



Chapter 2

The Feasibility of a Union Government and a United States of Africa: Dilemmas of Political Integration and Democratisation

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Introduction

The African Union (AU) has been engaged in a debate on the feasibility of a Union Government and prospects for the establishment of a United States of Africa by 2015. The proposal for a Union Government and steps towards a United States of Africa were first tabled during the AU summit of heads of state and government held in Banjul in the Gambia in July 2006. Since this issue was not discussed during the 2006 AU summit, it was further tabled during the summit of January 2007 held in Addis Ababa, Ethiopia. It was at the 2007 summit that the heads of state and government decided that the July 2007 AU summit to be held in Accra, Ghana be dedicated solely to the grand debate on a Union Government. At the very heart of this grand debate are the nature and form, as well as the pace of integration in Africa. Should Africa pursue economic integration first and political integration later? Or should the continent pursue economic integration and political integration in tandem? Whichever route is preferred, which approach is viable and how should the AU sequence the strategies to be pursued, and over what time period?

By way of introduction, it is worth emphasising that the grand debate on a Union Government has a historical precedent. In 1958, a year after Ghana's independence, a similar type of debate took place in Accra, Ghana at the All-Africa Peoples' Conference. During the 1958 debates, African states were not unanimous on the form, scope and depth of integration that Africa should pursue. There were two main schools of thought. One school was led by Ghana's president, Kwame Nkrumah, who championed a radical and revolutionary route of politi-



cal integration starting with a supranational body that would then steer various regions towards supranational Pan-Africanism and African unity. Nkrumah went to the extent of proposing 'a continental union government or at least a political union of West African states' (Ikome, 2007: 38). The other school was led by Nigeria and advocated a gradualist and evolutionary route emphasising economic integration and the strengthening of the various regional economic communities as a foundation for African unity. Nigeria and its allies held a position that 'economic integration was to precede political union and that economic integration itself must begin at the sub-regional level and proceed in stages beginning with functional cooperation and coordination and leading towards, perhaps, a common market' (Ikome, 2007: 39). When the Organisation of African Unity (OAU) was established in 1963, it was a culmination of the debate between the revolutionary and evolutionary schools, and obviously the latter had its way.

By all indications, the 53 AU member states still do not have a commonly held position as to how to proceed with this matter. However, this time round, the large majority of African states are committed to pursuing both economic and political integration, principally due to the external pressures of accelerated globalisation. Some efforts have been made in the recent past to steer the continent more and more towards a pursuit of both economic and political integration, although it must be acknowledged that the problem of narrow national sovereignty still remains a major stumbling block. Modest efforts towards embracing both economic and political integration include:

- the establishment of the Conference on Security, Stability, Development and Co-operation in Africa (CSSDCA) in 1993, emphasising the interconnectedness of security, democracy and development in Africa,
- the transformation of the OAU into the AU in 2001 with a view to reinvigorating the spirit of Pan-Africanism and striving towards greater African unity,
- the adoption in 2002 of the New Partnership for Africa's Development (NEPAD) as a fundamental development vision for the continent,
- the adoption of the African Peer Review Mechanism (APRM) in 2003 with a view to opening up member states' political systems to scrutiny by their peers and citizens, and
- the adoption of the African Charter on Democracy, Elections and Governance adopted in 2007 with a view to unequivocally committing AU member states to democratic governance.

Be that as it may, the AU does not represent an homogeneous bloc, and it still remains as heterogeneous as its predecessor, the OAU. In the run-up to the grand debate on a Union Government in July 2007, two blocs emerged. The first group, comprising mainly the West Africa region and supported by Libya, advocates the



idea of a Union Government and the establishment of a United States of Africa by 2015. The other group, comprising mainly the Southern Africa region and supported by South Africa, embraces the idea of a Union Government, but cautions against too radical and revolutionary measures when working towards this goal, preferring instead a rather evolutionary and incremental approach to building the vision of Pan-Africanism and African unity on the basis of strong regional economic communities (see Ajulu, 2007).

This chapter teases out the challenges facing the AU in the process of establishing a Union Government and ultimately achieving the vision of a United States of Africa, with specific reference to political integration and democratic governance in the continent. Following these prefatory remarks, the next section provides a broader context so as to locate the debate within a proper perspective of the dilemmas of integration in Africa. The third section will interrogate the transition from the OAU to the AU and the implications of this for integration. The fourth section will deal with NEPAD, the APRM and democratisation in Africa with a view to probing the extent to which political integration is bearing fruits. This is followed by a discussion of the democratisation efforts in the continent, including the adoption of the African Charter on Democracy, Elections and Governance. Key challenges for political integration with specific reference to democratic governance are presented in the sixth section. The chapter thus aims to answer the question: How feasible is a Union Government and what would its implications be for democratisation and governance in Africa?

Contextual and conceptual perspectives

The post-Cold War global order has presented the African continent with an opportune moment for taking the ideal of political integration to greater heights. The ideological bipolarity marked by the Cold War that spanned the period 1945–90 fanned and fuelled political instability and propelled authoritarian regimes of various sorts throughout the African continent. There is no gain-saying that whereas the Cold War ensured an intensified propaganda warfare and arms race between the superpowers of the time, namely the United States of America and the Union of Soviet Socialist Republics (USSR), it generated various types of hot wars in the African region supported directly and/or indirectly by both superpowers as they strove to win political allies in their larger ideological contestation. In the process, the political integration of the continent and democratisation were sacrificed. The ending of the Cold War and the subsequent emergence, since 1990, of a unipolar world under the unchallenged politico-military hegemony of the United States, following the disintegration of the USSR, has put an end to the global ideological bipolarity. This has presented



the triumphant Western world with unfettered power to promote a global agenda of liberal democracy in the context of what Samuel Huntington (1991) terms the Third Wave of democratisation, accompanied by economic liberalisation within the framework of accelerated globalisation. Although the changed global order has had its own impact on the reduction of protracted violent interstate conflicts, intrastate conflicts still persist in Africa and present a challenge for both political integration and democratisation in the continent. The idea of a Union Government and the establishment of a United States of Africa would not be meaningful if the African continent remains mired in protracted violent conflict and political instability that not only retard democratic advancement, but also stifle sustainable human development.

Besides the end of the Cold War, another factor that gave impetus to the recent efforts towards political integration and democratisation in Africa was the demise of apartheid in South Africa in 1994, a development that has been perceived as a monumental political miracle of our time. Like the end of the Cold War, the demise of apartheid helped the continent as a whole, and Southern Africa in particular, to make a transition from the era of destabilisation of the continent by the apartheid military establishment and economic aggression to the peaceful coexistence of African states. It downscaled considerably the incidence of violent interstate conflict. Again, this development propelled the impressive impetus for African states to gear their political systems more and more towards democratic governance as the era of authoritarian rule was systematically jettisoned. The combined effect of the end of the Cold War and the demise of apartheid provided a new impetus for the pursuit of regional/continental integration and democratisation in tandem. While during the Cold War, economic regional/continental integration was pursued almost at the expense of political integration, today there is a deliberate effort to pursue both forms of integration simultaneously.

Part of the explanation for the failure of previous efforts towards economic integration, including the 1980 Lagos Plan of Action, has to do with the fact that African states then tried to pursue economic integration while neglecting political integration. In 1991 the OAU adopted the Treaty Establishing the African Economic Community, whose principles are:

- i. Equality and inter-dependence of Member States;
- ii. Solidarity and collective self-reliance;
- iii. Inter-state cooperation, harmonization of policies and integration of programmes;
- iv. Promotion of harmonious development of economic activities among Member States;
- v. Observance of legal systems of the community;
- vi. Peaceful settlement of disputes among Member States, active cooperation between



- neighbouring countries and promotion of a peaceful environment as a pre-requisite for economic development;
- vii. Recognition, promotion and protection of human and peoples' rights in accordance with the provisions of the African Charter on Human and Peoples' Rights; and
 - viii. Accountability, economic justice and popular participation in development (OAU, 1991).

Evidently, there is increasingly a realisation by African states that striving towards economic integration without addressing issues around peace and security, democracy and human rights, economic justice, and popular participation is a futile exercise. In fact, experiences from South America confirm this observation. In an interesting treatise on regional integration and democratisation in Latin America, Franklin Steves aptly observes that: 'there is a strong correlation among the emergence of democracy in the southern cone, the beginnings of regional economic integration, and the concomitant "desecuritization" of relations among long-standing rivals in the region' (Steves, 2001: 76). This is also the case in Africa. With hindsight, by pursuing economic integration without addressing challenges for political integration and security co-operation between the 1960s and 1980s, African states failed to achieve development and the democratisation process was continuously postponed. Currently, major initiatives towards economic integration emphasise the significance of democratic political governance as a prerequisite for integration. A Union Government and the establishment of a United States of Africa should not depart from this new trend. To this end, it is encouraging that the AU background study exploring the feasibility of a Union Government proclaims that:

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 It will represent the concretization of the vision of the African Union (AU, 2007: 35).

Put another way, economic integration cannot be achieved without political integration, and both political and economic integration cannot be achieved without deliberate efforts towards democratising society. Democratisation must be at the very heart of integration efforts. While the Treaty Establishing the African Economic Community recognises this stark reality, the idea of pursuing economic integration and political integration simultaneously with emphasis placed on democratisation is even more evident in recent initiatives, such as NEPAD and the APRM. The global changes outlined above have encouraged a wave of democratic transitions in Africa since the late 1980s and early 1990s. These transitions



have been marked by deliberate institutional and systemic changes away from authoritarian regimes towards an embracing of multiparty democratic political systems, even though debate still rages around whether or not these transitions amount simply to formal rather than substantive democracy and whether or not they are sustainable or reversible (Daniel, Southall & Szeftel, 1999; Oseghae, 2004). Nevertheless, the general agreement on the merits of democracy across the continent and domestic efforts towards democratisation can be said to have made the conditions for political integration among African states more palatable.

Democratic transitions in Africa have assumed various forms. Two of these are worth highlighting for the purpose of this discussion. Firstly, authoritarian regimes of various varieties, including monoparty, one person and military regimes, have given way to multiparty systems. While this situation has opened the political space for democratic competition, it has also been marked, by and large, by the all-pervasive trend towards a dominant party syndrome. In South Africa, Botswana and Namibia, to name three examples, a viable opposition party that could be a real challenge to the dominant party in an election has not emerged. Secondly, the process of political liberalisation has opened political avenues for regular multiparty elections. While elections are an important ingredient for democracy, on their own they do not constitute democracy. It is perfectly possible, therefore, for some countries to hold regular elections every five years while embracing an authoritarian form of governance. Such regimes have come to be classified as electoral authoritarian regimes (Bratton, Mattes & Gyimah-Boadi, 2005). At this point, Robert Mugabe's regime in Zimbabwe could be classified as this type of regime. There are thus various stages of transition and different trajectories of democratisation among African countries. Despite these variations, however, the AU has made concerted efforts towards putting the democracy agenda at the heart of continental/regional integration. It is to this subject that the next section now turns.

From the OAU to the AU

Along with the global changes of the 1990s, the OAU was also undergoing internal paradigmatic shifts around the relationship between economic and political integration. Established in 1963, the OAU saw its mandate as that of protecting Africa's independence, protecting the sovereignty of nation states, assisting those countries struggling for liberation, striving towards African unity, achieving solidarity among its members and reversing the continent's economic underdevelopment. Democratic governance within the member states hardly featured as a matter of concern for the organisation. Within this framework, authoritarianism was cloaked behind the facade of national/territorial sovereignty, which 'strictly



prohibited the organization from intervening in the domestic affairs of a member state' (Fombad, 2006: 18). The principle of non-interference in the internal affairs of OAU member states was upheld steadfastly and considered to be sacrosanct (see Mwanasali, 2006; Deng, 2006).

It was only in the early 1990s that African leaders for the first time recognised the reality that without political integration, economic integration will always remain a chimera that will continuously elude even the most prudent policy initiatives. The first major step that the OAU took towards addressing democratic governance issues in a forthright manner was in 1993, when it held the CSSDCA, initiated by the Nigerian president, Olusegun Obasanjo, in Kampala, Uganda, which in turn agreed to and adopted the Kampala Declaration, which basically encapsulated four intertwined clusters of development priorities (or what are referred to as calabashes) for the continent as follows:

- i. The security calabash to focus on principles and modalities for assuring interstate relations;
- ii. The stability calabash on the need for democratisation, good governance and popular participation within member states;
- iii. The development calabash on strategies to raise and improve general standards of living; and
- iv. The cooperation calabash on the modalities for accelerating regional integration process and harmonising development of vital sectors of the continent (CSSDCA, n.d.).

This was a major continental initiative that confronted the governance problems facing the continent since the onset of democratisation in the early 1990s head on. Indeed, the stability calabash focused attention specifically on democratisation, good governance and popular participation in the continent's governance. Be that as it may, agreeing to and signing/ratifying declarations like this is one thing, while implementation of their recommendations is quite another.

In 2001 the OAU was transformed into a new continental structure known as the African Union, which was inaugurated a year later in Durban, South Africa. Some of the key objectives of the AU, as enshrined in its Constitutive Act, are:

- i. To achieve greater unity and solidarity between the African countries and the peoples of Africa;
- ii. To defend the sovereignty, territorial integrity and independence of its member states;
- iii. To accelerate the political and socio-economic integration of the continent;
- iv. To promote peace, security and stability on the continent;
- v. To promote democratic principles and institutions, popular participation and good governance; and
- vi. To promote and protect human and peoples' rights in accordance with the African

Charter on Human and Peoples' Rights and other relevant human rights instruments (AU, 2000).

Evidently, these objectives impose an obligation on the AU to strive for political integration and democratisation in the pursuit of its agenda of greater continental unity. The AU pursues the democratisation agenda through its various organs, including the Assembly; the Executive Council; the Pan-African Parliament; the Peace and Security Council; the Commission; the Permanent Representative Committee; the Economic, Social and Cultural Council; and the AU Court of Justice and Human Rights Court (see Fombad, 2006 on the roles of some of these institutions in the AU's democracy agenda). As McMahon & Baker (2006: 127) put it: 'Recent years have shown either the promise of Africa's capacity to deal with its democratic deficit, the inability of the continent to do so, or some intermediate and inconclusive step between those two extremes.'

NEPAD, the APRM and democratisation in Africa

NEPAD, which was adopted by the OAU in Lusaka, Zambia in 2001 and further endorsed wholesale by the AU in 2002, encompassed three main initiatives. These are (1) the Millennium Partnership for African Recovery Plan developed by the South African president, Thabo Mbeki; (2) the OMEGA Plan for Africa developed by the Senegalese president, Abdoulaye Wade; and (3) the Compact for African Recovery: Operationalising the Millennium Partnership for the African Recovery Plan developed by the United Nations Economic Commission for Africa (UNECA). Although the NEPAD document of 2001 makes no reference to and seems to lack synergy with the CSSDCA, efforts have been made to build synergies between the two initiatives, and since the 2006 AU summit held in Banjul, the Gambia, NEPAD has been integrated into the AU structures. The NEPAD project is anchored upon six priority initiatives as follows:

- i. The Peace and Security Initiative;
- ii. The Economic and Corporate Governance Initiative;
- iii. The Sub-Regional and Regional Cooperation Initiative;
- iv. The Human Resource Development Initiative;
- v. The Environment Initiative; and
- vi. The Democracy and Political Governance Initiative (NEPAD, 2001).

To all intents and purposes, these priorities reflect the earlier concerns of CSSDCA, and thus, in terms of its policy focus, the relevance of NEPAD for the continent cannot be doubted. Obviously, the democracy and political governance initiative is the most relevant aspect of NEPAD for the purposes of this discussion. According to the NEPAD Action Plan of July 2002, the pioneers



of NEPAD committed themselves to the promotion of democracy and its core values, especially the pursuit of the following, in accordance with the democracy and political governance initiative:

- i. Rule of law;
- ii. Equality of all citizens before the law and the liberty of the individual;
- iii. The individual and collective freedoms, including the right to form and join political parties and trade unions in conformity with the constitution;
- iv. Equality of opportunity for all;
- v. Inalienable right of the individual to participate by means of free, credible and democratic political processes in periodically electing their leaders for a fixed term of office; and
- vi. Adherence to the separation of powers, including the protection of the independence of the judiciary and of effective parliaments (NEPAD, 2002a: 4).

The NEPAD democracy and political governance initiative dovetails neatly into the AU Declaration on Democracy, Political, Economic and Corporate Governance, which was approved by the Heads of State and Government Implementation Committee (HSGIC) of NEPAD in Rome, Italy in June 2002 and further adopted and endorsed during the inaugural summit of the AU held in Durban in July 2002. The APRM is one of the most innovative continental initiatives that form part of NEPAD.

The APRM process has a bearing on most, if not all of the six pillars of NEPAD outlined above. It is directly linked to the NEPAD Declaration on Democracy, Political, Economic and Corporate Governance, which was officially adopted by the assembly of the AU heads of state and government held in Durban in July 2002 (see Hammerstad, 2005; Melber, 2006a). The APRM is a voluntary self-assessment mechanism for African states aimed at institutionalising and consolidating democratic governance. According to Grant Masterson (2006: 2): 'The APRM is fast emerging in the discourse on African governance as the most significant new initiative of the 21st Century.' It is acceded to by AU member states with a view to

foster[ing] the adoption of policies, standards and practices that lead to political stability, high economic growth, sustainable development and accelerated sub-regional and continental economic integration through sharing of experiences and enforcement of successful and best practice, including identification of deficiencies and assessing the needs for capacity building (NEPAD, 2002b).

Participation in the APRM is open to all members of the AU through notification of the chairman of the NEPAD HSGIC. A country that accedes to the APRM commits itself to be periodically reviewed in terms of its practice around four clusters of governance, namely:



- 1) democracy and good political governance,
- 2) economic governance and management,
- 3) corporate governance, and
- 4) socioeconomic development.

Such a country is thus committing itself not just to a once-off review, as the APRM is a continuous and periodic review process that takes place every two to four years. Conversely, in some instances, participating NEPAD heads of state and government could be driven by signs of an impending socioeconomic and/or political crisis to call for a review in a given country 'in a spirit of helpfulness to the government concerned' (NEPAD, 2002: 10). In essence, therefore, there are four types of reviews, namely:

- i. The first baseline review undertaken after eighteen months of the country acceding to APRM;
- ii. A periodic review every two–four years thereafter;
- iii. A member can also request, on its own accord, a review which is not part of the mandated reviews; and
- iv. Early signs of an impending political or economic crisis in a member country could also trigger a review which could be called by the participating Heads of State and Government (NEPAD, 2002b).

The implementation of the review is co-ordinated by the Panel of Eminent Persons, with administrative and logistical backstopping from the APRM Secretariat based at NEPAD headquarters in Midrand, South Africa. So far, 26 countries have acceded to the APRM. These are Algeria, Angola, Benin, Burkina Faso, Cameroon, Egypt, Ethiopia, Gabon, Ghana, Kenya, Lesotho, Malawi, Mali, Mauritius, Mozambique, Nigeria, Republic of Congo, Rwanda, São Tomé and Príncipe, Senegal, Sierra Leone, South Africa, Sudan, Tanzania, Uganda and Zambia.

In order to ensure the professionalism and integrity of the whole process, a Panel of Eminent Persons (or the APR Panel) has been set up. Deliberately drawn from all five subregions of the AU, the APR Panel comprises the following:

- Marie-Angelique Savane from Senegal, West Africa,
- Professor Adebayo Adedeji from Nigeria, West Africa,
- Ambassador Bethuel Kiplagat from Kenya, East Africa,
- Dr Graça Machel from Mozambique, Southern Africa,
- Mourad Medelci from Algeria, North Africa,
- Dr Dorothy Njeuma from Cameroon, Central Africa, and
- Dr Chris Stals from South Africa, Southern Africa.

The main functions of the APR Panel are (1) to exercise oversight with respect



to the APR process with a view to ensuring the independence, professionalism and integrity of that process; (2) to recommend appropriate African institutions or individuals to conduct technical assessment and country reviews; (3) to meet periodically to review and make objective assessments of country review reports submitted to it by the APRM Secretariat; (4) to consider and approve recommendations contained in the country review reports submitted to it by the APRM Secretariat; and (5) to present to the participating heads of state and government all country review reports with recommendations for consideration and adoption (NEPAD, 2002a: 3).

There are five stages through which the APRM process evolves.

Stage one: Preparation

This is the preparatory stage for both the country concerned and the APRM Secretariat. The country appoints the national focal point and co-ordinating structure(s). The government embarks upon a deliberate sensitisation campaign in order to solicit broad citizen participation. The APRM Secretariat prepares the background documentation and dispatches the APRM questionnaire, which is in turn adapted to local conditions by the country concerned. The self-assessment process begins. This process should culminate in the following outputs:

- the National Programme of Action prepared by the country,
- the Background Paper prepared by the APRM Secretariat, and
- the Issue Paper prepared from the National Programme of Action and the Background Paper.

Stage two: Country review visits

This stage of the APRM comprises country review visits. During this stage, the Country Review Team will visit the country under review with a view to carry out broad-based consultations with government, political parties, parliamentarians, representatives of civil society organisations, etc on the exercise. The country visits serve three main purposes, namely:

- i. to provide the APR Team with the opportunity to interact with key governance stakeholders in the country;
- ii. to allow the APR Team an opportunity to discuss the Draft National Programme of Action with relevant authorities; and
- iii. to assist build consensus among key stakeholders on key issues and governance challenges for the country and how to address them (NEPAD, 2002a).



Stage three: Review Team report

During this stage, the Review Team prepares its report on the basis of its preliminary consultations undertaken and the findings of the background studies and the country's National Programme of Action. The report is discussed with government, after which appropriate revisions are made. The response of the government is appended to the report. Specific focus is given to how the National Programme of Action could be improved, highlighting best practices and identifying deficiencies or challenges that would call for deliberate efforts towards capacity-building for the nurturing and consolidation of democratic governance.

Stage four: Submission of the Country Report to the APR Panel

In this stage, the revised review Country Report prepared by the Review Team is submitted by the APRM Secretariat to the APR Panel. The APR Panel, in turn, considers the report and makes its recommendations to the APR Forum of the NEPAD HSGIC. The APR Forum considers the report together with the recommendations of the APR Panel. Then the chairperson of the APR Forum communicates the decisions of the Forum to the head of state or government of the concerned country. The first three countries to have completed the APR process up to this stage thus far are Ghana, Rwanda and Kenya. The Country Reports and National Programmes of Action for Ghana and Rwanda were submitted to the APR Forum during its summit in Abuja in 2005. Kenya's Country Report and National Programme of Action were submitted to the APR Forum that took place during the AU summit in Banjul, the Gambia in June 2006.

Stage five: Submission of the Country Report to the HSGIC

In this final stage, the HSGIC formally submits and tables the peer review reports (the Country Report and the National Programme of Action) in key regional and subregional structures. These include key supranational structures such as the AU; the Pan-African Parliament; the African Commission on Human and Peoples' Rights; the Peace and Security Council of the AU; the Economic, Social and Cultural Council of the AU; and the regional economic communities (RECs). This step completes the APRM process. Following this final stage of the APRM, what then remains is the implementation of the National Programme of Action.

Democratisation beyond elections

Democracy cannot exist without elections, while elections themselves can exist under conditions of authoritarian rule. In other words, elections can be used



by the political elite, in some instances, to promote and entrench democracy. Conversely, elections can also be used by the political elite to cloak and legitimise authoritarian rule. This is the paradox of the tenuous and at times contradictory interface between elections and democracy. While the AU's pursuit of political integration and democratisation recognises the centrality of elections to democracy, it is worth noting that some of its member states still use elections simply as a legitimating tool for their entrenched authoritarianism.

In fact, broadly speaking, the 53 AU member states can be classified into three main clusters in terms of commitment to democracy and credible elections. The first is the conservative group comprising the governments that tend to covertly resist democratic transformation on the basis of cultural peculiarity and sovereignty, even in the face of endogenous and exogenous pressure. The Egyptian government of President Hosni Mubarak justifies the detaining of anti-government journalists and opposition groups by warning of the dangers of Islamic fundamentalism. It could also be argued that President Qaddafi's Libya, with its *Jamahiriya* ('state of the masses') system, stifles liberal democratic features. The second category consists of governments that tend to be amenable to democratic transformation, but reluctant to take the plunge on their own without endogenous and exogenous prompting or pressure. States in this group sometimes use the argument of sovereignty and/or imperialist imposition to shield themselves against internal and external pressure for democracy. The government of Robert Mugabe in Zimbabwe is explicit in its anti-imperialist stance. Morocco, the Democratic Republic of the Congo (DRC) and Nigeria could be regarded as states that need(ed) external pressure to transform. The third is an expanding progressive group that embraces and champions democratic transformation through various initiatives within and outside the AU frameworks. The states in this group take a different world view of Africa's present and future democratic transformation. This world view holds that for Africa to position itself strategically within the changing global order, it has to embrace democracy. In order for Africa to be able to develop and improve the daily livelihoods of its peoples, it has to democratise society. In this category, the governments of South Africa, Botswana, Mauritius and Cape Verde are obvious examples.

The evidence of democratic politics, although more convincing, is thus still mixed, as the recent and first ever *UNECA African Governance Report* points out:

Democratic politics and practices have taken a significant leap in Africa in the last two decades. Competitive multiparty democracy has been enthroned in many African countries. The political space has been gradually liberated but despite these advances, challenges to political governance remain in many African countries. The democratic process is often fragile, uneven, tenuous and remains weak and barely institutionalised (UNECA, 2005: 1).



Efforts by the OAU/AU in striving towards democratic governance are many and varied. Four of these are worth outlining for the purposes of this discussion. Firstly, with a view to give meaning to the NEPAD Declaration on Democracy, Political, Economic and Corporate Governance outlined earlier, the OAU/AU adopted the Declaration on the Principles Governing Democratic Elections in Africa during the inaugural summit of the AU in Durban in July 2002. The Declaration commits AU member states to the following principles:

- i. Democratic elections are the basis of authority of any representative government;
- ii. Regular elections constitute a key element of the democratisation process and therefore are essential ingredients for good governance, the rule of law, the maintenance and promotion of peace, security, stability and development;
- iii. The holding of democratic elections is an important dimension in conflict prevention, management and resolution (OAU/AU, 2002).

Within these principles AU member states agree that elections should be conducted:

- i. Freely and fairly;
- ii. Under democratic constitutions and in compliance with supportive legal instruments;
- iii. Under a system of separation of powers that ensures, in particular, the independence of the Judiciary;
- iv. At regular intervals, as provided in National Constitutions; and
- v. By impartial, all-inclusive, competent and accountable electoral institutions staffed by well-trained personnel and equipped with adequate logistics (OAU/AU, 2002).

The above Declaration, therefore, commits AU member states to democratic governance through the holding of free, credible and regular elections. However, elections in some African states continue to fuel instability and violent political conflict, which, in turn, undermine democratic governance. According to Fombad (2006: 14), 'democracy can hardly be expected to take hold where elections are reduced to a process of participation with predictable results rather than a process of competition with uncertain results'. The AU monitors adherence to the Declaration by organising election observation missions, which are deployed in those member states holding elections within the framework of the 2002 *AU Guidelines on Election Observation and Monitoring*. Both the Declaration and the *Guidelines* allow some form of peer review of member states in terms of progress or lack thereof in respect of the quality of their elections and the extent to which these elections enhance or undermine democracy. However, while the Declaration is not compulsory, but voluntary and dependent upon the legal framework in place in each AU member state, the *Guidelines* have a limited application, given that the AU only sends observer missions upon invitation by a member



state holding an election. Some conservative states have opted not to invite the AU to observe their elections. Egypt did not invite any international observers to its 2005 elections, despite US pressure. Generally, governments reluctant to transform democratically (eg those in Zimbabwe, Nigeria and the DRC) and states in the progressive category (eg South Africa and Botswana) have invited the AU to observe their elections.

Not only has the AU dispatched teams of election observer missions to most African countries holding parliamentary and presidential elections, but the organisation has at least rhetorically stood firm on rejecting the usurpation of state power by unconstitutional means. The 1999 Algiers Declaration on unconstitutional changes of governments and the 2000 Lomé Declaration for an OAU Response to Unconstitutional Changes of Governments are aimed at ridding the continent of the scourge of the unconstitutional removal of governments through various means. To this end, the following illegal means of accessing or maintaining power are perceived to constitute an unconstitutional change of government and should draw appropriate sanctions by the AU in terms of the AU Constitutive Act:

- i. A military coup d'état against a democratically elected government;
- ii. Intervention by mercenaries to replace a democratically elected government;
- iii. The replacement of a democratically elected government by armed dissidents and rebels; and
- iv. The refusal of an incumbent government to relinquish power to the winning party after free, fair and regular elections (AU, 2000).

While there are still isolated cases of either military takeovers of power or attempts at the prolongation of power by incumbent regimes through manipulation of constitutions, unconstitutional changes of government in Africa have declined. Increasingly, constitutional change is becoming a norm. While in some instances dominant party situations ensure the return of one party to power after elections, we have witnessed power changing hands in the presidency, with few exceptions (see Southall & Melber, 2006).

Since 2005 the AU has embarked upon three complementary initiatives aimed, in the main, at promoting credible elections and expanding the frontiers of democratic governance. These are (1) the establishment of the Democracy and Electoral Assistance Unit; (2) the establishment of the Democracy and Electoral Assistance Fund; and (3) the development of the African Charter on Democracy, Elections and Governance. All three initiatives were considered during the 2006 AU summit in Banjul. While it proved relatively easier for the heads of state and government to approve the establishment of both the Democracy and Electoral Assistance Unit and the Democracy and Electoral Assistance Fund, the draft Afri-

can Charter on Democracy, Elections and Governance was adopted with more difficulty, for reasons that will be outlined below.

The primary mandate of the Unit is to strengthen the institutional capacity of the AU Commission in promoting democratic governance through credible elections among its member states. This mandate will be carried out mainly through the co-ordination of AU activities on elections, electoral assistance and election observation (AU, 2006a). Embarking upon democracy and electoral assistance requires enormous resources, and this explains in part why the AU established the Democracy and Electoral Assistance Fund. There is no doubt that democracy is an expensive political system, and in particular elections demand a considerable amount of financial and other resources. For instance, the recent presidential and national assembly elections in the DRC cost that war-torn country USD¹ 450 million, of which the government was able to contribute a mere 10 per cent, while the rest of the funding came from external (especially European Union) sources. The Democracy and Electoral Assistance Fund is, therefore, principally meant to strengthen and support democracy and elections on the continent by making the requisite resources available. The overall objectives of the fund are to:

- support national and regional initiatives to build democratic processes, entrench democratic governance, and promote transparency and accountability of state institutions,
- enhance national electoral processes that contribute to the holding of regular, free and fair democratic elections in accordance with internationally recognised criteria,
- build the regional and national capacity of electoral management bodies and electoral forums and networks, and
- support AU electoral observation missions (AU, 2006b).

Unfortunately, the expectation is still that the industrialised countries contribute the lion's share to the Democracy and Electoral Assistance Fund. Real commitment to democracy and democratic initiatives will only be achieved once AU member states foot the bill themselves and break the culture of dependency. Just to make the point even clearer, in 2006 the AU approved a budget of around USD 126.6 million. By 12 June 2006 contributions received amounted to just USD 39 309 546 with an outstanding amount of USD 93 829 030. Out of the 53 member states of the AU, 28 are in arrears and, as result of non-compliance with payments, about 13 countries were placed under sanction as per the decision

1 USD = United States dollar.



of the 8th Ordinary Session of the Executive Council and in line with article 23 of the Constitutive Act. Benin and Côte d'Ivoire have since paid their arrears and have been removed from the sanction list. For democracy to advance and deepen, African states should be prepared to earmark resources for democratic and electoral processes.

The process of drafting an African Charter on Democracy, Elections and Governance started in earnest in 2005, drawing from earlier AU initiatives through the organisation's Department of Political Affairs. The fact that the AU took this bold step in and of itself demonstrates the depth of the evolving democratic culture in the continent, itself a part of the global democratisation wave. The mere fact that the AU agreed to develop such an important document is an indicator of a change in the conventional wisdom that tends to cloak democracy within the veil of national sovereignty. The notion of non-interference is being replaced with that of non-indifference (see Mwanasali, 2006; Deng, 2006). It is quite evident that a number of AU member states are committed to pushing the frontiers of democracy beyond the boundaries of national sovereignty, while still recognising the sovereign existence of each state. This is the essence of the African Charter on Democracy, Elections and Governance: to commit AU member states to democratic governance and instil a sense of collective responsibility for building a democratic culture and promoting democratic practice in Africa. Melber (2006a: 1; emphasis added) recently observed that:

Since the turn of the century concerted efforts of African governments have led to visible institutional changes. Until very recently, the principle of national sovereignty and non-intervention into the affairs of other states were the official norms of the Organisation of African Unity (OAU). In contrast, the Constitutive Act of its successor, the African Union (AU), proclaimed a paradigmatic shift towards *collective responsibility* in matters of human and state security.

It should be emphasised, though, that the African Charter on Democracy, Elections and Governance aims at reinforcing the commitments of AU member states to democracy as elaborated in the decisions/declarations taken at various AU meetings. It brings these commitments together in a consolidated and legally binding document through which member states will build solid institutional and cultural foundations for sustainable democracy and durable peace. The main principles that underline the philosophical and practical significance of the Charter are:

- i. Respect for human rights (civil, political, economic, social and cultural) including freedom of expression, freedom of opinion, right of association, freedom of the press and freedom of religion and conscience;
- ii. Access to and free exercise of power in accordance with the rule of law;

- iii. The holding of periodic free and fair elections based on secret balloting and universal suffrage, managed by independent electoral authorities, freedom of association including the right to form political parties;
- iv. Separation of powers and checks and balances between the key organs of government i.e. the executive, the legislature and the judiciary;
- v. Gender equality in the management of public affairs;
- vi. Citizen participation through active civil society;
- vii. The constitutional subordination of all state institutions, including the military & police forces, to the legally constituted civilian authority are all essential elements and hallmarks of democracy;
- viii. Transparency in government activities, accountability, probity, and responsible public administration on the part of governments;
- ix. Combating corruption in the management of national affairs;
- x. The strengthening of institutional capacity of political parties, parliaments, local government authorities, the judiciary, civil society and other institutions of political participation for the enhancement and sustenance of democracy;
- xi. The institutionalization of the status of opposition parties;
- xii. An embedded political culture of peace, tolerance, regular free and fair elections to institutionalize democratic governance (AU, 2006c).

The Charter addresses the above principles in some detail through the following distinct, albeit intertwined, themes:

- i. Democracy, Human Rights and Rule of Law;
- ii. A Culture of Democracy and Peace;
- iii. Democratic Institutions;
- iv. Democratic Elections;
- v. Arrangements and Sanctions in Cases of Unconstitutional Changes of Government;
- vi. Political, Economic and Social Governance (AU, 2006c).

All these constitute critical challenges confronting the African continent in respect of political integration and democratic governance. Even though the majority of the AU member states recognise this reality, the adoption of the African Charter was not a smooth and seamless process. While a number of member states perceived the process as critical for expanding the frontiers of democratisation in the continent, others felt that the idea of a charter like this would unduly encroach on their national sovereignty. However, in the final analysis, the voice of the progressive-minded states held sway over that of the conservative states, and in the end, the Charter was ultimately adopted during the AU summit held in Addis Ababa, Ethiopia in January 2007. Now that the AU heads of state and government have officially adopted the Charter on Democracy, Elections and Governance, what remains now is for member states to ratify the Charter and begin implementing its key principles and recommendations regarding democratic governance in the



continent. Given the concern of this chapter with the feasibility of a Union Government and a United States of Africa, the grand debate needs to interrogate how best to expedite ratification of the Charter and its speedy implementation, and in the process, how political systems on the continent can increasingly become harmonised over time. Only then can we begin to talk about strides being made on the political integration front, and such strides would lay a firm foundation for the proposed Union Government and subsequently greater African unity.

Key challenges for integration and democratisation in Africa

As the debate around a Union Government unfolds, questions need to be asked regarding how such a structure will facilitate the promotion of deep (developmental) integration, while at the same time sustaining the continent's democratisation momentum. At present, while many African countries have embraced some form of democratic politics, others still remain authoritarian regimes of various kinds. The question then is how possible it is to have a Union Government of 53 countries aimed at greater Pan-Africanism and African unity before political systems and cultures are sufficiently harmonised. This is a major challenge that to a large measure questions both the approach and the pace towards the establishment of a Union Government and the proposed United States of Africa. Political integration, by its very nature, presupposes harmonisation of political institutions, systems and policy frameworks.

Linked to the above challenge is the second issue relating to how best to circumvent narrow national sovereignty—a perennial problem for all efforts towards integration. For Pan-Africanism and African unity of a supranational nature as envisaged through a Union Government, AU member states will have to strive towards pooling sovereignty in or ceding sovereignty to the supranational body. In this way, sovereignty to some degree then becomes a collective responsibility of the member states of the Union. This is one of the major hindrances to the proposed Union Government. In a bid to address this problem, the AU background study on a Union Government proposes that:

in the framework of the Union Government, the revision of the Constitutive Act should first aim at facilitating the establishment of a 'Community Domain' in which Union Members have agreed to delegate, partially or totally authority to a continental body, and the endorsement of these principles by Union Members (AU, 2007: 18).

The Union Government idea is likely to stand or fall around how concerns regarding national sovereignty will best be balanced with the imperative for pooled sovereignty.

The third challenge relates to the approach used to achieve a Union Govern-



ment and a United States of Africa. As outlined elsewhere in this chapter, there are presently two contrasting approaches on the table: the bottom-up, gradualist evolutionary approach and the top-down, revolutionary approach that would see a Union Government established by 2015. Considering the fact that national-level consultations, especially with civil society organisations, still have to be arranged and that regional economic communities will have to discuss the issue at their own levels, a more gradualist approach would seem more pragmatic.

Fourthly, it is encouraging to see the AU making concerted efforts to adopt various declarations/protocols aimed at promoting democratic governance and pursuing new initiatives in this direction, such as the establishment of the Democracy and Electoral Assistance Unit and the Democracy and Electoral Assistance Fund; and the development and adoption of the African Charter on Democracy, Elections and Governance. However, the gap between declarations on democracy and policy implementation needs to be addressed. Is a Union Government the right structure to close the gap between the signing of progressive declarations and conventions and governments' adherence to these at the national level?

Fifthly and finally, even if the integration process is state led, it must also be people driven. In other words, integration arrangements ought to involve people through civil society and community-based organisations. In a recent report published by AFRIMAP, AFRODAD & OXFAM (2007: 7), it is recognised that:

civil society organizations are playing an increasingly visible role in engaging directly with the AU Commission—outside the ECOSSOC [Economic, Cultural and Social Council] framework—around a diverse set of policy issues, including HIV/AIDS, women's rights, debt, trade, human rights and the culture of impunity. The space for this autonomous, direct civil society interaction with the AU will remain of critical importance to promote the ability of civil society to contribute to the AU.

The participation of civil society and community-based organisations in integration processes is two-pronged. Regional and continental bodies ought to make sure that these non-state actors play a critical role in all efforts geared towards deepening integration. Furthermore, the non-state actors themselves ought to make deliberate efforts to engage with the regional and continental initiatives without having to wait for a formal invitation from the intergovernmental bodies. These observations also apply to the current initiative towards a Union Government. Civil society and community-based organisations need to be involved in the grand debate on a Union Government and a United States of Africa. They should not wait until the formal summit of heads of state and government has pronounced on these issues and in a reactive manner respond to a *fait accompli* situation. Rather, they need to pre-empt the debates by state leaders and in that



way become proactively involved so that when decisions are made their voices would have been heard.

Conclusion

Since the ill-fated effort by Kwame Nkrumah in the late 1950s, political integration has tended to be neglected in favour of economic integration in Africa for the larger part of the continent's post-colonial existence. If continental integration is to succeed and bear fruit for the continent's peoples, it ought to be pursued in both the economic and political spheres. But until fairly recently, efforts towards political integration have tended to be frowned upon, as they were seen to touch on the politically sensitive nerves of the narrow national sovereignty of states. Part of the explanation for this predicament is that the political elite in Africa tend to define Africa's problems as being purely economic and therefore requiring economic solutions. In this scheme of things, politics is often seen as, at best, a distraction from addressing the problem that is economic in nature, or politics itself is perceived as worsening the economic problem. Once the problem is defined as purely economic, then the solution is reduced to mere economic policy interventions. This underlines the rationale for the pursuit of economic integration, which has for decades tended to reduce political integration to second fiddle. The recent paradigm shift that has witnessed the pursuit of economic and political integration (as exemplified by NEPAD and the APRM) in tandem is primarily a result of global changes, including the end of the Cold War, the demise of apartheid and the democratic transitions of the late 1980s and early 1990s.

It is against this backdrop that the chapter outlined the important role of an African institutional framework to establish and spread democratic norms. This framework comprises the CSSDCA; NEPAD; the APRM; the Democracy and Electoral Assistance Unit; the Democracy and Electoral Assistance Fund; and the African Charter on Democracy, Elections and Governance. In addition, the chapter teased out some of the likely impacts that the creation of a Union Government may have for the implementation of these agreed norms and standards for democratisation. Given the current record of the democratisation momentum in the continent, pragmatism needs to be exercised as African states consider options for the establishment of a Union Government. Consensus has to be reached on what approach to adopt (bottom-up or top-down); what timeframes to agree upon (a quick-fix pace or long-term time horizon); how best to involve civil society in this debate (inclusiveness vs exclusion); how best to involve ordinary people in villages and communities through their own formations (horizontal accountability); and to what extent national parliaments, regional parliaments and

the Pan-African Parliament get involved in these debates. The emerging dialectic between regional integration efforts and democratisation needs to be cultivated.

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