimately, a USA (a new acronym would, obviously, be appreciated).

##### ***4.1 The proposal: Framework for an AU government<sup>5</sup>***

###### ***Shared values and common interests***

All African states are to be members of the AU government. Interestingly, associate membership is also anticipated from non-African states, depending on demographics. This is to accommodate participation by Africans in the Diaspora. Provisions relating to the Diaspora are actually found throughout the study—harking back to the ideals and proponents of pan-Africanism at its inception. It is important to note, however, that these provisions are now less idealistic than pragmatic, relating as they do to recognition of the new African Diaspora—economic and professional emigrants to the overdeveloped north whose

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<sup>5</sup> Chapter 2.

remittances are increasingly recognised as being valuable to national African political-economies.

The section on shared values and common interests is of particular interest, articulating as it does a rationale for enhanced political and economic integration that is both internally and externally driven.<sup>6</sup> Derived from the OAU Declaration on Unconstitutional Changes of Government, the CSSDCA, the Constitutive Act and the NEPAD, the shared values are seen as arising from Africa's historical legacy as well as from current realities. They include supposedly cultural and traditional values (such as pride in African ancestry, humanness, protection of the weak, communalism and solidarity) as well as human rights as recognised in international law, participation, rule of law and transparency. They also make a fleeting reference to 'indigenous' knowledge and the need for synchronicity with 'modern' knowledge systems, although this is not elaborated on. What is important, however, is the acknowledgement of synchronicity with respect to cultural and traditional values and human rights—which are not, as has been typical, placed in opposition to one another. As this oppositional tension most frequently finds expression at the national level with respect to African women's citizenship and equality, the need for the shared values to explicitly include gender equality should be evident. These shared values are aspects of the study's content that could be described as 'internally-driven', from within Africa itself.

Africa's common interests, on the other hand, are clearly spelt out as being externally-driven, resulting from the challenge of dependence on the overdeveloped north. Referenced to the Lagos Platform for Action, the Cairo Agenda for Economic and Social Development and NEPAD, the study highlights features of this dependence as including food insecurity, export-led growth (exports here being primary commodities and raw materials), ODA and debt as well as negative terms of trade. It posits economic integration as a solution to this dependence, by creating a competitive market in which returns for investment can be realised, and by enabling the pooling required to generate energy and move to greater processing of primary commodities and raw materials. It also stresses the fact that political integration would create collective capacity for engagement in global governance institutions, thus giving Africa a voice and contributing to human dignity and progress in Africa.

### *Strategic focus areas*

The strategic focus areas defined by the study are to become 'community domain'—that is, areas over which state sovereignty will be ceded (at least partially) to the AU government for common action.<sup>7</sup> Referenced back to the LPA, the Abuja Treaty, the CSSDCA, the Constitutive Act and the NEPAD, they are 16 in number as follows:

- continental integration;
- education, training, skill development, science and technology;
- energy (including hydro, solar and other renewable forms of power);
- environment;
- external relations (including the Diaspora);
- food, agriculture and water resources;
- gender and youth (with a focus on child labour, especially in the military);
- governance and human rights;
- health;

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<sup>6</sup> Chapter 2.1.

<sup>7</sup> Chapter 2.2.



- industry and mining;
- money and finance;
- peace and security;
- social affairs and solidarity;
- sport and culture (referenced to the 1987 African Language Action Plan and including the Diaspora);
- trade and custom union (with the objective of ultimately enabling the free movement of persons within the continent);
- infrastructure, information and communication technologies (ICT) and biotechnologies.

Again, several observations can be made as to the areas defined. First, while it is obviously necessary to have an area focused on continental integration to monitor and evaluate the progress towards political and economic integration, it is hard to imagine how the area focused on external relations would work. True, the habit has developed of African consensus-building at the expert and ministerial levels of most sectors around which global negotiations take place. But diplomacy and foreign affairs as such are the sectors still most firmly in the grip of national executives. Decision-making on these issues remains the most opaque and untransparent, rarely being subjected even to parliamentary debate—except occasionally around consequences of foreign policy decisions on national citizens. In addition, the reference to the Diaspora here is not elaborated on.

Second, the area focused on gender and youth is thin on substance. It is, in effect, too general to be clear what is intended under it—as is the area on social affairs and solidarity. Other areas such as those on industry and mining and infrastructure, ICT and biotechnologies are specifically referenced to the programmes and projects planned under the first United Nations (UN) Industrial Decade for Africa and the UN Transport and Communication Decades for Africa respectively. Specific aspirations with respect to these too generally defined strategic areas of focus as well as programmes and projects intended to be achieved under them should be spelt out. In addition, the gendered implications of all strategic focus areas needs to be highlighted, again in both aspirational as well as programmatic and project senses.

Third, some areas—such as those on governance and human rights and peace and security—are clear about deepening institutions and processes already underway and/or envisaged through the AU such as the proposed African Court of Human Rights and Justice and the African Stand-By Force (ASF)—intended to be Africa’s permanent peace-keeping army. One area, that on money and finance, using the RECs as building blocks, has to do with evolving such institutions—the African Investment Bank (AIB), the African Monetary Fund (AMF) and the African Central Bank (ACB) and catalysing such processes—from a customs and tax union to a monetary union.

In this sense, the strategic focus areas are based on a somewhat unwieldy mixture of pure aspirations, programmes and projects that have been only strategically planned, and institutions that are only partially underway. The process of establishing ‘community domain’ would probably have better prospects if it were, at least initially, based on collective programmes and projects that are already being implemented that require collective oversight of a kind not already exercised for common programmes and projects under the NEPAD or possible through emergent institutions.

That said, however, in the long-term, the strategic focus areas would probably inevitably be expressed in an aspirational sense—although these aspirations would need to be clear and evident enough to be able to fill them in substantively. By aspirations here are meant the

shared values and common interests to be achieved through a union—perhaps based on achieving the promotion and substantive protection of norms already agreed to by African states under relevant regional and international law and policy, whether ‘hard’ or ‘soft’ in nature. As already alluded to above, these norms should explicitly include norms with respect to gender equality.

#### ***4.2 Institutional and programmatic implications***

Institutional and programmatic implications of movement to an AU government are then spelt out for the Constitutive Act as well as for the AU institutions and specialised mechanisms.<sup>8</sup> They essentially have to do with amending the Constitutive Act as needed; enabling the AU Commission to exercise executive authority; ensuring the PAP’s representativity and enabling its legislative and oversight authority; enabling the African Court’s judicial and dispute-resolution authority; and catalysing the inception of the AU’s financial institutions. The need for both the ECOSOCC and the PAP to genuinely guarantee popular participation is also noted.

##### ***The Constitutive Act***

With respect to amendments to the Constitutive Act, the study recommends revisions to determine the AU government’s mandate through a ‘giving over’ of state sovereignty. This would essentially define the strategic focus areas as ‘community domain’. Provisions to include the proposed financial institutions would also have to be included in these amendments.

##### ***Non-financial institutions***

The current ultimate decision-making body of the AU, the Assembly of Heads of State and Government, would be revised so as to allow for a longer tenure for the President and, given its new demands, for the Presidency to be held by a former rather than a sitting head of state or government. The Executive Council would be re-designed to include national Ministers relevant to the strategic focus areas as well as national Ministers of Foreign Affairs. Meanwhile, the Permanent Representatives’ Council (PRC) of ambassadors to the AU sitting in Addis Ababa would have its mandate revert to preparations for the Executive Council only.

The biggest change, as mentioned above, would be for the Commission. The commissioners would become, in effect, more of a functional ‘cabinet’ of leading ministries, rather than its current construction as a secretariat to the AU without policy-making functions. It would therefore be responsible for development and implementation of the strategic focus areas defined as part of the ‘community domain’. The study thus recommends a stronger chair for the Commission, with seven-year tenure and responsibility for hiring her/his deputy and commissioners according to the strategic focus areas—rather than having them appointed for him by the Assembly, as is currently the case.

As a result, the study also recommends the transformation of the NEPAD Secretariat in Cape Town into, in the interim, an AU office outside of Addis Ababa, the seat of the AU, and alignment of its current plans of action, programmes and projects with the strategic focus areas. It is also suggested that it share responsibility for implementation of programmes and projects under the strategic focus areas.

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<sup>8</sup> Chapter 2.3.

The review of the protocol establishing the PAP, which was already envisaged after five years, is recommended as a matter of urgency. Suggested changes to the PAP include not only giving it the already anticipated legislative role, but also establishing direct elections to it on the basis of proportional representation and clearer links to national and sub-regional parliaments, rather than indirect elections from among existing national parliamentarians. An oversight role with respect to the Commission is also proposed.

The recommendations regarding the PAP, together with those requiring mandatory consultations with the ECOSOCC on affairs of the Commission, are also intended to enhance popular participation by Africans in the AU government.

That said, however, neither the PAP itself nor African civil society seem to believe the recommendations have gone far enough in promoting popular participation. The PAP has noted that not enough attention has been paid by the study to ensuring separation of powers and checks and balances between what will ultimately be the executive, legislative and judicial arms of the union. It also notes the need for capacity and resources, both financial and human to be able to play its anticipated role.<sup>9</sup> African civil society, on the other hand, remains adamant about the need for wider popular engagement with the study before the ‘Grand Debate’ through debates in national parliaments and national consultations as well as the development of consultation mechanisms at all stages of the decision-making process on progress towards the AU government. Civil society groups also call for a demonstration of more than lip service to the vision of a united Africa by the immediate lifting of all visas for Africans travelling within Africa.<sup>10</sup>

In addition, none of the study’s recommendations refer to deficiencies already noted by the African women’s movement with respect to ensuring the equal representation of African women at the AU’s highest decision-making organs. To its credit, in response, the AU has, in the Solemn Declaration on Gender Equality of 2002, adopted the principle of gender parity in its institutions and specialised mechanisms, and implemented it to a greater extent than national executives and legislatures. To ensure a continuation of this trend, specific recommendations should be made to address these deficiencies with respect to all institutions and specialised mechanisms to be transformed. The Commission’s chair should also have a deputy responsible for gender mainstreaming across her/his ‘Cabinet.’ If the commissioners are to implement programmes and projects under the strategic focus areas then, as mentioned above, those should also be reviewed to ensure that gender implications are taken into account in their elaboration.

### ***Financial institutions***

It is in respect of the financial institutions that the recommendations made are most profound. While the recommendations made are anticipated in and derived from the Abuja Treaty and the Constitutive Act, it is clear that they will be the most difficult to implement and, given the experience of even more established RECs, such as the Economic Community of West African States (ECOWAS), the Southern African Development Cooperation (SADC), and the East African Community (EAC), the most likely to require more than the time allocated in the study’s roadmap of nine years.

Based on ‘convergence criteria’ for the eventual union of capital and money markets across the region set out by the African Association of Central Banks (AACB) as well as

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<sup>9</sup> (2007) (Draft) Report by the Pan-African Parliament (PAP): proposal on the Union Government of Africa (UGA). Cape Town: PAP.

<sup>10</sup> (2007) Submission from civil society organisations (CSOs) to the PAP on the Proposal for Continental Government.

guidelines proposed by the Common Market for East and Southern Africa (COMESA), the study proposes:

- first, progress from the West African Monetary and Economic Union, the Central African Economic and Monetary Union and the Common Monetary Area of Southern Africa as well as the economic and monetary unions proposed under COMESA and ECOWAS to common monetary policy and full integration of capital and monetary markets;
- second, establishment not only of the African Central Bank (ACB) but also of an African Monetary Fund (AMF) to regulate monetary policy and an African Investment Bank beyond the current African Development Bank (ADB) to ensure financing for programmes and projects of the AU government (for example, continental infrastructure projects);
- third, financing for the AU government to come not only from assessed contributions as is the case currently, but also from indirect taxes in the form of either import levies or airline ticket taxes on flights within and in/out of Africa (an earlier proposal on insurance taxes has been dropped).

The study notes that this move will have to be based on ‘convergence criteria’, overseen by regional monetary authorities and built up from the establishment of ‘optimum currency areas’ in the first instance and the achievement of total factor mobility in the second instance. It thus anticipates that the ACB will require seven to ten years with limited functions before being able to ensure the move to a common market and monetary union with a common currency (to be called the ‘Afric’).

Generally, economic integration occurs in four stages. First is the establishment of a free trade area, distinguished by with the removal of barriers to the trade of specified goods and services within the free trade area. Second is the establishment of a common market, enabling the mobility of all factors of production inside the common market. Third is the establishment of a customs union with common external customs and excise taxes. And fourth is the establishment of a monetary union with a common currency.

The experience of the more well-established RECs to date show that the first stage is (relatively) painless to implement—although countries with less competitive local producers and manufacturers may initially resist the entry of goods and services from countries with more competitive producers and manufacturers. The second, third and fourth stages are, however, much more difficult to achieve.

With respect to enabling full factor mobility—the free movement of all factors of production (capital as well as labour)—resistance to migration, both economic and forced, is increasing rather decreasing across the continent, partly in response to the large refugee outflows still all too common in Africa. Even where economic migration is permitted in limited circumstances, it has been faced with xenophobic backlash (of the kind now witnessed in South Africa against professional as well as non-professional Africans).

As concerns common customs and exise tax in respect of externally-produced goods and services, most African states would be loath to make concessions on what remains an important revenue stream in the larger common interest (at least in the short-term, even if the long-term benefits may be clear). In addition, the collapse of the World Trade Organisation (WTO)’s so-called development round has sparked an increase in bilaterally-negotiated trade agreements. Although Africa is technically holding to a common position, resolving continental variations across all sectors covered by these bilateral trade agreements will be difficult in practice in the future.

With respect to the fourth state, it is true that the current aims of monetary policy across the continent are largely undifferentiated among states. However, the gap between aims and achievements is still highly differentiated—particularly given the internal conflict in some states (or regions within states). Unsurprisingly therefore, the proposed ‘convergence criteria’ imply that succession to the partnership will necessarily be on a staggered basis. This fact, together with the requirement regarding total factor mobility—the free movement of all factors of production (labour as well as capital) mean that even the slightly extended timeline here of up to ten years may be unrealistic. Unless a real impetus is given to questions of African citizenship, these recommendations seem likely to stall for some time to come.

Finally, while the aims of monetary policy at the national level are now largely uncontested among African states, they have been contested by the African women’s movement, particularly within African states where gender budgeting is taking place. The view that macroeconomic policy (fiscal and monetary policy) is gender neutral has been shown to be untrue. The analysis done in this respect should be taken into account in the ‘convergence criteria.’

### *The RECs*

The RECs are intended to be the building blocks for the AU government and the USA. The AU currently recognised eight RECs as follows:

- the Arab Magreb Union (AMU);
- the Community of Sahel-Saharan States (CEN-SAD);
- the East African Community (EAC);
- the Economic Community of Central African States (ECCAS);
- the ECOWAS;
- the COMESA;
- the Intergovernmental Authority on Development (IGAD); and
- the Southern African Development Cooperation (SADC).

As the study notes, all eight RECs have economic integration as their end goal, with only the EAC additionally aspiring to political integration under a federation. Although their progress towards that end goal can only be assessed as mixed, the study also notes that those making progress appear to be doing so on the basis of internal political stability, the end (or lack) of inter-state rivalry, capacity at the national level and, in the case of the EAC, a common language, Kiswahili.

The question that obviously arises (although it remains only implicit in the study) is whether these conditions are present on a continental scale (they are not) and, if not, how to bring them into being. The AU as currently constituted will necessarily have to do more to assist in the resolution of internal conflicts in the eastern Democratic Republic of the Congo (DRC), Somalia, Darfur in the Sudan, and Zimbabwe. In addition, questions of capacity at the national level will have to be addressed in African states just emerging from internal conflict—Côte d’Ivoire, Liberia, Sierra Leone, southern Sudan and so on.

In addition, the study notes that progress being made is internal-looking in each REC. Initiatives are not referenced to the AU and there is no roadmap with respect to the AU within any of the RECs. The inevitable result is that many of the RECs have duplicated the AU’s institutions and mechanisms and are tending to engage more with the NEPAD on common programmes and projects under the NEPAD plans of action (on agriculture, environment and ICTs, for example). Although this could be beneficial in the medium- to

long-term, it can only be so if the missing roadmaps to the AU are developed as a matter of urgency—and if NEPAD is aligned to the AU as suggested above.

What is needed is intensified efforts at harmonisation and rationalisation of the RECs. The study proposes that this be done through the prompt adoption of proposed amendments to the 1998 Protocol on Relations between the African Economic Community (AEC) and the RECs to allow for liaison mechanisms between the AU and the RECs, joint resource mobilisation and, in particular, joint work with the AU's Peace and Security Council (PSC). This would be supported by recommendations proposed at the national level—the institution of Ministers for Regional Integration where they do not exist, links with the PAP and links with the sub-regional and national members of the ECOSOCC.

It is important, however, to note that even with respect to the RECs where progress is being made, questions of popular participation remain contentious. The EAC, for example, recently deployed teams to each of the three east African members to assess public opinion on the EAC. While their final report is not yet out, media coverage of the team's public hearings and sittings revealed that knowledge of the EAC integration process is low and demands for higher levels of public engagement and participation were repeatedly made. Given that there has been far greater media coverage of the EAC within the sub-region than of the AU, that should signal the vital importance of acting on the recommendations of African civil society noted above.

## 5. The road ahead

The study concludes with a tentative roadmap towards the AU government and the USA.<sup>11</sup> The roadmap is in three stages over nine years with the first stage focused on establishing the AU government, the second stage on operationalising the AU government and the third and final stage on establishing the USA.

As already noted above, this time frame is clearly too short. On the one hand, the low level of public awareness about the study, its recommendations and the upcoming 'Grand Debate' are bound to militate against implementation of the recommendations—even if the idea of pan-Africanism is an idea that has long been aspired to. The recommendations will be seen as imposed on African populations from the top-down, rather than arising from a consultative process which all Africans buy into and support. On the other hand, the financial proposals in particular cannot be achieved (as the study itself notes) within the nine years. Technical questions aside, they also hinge on critical pre-conditions for success such as, at best, African citizenship (including African women's autonomous citizenship rights) or, at least, freedom of movement across the continent—the achievement of either which will be difficult to implement given the varied economic performance of individual African states as well as the persistence of internal conflicts across the region. This is a fact that has already been noted by some African leaders—as evidenced in the debate about the existence or otherwise of an 'ideal' time for union.

This is not to suggest that the study's recommendations are unfeasible. African civil society, for instance, has in responses to the upcoming 'Grand Debate' noted that these pre-conditions, in fact, lie at the heart of their expectations from a union.<sup>12</sup> At the top of the list of these expectations lie the following:

- having one voice for Africa as a whole;

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<sup>11</sup> Chapter 3.

<sup>12</sup> Kebede, Saloman (2007) "People's Voices in the Grand Debate: CSO and citizen interviews on the proposal for a union government," AU Monitor. Oxford: Fahamu, [www.pambazuka.org/aumonitor](http://www.pambazuka.org/aumonitor).

- enhanced freedoms and rights for African peoples, including peace, security and stability and the right to freedom of movement across the continent;
- ‘equalising’ Africa and achieving economic emancipation, through increased capacity for local production, exports and foreign exchange earnings leading to poverty reduction;
- capitalising on what unites ‘us’ (the ‘us’ being undefined but assumed to be understood) through achieving coherence and enabling ‘best practice’ and information exchange across the continent.

The AU’s progress, in its current manifestation, could be taken as a measure of how realistic those expectations are.

With respect to having one voice, the AU’s emergence has certainly aided Africa’s participation in global governance fora such as the United Nations through strengthening the Africa Group’s positions. It has also, while unfortunately embroiled in unnecessary grandstanding asserting its mandate to fulfil roles hitherto carried out by the UN Economic Commission for Africa (ECA), built on the common position building instituted by the ECA as regards the WTO.

With respect to human rights, it is true that the African Commission has played a more useful role in recent years than at its inception. Taking its response to the latest situation of grave or widespread human rights in Darfur, the Sudan as an example, it is clear that its report into human rights violations in Darfur, the Sudan was instrumental in shifting the AU’s initial position on the matter, eventually enabling the entry of the African Mission to the Sudan (AMIS). But, arguably, prevarication on the matter should not have arisen at all. And AMIS’ initial lack of an appropriate protection mandate and its persistent lack of resources has meant its efficacy remains in question. It is also true that the relatively speedy adoption and ratification of the Protocol to the African Charter on the Rights of Women in Africa signalled a new determination by the AU member states to move on questions of gender equality. But the lack of implementation on the ground—through domestication of the protocol where required—signals continued propensity by the AU’s member states to do the right thing at the regional level but continue with business as usual at the national level. The same conclusion could arguably be drawn with respect to recommendations made to the AU member states who have completed their governance assessments under the APRM.

Finally, with respect to ‘equalising’ Africa and achieving economic emancipation, it is true that the Africa/G8 engagement under the NEPAD did contribute to the debt cancellation deals for 13 of Africa’s poorest countries in 2005/6. It contributed to new commitments to higher levels of ODA for Africa, even if these have yet to fully materialise. And it contributed to increased planning for programmes and projects of continental importance, even if financing for these programmes and projects has yet to be found.

These examples are only illustrative and not quantifiable with respect to the AU’s achievements towards African civil society’s expectations. They paint a picture of somewhat inconsistent and patchy progress that is more incipient than felt on the ground. But they also point to a significant shift towards meaningful collective action that bodes well for further intensification of the regional integration agenda.

But African civil society has also stressed that meeting these expectations will not be easy. Apart from the current lack of public awareness and support already noted above, civil society, while also decrying so-called ‘afro-pessimism’, is itself if not cynical at least sceptical about the African leaders at whose behest this study was done. In assessing the progress of the AU with respect to resolving the remaining internal conflicts in the region, it

has noted the lack of consistent and progressive political will to address still too rigid understandings of state sovereignty.

To conclude, for the study's recommendations to be achieved and the clarion call 'Africa Unite' to be realised, political will will need to be built up at the highest and lowest levels. This will require focused, targeted communications and consultative work at the national level. And enhanced delivery by the AU as currently constituted. While working towards an aspirational framework within a more reasonable timeframe, the focus should now be on resolving the gap between the AU's new normative framework and institutional and programmatic/project delivery already experienced.

## **6. Recommendations on the study and beyond**

### ***The Proposal: Framework for an AU government***

#### ***Shared values and common interests***

- Explicitly include gender equality and women's human rights as shared values;
- Elaborate on the reference to 'indigenous' knowledge and the need for synchronicity with 'modern' knowledge systems;

#### ***Strategic focus areas***

- For the longer-term, express the strategic focus areas in a more aspirational sense—by aspirations here are meant the shared values and common interests to be achieved through a union—such as the promotion and substantive protection of norms already agreed to by African states under relevant regional and international law and policy, whether 'hard' or 'soft' in nature, explicitly including norms with respect to gender equality;
- In the shorter-term, review the process of establishing 'community domain' so as to focus, at least initially, on collective programmes and projects already being implemented that require collective oversight of a kind not already exercised for common programmes and projects under the NEPAD or possible through emergent and yet-to-be evolved AU institutions;
- Highlight the gendered implications of all strategic focus areas in both aspirational as well as programmatic and/or project senses;
- Elaborate on the strategic focus area dealing with external relations, focusing on how it would relate to diplomacy and foreign affairs at the national level;
- More clearly state the aspirations for the two strategic focus areas dealing with on industry and mining and infrastructure, ICT and biotechnologies;
- Further develop the two strategic focus areas focused on gender and youth and social affairs and solidarity, specifying what it intended under them as a matter of 'community domain';
- Include institutional-strengthening measures for the strategic focus areas involving emergent or yet-to be evolved AU institutions such as those on governance and human rights, peace and security and money and finance;

### ***Institutional and programmatic implications***

#### ***Non-financial institutions***

- Pay more attention to ensuring separation of powers and checks and balances between what will ultimately be the executive, legislative and judicial arms of the union;



- Address the need for capacity and resources, both financial and human;
- Review all recommendations in light of deficiencies already noted by the African women's movement with respect to ensuring the equal representation of African women at the AU's highest decision-making organs—for instance, the Commission's Chair could also have a Deputy responsible for gender mainstreaming across her/his 'Cabinet' and all Commissioners responsible for programmes and projects under the strategic focus areas should ensure that gender implications are taken into account in their elaboration and implementation;
- Review all recommendations in light of their potential to promote popular participation (including by women);
- Put in place mechanisms to enable wider popular engagement with the study through debates in national parliaments and national consultations as well as the development of consultation mechanisms at all stages of the decision-making process on progress towards the AU government;

#### *Financial institutions*

- Conduct analysis into the gendered implications of macroeconomic policy with respect to the 'convergence criteria';
- Enable total factor mobility—the free movement of all factors of production (labour as well as capital)—by addressing questions of African citizenship, including African women's equal citizenship rights and freedom of movement at the continental level;
- Demonstrate political will by immediately lifting all visa requirements for Africans travelling within Africa;

#### *The RECs*

- Assess the conditions for successful sub-regional integration—internal political stability, the end (or lack) of inter-state rivalry, capacity at the national level and a common language—on a continental scale and put in place measures to achieve them where they are lacking;
- Intensify efforts at harmonisation and rationalisation of the RECs, referencing such intensification explicitly to the AU through adoption of amendments to the 1998 Protocol on Relations between the African Economic Community (AEC) and the RECs;
- Address repeated calls for progress popular participation in the integration processes at the sub-regional level;
- Facilitate better media coverage of the same;

#### *The road ahead*

- Demonstrate greater commitment to the normative framework already established by the AU—particularly with respect to the promotion and protection of human rights (including women's human rights), peace and security;
- Demonstrate, in particularly, consistent and progressive political will to address still too rigid understandings of state sovereignty in respect of matters of human rights, peace and security;
- Adopt a longer time frame to build up political will at all levels, particularly in respect of the financial recommendations;
- Enhance delivery by the AU and the NEPAD on programmes and projects already underway.



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