'New growth on deep roots'
Prospects for an African Union government

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Introduction

What we want … is unity of action together with the greatest possible degree of local self-expression on things which affect only that locality. This will be in accordance with the oldest traditions of Africa, it will be a new growth on the deep roots of our life – Julius K Nyerere (1963:2)

Unity is the aspiration on which the OAU was founded, a principle for greater development and security of the continent, based on claims of a Pan-African identity and destiny. What institutional form unity should take will again be debated at the ninth AU summit in July 2007. The venue and timing of this discussion – in Accra in the 50th year of Ghana's independence – resonates with Kwame Nkrumah's vision of a United States of Africa.

Yet the OAU summit first held in Accra in 1965 was a disappointment to Nkrumah. His proposal for a federation of African states was rejected, and the non-interference principle was strongly emphasised by the majority of states that had so recently won their national independence. Since then both the global context and African norms on sovereignty have shifted. There is a growing African regime of human and peoples' rights, as well as provision for regional intervention in intrastate conflicts and civil wars. Acceptance of these principles is mixed among member states of the AU, as is usually the case within multilateral institutions.[1]

A serious discussion of these changing norms of sovereignty and intervention would help member states to reach a common understanding of the reformed aspects of the AU. The more specific proposals for a 'union government' leading towards a United States of Africa are likely to be more controversial. The details and political context of these ideas are considered here, with the aim of informing the wider debate on sovereignty, regionalisation and unity in Africa.

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Forms of regional integration: From intergovernmental to supranational structures

Regional organisations differ with regard to the degree of autonomy they have as actors or agents in international relations, independently of their member states. In other words, the extent to which the organisation has a *supranational* identity, and supranational institutions and powers, will determine the extent to which it operates as an entity that is more than the sum of its parts.

Some regional organisations are more integrated and autonomous of their member states than others. This depends on the degree of cohesion and extent to which the member states are prepared to surrender elements of their sovereignty to an overarching regime. So, for example, the European Union (EU) is commonly held to be the regional organisation with the most extensive autonomous institutions and the strongest supranational identity. The Southern African Development Community (SADC) and the Association of Southeast Asian Nations (ASEAN) are good examples where the powers of the secretariat have been purposefully limited to weak, administrative functions and the sovereignty of member states is sacrosanct.

If the difference between a supranational body and an intergovernmental organisation is conceptualised as a continuum between two extremes, the AU may be placed somewhere in the middle, with a history closer to ASEAN and designs to be more like the EU. It may be assumed that the more power and resources member states grant their organisation, the weaker their state sovereignty becomes in relation to the overarching regime. The strengthening of a regional organisation's legal and institutional powers is therefore an indication of a shift away from norms of sovereignty and non-intervention among member states.

The EU works around this sensitive issue with a concept of 'sovereignty pooling' on issues falling

within the 'community domain'. According to the European Commission (2003:4), it is 'not a federation like the United States of America. Nor is it simply an organisation for co-operation between governments, like the United Nations … Member states remain independent sovereign nations but they pool their sovereignty … [and] delegate some of their decision-making powers to shared institutions.'

However, the ambivalence within Europe between national and regional identities is well documented, and manifested in the failed referendums on the EU constitution, the challenges with the development of a common foreign policy and other problem areas.

Off the scale of regional integration, the supranational structure ceases to be a regional organisation at all. Full political integration implies the establishment of sovereignty as a larger state, which is either a union or a federation of the original constituent states. For example, the USA and the USSR each came to be recognised in the international system as a sovereign state with a central government and single foreign policy.

The debate about a United States of Africa hinges on whether it is conceived of as a sovereign state replacing the existing state system in Africa, or a supranational organisation along the lines of the EU. Situating the concept in historical context will offer a better understanding of the issues that are at stake.

Sovereignty and non-intervention norms in Africa

Sovereignty, defined as the 'competence, independence and legal equality of states', is the constitutive norm of the international system (International Commission on Intervention and State Sovereignty 2001:6). Non-intervention is a principle derived from sovereignty. In the words of Montague Bernard (1860): 'The doctrine of non-intervention is … a corollary from a cardinal and substantial principle of international law' (quoted in Thomas 1985:13).

Mohammed Ayoob (1995:15-16) characterises post-colonial states as 'weak, vulnerable and insecure – with these traits being the function of both domestic and external factors'. He further states that this external and internal insecurity stems from their late entry into the state system, and that their precarious sovereignty is based on colonial demarcations of their boundaries. This shared colonial legacy differentiates African and Asian conceptions of sovereignty and intervention from others in the international system. Christopher Clapham notes that 'post-colonial states have, since their independence in the decades following WWII, emerged as the most strident defenders of Westphalian sovereignty in the international order' (in Jackson 1999:100).

This is a 'paradox': that the regions containing the weakest states in the international system, are those with the most stable territorial boundaries. Clapham points out that the map of Africa has remained almost unchanged in over a century of upheaval, from the colonial scramble, through two world wars, independence, the Cold War and its aftermath. The map of Europe, in contrast, has been redrawn many times (Clapham 2001:1).

Robert Jackson's (1990:34) explanation for this is that European states were founded on the basis of national identity – or 'positive sovereignty' – with borders corresponding to inclusions and exclusions of people according to these identities. In other words, nations defined borders. In Africa (and parts of Asia if the analogy is extended) borders defined nations, as colonial boundaries imposed a 'negative sovereignty' on states that achieved independence after a period of external rule. Newly independent governments found themselves in the ironic position of having to defend these artificial borders rigorously in order to establish their own legitimacy at home and abroad.

The new states of Africa and Asia that emerged during the Cold War formulated these ideas as the Bandung Principles of the Africa-Asia Conference held in 1955. But, with the horrors of World War II fresh in their memories, delegates to the conference were also aware of the dark side of nationalism, as is evident in the speech by the Philippine representative, Carlos Romulo:

> It strikes me that autocratic rule, control of the press, and the police state are exactly the worst features of some colonialist systems against which we have fought all of our lives and against which so many of us are still fighting. Is this really the model of freedom we seek? Obviously the ultimate greater freedom will lie in a greater coherence, a uniting of regional interests … We of Asia and Africa are emerging into this world as new nation-states in an epoch when nationalism, as such, can solve only the least of our problems and leaves us powerless to meet the more serious ones. We have to try to avoid repeating all of Europe's historic errors. We have to have the imagination and courage to put ourselves in the forefront of the attempt to create a 20th century world based on the true interdependence of peoples (Romulo 1956:24).

The uniting of regional interests was a cause championed with equal fervour by Pan-Africanists like Kwame Nkrumah. These ideas are revisited below.

Pan-Africanism v African nationalism in the OAU

Although the new institutions of the AU depart from the OAU's founding principle of non-intervention, it may be argued that the ideas behind this new path evolved

within the organisation over a number of years. There is therefore a degree of continuity between the AU and its predecessor which may be traced to the roots of Pan-Africanist thought.

Pan-Africanism is a philosophy in which Africa is regarded as the spiritual home of a united African people, with the emphasis on solidarity and 'brotherhood' between all people of African origin. It has disparate origins in the political thought of African Americans and West Indians, as well as the African elite educated in Europe in the 19th and early 20th centuries (Legum 1962; Geiss 1974).

In the seminal book *Africa must unite,* Kwame Nkrumah (1963:132-133), traced his ideas to American writers such as Henry Sylvester-Williams, William E Du Bois and Marcus Garvey. It was Garvey, a Jamaican, who first proposed a United States of Africa and inspired the Ghanian leader during his education in the USA (Van Walraven 1999:89). The four Pan-African congresses held in Paris, London and New York in the inter-war years set the stage for Nkrumah's participation in the Manchester conference of 1945. Nkrumah expected a seamless melding of Pan-Africanism and African nationalism, since he believed that 'the fundamental purpose [of both ideologies] was identical: national independence leading to African unity' (Nkrumah 1963:135).

However, the tensions inherent to this two-stage strategy against colonialism would soon become clear at conferences that were held on African soil. Three factions emerged from conferences held in Brazzaville (December 1960), Casablanca (January 1961) and Monrovia (May 1961). Apart from ideological differences, these groups disagreed on the institutional and legal form of African unity, with Nkrumah's 'radicals' seeking full federation at the one extreme, and the 'conservatives' explicitly rejecting a 'supra-national' structure at the other.[2]

Nkrumah's vision

Against the background of the post-war rise of two economic and military superpowers, the USA and USSR, Nkrumah looked to the model of unification they presented, namely a union of states under a single, federal government, with one president, a common currency, and common economic and foreign policies. In an echo of Romulo's words to the Bandung Conference, Nkrumah wrote the following:

> Europe, by way of contrast, must be a lesson to us all. Too busy hugging its exclusive nationalisms, it has descended, after centuries of wars … into a state of confusion, simply because it failed to build a sound basis of political association. It is … hoped that the European Community will perform this miracle. It has taken two world

wars and the break-up of empires to press home the lesson, still only partly digested, that strength lies in unity (Nkrumah 1963:216-217).

One may speculate whether Nkrumah, had he been alive to see the success of the EU, would have regarded the model of gradual regional integration of an African union, rather than immediate federation of a United States of Africa, as having more potential to achieve Africa's economic and political goals.

Many statesmen and scholars have noted that Nkrumah was ahead of his time (Wolfers 1976; Van Walraven 1999). The Pan-African ideals he espoused made provision for a common approach to conflict resolution in Africa, long before the norm of humanitarian intervention had gained currency. Nkrumah argued the need for an African peacekeeping capacity in the context of the interference of Cold War powers and foreign business interests in the independence of Congo (the present-day DRC):

> If at that time, July 1960, the independent states of Africa had been united, or had at least a joint military high command and a common foreign policy, an African solution might have been found for the Congo; and the Congo might have been able to work out its own destiny, unhindered by any non-African interference (Nkrumah 1963:138).

The phrase 'African solution' is still applied today in the AU's quest to resolve conflict in the resource-rich Great Lakes region.

The fluidity of the state system in the 1950s lent itself to visionary thinking about the type of sovereignty Africans wished to establish in the international system. But Nkrumah's vision was subsumed by the nationalist norms of sovereignty and non-intervention that prevailed once the vested interests of national elites had taken hold of the new states in the immediate post-colonial era.

The compromise of the OAU

Despite broad rhetorical support for unity, Pan-Africanism was not the dominant discourse at the formation of the OAU. It was a minority view, put forward by Nkrumah, which had the effect of isolating him and curbing his influence within the organisation that was so central to his vision. Van Walraven's analysis of the ideological underpinnings of the OAU leads him to conclude that nationalism was the more effective ideology for mobilising mass support for the elite project of decolonisation, and the most practical approach to gaining independence from the colonial powers:

> … during the 1950s the nationalist struggle achieved such momentum that Pan-Africanism

and nationalism evolved into opposing forces, with nationalism gaining the upper hand … colonial powers did not accept any structure other than the individual territory as basis for the devolution of political power [while] Pan-Africanism was not the ideology of the African populace, for which it constituted a relatively incomprehensible abstraction (Van Walraven 1999:92).[3]

The unity represented by the formation of the OAU in 1963 was far too fragile to support radical plans for political and economic integration. As the new Kenyan Minister of Commerce and Industry, J G Kiano (1963:406) commented at the time: 'It was obvious in Addis Ababa that many felt that this was not the time to establish a federal government for the entire continent.' Objections to Ghana's support for neighbouring opposition groups remained a divisive force, leading to a boycott of the 1965 OAU summit in Accra by several francophone countries. In response, the Assembly adopted a declaration condemning support for subversive activities (AHG/Res 27(II)).

While most African leaders balked at Nkrumah's proposals for unification, some support for Pan-Africanism is evident in the documents of the founding summit of 1963. For example, in his opening speech Emperor Haile Selassie called on leaders 'to rouse the slumbering giant of Africa, not to the nationalism of Europe in the nineteenth century, not to regional consciousness, but to the vision of a single African brotherhood' (Selassie 1963:284).

Selassie foresaw a period of gradual integration towards the ideal of unity. Ppractical steps including establishment of an African defence system, since he held that Africa could not rely on international morality alone, and an African university at which, 'the supra-national aspects of African life would be emphasized and study would be directed towards the ultimate goal of complete African unity' (Selassie 1963:287-288).

Julius Nyerere, first president of Tanganyika (present-day Tanzania), was also a Pan-Africanist who supported the cause of a United States of Africa. In his paper of the same title, published in the first issue of the *Journal of Modern African Studies*, Nyerere made a call for unity:

> Our goal must be a United States of Africa… As long as there remain separate African nations there will remain too a danger that other states will exploit our differences for their own purposes. Only with unity can we ensure that Africa really governs Africa (Nyerere 1963:2-3).

Unlike Nkrumah, however, Nyerere was wary of the danger internal to Africa, of a hegemonic state using unification as a guise for regional domination:

> Historically, areas of the world have been united by two methods – by conquest or by negotiated terms of association. It is absurd to imagine African unity coming from the domination of one African country over another. Our unity can only be negotiated unity, for it is the unity of equals (Nyerere 1963:1-2).

Yet nationalism should not be a barrier to unity:

> The new pride in national independence, the new consciousness of national sovereignty, is certainly a factor which will affect the method by which we shall achieve our goal, but it must not be allowed to deflect us from our purposes … the peoples involved must understand clearly the purposes, the advantages, and the surrender of national sovereignty which federation implies … African nationalism is meaningless, is anachronistic, and is dangerous, if it is not at the same time Pan-Africanism (Nyerere 1963:2-6).

The method of unification was to be gradual and build on the foundations of national sovereignty. Nyerere articulated what were to become of guiding norms of the OAU:

> There is only one way for us really to deal with this transitional problem [of factional divisions in Africa]. That is for us all to act now as if we already had unity. In any one country members of the government do not always like each other … But this is not allowed to become public … so it must be between African states now. And similarly, just as a Minister does not interfere with the political support of a colleague, African states must accept the decisions of the people in the different national units, as regard their own leaders. This is very important. It means that any differences we have must be sorted out privately between ourselves. It means that we must avoid judging each other's internal policies (Nyerere 1963:5).

These words must have come back to haunt Nyerere in the 1970s, when the OAU took the principle of non-interference so far as to allow Uganda's military dictator, Idi Amin, to chair the organisation and host its summit in 1975. In practice, African nationalism and Pan-Africanism proved more difficult to reconcile than they did in the idealistic rhetoric of the early 1960s. What Ali Mazrui (1993) calls 'the bondage of boundaries' served to protect authoritarian rulers at the expense of thousands of African people.

Flaws in the non-interference doctrine

The mid-1970s was the high tide mark of non-interference norms in the OAU. When Idi Amin was to chair the Kampala summit of 1975, Tanzania,

Botswana and Zambia staged a boycott of the meeting. This spoke more of objections to the OAU's approach than the formal record of the organisation.[4] Reports of atrocities by certain leaders against their own citizens, not only of Amin in Uganda, but also Bokassa in the Central African Republic and Nguema of Equatorial Guinea, created unease, but were not mentioned publicly in the debates of the OAU at the time.

In 1978 Nyerere took matters into his own hands by sending troops across the Ugandan border to oust Idi Amin. Tanzania justified its intervention on the grounds of self-defence. Caroline Thomas (1985:120) notes that, 'while the way was paved for a justification on humanitarian grounds, no such excuse was offered … The Tanzanian case is a special case; it does not indicate a new general rule of behaviour in international affairs'. In a more recent analysis of the unilateral intervention into Uganda, Nicolas Wheeler (2000:5) points out that violation of a norm such as non-intervention does not necessarily indicate that the norm no longer exists. The response from peers, and the intensity of their outcry against the violation, would indicate whether the norm is still upheld.

The Tanzanian intervention in Uganda provoked an acrimonious debate at the OAU summit in Monrovia in 1979, but there is no record of this exchange of views on the intervention in the OAU documents – it was omitted in order to preserve the organisation's appearance of consensus (Van Walraven 1999:328). Eden Kodjo, Secretary-General of the OAU, said, '… the OAU cannot under its Charter condemn a member state – all we can do is to act as a kind of referee' (*Financial Times*, 20 February 1979, quoted in Thomas 1985:120).

> The mid-1970s was the high tide mark of non-interference norms in the OAU

Although this crisis did not directly alter the non-intervention doctrine within the OAU, it did have an indirect effect. The Monrovia debate resulted in two significant challenges to the norm of non-intervention, the first being the proposal to establish an African peacekeeping force and the second the drafting of a declaration of human rights (Thomas 1985:112).

Evolving regional solutions

In a resolution on the civil war in Chad during the Freetown summit of 1980, the Assembly declared that it was deeply concerned about thousands of casualties both dead and injured (AHG/Res 101). Notably, it condemned unilateral intervention, with a thinly veiled criticism of Libya's incursions, stating that efforts to end the hostilities were being undermined by repeated acts of interference by African and foreign powers. This objection was stated in stronger terms the following year, in Nairobi, when the Assembly requested that all member states of the OAU abstain from interfering in the internal affairs of other countries (AHG/Res 102).

The resolution called for a Pan-African peacekeeping force, the implication being that a multilateral African force should replace both illegitimate foreign and unilateral African interference in Chad. Although the peacekeeping mission was unsuccessful, the OAU's involvement in Chad's civil war and in other conflicts did set in motion plans for regional peacekeeping and recognition of the need for humanitarian intervention in grave circumstances, such as genocide, war crimes or crimes against humanity (Constitutive Act of the African Union 2000, art 4(h)). In 1993 the OAU summit in Cairo established a mechanism for conflict prevention, management and resolution (AHG/Decl 3). The mechanism had a central organ which made decisions on matters of continental security, and can be regarded as the forerunner of the Peace and Security Council which was established in 2002.

The OAU's human rights regime began to take shape following the adoption of the African Charter on Human and Peoples' Rights (ACHPR) in 1981. The Charter's enforcement body, the African Commission on Human and Peoples' Rights, began its work in The Gambia in the late 1980s. In 1995 a protocol was drafted in Cape Town for the establishment of a human rights court that would be able to uphold the ACHPR more rigorously than the commission. This was adopted by the Assembly in 1998 and entered into force in 2003.

The 1980s and early 1990s may therefore be seen as a period of gradual evolution from strict non-interference norms to a more interventionist role for the OAU in conflict resolution and human rights enforcement. Presumably the architects of the AU deliberately downplayed this continuity, both to reflect well on themselves as innovative leaders with a new continental vision and to distance the reformed organisation from negative aspects associated with its predecessor.

It is evident from the analysis of OAU decisions, declarations and speeches over the years that Pan-Africanism was never the norm within the organisation, not even at its inception. It was a minority voice, seldom heard and at times completely drowned out by African nationalism. The grand visions of Nkrumah, Selassie and Nyerere were not supported by the majority of African leaders, who were all concerned to a greater or lesser degree with the consolidation of state power.

Yet the proposal for an African army did lay the groundwork for the creation of the Peace and Security

Council and provision for African-led peacekeeping interventions, such as the African Standby Force. Thus the early proposals for *Pax Africana* by Nyerere and others planted the seed of the idea within the organisation. This explains to some extent why the AU was able to make such a seemingly radical switch in 2002 from non-interference to 'non-indifference'.[5] The Pan-Africanist ideas contained the prototypes for an African peacekeeping force and human rights regime, which gathered momentum from democratisation across Africa in the 1990s.

Reviving the dream: The 'United States of Africa', 1999

Like the OAU, the AU was built on a compromise between different visions of continental unity.

With the elections in 1999 of Thabo Mbeki in South Africa and Olusegun Obasanjo in Nigeria, the race for regional influence between these two powerful countries began in earnest. At the same time, Muammar Gaddafi of Libya, whose country was under UN sanctions after the Lockerbie bombing, turned towards Africa to further his influence. It was this combination of initiatives that triggered the AU process (Tieku 2004:251).

Gaddafi proposed that an extraordinary session of the OAU Assembly be convened in Sirte, Libya, from 6 to 9 September 1999. The purpose of the summit was to 'discuss ways and means of making the OAU effective' (AHG/Dec140(XXXV)). Mbeki and Obasanjo apparently saw the session as an opportunity to present their plans for OAU reform, and welcomed Gaddafi's offer to pay for the meeting (Tieku 2004:260).

However, delegates were surprised by Gaddafi's opening address, in which he announced a blueprint for a 'United States of Africa', with a single African army, a common currency, and a continental leader with presidential powers. The heads of state subsequently agreed to replace the OAU with a new regional institution, but tasked the Council of Ministers to draft a constitution for the organisation (Tieku 2004:261). The resulting AU Constitutive Act that was adopted in Lomé, Togo, in June 2000 was a far cry from the Libyan model. It placed strong emphasis on democracy and human rights, condemned unconstitutional changes of government and applied a gradual approach to regional integration, rather than an immediate federation of united states (Constitutive Act of the African Union 2000, art 4(p)).

The AU that was launched in 2002 was therefore something of a reformed version of the OAU. It had a new legal foundation in the AU Constitutive Act, which replaced the OAU Charter. An ambitious set of new institutions, including a Peace and Security Council, Pan-African Parliament and Court of Justice were established. Provision was made in article 4(h) for a new enforcement regime to uphold regional commitments to human rights, which went even further than the United Nations in recognising the right of the organisation to intervene to prevent genocide, war crimes and crimes against humanity.

The transformation of the OAU into the AU has been a move towards the supranational end of the spectrum of regional organisations in several respects. Firstly, the legal powers of the organisation were increased with the replacement of the OAU Charter with the AU Constitutive Act, and particularly the groundbreaking article 4(h) regarding the right to intervention. Secondly, the number and size of AU institutions were increased, with a number of protocols and rules of procedure governing each new organ. Thirdly, the programme budget of the AU has increased substantially: from approximately US$30 million in 1996/97 to some US$160 million in 2007 (CM/2029(LXVII)).

Lastly, the post of AU Commissioner has been designed to be a more powerful position than that of OAU Secretary-General. The AU Act stopped short of the pooling of sovereignty model of the European Union, however. In article 1 the AU Commission is defined as 'the secretariat of the Union' rather than an executive structure independent of national governments, as is the case with the European Commission.

Dreaming on … 2007

Not content with the direction of the AU chaired by South Africa in 2002/03, Mozambique in 2003/04 and Nigeria in 2004/05, Libya continued to lobby for a United States of Africa. At the first few summits, procedural rules were cited as the reason why Libya's proposals could not be considered. When the proposals were finally placed on the agenda at the 4th ordinary assembly of the AU which was held in Abuja in January 2005, the Assembly appointed a committee of heads of state and government to consider the matter. The committee was made up of Botswana, Chad, Ethiopia, Niger, Senegal and Tunisia and chaired by Uganda (Assembly/AU/Dec 69(IV)).

Gaddafi used the AU summit in Sirte, Libya in July 2005 as another platform to persuade member states of the need for a United States of Africa. In a lengthy opening speech, he warned that the AU would fail just like the OAU did, if it did not move faster towards full unification:

Pan-Africanist ideas contained the prototypes for an African peacekeeping force and human rights regime

We accept from others outside Africa to reduce our sovereignty and to interfere in our internal affairs, but we do not accept the same in the name of African unity. When we talk of African unity, we say no on the grounds that it is in conflict with our national sovereignty... Yet, we are prepared to cede our sovereignty to foreign powers. We accept that, saying this is the way things work in our own time, but when we talk of ceding part of our sovereignty to the African Union, we say no our sovereignty is too big a thing to compromise (Gaddafi 2005).

Gaddafi explicitly rejected the EU model of regionalisation, stating that 'for a hundred years now, we have been calling for the United States of Africa to be patterned on the United States of America and not Europe'. His autocratic conception of governance was apparent in the refrain, 'who is in charge?', 'there is no one in charge', when repeating the need to appoint a single minister of defence to decide and supervise interventions and peacekeeping activities, a minister of external trade to negotiate with the main blocs in the name of a single African market, and a single leader with presidential powers to represent Africa on the world stage (Gaddafi 2005). Member states could have suspected that, like Marcus Garvey who envisaged himself as president of the United States of Africa, Gaddafi may have been suffering from similar delusions of grandeur.

Under considerable pressure from their host, the Assembly agreed in principle that 'the ultimate goal of the African Union is full political and economic integration leading to the United States of Africa' (Assembly/AU/Dec 90(V)). It set up another committee of heads of state to draft recommendations, this time chaired by political heavyweight President Obasanjo, and including the key states of Algeria, Kenya, Nigeria, Senegal and Uganda, plus Gabon and Lesotho. This committee sent recommendations to an experts' meeting of the AU Commission, which took place in Addis Ababa in December 2005.

The AU Commission subsequently created an advisory board, which in turn commissioned a study to review the proposals during 2006. This became the 'Study on an AU government towards the United States of Africa', drafted at a technical workshop in Abuja in April 2006. It was hosted by the African Leadership Forum, a think-tank with strong ties to President Obasanjo.

South Africa weighed in at the Addis Ababa summit in January 2007, when it offered to host a retreat of foreign affairs ministers and an extraordinary session of the Executive Council to prepare for the 'grand debate on the union government', which would be held in Accra in July 2007.

The saga of committees, experts' meetings, retreats and workshops set up to entertain these proposals

could be viewed as an effort to appease the Libyan leader, without actually conceding any ground to the idea of a United States of Africa.

Proposals from the AU Commission

The theme for the Accra summit of 2007, *An AU government: Towards the United States of Africa*, takes its title from a study of the same name circulated during 2006 by the office of the chairperson of the AU Commission. The study consists of three chapters, dealing with the background to the deliberations, the framework for an AU government, and a timetable for implementation of changes leading to the United States of Africa.

Perhaps unsurprisingly, the document lacks substance. It is deliberately vague on both the rationale for and the content of a United States of Africa. It does not use the word 'state' to describe this entity, nor does it mention whether or how the national sovereignty of the 54 existing African states would be superseded . The document merely implies an overarching sovereignty conferred by international recognition in the final paragraph, namely that 'the United States of Africa would be officially constituted and recognized as such in the world community of nations' (para 120).

The United States of Africa is conceived as a long-term goal, to be achieved by 2015, with an AU government established by 2009 as a 'transitory arrangement towards the United States of Africa' (para 15). The proposed timeframe for establishing the United States of Africa is described as a 'tentative roadmap', suggesting that the outcome of full unification remains uncertain. The focus of the document is on the interim AU government, rather than the United State of Africa, which is afforded only a two-paragraph mention at the end of the last chapter.

In chapter 1 it is acknowledged that the OAU was established in 1963, 'as a result of a compromise between supporters of full political integration and those preferring a loose cooperation organization' (para 4). Integration strategies, such as the Lagos Plan of Action (1980) and the Abuja Treaty establishing an African Economic Community (AEC), to be achieved over a period of 34 years (para 5) are then described. The replacement of the OAU by the AU in 2002 is described as a further 'move towards political union … meant to accelerate the implementation process of the Abuja Treaty' (para 8).

Chapter 2 sets out proposals for changing the AU into an AU government. The word 'government' has connotations of a state structure, such as a federation. On closer examination, however, the document stops well short of proposing a continental government to replace the regional organisation. Rather it proposes strengthening the supranational powers of the AU

Commission vis-à-vis its member states, along the lines of the European Union's integration process. The document claims that creating a union government would have far-reaching implications for existing institutions and programmes and require a revision of the Constitutive Act. The substance of the proposals may be summarised briefly as follows:

- Appointment of a full-time president of the Assembly, to be 'the unique spokesperson of the Union at world or other special summits' (para 35).
- The post would be assigned to a former head of state or other distinguished African (para 35/36).
- The president would have a three-year tenure, rather than the existing one-year rotational system of chairing the Assembly by acting heads of state and government (para 35/36).
- Extending the tenure and executive powers of the chairperson of the AU Commission to a seven-year fixed term with greater involvement in the appointment of his/her deputy and commissioners, and 'full managerial functions with respect to all high level personnel' (para 43/44).
- Strengthening the executive powers of the AU Commission, on the principle of subsidiarity, to grant executive authority over areas identified as the community domain (para 40/41).
- Amendment of the AU Constitutive Act to reflect the common understanding that union members have agreed to delegate, partially or totally, authority to a continental body aimed at facilitating the establishment of a community domain (para 57).
- Revision of the Pan-African Parliament to allow for direct election of members and greater powers to exercise 'democratic oversight' over the union as well as budgetary powers (para 46/47).
- Incorporation of the New Partnership for Africa's Development (NEPAD) under 'the executive competence of the Commission either integrally or as a subsidiary organ', with lines of authority running through the executive head of the Commission in consultation with the Heads of State and Government Imlementation Committee (HSIGC) (para 64).

From the above it is clear that the framework does not propose radical changes to existing AU institutions, such as the PSC and ACHPR. It is broadly supportive of setting up or consolidating other institutions envisaged by the AU, such as the Economic, Social and Cultural Council, the courts of justice and human rights and the financial institutions for economic integration. Significantly, it stops short of proposing a common currency for the union, recognising that 'it is not realistic to require the different African regions to create the conditions for optimum currency areas in the medium to long term' (para 73).

Financial control of the AU government is to remain in the hands of member states, with the existing member state contributions to be supplemented only by indirect taxes – an import levy and tax on airline tickets – which will presumably be collected at national level.

Chapter 3 contains a roadmap or timetable, starting with the adoption of the changes to the AU Act and institutions by 2009, drafting of a constitution of the United States of Africa under the auspices of an AU government from 2009 to 2012, and finally, adoption of the draft constitution by union members (still the member states) with elections at continental, regional and national levels to endorse the United States of Africa by 2015. Neither the purpose nor the process of these elections is clearly spelled out.

Essentially the document appears to lobby for greater executive powers for the AU Commission in general, and the office of the chairperson in particular. The relationship between the president of the Assembly and the chairperson of the commission is unclear, although presumably these roles are meant to echo those of mixed presidential and prime ministerial systems of national government. This raises the question of where greater executive power would lie – with the presidential spokesperson for the union government, or the commission chairperson who has powers to appoint his/her commissioners, much like national ministers of a cabinet?

Compared to the EU's executive structure, this proposal is more likely to create tension between the Assembly and the commission by proposing a longer, full-time role for the president of the Assembly. In the case of the EU the opposite holds true: presidency of the Council of the EU (like the AU's executive council) and the European Council (like the AU Assembly of heads of state and government) rotates between member states on a six-monthly basis – even shorter than the current term of the AU Assembly. This very brief term of office for incumbent national leaders and ministers allows them very little executive influence over the EU. The president of the European Commission, in contrast, has a five-year tenure and the power to choose his or her commissioners 'in consultation with' the Council of the EU. The document does not motivate why there should be parallel offices of a president of the Assembly and a chairperson of the commission, both with strong executive roles.

Further debate on this document should therefore centre on justifications for increasing the executive powers of the AU Commission. Is it desirable, necessary and feasible for the AU Commission to become more supranational in nature like the European Union?

An NGO observer of the AU points to a structural weakness in the AU Commission, with the direct election of the commissioners by member states resulting in 'weak lines of accountability to the Chairperson and poor cohesion within the AU Commission during

the past 4 years'.[6] This issue was on the agenda for discussion by the executive council in January 2007, although little change was made to the modalities for election of AU Commission officials.

Will the proposal for an AU government lead to a new sovereign state known as the United States of Africa, or is it leading the AU in a different direction entirely? The source of this discussion document and its endorsement by Konaré would suggest that the AU Commission is using the United States of Africa debate within the AU as a vehicle for the promotion of a different agenda. It is undoubtedly a more realistic and immediately attainable model for greater political integration, but whether the member states agree to the AU government remains to be seen.

There is little evidence of political support on the part of member states, other than Libya, for this proposal. On the contrary, many may feel that they have already conceded too much power to the AU organs, particularly regarding scrutiny of their internal affairs. When asked how much power the AU had for implementing the security objectives of the organisation, an AU official commented:

> Legally speaking, we have all the powers we need in the PSC Protocol. It may be more difficult to get further agreements from the member states now, since the euphoria around the AU launch has settled down.[7]

These observations imply a process of gradual change, and of constant negotiation of norms between member states. Even if certain member states experience buyer's remorse after adopting new instruments for peacekeeping, promotion of democracy and review of human rights, the new institutions are beginning to 'socialise' member states into an acceptance of these new norms.

Conclusion

The problem with the debate on an AU government or a United States of Africa is not so much the Pan-Africanist ideas themselves, but the lack of credibility of their current proponents. Given Libya's own record of authoritarian rule and many infringements on the sovereignty of its neighbours, Gaddafi's calls on African states to give up their sovereignty for the greater good of the people are regarded by many in civil society and in government as hypocritical in the extreme. The proposals for a United States of Africa, brought to the table by Libya, focus on the centralisation of power without attention to democratic checks and balances.

The lessons of the OAU's history hold out a warning:

> Pan ideologies … can easily be turned into a vehicle for expansionist ambitions … unity is an

abstract term that has no meaning unless related to specific objectives, problems, interests or enemies. It is these that provide it with contents and make it come to life. Concomitantly, attitudes to unity depend on the question to which particular goal it is meant to contribute (Van Walraven 1999:95).

A review of the original tenets of Pan-Africanist thought would therefore be instructive to the Accra summit debate. Consolidation of new norms of humanitarian intervention and a strong regional human rights mechanism require further debate on the rights and responsibilities of sovereignty within the AU. This would be the long, hard path to substantial integration, and towards the goal of human security, rather than state security. Whether the AU needs a more powerful, independent commission to achieve this goal is subject to discussion, one furthermore that may benefit from comparative studies of the role of multilateral organisations in normative change.

The spirit of the Pan-Africanists may be revived, without taking literally the proposals from the Cold War era, for a United States of Africa. The gradualist model of regional integration may well be the more realistic course for pursuing the economic and security interests of Africa in the 21st century.

Notes

1 See constructivist theories of 'norm diffusion' within international organisations, described as a gradual process of 'socialisation' of member states and 'contestation' of 'old' and 'new' norms by for example Finnemore and Skikkink (1998) and Acharya (2004, 2005).

2 See the preamble to the Brazzaville group's treaty of the Organisation africaine et malgache de coopération économique (OAMCE), which states that 'il n'y a plus lieu à l'heure actuelle de procéder à la création d'un organisme à caractère supra-national' (Van Walraven 1999:96).

3 This point is also evident in the history of the South African liberation movement. Robert Sobukwe's Pan-Africanist Congress (PAC) was a more radical movement than the African National Congress (ANC) which had been established in 1912 and split from it in the 1940s. While the two movements rivalled each other for support long after they were both banned in the 1960s, it was the ANC that developed a mass support base during the 1980s, particularly among non-government organisations inside the country, through the Congress of South African Trade Unions (Cosatu) and the United Democratic Front (UDF). It emerged as the majority party and won the first democratic elections in 1994, while the PAC's support dwindled.

4 See Wolfers (1976:196–200), for a description of this turbulent period in the OAU's history.

5 The phrase used by AU Peace and Security Commissioner, Said Djinnit, in a number of speeches and media statements.

6   Confidential update note prior the 8th ordinary summit of the AU, Addis 22–30 January 2007, unpublished, January 2007.

7   Interview with a senior official of the AU Commission, Addis Ababa, 15 January 2007.

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About this paper

What is meant by a United States of Africa, and where does the idea come from? Is it feasible? Or even desirable as a realistic goal for the continent's diverse people? This paper traces the roots of the Pan-Africanist vision for the Organisation of African Unity (OAU), and then examines the prospects for its revival in the African Union (AU). It is evident from an analysis of OAU decisions, declarations and speeches over the years that Pan-Africanism was subsumed by African nationalism. It was a minority voice, seldom heard and at times drowned out by African nationalism. The ideals of founding fathers Nkrumah, Selassie and Nyerere did not have the support of the majority of African leaders, who were all concerned to a greater or lesser degree with the consolidation of state power. From the ideas and actions of a few visionaries, support for an African regional peacekeeping capacity and for human rights monitoring across borders grew into the AU institutions of the Peace and Security Council and the African Commission (and court) of Human and Peoples' Rights. The agenda for a United States of Africa goes further than what member states agreed upon in the AU Constitutive Act, however. The paper analyses the AU Commission's 'Study on an African Union government towards the United States of Africa' – a discussion document issued by the office of the chairperson of the AU Commission.

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Kathryn Sturman is a PhD scholar of international relations at Macquarie University in Sydney, Australia. Her thesis topic is 'Changing norms of non-intervention in Africa and Southeast Asia', with case studies of the AU and Association of Southeast Asian Nations (ASEAN). She was a senior researcher at the Institute for Security Studies in Pretoria, South Africa, from 2002 to 2004, focusing on African regional organisations and the role of civil society in promoting human security. Ms Sturman holds a BA(Hons) and MA cum laude (1996) in African politics from the University of Cape Town.

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