

The African Union: Organization of African Unity 2.0 or Regional Renaissance?

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THADDEUS C.B. JAHN, MAY 23 2014

The African Union: Organization of African Unity 2.0 or Regional Renaissance? Evaluating the African Union as a Remedy for the Weaknesses of the Organization of African Unity

When the Assembly of Heads of State and Government of the Organization of African Unity (OAU) declared the establishment of the new African Union (AU) in March 2001, spirits reached an all-time high. There was a feeling that South African Thabo Mbeki's "African Renaissance"[1], a vision coined in 1998, had finally come to fruition. The AU would serve to institutionalize regional security and integration, coupled with improved economic, social, and political relations of African states. More than a decade later, debate is livelier than ever: has the AU remedied the weaknesses of the Organization of African Unity and finally introduced a period of wealth and peace to the continent? This essay will attempt to answer the question by identifying the weaknesses of the OAU and exploring whether the AU has improved on this generally weak track record. Firstly, the constructivist notion of norm diffusion or development shall be explored in the context of an African security community and culture. Secondly, this essay will shed light on the institutional design and practical implications of the organizations in discussion. Thirdly, it will be shown that the African Union failed to address and circumvent crucial structural problems that have, as a result, rendered it victim to forces that made the OAU so ineffective. Finally, this essay will come to the conclusion that the African Union has made significant contributions and improvements to the greatly flawed legacy of the Organization of African Unity. Nonetheless, the failure to address structural problems means that the jury is still out.

The African Security Puzzle

While IR scholarship has traditionally focused on Euro-centric security issues, recent years have witnessed a growth in discourse on Africa as a state-based unity. Much of the talk about the deepening of European integration since the formation of the European Union at Maastricht in 1993 has prompted assessment of the equivalent project in Africa. The first source of contention typically concerns itself with the security structure of the African regional bloc. Scholars such as Goldgeier and McFaul (1992) see Africa as part of a global periphery wherein security dynamics could be explained in Realist terms as part of a Hobbesian struggle for power[2]. Buzan and Waever believe Africa to be caught up in a regionalization of international security, wherein patterns of enmity and amity, and relative material capabilities within particular regional security complexes are crucial to understanding the continent's security dynamics[3]. Opponents of realism on the other hand argue that these views wrongly downplay the importance of the cultural beliefs shared by all African states regardless of their position in the regional distribution of power. A second debate is held over the paradox puzzle of boundaries. Why is the current system based on a Western sovereign nation-state system when Africa so fundamentally opposes Western colonialism? This debate is followed by other concerns about integration. Why has there been institutional transformation and how does the AU manage to prevail over other African regional organizations? Finally, there has been significant unease at the fact that Africa transformed its understanding of "sovereignty", even though it had so eagerly planned to hold on to the status quo of post-independence for many decades. As has been shown, a multitude of questions and puzzles inform discourse on Africa and its organizations.

Assuming the Worst

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Before undertaking analysis of the transformational effects of the OAU turning into the AU, this essay will endeavour to uncover some of the underlying assumptions that affect the way this essay's conclusion will read. Inherent in the discourse of the OAU is a belief that significant institutional shortcomings prevented the organization from effectively securing peace and cooperation on the African continent. This essay will agree that, generally, the OAU was plagued by deficiencies; however it is important to note that the organization did have strengths, particularly normative ones, which set the scene for the creation of the AU. Furthermore, there is a somewhat controversial assumption that we are able today to draw a conclusion about the African Union's lifetime. Existing only 13 years at the time of this paper, the African Union is still in the process of being moulded into shape and developing as we discuss. Particularly in light of Africa's deeply-permeating and far-reaching social, economic, and political problems that have significantly shaped the continent's workings in the past decades, it seems unfair to employ a clear-cut dichotomy of success or failure to the legacy of a young organization. This essay will attempt to provide a more nuanced discussion that removes itself from standard accounts of OAU failure and AU success. Each institution will be evaluated on its own merits: normatively, institutionally, and structurally.

A Refined Security Culture: From Non-Intervention to Non-Indifference

The first point of consideration of this essay is given to the constructivist notion of norms. Norms are defined by Finnemore and Sikkink (1998) as "standards of appropriate behavior for actors with a given identity"[4]. Already since the beginnings of European integration and decolonization during the Cold War was there talk of a profoundly norm-driven agenda that attempted to reconstitute the identities of both new states and their former colonizers as well as the relationship between them. The birth of African international society came about as a reaction against Western imperialism; interestingly enough, this was combined with the adoption of Western notions of sovereignty.

It may be argued that the establishment of the OAU, which coincided with the movement towards independence, was a crucial moment in norm socialization of the continent. According to Legum, the OAU was born in 1963 as "historic necessity and a welter of conflicting political ideas and interests"^[5]. Rivaling conceptions of the future of Africa (the radical Casablanca group which argued for a "United States of Africa" and the Monrovia group which called for the establishment of a loose association) were necessary in launching a process of reformation and identity-search. Despite the ultimate success of the Monrovia group which materialized itself through the affirmation of sovereignty by the OAU, debate over a closer integration continued.

The OAU's security culture became based on four elements: dislike of imperialism, sovereign equality, non-intervention norm, and *uti possidetis*[6]. Security cultures are defined as "patterns of thought that establish pervasive and durable security preferences by formulating concepts of the role, legitimacy and efficacy of particular approaches to protecting values"[7]. Recent scholarship has also linked the AU's security culture to that of a security community, which is defined as "a transnational region comprised of sovereign states whose people maintain dependable expectations of peaceful change"[8]. However, three inherent contradictions rendered the OAU security culture unbelievable. Firstly, secession was supported in some places (e.g. Guinea-Bissau and Angola) but condemned in others (e.g. Nigeria and Chad). Secondly, the OAU was willing to promote human rights but not protect them; willing to condemn European minority regimes in South Africa and Rhodesia but unwilling to speak out about abuses committed by African governments. Thirdly, the OAU desired to find African solutions to African problems but continuously relied on outside aid and assistance.

This seeming hypocrisy does not, however, diminish the impact that the OAU had in facilitating normative changes. Moreover, the OAU established many principles that would finally mature once the Cold War ended. These include sovereign equality of members, non-intervention in normal cases, anti-imperialism, *uti possidetis*, and non-use of force, all of which became key elements of the AU's security culture. In fact, the process of norm entrepreneurship launched by the OAU in the 1960s created new principles, namely those of condemnation of unconstitutional changes of government and the responsibility to protect (R2P) as outlined by the International Commission on Intervention and State Sovereignty (ICISS) 2001 report[9].

Sovereignty in Africa experienced a shift from "non-intervention" to "non-indifference". In other words, states maintained sovereignty, but they could no longer use sovereignty to justify and enact violations of fundamental

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human rights (as outlined in the UN Universal Declaration of Human Rights). This human rights affirmation is particularly meaningful in light of the OAU's failure to act in Rwanda in 1994. Although subsequent reports recognized that the "Organization had no capacity to take decisions in independent of states, [they] criticized the OAU for failing to say expressly that the situation in Rwanda was genocide".[10] In such a case, the African Union reserves its right to intervene. However, theory does not always coincide with practice and the failure of the AU to contain the 2004 conflict in Darfur, Somalia has cast doubts about practical use of the Union. Nonetheless, the African Union has been responsible for a powerful revival of the once so important notion of pan-Africanism. Following superpower penetration, resource scarcity, institutional weakness, national self-interest, and inactivity during the Cold War, the institutional deepening and broadening of the AU along the lines of the OSCE and EU models suggests a return of pan-Africanism. As has been demonstrated, the process of institutionalization of norms that began with the OAU has been successfully taken on by the AU. In that sense, the AU may be regarded as highly successful. Unfortunately though, norms have been internalized unevenly in African states.

A New Form of Governance

Perhaps the least contested claim in discourse on African organizations is that of an institutionally weak Organization of African Unity. Originating at the height of Cold War superpower tensions, a large proportion of member states quickly became entangled in alignment with either the United States and their capitalist system or the Soviet Union and its ideology of Communism. This, coupled with a lack of resources, a desire to preserve the status quo, and fundamental constitutional misgivings, meant that the OAU played at best a marginal, at worst a non-existent, role in the next few decades.

It may be argued that the failure to succeed resulted from the "fact that it was not designed to exploit effectively the dynamic tension between globalization, security, and governance." [11] However, following the end of the Cold War, there was a radical shift: states began to believe that to "break the cycle of violence, poverty and underdevelopment they had to cooperate with each other and together take charge of Africa's destiny" [12]. Humanitarian catastrophes in Liberia, Somalia, and Rwanda increasingly made leaders ready to overcome hurdles of sovereignty that had prevented meaningful and effective cooperation in the past. In terms of institutional features, the AU certainly remedied many of the weaknesses of the OAU. The Mechanism for Conflict Prevention, Management, and Resolution transformed into the Peace and Security Council (PSC) which led to the redefinition of the concepts of peace and security on the continent. The new role of the PSC prompted African leaders to rethink the previously rigid adherence to sovereignty and non-interference. Unlike the OAU's sole focus on conflict solution, the AU now also incorporated conflict prevention focus.

In addition, in comparison to the powerless OAU Secretariat, the Chairperson of the Commission of the AU received powers through the Constitutive Act in numerous different ways. Firstly, an Early Warning System (EWS) at the sub-regional level and Article 10 of the PSC Protocol that empowers the Chairperson to bring to attention any matter that might threaten peace, security and stability in Africa, allowed for greater and earlier detection of significant threats to peace. Secondly, a Pan-African Standby Force was created that could operate under the most revolutionary of Articles: Article 13 (3) (a). Unique and unseen in any organization on earth, this article allows for the "intervention in a Member State in respect of grave circumstances or at the request of a Member State in order to restore peace and security" [13]. This provision provided the AU with the teeth that the OAU never had. Furthermore the African Union established complimentary organs such as the Military Staff Committee, Peace Fund, and the Panel of the Wise which no longer placed heads of states who had vested interests in conflicts into positions of decision, but individuals who are deemed independent. The AU has also managed to increase accountability and transparency through measures such as the AU Convention on Preventing and Combatting Corruption (2003) and the African Charter on Democracy, Elections, and Governance (2007).

The effect of institutional modification has been an increase in "transjudicial communication...[which established] a virtual human rights network between the African System and activist forces" [14]. A combination of international law and institutions such as the African Charter, the African Commission on Human and People's Rights, and the African Court of Human and People's Rights have been fundamental in giving greater power to the people and thus the community as a whole. The multitude of changes have led some observers of contemporary African politics to

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suggest that the creation of the AU marks the most significant political change in interstate relations in Africa in almost 40 years^[15]. Overall, while the creation of these arrangements in itself “constitutes a major achievement in institutional reform, it is the AU’s underlying acceptance of the normative commitment to protect which distinguishes it from its feeble predecessor.”[16]

A Familiar Structural Curse

Organizations are typically created in response to problems that are deeply entrenched in society. In Africa, an exhaustive list of problems is long, featuring decades of underdevelopment, poverty and inequality, autocratic rule, corruption, and wasteful resource management, lack of transparency, undemocratic institutional arrangements, absence of tax bases, civil war and diseases, and exploitation by transnational corporations (TNCs)[17]. In its establishment, the African Union has failed to overcome the structural deficiencies that both the OAU and many organizations in the past have faltered as a result of. Problems often limit the structure that organizations can take, which, in turn, limit the influence and impact of the organization in combatting the initial problem. The diagrammatic visualization of this process is offered below.

Turning to the OAU to begin with, foreign interventions/colonialism by Western powers and the height of the Cold War produced rigid alignment blocs within Africa. The OAU did not seek to tackle this problem but instead built itself on the Casablanca/Monrovia conflict. Unsurprisingly, this affirmed divisions between states and resulted in an ineffective organization that found it impossible to agree on a direction to take. The African Union has made the same mistake. Being an organization based on combatting widespread poverty in Africa, for example, has mistakenly been combined with structures that rely on funding by Member states who have little money themselves. Thus, the AU lacks the funding to effectively institutionalize regional integration and developmental missions[18].

Furthermore, the continuing existence of self-interested autocratic rulers was ignored. This effectively meant that the AU, once established, could not actually extract sufficient powers from unwilling dictators such as Mugabe in Zimbabwe and Omar al-Bashir in Sudan. The AU has a particularly bad record in preventing elected heads of state from abusing their powers and has been unable to pressurize military governments into liberalizing their political systems[19]. In fact, the often tense relationship between autocratic leaders and new African democratic states is a major contributor to instability and ineffectiveness in the face of democratic backsliding.

A third example of this adverse cycle is found in aid and debt. The (over-) reliance on aid from organizations such as the World Bank and International Monetary Fund (IMF) to keep the AU working have in fact harmed it significantly by reducing its lack of independence and reducing the AU’s importance in world politics. This is evidenced by NATO countries acting to “savagely, dismiss and marginalize the AU”[20] during the Arab Spring in Libya. According to Tiekou, the future success of the AU now greatly depends on:

“how effectively the commissioners will be able to use their privileged [...] access to information and ideas to reach agreements amongst African leaders” and the “working relations the commissioners will establish between the institutional structure of the continental organization and regional civil society organizations as well as grassroots civil society groups”[21].

Conclusion

The African Union has done much to remedy the weaknesses of the Organization of African Unity. It represents the “most concrete manifestation towards the realisation of a process of political cooperation and economic integration of the States of the African Continent begun by the OAU”[22]. It has re-defined sovereignty to comply with the global trend to institutionalize the “responsibility to protect” from gross human rights violations. It has also re-structured ineffective organs such as the Panel of the Wise, added a more objective and useful system of early-warning, reaction and reconstruction, and has implemented a revolutionary right to intervene into affairs of abusive African regimes. Moreover, the AU has managed to formalize the transformation from a statist OAU society of “mutual admiration”[23] to a rapidly evolving AU society of mutual improvement.

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It is noteworthy that the OAU, while it failed in the big picture, was important in catalyzing a normative change. However, the path to successful integration, peace and security, tangible economic benefits, and an improvement in overall living conditions of citizens is a long one. A vicious structural cycle upon which the AU has been constructed prevents continuous and effective problem-solving and practice often contradicts theory. Humanitarian interventions have been limited, poverty and inequality are still overarching issues, and the AU has yet to find a way through which it can overcome “a lack of political will on the part of member states to interfere in each other’s affairs for protection purposes”[24]. Finally, a potential problem derives from uncertainty surrounding what will happen if the United Nations is unwilling or unable to authorize intervention. The constitutive act and peace and security protocol do not specify details. This concern interlinks with a greater general debate in international organizations discourse regarding the true role and influence that regional security institutions such as the NATO and the AU really have.

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