



UNIVERSITEIT VAN PRETORIA  
UNIVERSITY OF PRETORIA  
YUNIBESITHI YA PRETORIA

**The Role of the Pan African Parliament in  
African Regionalism (2004-2006): an Institutional  
Perspective**

**By**

**Ogochukwu Iruoma Nzewi**

**A thesis submitted in partial fulfilment of the requirements for  
the degree of Doctor of Philosophy (PhD)**

**Public Affairs**

**School of Public Management and Administration in the  
Faculty of Economic and Management Sciences**

**University of Pretoria,  
South Africa**

**Supervisor: Professor Dr. Jerry Kuye**

**August, 2008**



UNIVERSITEIT VAN PRETORIA  
UNIVERSITY OF PRETORIA  
YUNIBESITHI YA PRETORIA

**The role of the Pan African Parliament in African  
regionalism (2004-2006): an institutional  
perspective**



UNIVERSITEIT VAN PRETORIA  
UNIVERSITY OF PRETORIA  
YUNIBESITHI YA PRETORIA

“...to take all necessary measures to strengthen our common institutions and provide them with the necessary powers and resources to enable them discharge their respective mandates effectively”. - AU Assembly (AU constitution 2000)



## **Statement of Originality**

Save where otherwise observed, this research in all respects is the outcome of my independent lateral thought processes and endeavours.

Ogochukwu Iruoma Nzewi.

August 2008



## Table of content

Statement of Originality.....	i
Abbreviations.....	v
Outline of key terms .....	vii
Abstract.....	ix
<b>CHAPTER ONE.....</b>	<b>1</b>
<b>General Introduction.....</b>	<b>1</b>
1.1 Background.....	4
1.2 Motivation for the study .....	5
1.3 Objective of the study .....	7
1.4 Significance of the study.....	9
1.5 Approach to the study .....	10
1.6 Conceptualisation of key terms.....	12
Institutionalism .....	12
Regionalism .....	13
Definitive role of PAP .....	14
Decision Making.....	16
<b>CHAPTER TWO .....</b>	<b>17</b>
<b>Methodology.....</b>	<b>17</b>
2.1 Statement of the problem.....	17
2.2 Research question .....	19
2.3 Research Design .....	20
2.3.1 Case Study .....	20
2.4 A Measurement Instrument: a note on functionality.....	25
2.5 Data Collection .....	28
2.5.1 Primary and secondary sources.....	28
2.6 Analysis .....	30
2.7 Research Limitations .....	32
2.7.1 Setting the boundaries for the research.....	32
2.7.2 Research process limitations.....	33
<b>CHAPTER 3.....</b>	<b>35</b>
<b>Theoretical Framework .....</b>	<b>35</b>
3.1 Public Administration.....	37
3.1.1 Interdisciplinary perspectives of Public Administration.....	39
3.1.2 The Public Administration/Institutionalism interface .....	43
3.1.3 Multi-disciplinary perspectives of Institutionalism .....	46
3.2 Perspectives in regionalisms.....	50
3.2.1 Regionalism .....	52



3.2.2 Regionalisation .....	53
3.2.3 Regional integration versus regional co-operation .....	55
3.2.4 Regional integration versus economic integration .....	56
3.2.5 The geography of regionalism .....	58
3.3 Theories of regional integration.....	59
3.3.1 Grand theories of Integration .....	60
3.3.2 Middle-range theories of Integration .....	83
3.4 Relevant Development theories .....	93
<b>CHAPTER FOUR .....</b>	<b>100</b>
<b>INSTITUTIONAL REGIONAL INTEGRATION IN AFRICA: A CASE OF THE PAN AFRICAN PARLIAMENT .....</b>	<b>100</b>
4.1 Historiography .....	101
4.1.1 Pan-Africanism in history .....	102
4.1.2 The Nature and spectrum of Pan Africanism.....	105
4.1.3 Motivations for early African unity (Pan Africanism): slavery, World wars.....	108
4.1.4 Institutionalisation of ideas: the Organisation of African Unity (OAU).....	112
4.2 Setting a contextual framework: the nature of regionalism in Africa .....	116
4.2.1 Features of African regionalism in post colonial Africa (1963-2000) .....	117
4.3 The Institutional, policy and Governance Framework of African Regionalism .....	131
4.3.1 Article 5 Organs of the African Union.....	132
4.3.2 Leadership and Governance in the African Union.....	147
4.4 The PAP/AU interface.....	158
4.4.1 The emergence and growth of PAP .....	159
Conclusion.....	211
<b>CHAPTER 5.....</b>	<b>213</b>
<b>FINDINGS AND ANALYSIS.....</b>	<b>213</b>
Thematic framework.....	215
Theme 1: A Collective Choice dilemma.....	216
Findings .....	217
Analysis .....	219
Theme 2: Designers and intentions.....	221
Findings .....	222
Analysis .....	226
Theme 3: Institutional arrangements .....	239
Findings and Analysis.....	239
Theme 4 .....	262
Searching for PAP's role in the AU.....	263
Conclusion.....	270
<b>CHAPTER SIX.....</b>	<b>272</b>
<b>CONCLUSION AND RECOMMENDATIONS.....</b>	<b>272</b>
6.1 Recommendations.....	274
6.1.1 Growing the PAP: a note on the resilience of institutions .....	275
6.1.2 Viewpoints for future research.....	285
6.2 Conclusion .....	287



<b>REFERENCES .....</b>	<b>289</b>
Books .....	289
Articles and monographs .....	301
Governmental organisations documents .....	308
News articles.....	319
Websites .....	319
ANNEXURE .....	321

## List of Tables

Table 2.1: Case study design
Table 3.1: Grand theorising regional integration
Table 4.1: Members and objectives of African regional economic communities (source: UNECA)
Table 2.2: Swot matrix (source: PAP strategic plan 2005)
Table 5.1: Recommendations of the PAP and impact on AU decision making (3rd Ordinary Session)
Table 5.2: Recommendations of the PAP and impact in AU decision making (4 <sup>th</sup> Ordinary Session)
Table 5.3: Recommendations of the PAP and impact in AU decision making (5 <sup>th</sup> Ordinary Session)
Table 5.4: Recommendations of the PAP and impact in AU decision making (6 <sup>th</sup> Ordinary Session)
Table 5.5: Matrix of the PAP's definitive role

## List of Figures

Figure 2.1: Analytical framework
Figure 3.1: Understanding the theoretical framework Figure 2.2:
Figure 1.1: Continuum of Pan Africanism (adapted from Geiss, 1974:4)
Figure 4.2: A representation of the PAP budgetary process
Figure 4.3: PAP organogram (source: PAP strategic plan: 2005)
Figure 4.4: AU organogram (source: PULP)
Figure 4.5: AU Organogram (source: ISS)
Figure 4.6: AU organogram (source: PAP)
Figure 5.1: Analytical framework
Figure 5.2: Figure 5.2: Organogram of AU institutional relationships (source: PULP)
Figure 5.3: Organogram of AU institutional relationships (source: ISS)
Figure 5.4: Organogram of AU institutional relationships (source: PAP)
Figure 5.5: Organs and legal provision on PAP's relations to AU organs (Configuration mine 2008©)



## Abbreviations

**Abuja Treaty:** The treaty establishing the African Economic Community

**AEC :** African Economic Community

**AMF:** African Monetary Fund of the African Union

**AMU:** Arab Maghreb Union

**APEC** Asia –Pacific Economic Co-operation

**APRM:** Africa Peer Review Mechanism

**ASEAN:** Association of Southeast Asian Nations

**AU** African Union

**AUC:** African Union Commission/The Commission

**CENSAD:** Economic Community of Sahelo-Saharan States

**CIDO:** African Citizens Directorate

**COMESA:** Common Market of East and Southern Africa

**CSSDCA:** Conference on Security, Stability, Development and Co-operation in Africa

**DFID:** Department for International Development (UK)

**EAC:** East African Community

**EC:** Executive Council of the African Union

**ECCAS:** Economic Community of Central African States (

**ECOSOCC:** Economic, Social and Cultural Council of the African Union

**ECOWAS:** Economic Community of West African States

**EP :** European Parliament

**EU:** European Union

**IGAD:** Inter-Governmental Authority for Development (IGAD);

**IMF:** International Monetary Fund

**ISS:** Institute for Security Studies (South Africa)

**MP:** Members of Parliament

**NAFTA:** North American Free Trade Area

**NEPAD:** The New Partnership for Africa's Development

**OAU:** Organisation of African Unity

**PAP:** Pan African Parliament





**PCMFA:** Permanent Committee on Monetary and Financial Affairs

**PRC:** Permanent Representatives Committee of the African Union

**PSC:** Peace and Security Council of the African Union

**PULP:** Pretoria University Law Press

**QMV:** Qualified Majority Vote

**RECs:** Regional Economic Communities

**RPA:** Regional Parliamentary Assembly

**SADC:** Southern African Development Community

**STC:** Specialised Technical Committee of the African Union

**The Protocol:** The Protocol to the treaty establishing the African Economic Community relating to the Pan African Parliament

**UN:** The United Nations

**UNECA:** United Nations Economic Commission for Africa

**UNPAAERD:** United Nations' Programme of Action for African Economic Recovery and Development



## Outline of key terms

**Dependency:** a country's position in an international system of dependent or unequal exchange and political control, conditions its development strategies and achievements

**Functionalism:** the existence of institutions can be explained in the need they fulfil in forging social cohesion. In regional integration, functionalism is the process of regional integration that firstly, concentrates on unobtrusively moving towards integration through an incremental decision-making process.

**Good governance:** the manner in which public officials and institutions acquire and exercise the authority to shape public policy and provide public goods and services (World Bank 2007:3)

**Institution designers:** the crafters and decision makers in the establishment of an institution (organisation, law, legislation).

**Institution:** Institutions can be formal and informal institutions, conventions, norms and symbols embedded in them and policy instruments and procedures.

**Nationalism:** the belief that nations will benefit from acting independently rather than collectively, emphasising national rather than international goals.

**Neo-functionalism:** A grand theory of regional integration which attempts to predict the possible trajectory of regional transformation, based on an emerging supranational character of regional institutions of integration.

**Non-interference:** This is seen as the central principle of African relations for years as is contained in the 1963 OAU Charter article 3

**Organisation:** the persons (or committees or departments etc.) who make up a body working towards a goal.

**Pan Africanism:** the sentiments and ideology of political and socio-economic African unity

**Sovereignty:** Complete independence as in a territory existing with supreme authority over its affairs

**Supranationalism** points to "decision making bodies which supersede or override the sovereign authority of individual states who are constituent members of the organisation involved (Evans & Newham 1990: 382)



**Supranationality:** Supranationality is defined as a method of decision and policy making whereby the individual member states pool their sovereignty with a higher authority (Roy in van der Hoek 2005: 86).



## Abstract

This research probes the role of the Pan African Parliament (PAP) in the African Union (AU), given the documented struggle of African regional integration institutions for relevance in the highly intergovernmental milieu of African regionalism (Haas 1970; 615; Gottschalk & Schmidt 2004:138). In 2000, African heads of states met in Lomé Togo and pledged to do all that is necessary to create effective, working institutions in the African Union (AU 2000).

Taking into consideration the very recent history of the AU and its institutions, the research approach was to interrogate the evolution of the Pan African Parliament as a path to determining the PAP's definitive role in the AU. As the research progressed, the institutionalism approach unveiled how past institutional legacies and culture in the OAU shaped the emergence of the AU and in particular the PAP. The research located and developed a central argument, which is that designers of institutions will likely create institutions with functional outcomes attuned to their own motivations and intentions. These motivations and intentions in turn are shaped by historical and social exigencies which render rational reflections dubious. This central point is observed in the manner the OAU has subsequently shaped the design of the AU and PAP in particular. Consequently, the thesis views the non-interference legacy of the OAU as well as the highly intergovernmental culture of African regionalism as institutionalised baggage with the potential of crippling a supranational leaning institution like the PAP.

Based on this central argument, the research found that despite its legal importance in terms of the AU Constitutive Act, the PAP in practice, plays no effective role in AU decision making. As a consultative body, the PAP has made no impact whatsoever in the decisions of the AU. Finally, drawing from the institutionalism discourse, the research argues that although these institutional antecedents may not augur well for PAP's future in the AU, the PAP's growth strategy should take advantage of increasing tasks and unintended consequences in the expanding AU, to find its relevance in the continental polity.



# CHAPTER ONE

## General Introduction

This is a study bordering on virgin territorial research. It is a study on African integration institutions as drivers of regional integration in Africa. It is a study on how and why institutions stagnate or, alternatively, grow to develop a life of their own despite the odds against them. Recent reforms in the African Union (AU) have seen regional integration institutions such as the Pan African Parliament emerging. In the light of such developments, it seems the AU may be transforming from a loose political organisation into a structured and effectively managed regional entity. This state of affairs makes for an interesting focus of study.

Public Administration is an applied social science. The development of theories in Public Administration is mostly hinged to observable trends. In the same vein, the development of theories in International Administration and International Political Economic studies are roped to the methodical study of international organisations and trends.

One of the expediencies of research is in its ability to attempt generalisations as basis for future research (Wellington, Bathmaker, Hunt, McCulloch & Sikes, 2005:57). Due to the short time span spent so far on the Pan African Parliament's institutional building process and the dearth of PAP relevant studies, it is relevant to consider some of the theories that have developed over time through observing and explaining the development of European regional integration institutions. Hitherto, many studies on the phenomena of regionalism have centred on those grand and middle-range theories of regional integration drawn from the phenomena of regional integration in the European Union (Bulmer, 1998; Caporaso, 1972; Hall & Taylor, 1996; Haas, 1961; 1970; Kato, 1996; Moravcsik, 1993; Pierson, 1996; 2000; Puchala, 1999; Schmitter, 1969; Tsebelis, 1994). Theories of regional integration, like middle-range theory of neo-institutionalism, and grand theories like neo-functionalism and inter-governmentalism, provide some



theoretical foundation in studying the nature, the process and outcome of regionalism trends. These three theoretical approaches dominate regional integration discourse. Neo-functionalists attempted to predict the end point of integration where regional integration is seen as a slow, discreet decision-making process from non-political issues to the political, resulting in a brand new polity. Intergovernmentalists argue that regional integration is spurred by nation states, while institutionalists try to explain how regional institutions acquire supranational status and thus drive regional integration.

An institutional approach to regionalism and integration studies will try to show how institutions are viewed within intergovernmentalist and neo-functionalist discourses. By so doing, it will shed some light on the roles that institutions play in the overall process of regionalism. Additionally, it will highlight the sovereignty versus supranationality debate in integration studies, but, more than this, irrespective of which theoretical school, it will anchor discourse on the origin and growth of regional institutions (in Africans' integration). Institutionalism studies therefore have a significant role to play, both in the overall nature and in the process of regionalism in this study.

Based on the above, taking an institutional approach to the study of the Pan African Parliament and regionalism in Africa entails that successes and challenges of regionalism be interrogated from the angle of institutionalism. Studies on institutions comprise a deluge of functionalist studies (Pierson, 2000:476). Functional concerns dictate that an institution's existence can be linked to the function it serves. Thus some studies on institutional origin and growth focus on rationality in group decision making, as well as on how institutions play a role in individual rational choice (Shepsle & Weingast, 1987; Hall, 1987; Smith, 2004 & Tsebelis & Garret, 2001). The issue is that, while institutions play a role in guiding the choices of actors and producing unique strategies for actors (Tsebelis & Garret, 2001:70), these choices can in turn be manifested in the nature of institutional arrangements in emerging organisations. Although this rational choice view has been challenged in more phenomenological writings by authors like Miller (2000) and Pierson (2000), in considering embryonic institutions where it may not be feasible to determine institutionally driven outcomes, non-rational angles may pose a challenge.





Nevertheless, it is offered that, in deliberating the function of such a nascent institution such as PAP, a suggestion on the origin of PAP needs to be explored. This can be achieved by studying how the institution of governance and leadership in Africa has shaped the intentions of the designers of the Pan African Parliament. Furthermore it is argued that determining origins will also uncover certain functional purposes of African integration institutions, which, in turn, may suffice in providing reasonable expectations about outcomes in the integration debate.

From the foregoing, this study focuses on African regionalism, reflecting grand and middle-range theoretical standpoints in the role of regional institutions. The central issue in this thesis is the extent of the influence of the Pan African Parliament in the African Union and regionalism. However, to answer that question, the question of “why PAP in African regionalism?” has to be answered. Thus, the thesis interrogates the definitive role of the Pan African Parliament, an organ of the African Union, from an institutionalist standpoint (middle range) in relation to its design and designers (origin). In particular, this study begins the argument from a premise of rational choice, which says that designers of institutions are purposeful actors.

This chapter delves into the basis for the study. It does so by first making a case for the motivation behind the study and the objective of the study. A brief historiography of the African regional integration movement by way of African Pan Africanism is juxtaposed with the movement of Europe towards integration. This is necessary, considering that this is a study to investigate regional integration theoretical formations, which are largely based on the European Union experience. Thus by providing a basis for the analytic framework, this chapter outlines possible value intended from the study, based on its significance and the nature of the research process.



## 1.1 Background

In order to better understand development, delivery processes and outcomes within African States, it is relevant for students of Public Administration to investigate the role of the African Union. The idea of African unity emerged as a project for African leadership and development policy discourse after the mid 20<sup>th</sup> century. Undoubtedly, a noticed commitment to African unity by African leaders has existed from the early stirrings of independence (Nkrumah, 1965; Mazrui & Tidy, 1984; Ajala, 1973). Mistry (2000:556–561) models the history of regionalism in Africa in two phases. The first-generation integration arrangements, like the 1910 South African Customs Union (Henderson, 1985: 225), were derived from past colonial regional legacies and were explained in the old order economic development theories, in particular protectionism, dependency and external influence (Amsden, 2003; Velasco, 2003; Uchendu, 1980; Owusu, 2003). The second-generation integration arrangement from the 1970s to the 1990s relied heavily on sub-regional formations as a route to continental and then global regionalism (Geda & Kibret, 2007; Mazzeo, 1984). Context-based and historical exigencies such as these, then, pose a challenge for comparative research on regional integration in developing countries.

Regionalism studies in Africa have tended towards market economy issues and trends (Asante, 2001; Deng, 1998; Gruhn, 1979; Lee, 2003; Onwuka & Sesay, 1985; Te Velde, 2006). Whereas there have been studies in recent times on the key institutional developments in the AU, like the New Partnership for Africa's Development (NEPAD) (De Waal, 2002; Gottschalk & Schmidt, 2004) and the African Peer Review Mechanism (APRM) (Cilliers, 2002; Kanbur, 2004), there is also need to focus on institutional attributes as against the policy characteristics of regionalism trends. In this case, the origin, growth and impact of AU institutions in regional policy development and outcomes become the centre of study focus. Thus, while considerations in research are made for economic, policy and even sociological approaches to the study of regionalism, institutionally based studies are also important. As a result, the role of the Pan African Parliament in the regionalism process should be seen as a relevant area of study.





Nonetheless, it must be noted at this stage that, for these very reasons, this will not be a study devoid of challenges.

Institutionalism can be seen as the impact of structure on policy, and the relationship between the constitutional and legal arrangements between spheres of government and policy. The study of institutions and regional integrative institutions, in particular as causal centres of policy and political analysis, is still a growing area of study. In international application, the European Union structure shows that the role of institutions is crucial, as there cannot be a discussion of the European policy process without a discussion of the institutional interactions. This involves the institutional dynamics and the political relationships within these institutions. Wallace and Wallace (1996:26), attempted to tie institutional development, reinforcement and indeed arrangements as consequential constraints and facilitators to collective policy agreement. They also suggested that some policy agreements required some institutional changes. This is an important point of departure in that it takes a broad and detailed focus on European Union structures and how they affect the nature, interaction and effectiveness of policies.

However, there seems to be a dearth of scholarship in terms of region relevant and specific theories that attempt to explain African institutional regionalism. Thus, in an attempt to understand the nature and effect of African regional institutions on regionalism in Africa, there is a need to understand the nature of public institutions at a micro level, and their importance as variables within the discipline of Public Administration. While the thesis investigates the functional role of the Pan African Parliament and effects of this role on the AU system, it also, at the macro level, examines the overall nature of regional integration in Africa and the emergence of PAP.

## **1.2 Motivation for the study**

The recent re-invention of the African Union has resulted in a more structured entity with new programmes for socio-economic recovery and democratic reform among states. The



New Partnership for African Development (NEPAD) and the African Peer Review Mechanism (APRM), for example, are seen as some of the better AU examples of change towards good governance and African economic recovery (NEPAD<sup>1</sup>, 2002;2003).

In recent years, more African countries have been adopting democratic governments. Although faced with numerous problems, it seems that, with the growing prospect of political stability in Africa, the inevitability of strong regional economic growth becomes more apparent. The rapid transformation of the African Union has resulted in some ambitious objectives and programmes supported by treaties which act more like macro policy frameworks. However, it is imperative that, along with the enthusiasm that goes with the programmes of action, there are frameworks (legislative and institutional) which give support to programmes to see them to the envisioned outcomes.

In this case the issue of legitimacy is paramount. For instance, while NEPAD has targeted policy on different sectoral priorities such as agriculture, infrastructure and environmental initiatives, the precondition for development, which includes the declaration on good corporate governance, the African Peer Review Mechanism (APRM) and the framework for the implementation of banking and financial standards (NEPAD, 2002:1), are seen as vital. This can be construed as priority issues which may be integral to a successful implementation of the sectoral priorities. The legitimisation of NEPAD policies, however, is presently constrained, as there is no legal backing in terms of the harmonisation and legitimisation of these policies. With the recent institution of the Pan African Parliament, though, the process of legitimisation and harmonisation of continental policies is expected to be realisable. Thus, the role that the Pan African Parliament is supposed to play in the legitimisation and harmonisation of continental policies was germane to the purpose of the study.

Next, with Africa's plethora of challenges, the issue of institutional building seems relevant. This is especially crucial with the integral role that varying interests play within the continental landscape. Moreover, the interaction between power, interest and

---

<sup>1</sup> See reference: New Partnership for Africa's Development



institutions, especially in international politics, seems to have come of age in Africa's recent and changing regional political landscape. This lays open extensive theoretical potential in exploring the goal of integration in the face of varying national interests and leadership in Africa. Tiekou (2004:253–256), elaborates this view in proposing that the foreign policy interests of African leaders like South Africa's Mbeki, Nigeria's Obasanjo and Libya's Gaddafi have played a huge role in the creation of the AU. Considering the possibilities of this premise, it seems that, within the arena of regional integration, the role of institutional designers, heads of state like President Thabo Mbeki, President Olusegun Obasanjo and Leader Muammar Gaddafi and other continental actors are significant when considering institutional origin and effect theories; one relevant argument being that builders of institutions tend to fashion institutions based on functional outcomes that favour them.

In the light of the above, and with a wide range of competing challenges and even more strangled resources within the AU, studying institutions within the regional polity is sure to become a most interesting and challenging area in regionalism studies in Africa. Also, as a regional structure, the nature of the African Union's institutional structure and the relationships between its organs are important factors in determining the success of regionalism in such a body with diverse interests. In view of the above, this study investigates the interaction between institutions and their functionality, using one of the organs of the AU, the Pan African Parliament, as a case study. Finally, the Pan African Parliament presents research interest as far as its mandate and structure are concerned. As a new entrant into the continental landscape in Africa's regional development, it requires closer examination and understanding, especially in light of developments in the more entrenched European Parliament.

### **1.3 Objective of the study**

The objective of this research is to explore the origins and institutional arrangement of the Pan African Parliament and, by so doing, infer PAP's influence on the future of regionalism in Africa. This study is, thus, both explorative and predictive. The tools for



this inquiry are based on parameters set out in theories that try to explain the overall progress and functional processes of integration. This objective is supported by a theoretical framework, with emphasis on key integration models. First are neo-functionalism and intergovernmentalism, grand theories of integration which attempt to explain the overall nature of integration. The interest in these theories lies on how the theories view institutions of integration. Neo functionalists see institutions as developing their own survival mechanisms and growing into a life of their own through a process called spillover (Haas, 1961; Haas & Schmitter, 1964). It also attempts to predict an end point of integration by showing how integration deepens as decision making becomes more centralised in regional institutions (Schmitter, 1969). Intergovernmentalists see this evolution of institutions as merely a supervised delegation of powers by the state through a bargaining process (Puchala, 1999; Moravcsik, 1993; 1995). Next, there is neo-institutionalism, a middle-range theory of regional integration, which tries to explain the functional processes in integration by examining the relationship between an institution's existence and effectiveness and the intentions of its designers (March & Olsen, 1984). It is argued that using the provisions of these models as research kits in building a theoretical and analytical framework may possibly help in identifying the definitive role of PAP in African regionalism. Specifically, the thesis centres discourse on institutionalism as the central theory for analysis. This choice will be explained subsequently.

Rational choice in institutionalism discourse, it is argued, is linked to the idea of functionality (Miller, 2000; Pierson, 2000; Hall & Taylor, 1996). Functionality deals with rational choice prescriptions which see institutional designers as instrumental, long-term thinkers, where outcomes from such decision making are anticipated. As a result, institutions emerge and develop as intended by their designers. In relation to the Pan African Parliament, its functionality can be observed in the organisational arrangements that have emerged in the process of the Pan African Parliament's design. Other study areas comprise the context of regionalism world wide and the socio-political context of African integration and development. This will feature the role of national interests and ideologies (which in the bargaining arena can be construed as influencing the short- and



long-term goals of institution designers). Important to the study is how these factors translate into institutional and organisational arrangements within the Pan African Parliament. It was envisioned that these areas of discourse would suffice in the critical examination of the role and effect of the Pan African Parliament within the African regionalism context.

## **1.4 Significance of the study**

This thesis holds some measure of significance for the study of African integration as a whole and throws some light on the nature of the emergence of African regional institutions. For many latecomers to the regionalism arena, the idea of political harmonisation is less tempting than that of economic co-operation. Apart from the EU, the arena of regionalism is littered with weak, loosely structured regionalism arrangements. The EU so far, seems to present the most institutionalised and reasonably cohesive example of a regionalism endpoint. The issue of sovereignty has played a huge role in the way members approach the European Union. For instance, the gradual progression towards integration from the 1950s onward had been resisted at different levels by different countries for different reasons. As a complex cluster of institutions, the journey to the present EU is the result of integration boosted through the strengthening of institutions and increasing the capacity and powers of the certain institutions.

As one ponders the various schools of thought on what drives social and political actors in designing institutions, the rational choice model stands out as a better tested analytical tool (this is discussed in detail in the methodology). Despite this stance, there is a need to interrogate the means-end premise versus the more cultural and normative questions that guide decision making; long-term goals vis-à-vis short-term ones and, finally, anticipated versus unanticipated consequences of decision making. This is because, within these conflicting issues, there needs to be a greater questioning of the role of PAP in the African Union, especially at this stage of institutional building. Thus, in terms of value added to research and knowledge, this study envisions two areas of significance:





1. Institutional origins: Identifying the role of the designers of the Pan African Parliament as well as identifying why institutions emerge and grow. This involves finding out the motivation behind the decision to institute the Pan African Parliament as a continental body and debating the issue of rational choice and arguments against it.
2. Institutional outcomes: Among other issues, the thesis explores the possible strengths and challenges for PAP in the future in terms of regionalism in Africa. This is done by examining how grand theories of neo-functionalism and intergovernmentalism view institutions. It also examines the institutional building process in PAP. Also of relevance to the study are the critical institutional arrangements and provisions as they stand, particularly those provisions which provide leverage in terms of fuelling institutional growth.

This study attempts to examine the stipulations of the Pan African Parliament's establishing treaty and strategic and action plans to determine how existing theoretical schools can be reflected in terms of regional integrative institutions in Africa. However, it must be noted that there is no prescript that shows that this thesis will produce an applicable theory on the origins, significance and effect of institutions in terms of African integrative institutions on regionalism. Finally, it is suggested that, if actor intentions are clarified in terms of the appropriateness and the means-end viewpoint, and if the possibility of PAP's expansion can be determined, the Pan African Parliament's influence as an institution of change in African regionalism can be better studied and understood.

## **1.5 Approach to the study**

The approach to this study involves attempting to answer the research question using an institutional analytical framework. According to March and Olsen (1984: 734), until recently with the growth of new institutionalism, the emphasis on institutions, which predominated early works of political scientists like W.W. Willoughby, economists like



John R. Commons and sociologists like Max Weber, seemed to recede into the background in the light of other modern political perspectives like behavioural approaches. In pointing out those theoretical approaches which seemed to loom over the institutionalist ideals, March and Olsen (1984:734) highlight the tendency to view politics as a dependent variable in relation to factors such as ethnicity, language, culture and economics, as well as the approach that sees individual behaviour as cumulating in observable political outcomes rather than emphasis on organisational dynamics such as structure and rules as the precipitates of political phenomena.

As Tsebelis (1999) suggests, an institutional approach entails the study of institutions in order to see how they are systematically associated with specific outcomes. Rather than approaching this study on the Pan African Parliament's role in the regionalism process from an economic or policy perspective, the central focus for theory and analysis is more on institutions. From the foregoing, an institutional approach to interrogating the research question involves, firstly, using existing studies on regional institutions like the EU Parliament to isolate some significant points of departure, in practice as well as theory, within the African experience. Thus, a theoretical framework that explores regionalism from neo-functional, intergovernmental and neo-institutional theories of regional integration will suffice.

Finally, studying the Pan African Parliament from an institutionalist perspective, considers a rational choice premise, interrogating the functionality of PAP to its designers as its *raison d'être*. An institutionalist perspective also means exploring PAP in relation to neo-functional and intergovernmentalist viewpoints. This is in order to explore the significance of PAP as a regional player considering the manner in which these theories treat institutions in the regionalism arena.



## 1.6 Conceptualisation of key terms

Academic discourse thrives on concepts and their clear definitions. This is especially so with the possible dimensions in the representation of concepts. For the purposes of this research, it is important to define the key terms that underpin the logic of the discourse. The result is intended to lay out a conceptual framework for the study, as well as put some limitations on the scope of the study. By so doing, a foundation for the application of the theories relevant for this research is provided.

Firstly, considering that this is a thesis hinged largely on an institutional approach in terms of methodology and thesis development, it is important to locate the parameters within which institutionalism discourse is considered. Finally, the ambiguous concept of regionalism is tackled as far as the ramifications of this thesis is concerned and in addition, certain terms in the research question which are seen as vital to making research relevant findings such as “the definitive role” and “decision making” are spelt out within the bias of this thesis.

### **Institutionalism**

Institutionalism is a useful analytical tool in comparative politics, where institutions become variables which provide explanation for political, economic, and social phenomena and outcomes. It involves the development of a theoretical framework which seeks to examine the importance of formal institutions in economic and socio-political systems as opposed to group and individual behavioural and social dynamics.

The term institutionalism covers traditional institutionalism and neo-institutionalism (new institutionalism). Specifically, this study focuses on neo-institutionalism, which is a middle-range theory of integration, drawing from the grand theory of neo-functionalism. It focuses on two approaches to neo-institutionalism, rational choice and historical, as foundation for discussing the history and legislation of African integration.





## Regionalism

Regionalism is such an ambiguous concept that attempting a broad definition is like trying to negotiate a slippery slope. It warrants careful navigation as there are many potentially difficult areas. Thus, in defining regionalism, many authors try to take the safe route of working with definitions that are strategically beneficial to their particular course. Clarifying the concept of regionalism within their frame of reference makes it easier to analyse regionalism trends and processes. With ‘regionalism’ being so ambiguous, approaches in definition have gone from broadly arranged context and meaning (Lee, 2003:8; Breslin & Hook, 2002:4), to the allocation of distinct and definite properties (Hurrell, 1995:38).

At different times, regionalism studies in international relations and political economy studies have been at different levels of development. For instance, in the 1990s, “new regionalism”, as well as new international political economic theories like the Gramscian theories of power, were the phenomena to be studied. In the early 2000s, concepts like sub-regionalism and micro-regionalism developed to accommodate the different manifestations of regionalism. It is submitted, therefore, that, with the range of definitions from different periods in its global manifestation, a conceptual framework for the term will be provided in terms of this study.

Regionalism is thus conceptualised in the paper as:

1. State-driven formal regional project.
2. Both a response to globalisation and a component of the globalisation process.
3. Encompassing the concept of regional integration, which connotes, to a larger extent, the promotion of supra-nationality (institution building) and, to a lesser extent, intergovernmentalism.
4. Involving geographically proximal states.

Thus, in terms of conceptualisation, regionalism is seen in this thesis as a regional project state driven through intergovernmental interaction (Ravenhill, 2001:6; Breslin & Hook



2002:4). Regionalism is also projected as a top-down process (Breslin & Hook, 2002:4), as formal (Bach, 1999) and as having a geographical significance (Ravenhill, 2001:6; Grugel & Hout, 1999:4; Gamble & Payne, 1996a:2). The geographical restriction of regionalism has been contested by some authors in explaining certain regionalism projects (Hettne & Soderbaum, 2000:461-463), nevertheless, its use as part of this conceptual framework is defended later in this thesis.

The conceptual framework which identifies state actors as units of analysis in regionalism augurs well for this research. This is because the framework for this study considers formal structures (permanent or semi-permanent), projects (economic, political or technological) and top-down processes (institutional or intergovernmental) in explaining regionalism. Additionally, it lays little emphasis on economic concerns as a superlative means of analysis but rather as a part of the whole political economy. Margaret Lee's (2003:8) definition of regionalism sums this up as:

The adoption of a regional project by a formal regional economic organisation designed to enhance the political, economic, social cultural and security integration and/or co-operation of member states.

In attempting to conceptualise the term in line with the research objectives of this thesis, the aim of clarifications is to provide a conceptual image of how regionalism is to be defined for the purposes of this study. First the study examines regionalism from the broader context of globalisation, then from different levels of regionalism analysis. This is because of the sometimes confusing interchanging use of concepts such as regional integration, regional co-operation and economic integration in literature, especially when context is not clarified.

## **Definitive role of PAP**

The Pan African Parliament is the outcome of a collective-choice bargaining process. For the purposes of this study, the definitive role of PAP refers to its functionality within the



AU system. This is because scholarship provides that institutions exist because they serve a particular function. In this case, outcome X (a policy, institution or organisation) exists because it serves function Y (Pierson, 2000:476). Early sociologists like Hebert Spencer (Turner & Maryanski, 1979:11), theorised that there can be no understanding of structure without functional needs, as this is the determination of the origin and development of an entity.

In this case the research aims to understand the functional role of the Pan African Parliament within the AU system and its implication for regionalism. The legislative framework defining the role of the PAP comprises the *Constitutive Act* of the African Union (article 17), the *Protocol to the treaty establishing the African Economic Community relating to the Pan African Parliament*, and the *Rules of Procedure* of the Pan African Parliament. This framework largely guides identifying and understanding the functional consequences PAP holds for its designers. In other words, PAP exists in the form it does because of its utility to designers. The task of this research therefore is to unravel who these designers are, what this functionality of PAP is and the implications for African regionalism.

In determining functionality, a rational choice model is proposed as basis or starting point for inquiry. In this case, rational choice ties in strongly within the framework of functionalist views. This is because, where there is a rational, purposeful actor, institutional effects (be they institutional arrangements or outcomes) are seen as the intended consequences of institutional designers and can thus be used as a yardstick to infer the definitive role of an institution. However, rationality only serves as a beginning point for inquiry, as the thesis also delves into some of the non-rational arguments on institutional growth. This means that, to project the growth trajectory for PAP in African regionalism, an understanding of its emergence would suffice first.



## Decision Making

Decision making is an integral component of leadership and it also has the potential of promoting greater accountability in the management of organisations. The Public Administration dictionary (Fox & Meyer, 1995:33) defines decision making as “a management technique used to reach decisions by analysing information, evaluating alternatives and in each case choosing the ‘best’ policy or line of action.”

For the purposes on this research, decision making is conceptualised from the standpoint of institutional relevance and growth. Even if one argues that the present institutional arrangement in the PAP reflects the positions of its designers, it can also be argued that it is possible for the PAP to transcend its present design limitations. The aim of the research then is to draw out factors which may expand PAP’s tasks in decision making in the AU. This expansion of tasks can also be termed influence. The greater the power of an entity is, the greater its influence in terms imposing norms and practices in the organisation. Influence thus determines the extent to which certain interests can be exerted within an international setup. The issues addressed in this research have to do with those aspects of the institutional arrangement in PAP that provide leverage in terms of influence for PAP in the long term. Consequently, in conceptualising decision making for this paper and in determining the extent to which its role will add influence to regionalism in Africa, the institutional, legislative and administrative arrangement or structure in the Pan African Parliament is probed.

Finally, the role of PAP in decision making is determined by how it is positioned in the overall AU institution building process which, in turn, is hinged on the intended functionality of PAP as far as its designers are concerned. This research goes about determining its influence in decision making from this view point. The hope is that the study will also contribute some insight backed by research into the institutional building and the evolution of regional integrative institutions in Africa. As an explorative study, it is envisioned that this will give research leeway for more in-depth research in African institutions of integration.



## **Chapter Two**

### **Methodology**

There is no one right way to approach a social research topic. According to Marshall and Rossman (2006:97), methodology is a theory of acquiring knowledge and the activity of considering, reflecting upon and justifying methods. A methodology like this should interrogate a method or technique to determine its appropriateness in pursuing a research question. Clough and Nutbrown (2005:146) suggest that, in order to get to the critical core of the research, there needs to be an understanding of the relationships between the research question, the research design and the field questions. These authors further suggest that linking the research question to the research design gives purpose to the research. While the field questions expand the content of the research question, when field questions are applied to the research design, it provides form, structure and character to the research. With the above in mind, the objective of this methodology is to develop a research space conducive to the unique approach envisioned for this study. This will involve firstly identifying the research problem, mapping out the research design and setting out the limitations envisioned in terms of the chosen methods. The next section explores the problem which the research sets out to explore.

#### **2.1 Statement of the problem**

It is important to bear in mind that the research problem in this section will influence the research design. This is research which, generally, focuses on a fledgling regional institution, the Pan African Parliament, and its role as an integrative institution in an equally fresh African regionalism space represented by the African Union. To narrow down to the research question, there are three talking points that guide this thesis.





Firstly, it is suggested that the long-term survival of the Pan African Parliament is hinged on the influence and impact the Parliament has on regional decision making in the African Union. Investigating this influence remains the objective of this study. However, the PAP's influence and impact cannot exist in a vacuum. For instance, the African Union is also in a process of growth, having recently gone through a re-structuring process itself. This restructuring has resulted in the adoption of a new constitutive Act of the African Union in 2000, in Lome in Togo, and the subsequent formation of the African Union in Durban in 2002. At present, the dominant AU organs that impact on the regional policy process are the Assembly of Heads of State and Government, who bargain grand policy areas for the AU; the Executive Council, which drives policy implementation; the Permanent Representative Committee, which assists the Executive Council; and the African Union Commission, which, as the AU secretariat, supports the integration of AU policies and programmes into the Regional Economic Communities. Apart from the Permanent Representatives Committee and the Pan African Parliament, the thesis sees the present policy landscape as curiously resembling that of the Old Organisation of African Unity (OAU).

Secondly, for a highly intergovernmental and centralised system like the African Union (AU), the supranational role expected from a democratic institution like the Pan African Parliament will prove to entail an uphill task for the PAP. Now, this points to the problem of the place and the significance of the Pan African Parliament in the traditional African Union decision-making process. Ideally, the PAP is supposed to have the duty of negotiating the legislative support for policies and projects, as well as budgetary, supervisory, advisory and investigative functions. The legislative framework that defines the role of the PAP are the Constitutive Act of the African Union (article 17), the Protocol to the treaty establishing the African Economic Community relating to the Pan African Parliament, and the Rules of Procedure of the Pan African Parliament. However, the problem is whether the PAP is expected to manifest these powers. In this case, the research will aim to unpack the definitive role of the Pan African Parliament within the AU, concerning if and how this function translates to the PAP's influence in AU decision making and, by implication, African regionalism.



The research problem thus lies in the suggestion of a possible connection between the Pan African Parliament's definitive role and the intentions (rational or otherwise) of its designers. These intentions, in turn, it is argued, are mirrored in the structure of the PAP's institutional and legislative arrangements. This is because the term "definitive role", as will be discussed later, refers to the functionality of the PAP in the AU. Some scholars share the view that institutions emerge because they are achieving a purpose for institutional designers (Pierson, 2000; Shepsle & Weingast, 1987; Hall, 1987; Smith, 2004; Tsebelis & Garret, 2000). This in essence means that the function that the PAP is expected to play in the AU, and functionality in turn, are reflected in the intentions of designers of institutions. Thus, it is proposed that the PAP's definitive role could be uncovered by going back to the context of its emergence, in this sense, the intentions and interests of its designers and the collective choice problem it was intended to solve.

## 2.2 Research question

It is argued that finding out what the PAP's definitive role is, will be the basis for interrogating PAP influence in AU decision-making systems and, by implication, the PAP's role in African regionalism. To this end, the research will want to answer the following question:

**“To what extent could the definitive role of the Pan African Parliament influence decision making in the African Union?”**

Predicting or determining this influence is a challenging and perhaps ambiguous task. Nonetheless, this is where developing a tailored research design comes in. However, to delve into institutional influence means making the institution, in this case the Pan African Parliament, the *unit of analysis*. It is suggested that a tailored research design for this study will have to be able to provide both theoretical and contextual support in discovering this definitive role of the PAP and how it ties into its influence in decision making in the African Union. This means developing a research design that will utilise



those suggestions on and explanations about the macro and micro nature of regional integration, as well as incorporate theoretical and analytical frameworks that capture tested prescripts on institutional origins and outcomes. On this note, the following sections show the research design and arguments for each method adopted.

## **2.3 Research Design**

A research design guides decisions on data management. Generally, it will indicate a plan consistent with the purpose of the study and, specifically, will refer to the type of study (O'Sullivan et al., 2003:25). Just as with any social scientific enquiry, a research purpose can vary from the descriptive to the explanatory. Additionally, theories that emerge are based on the purpose of the studies that produce them (Babbie & Mouton, 2001). The purpose of this research is explorative. An exploratory study is useful when studying little known phenomena, entities or areas (Kumar, 2005:10). The PAP began its sittings in 2004, and is currently in the process of building itself up as an institution. Thus, attempting to build comparative explanations and making generalisations at this stage may be a bit too ambitious. However, as an exploratory study, the thesis sets out to discover the unique environment of the PAP's emergence, the impact of this environment on its design and growth potential and, of course, how the environment, emergence, design and growth of the PAP tie into its role in AU decision making. Secondly, the design has features of a case study.

### **2.3.1 Case Study**

A case study has a generally agreed feature, which is the concentration on a single unit (Stake, 2003:135; Welman & Kruger, 1999:190; Babbie & Mouton, 2001:281). There is scholarly consensus that case study designs are complex, complicated and combine a variety of methods (Willis, 2007; Marshall & Rossman, 2006; Stake, 2003). The objective of a case study is to understand the dynamics, uniqueness and complexity of a





particular phenomenon. This is what O’Sullivan et al. (2003:39) describe as the “how” a phenomenon occurred and the “why” it may have occurred. “How” and “why” connote a preoccupation with origin and function. Thus, in considering the definitive role of the PAP and to determine its influence, the case study objectives of how and why become more significant. Determining the ‘how’ and ‘why’ questions of a case brings up the issue of the design of this case study.

### **Design of the Case study**

Case studies are principled on contextual determinations and the questions about the generalisability of findings. The table below shows briefly the limits and boundaries of the case study design for this thesis. This is explained subsequently:

	What the design does	What the design does not do
1	A single unit case study	It is not a comparative study of the locus and focus of European and African integration. However, it taps into the theoretical schools emanating from the study of European integration.
2	It provides a broad description of environment, context and content (institutional arrangement) in PAP emergence and growth as a single unit case study.	It turns down the idea that, because African regionalism is modelled along the lines of European institutional integration, it should be basis for a comparative study of cases.
3	It escapes intrinsic boundaries by locating the case study within a framework of relevant theories emanating from the study of the more entrenched European integration system.	It is, however, not intrinsically bound
4	It uses these theories as basis for reflection on theory building on African integration.	It does not use these theories as basis to reframe or build on generalisations.

**Table 2.1 3 Case study design**



**Contextual focus:** Contextual detail is important in a case study (Stake, 2003:141; Babbie and Mouton 2001:282). In this case, the PAP is an entity that emerged and operates within certain contexts: the historical, political, institutional, governance and leadership landscape of African integration space, among others. Thus, there will be a chunky description of the landscape of governance and leadership in African integration and the legislative framework that established the PAP. Here the question of “how” will encompass political, economic, and global factors, events, individuals, groups and decisions that led to the emergence of the PAP. “Why” will be looking for the function or the problem that the PAP was established to address by its designers in African regionalism. Looking for this function will mean identifying intentions of PAP designers and the reflection of these intentions in the present institutional arrangements in the PAP, in relation to the AU decision-making system.

**Generalisability versus intrinsic value:** One of the prerequisites of social scientific enquiry is the potential for generalisations. Therein rests the dilemma of case studies. Some researchers (Campbell & Stanley, 1966:6; Glaser & Strauss, 1999:20-31) are of the opinion that studying unique cases intrinsically has no scientific benefit in terms of theory building or generalisability to other cases. Campbell and Stanley (1966:6) pointedly argue that comparisons should be basic to scientific evidence. However, Stake (2003:140), one of case study’s most ardent advocates, argues that generalisations or (as the author puts it) ‘instrumental’ considerations should not be the emphasis of all research. To illustrate this, Stake (2003:140) points to his observation that, while many case study methodology scholars point to the need for generalisations, in practice, most case study work is driven by intrinsic interests in the particular case.

**A hybrid approach:** For the purposes of this thesis, a workable combination of both views will suffice. On one hand, this study does not lay any claim to the explanations that generalisation engenders through comparative case studies. Nevertheless, as Stake (2003) has tried to argue, this should not take away from its research and knowledge value, especially in showing gaps in the development of the PAP. On the other hand, the thesis cannot also be caged in as an intrinsic study bounded within its own unique world. This is



because the thesis also sets out to show how findings in this case study fits within the parameters of previous knowledge. The hybrid approach thus takes aspects of these case study arguments into consideration in the research design.

In searching for inherent value, this study will inspect the Pan African Parliament from two different angles: how it originated and why it exists. Firstly, its institutional origins (“how”) will be investigated. This will involve a detailed focus on the environment of the PAP’s origin. Secondly, asking the question “why” will focus on the Pan African Parliament and its role in deepening integration. This will concentrate attention on the function the PAP performs, especially from the point of view of its designers. It suggests that exploring the institutional arrangements within the PAP will show how designers’ intentions are imprinted therein. The thesis will motivate that these institutional arrangements reflect the levels of the PAP’s influence in AU decision making, as intended by its designers. However, this intrinsic component of the PAP will not be limited only to the PAP’s unique context. This is because determining the influence of the PAP’s definitive role in AU decision making with the use of a conjectural benchmark will afford the thesis some comparative benefit. So, the role of previous knowledge in terms of theories developed in the study of European integration institutions becomes relevant.

The study of the European Union over the past 50 years has produced a large body of literature whose theories and models seem to have become the yardstick in comparative regionalism (Frankel, 1973:48). These theories are important to this study because they provide a basis for the arguments to be presented in the case study. According to Maluwa (2003:159), these “theoretical debates which have dominated social science and international relations since the 1950s... particularly in relation to the relevance of the experience of European integration... have a certain resonance with the process of institution-building in post colonial Africa”. Yet, it is imperative that, just like in early misconceptions of evolutionism in the social sciences (Turner & Maryanski, 1979:30), there should be caution in the tendency to see regional integrative efforts in Africa as an evolutionary process which will culminate in the fully evolved European example. This is



because, as will be discussed in the next chapter in terms of locus, the contexts vary and, in terms of focus, while the theoretical schools of European integration have developed over time, there seems to be a dearth of scholarship in terms of region-relevant and specific theories that attempt to explain African regionalism. Thus, it will be difficult to attempt to speculate on the trajectory of Africa's regionalism in the light of the results of Europe's regionalism experience.

While this is not a comparative case study on the practical realities of the European Union (EU) and African Union (AU), institutions of integration, in particular the Pan African Parliament (PAP) and the European Parliament (EP), it will draw on certain generalisations that have emanated from observations on the institutional-driven integration of Europe. Thus, the research will be backed by a theoretical framework that examines middle-range theories of integration, like institutionalism theories of institutional origins and outcomes, as well as grand theories of integration like intergovernmentalism and neo-functionalism which try to explain the overall process of regional integration. These frameworks will largely guide identifying and understanding the design and functional consequences of the PAP in African regionalism.

In an attempt to explain deepening integration in Europe, different schools of thought have tried to explain how European integration institutions have over time assumed supranational status. While some theories attribute it to the deliberate surrender of sovereignty by member states, others explain this growth in power in the ability of institutions to grow and develop a life of their own. It is within this theoretical space that the study is located. Thus, supporting theory on institutions in this study will be two-pronged:

1. **Grand theory:** a neo-functionalism and intergovernmentalism approach investigating the place of institutions (PAP) in overall deepening regionalism (supranationality versus sovereignty)



2. **Middle range:** An institutionalism (rational choice, historical, sociological) angle. Theories that consider how institutions develop supranational status through the processes that drive institutional origin and growth.

It is argued, as will be examined in Chapter three, that, by investigating these theoretical projections, the thesis will be able better to frame what the definitive role of the PAP might be. It will also show how this role adds to or takes away from the PAP's influence in decision making about African integration.

## 2.4 A Measurement Instrument: a note on functionality

How can the definitive role of the PAP be determined? Functional arguments indicate that what an institution does (institutional functioning), explains the institutional design. Paraphrased, the emergence (origin) of an institutional form is the direct result of the function it serves. Taking this view further, it can be deduced that “outcome X exists because it serves function Y” (Pierson, 2000:476). Builders of institutions will tend to fashion institutional arrangements based on functional outcomes that favour them. In this case, function could be described as “generally the resolution of some sort of collective choice problem” (Pierson, 2000:477). Functionality, thus, will be used as a basis to measure the PAP's “definitive role”.

In further considering functional prescripts, the behavioural model of rational choice comes in because the nature or form of institutions is possibly explained in the functional consequences for those who create them. There are arguments that functionality is based on a rational choice prescription which states that individuals can be rational in making decisions so far as actors are concerned about examining the potential social and political outcomes or consequences (Riker, 1980; Shepsle & Weingast, 1987; Hall, 1987). Actually, some authors like Kato (1996:564), on rationality submit that “fundamental principles of political behaviour are the same across different political systems despite





seemingly different configurations of institutions and political phenomena”. This infers that, no matter what political institution or system is being studied, a rational choice approach would present theoretical standpoints that can be used to logically explain political outcomes. In this case, rational choice ties in strongly within the research problem.

Nevertheless, some authors (Pierson, 2000; Miller, 2000; Kato, 1996; Thelen & Steinmo, 1991) see rational choice prescriptions as simplistic. They suggest that, while institutional outcomes may be seen as the intended consequences of their designers’ action, when examining the functionalist approach, terms such as instrumental, farsighted and intended should be further interrogated. These three angles for argument are examined below.

### **Instrumental versus appropriateness**

Within a strong rational design, the means-end debate predominates, with calculating, self-motivated actors making decisions based on the potential effectiveness of outcomes. Be that as it may, instrumentality in institutional design has been questioned by other approaches where appropriateness is proposed (March & Olsen, 1989). Appropriateness in this sense is reflective of cultural motivations which are tied to sociological approaches to institutionalism (Hall & Taylor, 1996:946). In this case, institutional designers’ purposes in terms of sociological institutionalism may be more appropriate than instrumental. This is tied to cultural and value quotients like learned performance, as against means-end efficiency motivations of rationality, like reduction of transaction costs. This view is based on questioning the place of effectiveness or instrumentality versus appropriateness in decisions of institution designers.



## **Long-term versus short-term consequences**

Rational choice supposes that implications of political decisions only play out in the long term (Pierson, 2000:449). Nevertheless, it is difficult for political actors to think in the long term. This means that institutional design cannot be explained only by analysing long-term consequences, as put forward by rational theorists. In reality, more often than not politicians make decisions for the short term for political gain. According to Pierson (2000:449; 1996:136), “long term institutional consequences are often the by-products of actions taken for short-term political reasons”. As a result, unless in exceptional cases, long-term consequences are hardly considered. Pierson (2000:481) makes suggestions as to the conditions that can make far-sightedness or long-term decision making feasible. These conditions require actors to both care about the future and feel capable of influencing it. However, the unpredictability and complexity of political behaviour makes it difficult to think in the long term. Arguments such as these that question some of the key arguments on rationality are relevant for the study of a fledgling Pan African Parliament.

## **Intended versus unintended consequences**

Tied to the long-term/short-term arguments is the issue of intended or anticipated consequences, which is important in debating functionality. Unintended consequences, according to Pierson (2000:485), will most likely occur where mental processing of particular issues is error prone or where there is cognitive limitations (Miller, 2000:535). As people tend to focus on dramatic, recent failures, there could be a systematic error in decision making. Secondly, social context is complex as social variables are so intricately intertwined. Thus, one intervention can result in a series of consequences that may not be anticipated. Considering the foregoing, it is counter-productive to ignore the issue of unintended consequences as they are prone to occur, society being what it is. It is therefore suggested that, as Goodin (1996:29) elucidates, the social environment is “accident prone”, so, rather than ignore this fact, it should guide discussions in this thesis.



On a final note, although Pierson has queried the place of functionality and by implication rationality, there has been no approach that, in explaining institutional design, has totally discredited it theoretically (Pierson, 2000; Miller, 2000). Granovetter (1985:506) suggests that, while rational choice is problematic, it remains a good working hypothesis. As for the sociological and historical arguments on institutions, it has been construed in some studies taking a more interpretative approach to the study of institutions, that cultural approaches apply to unique case studies (Kato, 1996:565). Rational choice institutionalists and sociological/historical institutionalists seek the same goals of trying to explain why institutions emerge and develop unique sets of rules and procedures. Therefore, this study will argue the functionality of the PAP, largely taking into the consideration the rationality of its designers, albeit balancing the argument with some of the limitations identified in arguing the rationality premise.

## 2.5 Data Collection

For case studies, the more varied the data sources the better for the case study (Babbie & Mouton, 2001:282). The following sources were used to acquire relevant material for this research.

### 2.5.1 Primary and secondary sources

There was extensive use of documented sources. This was done by consulting a wide variety of literature. However, there is an element of *participant observation*, first as an observer during the 6<sup>th</sup> plenary session and subsequently as an intern at the Pan African Parliament in the documentation division (see Annexed<sup>2</sup>). I decided to use my opportunity as an intern and my observations and notes during this time as a source of data. Kumar (2005:119) posits that observation as a source of primary data is most suited when there is a chance that objectivity from an information source is doubtful. In this

---

<sup>2</sup> Copy of letter of application to intern submitted to PAP; contract letter from GTZ as an intern.





case, notes, information and knowledge taken during my three-month engagement with the PAP as an intern were relevant. Furthermore, documented materials such as descriptive statistics (annual reports), the legal framework that established and supports the PAP as an institution were invaluable as primary sources. These included the following:

1. Relevant AU treaty, protocol, decisions, declaration documents
2. Treaty establishing the African Economic Community relating to the Pan African Parliament
3. The strategic framework
4. Action plans or operational framework
5. PAP Annual Report 2004-2005
6. PAP resolutions and recommendations

Secondary sources were literature on relevant and recent research and studies on regionalism, institutionalism and regional integrative institutions, especially the European Union, which is at present the biggest source of material on institutional integrative trends and theories:

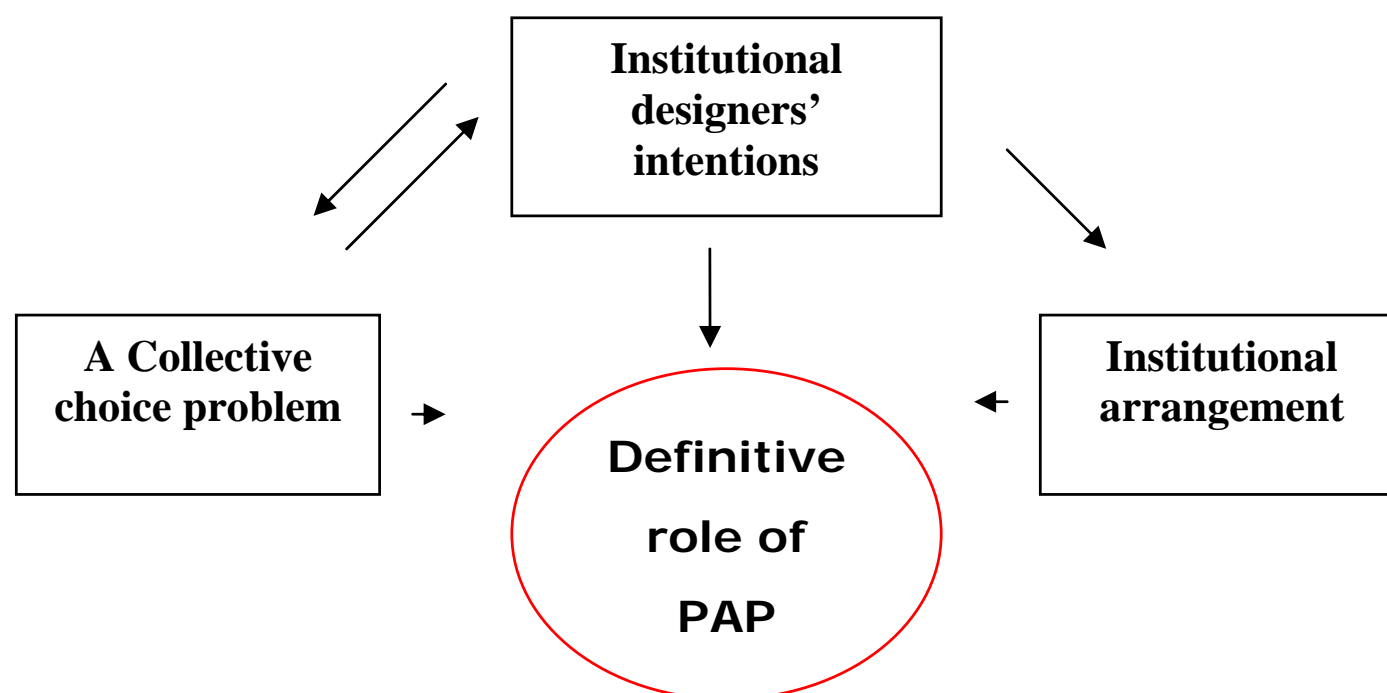
1. Regionalism theories
2. Grand theories and middle-range theories of integration
3. Literature on institutionalism theories

Finally, it must be noted that the data collection strategy involved having at least three approaches (triangulation) in terms of the literature research. Firstly, observation, interviews with role players, research from books and journals, AU and PAP materials themselves. Finally, other sources of data, such as internet sites, policy publications of the African Union and other regional institutions were also fully exploited.

## 2.6 Analysis

Mouton (2001:108) articulates that analysis involves “breaking up” the data into manageable themes, patterns, trends and relationships. Now, the methodology of an investigation determines which approach to use for analysis. In case studies in particular, emerging patterns are necessary. The analysis of data is based on information obtained from literature and observations. Therefore analysis attempts to relate the results from the case study to the theoretical framework adopted for this thesis; this means finding links, if any, between study findings and previous knowledge.

The analytical framework of this study proposes the use of a functionalist/rational choice bias for analysis. This means interrogating the origins and design of the Pan African Parliament and its relevance in the African Union and regionalism. This is particularly linked to the research question “To what extent could the definitive role of the Pan African Parliament influence decision making within the context of regionalism in the African Union?” For analytical purposes, functionality therefore provides an avenue to determine the definitive role of the Pan African Parliament’s emergence and potential for growth. An analytical framework thus suffices:



**Figure 2. 2:** Analytical framework (configuration mine: 2008©)



Explained briefly, the analytical framework shows that the definitive role of the PAP is dependent on certain relationships and incidents. The boxes show the relevant features within the theoretical space, the lines show connections and the arrows represent the impact point of these links. Firstly, it is assumed that the emergence or the presence of a collective choice problem will require members of a regional system (designers) to make certain choices. These choices will result in a resolution, possibly a new institution (outcome). By implication, the role of this institution is related to the collective choice dilemma it is supposed to solve. This role, in turn, is manifested in the nature of its institutional arrangements. Finally, it is supposed that the institutional arrangements reflect the intentions (long-term or short-term) of institutional designers. Thus, institutional arrangements are viewed in two distinct ways as defining the role of the institution and as reflecting the intentions of its designers. Therefore, the nature of the institutional arrangements in the PAP will be used to infer the extent of the PAP's influence within the AU regionalism framework. Based on the above premise, major questions that guided analysis were:

1. What is the collective choice problem that the PAP serves to resolve?
2. Who are the institutional designers of the PAP and how can their motivations in designing the PAP be best interpreted (rational or non-rational)?
3. Is there evidence of long-term as against short-term decision-making goals of the designers?
4. Are there institutional arrangements which are emerging that
  - show intentional or unanticipated outcomes by designers?
  - may result in the PAP gaining influence over time, and thus effectiveness as a regional integrative institution?
  - may limit PAP's influence and thus stunt the growth of the PAP?

It was calculated that these questions would serve the themes for the analysis and discussion of the findings in Chapter 4 on the definitive role of the Pan African Parliament and its long-term survival and influence in regional integration.



## **2.7 Research Limitations**

The limitations in this research were approached from two angles. The first angle was the boundaries that needed to be set in terms of the scope of inquiry. The second boundary comprised those research constraints, which may have resulted from the research methodology itself and the case study environment in terms of dynamics and change in the research environment.

### **2.7.1 Setting the boundaries for the research**

There were certain anticipated limitations to this study, especially in terms of its methodology. These limitations show the boundaries of the scope and theoretical framework of this research. It was imperative that the limitations be set in order not to overshoot the focus of the research. As such, the following set the boundaries for inquiry:

1. The research would concentrate inquiry into the unit of analysis (PAP) from the emergence of the PAP to its sixth ordinary session in 2006 (1999-2006). However, the regional history and evolution that led to the establishment of the PAP augured well for the design and analytical framework for this thesis.
2. Regionalism in this study would focus on institutions – how institutions impact on regional policy outcomes, whether they are economically or politically biased.
3. Theoretical grounding for the research would draw inference from tenets of an institutionalism model and regional integration theories, both as tools for inquiry and analysis.
4. In as much as organisational arrangements play a role in understanding some of the theoretical standpoints in new institutionalism studies, this study was not intending to deal with organisational theories per se, but to reflect on how some of these theories, such as behavioural theories, have shaped theoretical thought in institutionalism theories.



## 2.7.2 Research process limitations

These were research constraints which were likely to affect the overall findings of this research in terms of the validity and applicability of the findings. Social research is limited in many ways, as one has to contend with its human, social and environmental dimensions. In the current case, the Pan African Parliament in itself presents a unique challenge in that it is an organisation in the process of growth.

### Methodology

It is acknowledged that the methods in social research are not watertight. In this sense the following limitations were observed:

**Limitations of research design:** Firstly, this study was an exploratory study which was limited in many ways. Exploratory studies lead to insight and understanding and seldom provide explanations or make predictions. It is possible that the results of this research can not be used for generalisation purposes. Nevertheless it is hoped that whatever observations and recommendation may arise from this study can be applied as basis for further inquiry into the regionalism process in Africa.

**Limitations of the Case Study:** There seems to be resistance from some scholars on the scientific value of single unit case studies which are not viewed through the lens of other cases. In its entirety, this is not that kind of study. However, this also is not a comparative case study that tries to view a case based on the experience of other cases. This is because context-based and historical exigencies are a challenge for comparative research on regional integration in African and European experiences. This study, rather, has taken certain strengths of the two opposing approaches to case study and combined them. Thus, while there is the element of detailed contextual structuring of arguments, these arguments are based on generalisations and theories drawn from previous knowledge. There are limits to what this approach can achieve. While it may show



certain patterns as reposed in theory, it will not provide explanations that can lead to generalisations and theory development.

**Limitations of measurement instrument:** Going from the argument that outcomes determine institutional functionality, studying the Pan African Parliament at this stage poses a challenge as institutional building and consolidation processes are still on-going. Thus, relying on its young and pliable institutional arrangement as an outcome of designers' intentions poses a research dilemma. However, the same can be said of the African Union and its other organs. Thus, these PAP institutional arrangements, while not set in stone at present, can still be used to infer the opportunities for growth and influence of the PAP within the larger growing AU system.

**Data collection:** Personal observations and interviews have been used in the data collection for this study . While it is acknowledged that such data collection methods provide advantages like comprehensiveness and perspective, it is also prone to certain complications, such as ethical and bias issues. The qualitative nature of the study also will most likely not provide quantifiable models which could be used by policy decision makers. However, it will probably serve to highlight the significance of a new phenomenon in African regionalism.

Finally, an attempt has been made to give a methodological foundation for the research in this chapter. This has set out what was possible in terms of the research design and the limitations that were embedded in the nature of the research unit and design. It is hoped that the chapter as a whole provides a guide to the theoretical framework that supports this thesis.



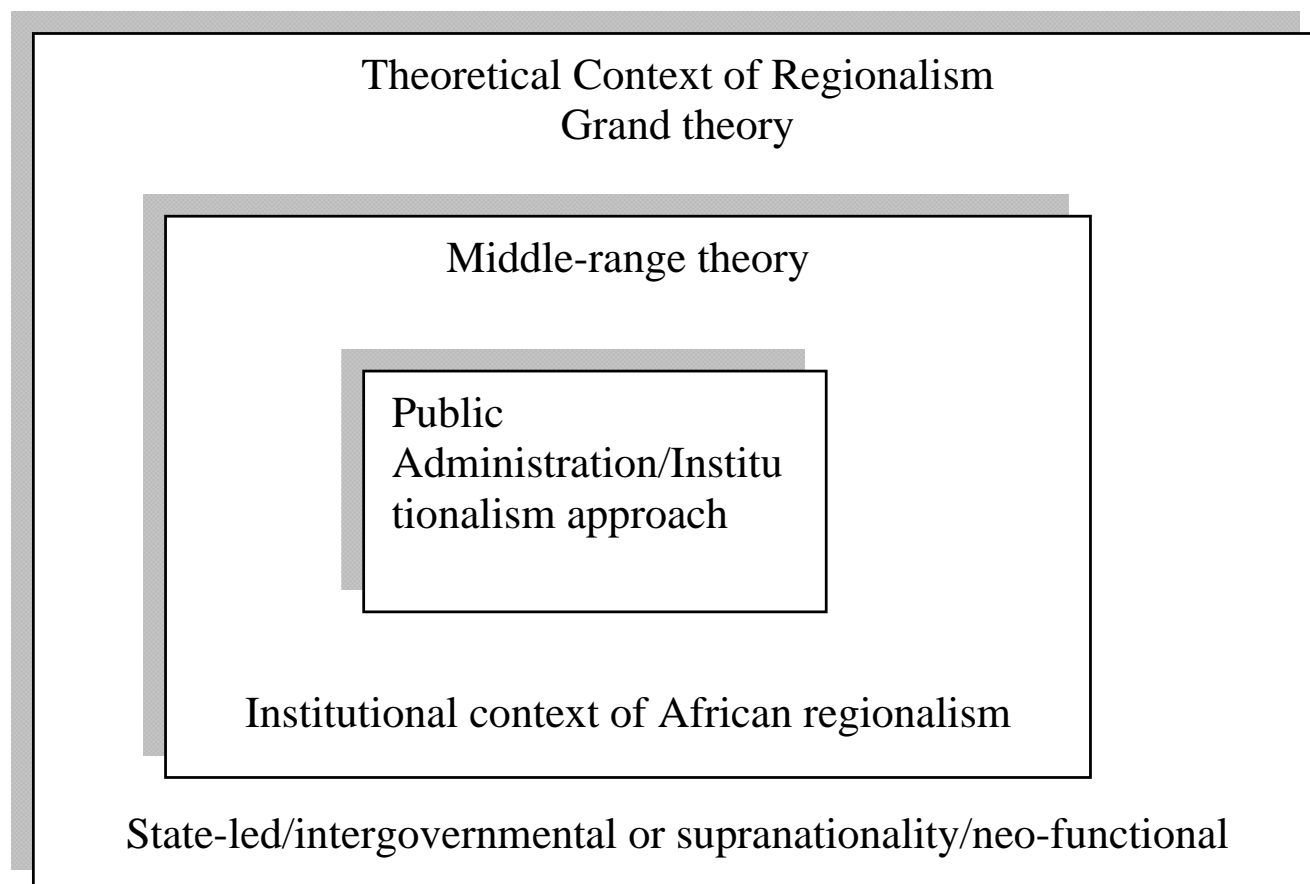


## Chapter 3

### Theoretical Framework

A theoretical framework can be viewed as scaffolding on which analysis can be built. The role of theory is to provide generalisations...powerful abstractions...create the links and frameworks that can connect and interlink studies...” (Wellington et al., 2005:57). One of the objectives of the theoretical framework is to provide existing theories as a foundation on which to build research relevant premises and submissions. The body of literature in this work will come largely from literature on European integration. This will be explained subsequently. However, the first task in the chapter will be to inspect Public Administration as a concept and area of study. The aim of this exercise will, firstly, be to define public administration within the context of the current study and, secondly, to show how the study of institutions as actors affecting outcomes within the polity ties into Public Administration discourse. Thirdly, the theoretical framework will be based on scholarship which has given foundation to the regional phenomenon that is the European Union.

The framework will provide an avenue to locate the relevance of the PAP within the African Union by broadly examining grand theories of integration, middle-range theories of functions and processes in regional entities and, more specifically, theories that examine regional integrative institutions as research variables. Thus, examining neo-functional and neo-institutionalist theories along with those relevant arguments that have developed in scholarly circles on these subjects will be central to the discourse. This is especially due to the role that institutions of integration have played in regionalism in Europe and the potential that institutions have in driving regionalism within Africa's regional system. Therefore the relationship between institutions and public administration, as well as those grand and middle-range theories of regional integration will be used as a basis for inquiry.



**Figure 3.1: Understanding the theoretical framework (configuration mine, 2008©)**

Major world historical events have at different times placed regionalism at the centre of scholarly discourse and analysis – the end of the cold war in particular –, opening up the concept of new regionalism. It is expected that a careful assessment of relevant theories that underline regional development as well as international political economic studies may provide theoretical foundation to examining the global nature of regionalism and Africa's place within this context. Moreover, it must be noted that, while, with European integration, there has been a succession of theories directed at understanding the factors that explain European integration, there has been little theoretical inquiry into the nature of African integration.

Thus, it is submitted that the time-tested and -developed theories of European integration, in particular the study of institutions as central integrative actors, if not applicable to the African situation, are at least significant in interrogating the nature as well as the future of the Pan African Parliament and African regionalism. This is especially recommended due to the observed institutional nature of African regionalism. However, the most important



question that this chapter needs to answer is the issue of how the study of institutions of integration ties into Public Administration, as well as how Public Administration defines the entirety of this thesis.

### **3.1 Public Administration**

In considering a definition for public administration, the concept of administration ought to be explored. MacRae and Pitt (1980:7) define administration as “the co-ordination of men and materials within organisations for the accomplishment of identifiable purposes”. Administration has been defined as the “execution of public affairs, by persons jointly engaged in working toward common goals” (Cutchin, 1981:6), and as “activities of groups co-operating to accomplish common goals” (Simon, Smithburg & Thompson, 1971:3). Administration has been defined even from the point of view of the activities thought to be associated with it, “work of bookkeeping, registration, accounting and other internal communication of record, clerical work...collective noun for persons engaged in such work (Dunsire, 1973:229). Administration has also been characterised within a generic context which makes it “an ingredient of all social activities and therefore universal, operating... wherever a few persons are associated to achieve some objective” (Gladden, 1972:4).

From the foregoing, Administration cannot be confined to a particular definition, but rather should be seen as a totality of all those activities that are undertaken by members of an organised unit to achieve goals. However, two points need to be highlighted here. The first is that, for there to be Administration, there has to be a collective goal or an objective understood by the actors involved. This is related to the social functionality question of need. As pointed out by early functionalist Herbert Spencer (Turner & Maryanski, 1979:12), “to understand how an organisation originated and developed, it is requisite to understand the need subserved at the outset and afterwards”. The second point is the universal application of administrative functions (policy making/planning, finance, control, work procedures, personnel and organising) in any work situation. This



generic application is irrespective of those specialised functions or work that an organisation undertakes. For instance, a building firm will have architects, engineers, surveyors and even financial specialists; however, the thread that provides a smooth system of operation for all these activities within the firm will be administration's generic functions.

With the above in mind, a definition for public administration can possibly be negotiated. There is a plethora of definitions of public administration by different scholars; however, for the purpose of clarity in terms of this paper, public administration will be defined within the context of administration that has already been put forward. In this case it will be logical to consider the word 'public'. The common sense definition of the word will refer to a group of people, a community, a nation or citizenry of a nation. It also connotes something that is open to all and not hidden from anyone. The *Oxford Advanced Learner Dictionary* (1995) defines public as "of or concerning people in general...; provided by government for the use of people in general; not private". It then follows that public administration consists of administration that has its goals open and targeted towards the whole community.

Some scholarly definitions of public administration, however, are not as simplistic and have wide-ranging dimensions. Balogun (1983:11), for instance, views public administration as having to do with the marshalling of human and material resources in order to achieve the objectives of public policy. Public administration has also been characteristically defined as comprising public policy formulation, policy execution, as bureaucracy, public and usually large-scaled (Fesler, 1980:2). Other authors have defined Public Administration in the context of theory and practice (Henry, 1975:5); as both "the activities concerned with the management of government business and the study of these activities... as practice and as knowledge" (Adamolekun, 1983:1). With so many thrusts in meaning and definition, attempting a concise definition is a challenging task.

Nevertheless, public administration can be viewed as the sum total of the activities of the different levels of governance systems aimed at meeting the goals of policy and the needs



of the citizenry. In this sense, the study of public administration will cover all levels of sub-national, national and supranational governance (regional institutions) and straddle a whole range of social science disciplines like politics, sociology and economics. Thus, the next section will deal with the interdisciplinary nature of Public Administration, with particular reference to two social science disciplines, Politics and Sociology.

### **3.1.1 Interdisciplinary perspectives of Public Administration**

The social sciences deal with the methodological study of social phenomena as a route to understanding their consequences for the broader society. Social science has been defined as those mental or cultural sciences which deal with the activities of the individual as a member of a group (*Encyclopaedia Americana*, 1971). Moreover, in what he terms the natural science of society, early sociologist AR Radcliffe-Brown (1948:55) views social science as “the sum total of all social relationships of all individuals at a given moment in time...”. Social science is a study of social structure, which examines tangible models of social relations among individuals.

Public Administration is a social science. However, the history of Public Administration as a science, unlike other social sciences like philosophy, political science and sociology, is a recent one. It has thrived as a part of the whole study of social phenomena, thus sharing inter-dependence with other social sciences. Bain (1986:19) refers to Public Administration as having an “interdisciplinary heritage”. Marini (2000:8) contends that Public Administration as a discipline thrives on its reliance on the social science disciplines. There is a strong interdisciplinary context to the study of public administration. Additionally, over the years the scope of the study of public administration has expanded. Since Woodrow Wilson’s postulations on Public Administration as a legitimate discipline separate from political science (Van den Bos, 1988:62; Thorsen, 1988:140), the world has experienced two World Wars, the Cold War, major economic and structural adjustments in the developing world, globalisation, regionalisation, new perspectives on governance, with the protection of human rights and





dignity and the advancement of democracy as governance imperatives. Thus contemporary Public Administration has developed, to a large extent, a “more or less regular set of subfields, approaches and topical interests” (Marini, 2000:9). In terms of topical interest areas and foci, the environment and context of public administration and the level at which public administration occurs is growing as an area of research interest. These environments and contexts draw from other disciplines such as history (traditions and value paths) and sociology (structures and functions of social institutions). Additionally, the focus of research can fall on anything from the local to the international level of administration.

## **Public Administration and Political Science**

It can be argued that the plurality in definitions of public administration can be traced back to its development as an academic discipline. For instance, it took almost a century from the groundbreaking article by Woodrow Wilson, *The study of Administration*, for Public Administration to come to its own as a discipline. Having its roots in the political sciences, in 1887, Public Administration was first advanced as a distinct science in Woodrow Wilson’s article “The study of Administration”. Wilson proposed “a science of administration... to strengthen the paths of government and ...crown its duties with dutifulness (Van den Bos, 1988:62). Be that as it may, for many years public administration was practised and studied as a part of politics, with policy formulation and the struggle for power and governance identified as parts of politics and administration seen as a means to execute state policy. These arguments reflect the political science/public administration dichotomy and what has been aptly termed the continuum between public administration and politics (Thorsen, 1988:120). This reference to a continuum between public administration and political science is significant because, although public administration was taught as a separate discipline in the United States in the late 1920s, the 1930s identified key areas for debate, such as the issues of separation of politics from administration and the principles of administration and the place of policy making. It was disputed that policy making was not the exclusive reserve of





politics and that administrators, far from what was previously advocated, were also involved in policy making and using discretionary power, and generally involved in the political process.

In Africa and Southern Africa in particular, public administration and its relationship to politics has been thoroughly debated by scholars. For instance, Hanekom and Thornhill (1986:16) describe as a “myth” the view that the public administrator is a politically neutral force. Pauw (1999:23) argues that dichotomy is integral in defining public administration, where the exclusion of politics from public administration should be seen as a moral or prescriptive imperative. Pauw’s argument to view the separation of politics from administration as a moral point may augur well for accountability and transparency in African government structures. Nevertheless, the liberal democratic ideology behind it fails to take into consideration the partisanship culture of politics in Africa. For instance Nigeria experimented with the idea of ‘neutrality’ by establishing the Public Service Commission under the Parliamentary government in the 1960s to handle the appointment, promotion and discipline of public servants (Adedeji, 1968:7), however, partisan factors determined appointments and the structure of the public service in general (Adedeji, 1968:6). Furthermore Balogun (1983:18) argues that politics/administration interaction rather than dichotomy defines Nigerian public administration, based on a number of factors, one being the biases of career public servants and their “prejudices as human beings and political animals”. This research argues that there is a huge question mark regarding the so-called independence of public administration. Thus, public administration cannot be divorced totally from politics for several reasons, one being that policy making is an activity that falls within the confines of the study and practice of public administration. Public administration is ever evolving, as a practice or as a study area, changing with changing times. Moreover, society, politics, economics, globalisation and regionalisation, and other factors, will continue to impact on the study and practice of public administration.

These views are important in this research in as much as it studies the same politics/administration interaction at the continental level. African views are particularly



significant as the relationship between African integrative institutions and their designers are explored in the context of the relationship between the highly intergovernmental environment of African integration and its almost contradictory path of institutionalised regionalism.

### **The sociology of public administration**

The Encyclopaedia Americana (1971:207) defines sociology as “the science of social relationships (structures), the consequences (functions) of those relationships for ongoing social systems and the process of social change”. In the eighteenth century, French Philosopher Auguste Comte, known as the father and founder of sociology (Babbie & Mouton, 2001:22; Turner & Maryanski, 1979:2) saw a society in perpetual turmoil and thus sought a reorganisation of society that would result in stability and social equilibrium. To achieve this, Comte attempted to open to the world a new positive hope in its social and moral crisis, through science (Ple, 2000:424). He proposed that society examines itself through experience based on a logical and objective pursuit of science to explain its problems and solve them (Babbie & Mouton, 2001:22). Comte’s sociology was based on empirical inquiry and experimentation, and conceived social phenomena as subject to natural laws and thus to be studied like the natural sciences. Thus, Comte identified sociology with biology, viewing society as a social organism, referred to as organismic thinking by Herbert Spencer (Turner & Maryanski, 1979:9). This organismic thesis of sociology is aimed at the search for social cohesion. This notion of sociology stipulates that all parts of the society perform specific functions, yet are integrated as part of a whole system, just like all parts of a living organism.

Early sociologists like Auguste Comte (Ple, 2002:424), Emile Durkheim (Babbie & Mouton, 2000) and Herbert Spencer (Turner & Maryanski, 1979:9) sought to empirically explain social issues and their functions in society with the overall objective of achieving social equilibrium. Their efforts gave rise to the first theoretical perspective of sociology



which is functionalism. Comte, Herbert and Durkheim's contributions resulted in the development of the theory of society on collectivism, structure, needs and causes.

Functionalism deals with the effect of the social phenomena on society, as well as the normative values of society; what a good society should comprise. These normative prescripts of societal values and social cohesion are the two main arguments of functionalism. In the course of searching for these goals, society creates institutions. Weber's bureaucracy theory draws largely from sociological and functionalism discourse by stressing the relevance of organisational formal structures to a complex society (Hill, 1972:16). This by implication means that the character and role of institutions in society emerged from functionalism discourse. In this case, the interrogation of the need for institutions in society and the study of origin of institutions grew.

Summarily, institutional emergence was precipitated by function and need. Some of the theories that have emerged in the study of the phenomena of regional integration are drawn from sociological theories, the most prominent being functionalism and its offshoot theories like institutionalism. This is a study on how institutions affect society. The current study is a study of the function of the Pan African Parliament in the African Union, and the implications of this function for regionalism in Africa.

### **3.1.2 The Public Administration/Institutionalism interface**

Haralambos and Holborn (1995:8) describe an institution as a structure made up of interconnected roles or interrelated norms. In fact, Thelen and Steinmo (1991:2) model institutions as those "formal organisations and informal rules and procedures that structure conduct". Institutions, according to early groundbreaking anthropologist Bronislaw Malinowsky (Turner & Maryanski, 1979:49) are organised activities among humans revealing a definite structure. What is more, Malinowsky (Turner & Maryanski, 1979:49-50) models all institutions as having universal elements such as personnel, defined goals, rules, activities, material implements for operations and functioning. Incidentally, in the struggle to attain a level of definition as a discipline, the universality



of public administration as put forward by Cloete's (1981:3) generic functions of policy making, financing, organising staffing, work procedures and control) also reinforce the connection between public administration and institutions in the study realm. Indeed Hanekom and Thornhill (1986:7) pinpoint the core activities of public administration, such as the determination of goals and the provision and utilisation of money, as being bound within an institutional framework consisting of rules on procedure and control.

Going further, bureaucratic agents of governments are described as the loci of public administration. These centres of government policy making and implementation are seen by new institutionalist scholars as political institutions (March & Olsen, 1984:738). In fact, in expressing certain South African viewpoints on public administration, Bain (1986:13) models public administration from an institutional standpoint as executive government institutions and the whole body of legislation and functions. These points beg an assessment of the universal functions of public administration (activities) and the general elements of institutions. In so doing it can be noted that Public Administration studies universal set rules that govern the administration and outcome of policy. Attentive to this, one may venture to argue that, within the very premise of Public Administration is the study of government administrative institutions as social changers. This is because government as an institution represents administration in its co-ordination and control of activities, the marshalling of human and material resources, as well as the systems and processes used in achieving its goal of service delivery.

Early theorists, as well as some Public Administration studies, have come from institutionalist standpoints. For instance Gladden (1961:12) presents public administration as the "management of affairs by public bodies", studying the design and growth of government institutions. It is also significant that Gladden proceeds in his discourse on public administration to centre on government administrative institutions, by focusing on the origin/design, functions and growth of central government departments in England (Gladden, 1961:45). This old institutionalism was more of grand theorising and, according to Thelen and Steinmo (1991:3), did not encourage the development of middle-range concepts that will facilitate explanations.



In making a case for this study which focuses on institutions as actors in the development and progress of the state or, in this case, the regional state, a conceptual and theoretical framework that embraces new institutionalist views will most likely see a convergence of Political and Public Administration viewpoints. This is because new institutionalists reject the idea that politics can be separated from public administration (Bulmer, 1998:370). This is so, as new institutionalism considers the process of governance as encompassing the political and administrative aspects of policy enactments and outcomes. In the case of regionalism, new institutionalist discourse emphasises institutions as the principle actors of integration. From an analytical standpoint, Bulmer (1998:368) presents new institutionalism as a methodological approach in comparative social sciences. New institutionalism is also considered in as much as it interprets institutions from a wider perspective (Bulmer, 1998 367-369; Kato, 1999:554), a broader aspect of governance that goes beyond issues of formal, constitutional and legal approaches to institutions, but encompasses policy connectedness and networks, as well as being inclusive of all policy actors. New institutionalism also emphasises the issue of institutional value or, as March and Olsen (1984:738) put it, the centrality of meaning and symbolic action. This entails codes, culture, beliefs and identities, as well as knowledge embedded in institutions. These central premises of institutionalism are integral to governance and public administration because it is difficult to separate formal arrangements from the normative context within government formal structures. Institutions therefore can be:

- formal and informal institutions,
- conventions,
- norms and symbols embedded in them,
- policy instruments and procedures.

Institutions have been described as the “irreplaceable backbone of the state” (Roy, 2005:77). Gladden (1961:15-16), models public administration from different levels: international administration (supranational), central administration (national), regional administration (state or provincial) and local administration (local government). The





administration of international government can be co-operative (intergovernmental) or supranational (institutional). Discussing Public Administration within an international polity framework will focus on the design and evolution of institutions, intergovernmental forums and policies of international entities. The definitions of administration and public administration discussed earlier in particular, reflect certain considerations which make this study of the role of the Pan African Parliament in African regionalism, not only of public administration relevance, but entrenched in the universal principles of public administration.

Finally, it will be difficult, from the foregoing, to separate the study of public administration from the study of institutions (social, political). Additionally, some key areas of debate in public administration studies, such as the issue of separation of politics from administration, the principles of administration and the place of policy making in politics, cannot exist outside the context of institutions. From the above arguments, there begins to emerge the interdisciplinary nature of social inquiry. Thus, just as public administration cannot be divorced from politics and policy making, Public Administration, sociology, politics and policy studies cannot be considered in a vacuum. Institutions thus become not only the locus of study but also are being seen as intervening variables in the determination of policy outcomes. Having attempted to represent an initial connection between public administration and institutions, it can be stated in summary that the realm of institutional studies is not only a crucial part of Public Administration, but an indispensable part of the totality of its practice.

### **3.1.3 Multi-disciplinary perspectives of Institutionalism**

Like public administration, institutions have been studied from multi-disciplinary perspectives in the social sciences, the central logic being that institutions are seen as solutions to whatever problems the disciplines deem paramount. Institutionalism is hinged on how institutions shape social life. This section makes a cursory investigation of four disciplinary theses on institutionalism: history, sociology, economics and politics. It





is suggested that this inquiry into various disciplinary conceptual frameworks of institutionalism will provide the background from which to draw inferences as to the place of institutions in Public Administration. It is also expected that drawing these inferences will provide the conceptual justification for institutionalism in this thesis.

## **History**

Some of the foundations of historical studies are centred on the examination of institutions. The history of kingdoms, wars and conquests essentially was the history of institutions personified with courts as kings and military structures as the history of conquering heroes or generals. Goodin (1996:3) traces the evolution of institutionalism in historical studies from the study of principally political institutions, to the shift of focus on life histories of the individual, then, recently, a shift again to institutions and their impact on people's lives. The idea that history has a tendency to influence and reshape the present and the future is one of its strongest claims in social studies and, by relation, social institutions. Thus, historical institutionalists subscribe to social causation being path dependent, with contextual influences changing results of these operative factors (Hall & Taylor, 1996). These contexts are based on a past, most significantly, institutional in nature. In the present case, institutions are seen as a persistent component of history, which, as a result, pushes historical developments along a certain path. In essence, historical perspectives of institutionalism have to do with the examination of particularity (Goodin, 1996:4). This means the study of a particular story surrounding a particular institution at a particular point in history.

## **Sociology**

Very early sociologists undertook the study of social institutions from an almost non-existent theoretical standpoint, preferring rather to present studies on social institutions that tended more towards the indexing or cataloguing of institutions. However, studies on social collective structures and how they submerge individual action in sociology began



to produce some of the foundational theories that have become the basis of institutionalism studies, both old and new. Goodin (1996:5) traces an enquiring history of institutionalism in sociology from the emphasis on structural functionalism theories of Pareto, Weber and Mosca, inter alia, to the mid-20<sup>th</sup> century paradigm shift to more behavioural studies targeted at emphasising the role of individual and collective choice in social outcomes. This approach thus underplayed the role of institutional determinism (old institutionalism) as the precursor to social outcomes.

Lately, the sociological conceptualisation of the new institutionalism has been viewed from the standpoint of individual “embeddedness” (Granovetter, 1985; Uzzi, 1996). Thus, rather than the subsuming and subordinating power of institutions over individuals, embeddedness subscribes to a moderate standpoint which sees individual action as the outcome of being part of a network, rejecting the structuralist idea of individual action as a product of institutional imposition. Basically, sociological conceptualisation of institutionalism (old or new) emphasises how individuals are shaped or altered by collective social action or structure.

Additionally, Hall and Taylor (1996: 947), advance the argument that sociological institutionalists break down the conceptual divide between institutions and culture put up by many political scientists. In this case, institutional explanations that are based on organisational dynamics and cultural explanations, which are perceived from issues of shared values, are not distinctly separate. There is also a whole conceptual departure concerning what ‘culture’ entails, in which case culture moves from values and attitudes to becoming an ‘institution’ where symbols and routines provide a template for behaviour. From the foregoing, the sociological perspective of institutions involves the structural or functional manifestations of collective action and agreements, which have the ability to train or shape individual decision making and action.



## **Economics**

An economics standpoint of institutionalism operates basically from the general idea of how institutions (this time economic institutions) shape individual choice. However, ‘classical liberal’ economic theorist like Adam Smith and David Ricardo, argued that a capitalist economy is largely self-regulating through the action of market forces (Kotz, 2003:15). The institutionalist perspective has been a hotly debated topic, especially so within a realm of study that has so been saturated with the dominant tradition of neoclassical ideals of free market systems. In the present case, micro economic viewpoints, which focus on individual choice and preferences as the central route to economic outcomes, were highlighted to the detriment of macro economic values.

However, the shift recently has begun towards a more integrative approach to economic studies which incorporates the institutionalisation of economic trade. While individual choice ensures that trade preferences are maximised in the light of limited resources, institutions are equally vital in that they facilitate trade, through laying guidelines which are necessary for mutually beneficial exchanges. Although this constrains individual choice, Goodin (1996:11) asserts that, within economics, this element of ‘choice’, how it is shaped by past preferences and how they link and crystallise to collective ones, could be the basis for providing perspective on the origins and evolution of institutions in economics.

## **Politics**

The rise to prominence of behavioural theses in politics and public administration was precipitated by the questioning of the premise that organisational form translated logically to organisational behaviour or function. For instance, Herbert Simon (1957:3) argued that “in the study of organisation, the operative employee must be at the focus of attention, for the success of the structure will be judged by his place in it”. To this end, theorists of the human relations approach, such as Elton Mayo – as seen in his book *The*



*human problems of an industrial civilization* – (Mayo, 1946:117-137), and behavioural scientists such as Herbert Simon (1957), emphasised individual (rational, non-rational) behaviour as critical in the functioning of the organisation and in some way played down the role of forms and the formal character of institutions in logically determining individual action.

The argument that institutions can be used to explain narrowly individual choices and broadly social outcomes continues to grow within Political Science circles. This is because, while individualistic arguments of behavioural models provide certain psychological and rational-choice explanations to individual choices and social outcomes, these cannot exist without the interrogation of the institutional context from where these premises originate. Thus, a Political Science perspective of new institutionalism can be derived from the central focus of the discipline, which is power. In this case, new institutionalism in Political Science will focus on ‘institutionalised power resources’ (Goodin, 1996:15) as a causal factor and the accessibility of these resources to certain social actors to the disadvantage of others.

### **3.2 Perspectives in regionalisms**

Taking a themed view of the two concepts of regionalism and globalisation would produce some relationships, especially as they both focus on the subject of international relations and international political economy studies. There have been studies that have attempted to study the interrelationships between these concepts, and how these two phenomena impact on each other.

Globalisation, for instance, dictates the character and forms of what should be done or not done at national levels. It escapes governance. This dictation of character and forms ultimately impacts on issues of regionalism, giving countries little or no choice in this case. Changes in industry dynamics, availability of information and capital flows have made even communist countries like China open to change. Ohamae (1995:80) paints the



picture of young Chinese girls who have their whole existence focused on the opportunities available to them through the global market as they from door to door selling beauty products. Globalisation is thus integral to this thesis, in as much as its dictates have impacted on the way regions, nations and communities view development. Africa and African regionalism is certainly not exempt.

There have been intense debates on the relationship between globalisation and regionalisation or, in this case, regionalism in terms of whether globalisation and regionalisation complement or contradict each other. The reason for this is that there seems to be no empirical research or refined theory that explains this relationship (Kim & Shin, 2002:446). Kacowicz (1999:18-21) however, premises three angles to the relationship:

- convergent (where regionalism is seen as a component of globalisation),
- divergent (where regionalism is seen as a response or challenge to globalisation), with Hettne (2002:30), in support of this view, contending that regionalism would not exist if globalisation was a neutral and uncontroversial phenomenon; and as
- overlapping (where, rather than as reacting to each other, they are seen as parallels).

Kim and Shin (2002:464-465) suggest that globalisation and regionalisation, are processes that do not contradict, their research results showing that interregional density increased concurrently with intraregional density. Some arguments show how preferential trade agreements between countries in regional blocs sometimes in principle and practice undermined multilateral arrangements or other structures (Lahiri, 2001:xvii). Historically, it can also be argued that regional relationships may have existed, albeit ill defined, before the phenomenon of globalisation and that globalisation may indeed have been a response to the growth of regionalisation. For instance, the end of the Second World War brought to light the importance of regional economic integration and its necessity in the promotion of economic development and interregional trade. Moreover, the United Nations urged regional and sub regional integration among developing countries in many





resolutions at the time, making efforts at trade expansion and economic growth through regional economic bodies like the Economic Commission for Asia and the Far East (ECAFE), the Economic Commission for Latin America (ECLA), in 1947, and the Economic Commission for Africa in 1958. Whatever the case, there is no doubt that the rise of new regionalism in the 1990s was catalysed by rapid growth of globalisation around the world.

These arguments are important to this thesis in that the reform of the AU began in earnest at the dawn of the new millennium, and its study is relevant to understand the role that globalisation and growing regionalism around the world played in this reform. More so as the decision by member states to reform introduced democratic and good governance institutions in the African regionalism sphere for the first time. The next section considers the concept of regionalism, especially how it is conceptualised for the purposes of this thesis.

### **3.2.1 Regionalism**

Regionalism has been termed “a political slogan... ideological data that the student of integration must use” (Haas, 1970:612). Later scholars disagree (Wyatt-Walter, 1997:77; Breslin & Hook, 2002:4), describing regionalism in terms of existing models of integration like the APEC, ASEAN, EU and so on. It has been described as a largely economic phenomenon and as both political and economic integration. It has been studied within the context of integration and co-operation and from supranational, institutional, as well as intergovernmental and sovereignty viewpoints.

As will be seen from the literature, regionalism has been distinctly divided into two waves. This is because the reasons for renewed regionalism in the 80s and 90s are found to be very different from those of the 60s, this owing to the greatly changed global context. Regionalism in this paper will be analysed from the ‘new regionalism’ stance. This is because the old regionalism has no relevance to this paper, as the idea of ‘new





regionalism' posits a response to a new world order. New regionalism has been coined as a response (Hurrell, 1995:50) and an alternative (Joffe, 2001:xiv) to hegemonic power within the regional and even global community.

According to Gamble and Payne (1996b:250), there can be no logical analysis of regionalism without clarifying the difference between regionalism and regionalisation. In advancing a definition for regionalism best adapted to differentiating it from regionalisation, six different definitions from different analytical viewpoints ranging between international political economics, the north-south divide and global politics will be considered in the thesis. Gamble and Payne (1996a:2) define regionalism as a "state-led project designed to re-organise a particular regional space along defined economic and political lines". Grugel and Hout (1999:4) submit that regionalism is state action in response to the following: societal change and demands; the external environment's demand; and visions of relatively autonomous states within a region. Wyatt-Walter (1997:77) points out that regionalism is a conscious policy of states or sub-state regions to co-ordinate activities and arrangements in a greater region. Ravenhill (2001:6) continues this line of definition by surmising that regionalism is the construction of intergovernmental collaboration on a geographically restricted basis. Finally, Breslin and Hook (2002:4) seem to integrate all the above definitions by defining regionalism as a conscious, deliberate, purposive top-down attempt by national states to create formal mechanisms for dealing with common trans-national issues. Within this framework one sees the emergence of two broad approaches in literature to regionalism, the institutional and the intergovernmental approaches. This will be discussed in detail later.

### **3.2.2 Regionalisation**

Lorenz (1991:3) defines regionalisation as a process. In defining this concept, the author notes that regionalisation is the process whereby interactions such as trade within a geographical area increase more rapidly than those between states within the area and those outside it.



Regionalisation is not necessarily a state project, but a historical and emergent structure of complex social interactions and institutions and rules between non-state actors (Gamble & Payne, 1996b:250). According to Grugel and Hout (1999:10), it is a de-facto process, which does not comprise state-initiated projects but is the “regional expression of the global processes of economic integration and the changing structures of production and power”. The authors also argue that regionalisation drives regionalism, by shaping, influencing and constraining the regionalist policies that states undertake. According to Breslin and Hook (2002:4) regionalisation refers to “processes which rather than resulting from predetermined plans of national or sub-national governments, primarily emerge from the actions of non-state actors”.

From the foregoing, regionalisation is a response to the interaction between history and evolution. It recognises historical structures and institutions whilst embracing change, resulting in an inevitable, uninhibited move towards social, ideological and economic restructuring. Thus, regionalisation, according to Hurrell (1995:40), is “commonly conceptualised in terms of ‘complexes’, flows, networks or mosaics”. It escapes the state. In contrast regionalism is seen as a deliberate state project, the result of interstate negotiations and bargaining in response to societal change and demands. Although there seems to be a tendency to analyse regionalisation from a purely economic standpoint (Grugel & Hout, 1999:10; Lorenz, 1991:3) regionalism studies are now queried from a political economic view point. This is because, while some authors like Grugel and Hout (1999:10) argue that regionalisation by its very nature drives regionalism, others, like Hveem (1999:87), contend that regionalism may in fact drive regionalisation.

Although there is logic to these lines of discourse, it should be noted that regionalisation as a process can be uninhibited, while the decision-behaviour of state actors may trigger social and economic processes. It is not possible to investigate regionalism issues without acknowledging regionalisation principles like the role of non-state social and economic actors, like non-governmental organisations and multinationals. As noted by Breslin and Hook (2002:5), the point of departure of the new regionalism is that there is a balance in



the importance of inter-state actors and institutions and non-state actors such as civil society, and national and international nongovernmental organisations.

Finally, while acknowledging theoretical and, possibly, practical differences between regionalisation and regionalism, new regionalism has become a multidimensional phenomenon blurring the lines between the economic and political dimensions of regionalisation and regionalism respectively. In this research therefore, regionalism will be used in the broader context to express state action in recognition of historical and emergent structural changes, thus blurring the distinction between the two concepts. There is a noted interweaving of certain region-focused concepts such as regionalism, regionalisation, regional integration, regional co-operation and economic integration in the literature. The subsequent sections will attempt to unpack these terms for analytical purposes.

### **3.2.3 Regional integration versus regional co-operation**

There is a noticeable interchanging of the terms regional co-operation and regional integration in regionalism studies (Asante, 1986:9). Sometimes regional integration is used to mean economic integration, regional co-operation and even regionalisation and regionalism. However, an analytical investigation of all these terms reveals differences, especially in relation to regionalism. Although some writers may choose to interchange the terms for the purposes of analyses, it will be important to conceptualise these terms within a frame of reference for this thesis.

Bourenane (1997:50) submits that “the notion of integration is often used contiguously with that of co-operation and the latter is often considered to be the instrument of the former”. This view is particularly reflected in Ernst Haas’ analyses of European integration (Haas, 1970:610-611) where, in practice, regional co-operation was concerned with the ‘steps along the way’ taken to get to regional integration and, in theory, is seen



as a vague term for interstate activities – activities which are sources of information for the study of regional integration.

Bourenane (1997:50) uses the term ‘collaboration’ in positing a definition tending towards more intergovernmental thought. By this, the author contends that regional co-operation does not always lead to regional integration and is characterised by agreements between two or more countries and negotiations which are contractually time bound and reversible. Hurrell (1995:42), prefers to define regional co-operation in terms of regimes. The term regime was first coined by John Gerard Ruggie as “a set of mutual expectations, rules and regulations, plans, organisational energies and financial commitments, which have been accepted by a group of states” (Ruggie, 1975:570). Krasner (1983:2) defines regime as a set of “principles, norms, rules and decision making procedure around which actor expectations converge in a given area of international relations”. From this analytical viewpoint, co-operation connotes loosely structured and intergovernmental arrangements.

### **3.2.4 Regional integration versus economic integration**

Regional integration is sometimes confused with economic integration in literature. In international political economy studies, the term has become more of fashionable speak. Asante (1986:7) contends that no single definition has gained widespread acceptance, as social integration and other forms of international co-operation sometimes are subsumed in this concept of economic integration. Hurrell (1995:43), for instance, goes ahead to describe regional integration as regional economic integration, arguing that “regional integration involves specific policy decision by governments designed to reduce or remove barriers to mutual exchange of goods, services, capital...” Bourenane (1997:51) cautions against this misconception, arguing that geographical proximity is not a precondition for economic integration, while spatial proximity cannot be detached from the notion of regional integration.



While geographical proximity is put forward by many scholars as a prerequisite for economic integration (Ethier, 2001:3), others dispute this geographical criterion (Ravenhill, 2001:231), especially considering regional structures like the Asia-Pacific Economic Co-operation (APEC) made up of geographically distant countries like Japan and Australia. This is perhaps where Bourenane's (1997:51) argument fits in, as his notion of economic integration deals with the pursuit of economic advantage through economic activities between sectors and sub sectors and thus may escape geographical proximity. This notion of geographical distinction in differentiating the two terms (regional integration and economic integration), is still largely subject to debate.

Considering this, the notion of economic integration will be taken as a part of the whole, whereas regional integration is seen as the study of why and how "states cease to be wholly sovereign, why and how they voluntarily mingle, merge and mix with their neighbours so as to lose the factual attributes of sovereignty while acquiring new techniques for resolving conflict between themselves" (Haas, 1970:610). Although this view of Haas's observes the European approach to regional integration, Bourenane (1997:51) also recognises similar integrative characteristics which define regional integration, like community building, negotiation, irreversibility and a pre-established politico-institutional framework based on a strategic vision of their common future.

From the foregoing, regional integration, regional co-operation and economic integration are seen as different but equally important analytical components of regionalism. This is because they for all intents and purposes are largely state driven. Of particular significance is the concept of economic integration, which, in this study, intersects with the concept of regional integration in as much as conscious, irreversible negotiations go with trade liberalisation and the removing of trade barriers.

For the purposes of this study, regional co-operation will be seen as a process to regional integration, having its end as a regional phenomenon which utilises intergovernmental agreements rather than supranational arrangements in achieving regionalism objectives. Regional integration will be conceptualised as a process which involves spatially





compromised states constructing supranational linkages within an institutional framework to achieve common economic, social and/or political goals. In this light, the two concepts thus subscribe to different theoretical foundations and operational interpretations, which will be explored in this study.

### **3.2.5 The geography of regionalism**

In an attempt to produce a universal theory for regionalism, theoretical discourse has oscillated from using geographical proximity as a basis for theory building, to disregarding the idea of restricted geography as a component of regionalism. However, it must be noted that variations in the definition of regions and regionalisms are predicated upon factors such as economic, social, historical, political, ideological and, sometimes, geographical standpoints. Hurrell (1995:38) makes the point that indicators of ‘regionness’ vary according to the particular regional problem or question under investigation. This should not take away from the geographical proximity factor, which, to a large extent, distinguishes regionalism from other forms of non-global arrangements.

Some authors (Grugel & Hout, 1999:10; Gamble & Payne, 1996a:2) identify geographical restriction as a part of their definition for regionalism. However, Ohamae (1995:6) argues that definition of region states is not the “location of their political borders but the fact that they are the right size and scale to be the true, natural business units in today’s global economy”. Hennte and Soderbaum (Breslin et al., 2002:33-46), in their New Regionalism Theory (NRT), propound that the notion of geographical proximity should be underplayed or even rejected and social processes accepted as basis for analysing and defining regionalism. It is a bold attempt at trying to solve the theoretical lapses and ambiguities associated with regionalism. Ohamae, Hennte and Soderbaum seem to incorporate all sub-global multilateral arrangements into the regionalism discussion.



To make a case for geographical proximity as a criterion for regionalism, Ethier's (2001:14) theoretical explanations as to why regional integration will most likely feature geographical neighbours is relevant. This especially, if explored, is based on the recent African Union search for global significance and integration through regional collaboration and partnerships (NEPAD, 2002:7). This is because Ethier's theories (2001: 14), although also clearly positioned in a positive rather than normative light, are relevant not merely as constituent themes of the new regionalism (which seem to be relevant and significant today in terms of studies on regionalism), but for the factor of geographical proximity which is an underlying theme of this thesis.

### **3.3 Theories of regional integration**

In discussing the theories of regional integration, it will be important to first acknowledge that regional integration can be initiated in different ways – through intergovernmental agreements between nations or through policy networks as seen in Asian integration efforts and through institutions set up for the purpose of integration. Intergovernmental and policy networks as processes are loosely based and do not impose character or a certain collective behaviour on national governments. This is different in the case where integration processes are facilitated by institutions given certain levels of power by national governments. These institutions tend to develop their supranational identity and thus become the base for initiating integration processes. However, this view is strongly contested by intergovernmentalists who see regional institutions as places where different governments assign “responsibilities for monitoring and implementing inter-governmental agreements...as a means of locking one another into commitments” (Puchala, 1999:319).

The study of the nature of European integration has been one that has engendered controversy. Different schools of thought see the EU from different teleological angles. However, the debate on whether intergovernmental agreements or institutional arrangement should be credited for Europe's broadening and deepening integration is



seen as important in examining the role that new institutions of African regionalism like the PAP possibly can play in the African Union. It must be noted that debates supporting neo-functionalism evoke the concepts of unintended consequences and spillover, which undoubtedly position institutions at the helm of integration, irrespective of the initial intentions of their designers. The theoretical context of regional integration will be examined with particular attention to grand and middle-range theories of integration that have engendered scholarly inquiry over the years.

### **3.3.1 Grand theories of Integration**

The institutions of the European Union, as an example, have emerged through negotiated compromises (Sitter, 2005:53), driven by the need to create international alliances to contain several ‘threats’ that emerged from post-war Europe and the United States. The greatest of these threats, according to Nugent (1999:9), were political and economic. Grand theories of regional integration emerged in an attempt to explain European efforts at containing these ‘threats’. The theories attempt to explain the overall system of integration and can be seen from two broad perspectives: the intergovernmentalist perspective and neo-functionalism.

Before investigating these theories, it must be noted that there has been scepticism about the neo-functionalist explanation of European integration over the years; even Ernst Haas, its architect, at a time declared it outdated (Haas, 1975:2001). Its relevance to this thesis, however, is based on the premise that functional processes drive integration, which augurs well as a theoretical starting point in interrogating the function of integrative institutions. It is significant in the sense that the thesis sees this theory as the backbone of many new approaches to integration studies, metamorphosing into new theoretical ideas (historical institutionalism, constructivism): one principle, different name. Some authors remain cognisant of the contribution of neo-functionalist thought (Schmitter, 1969:2002; Sandholtz & Stonesweet, 1998; McGowan, 2007). The next section discusses the intergovernmental approach to regionalism. Its premise will be



discussed later in the thesis to weigh up whether parallels can be drawn in terms of African regionalism.

## **Intergovernmentalism**

The debate about the best theory to explain European Union (EU) integration has been going on for decades. Although sometimes acerbic, this debate is a crucial one for comparative regionalism studies. This is because regionalism scholarship was given impetus largely due to the nature of European integration. There have been wide-ranging debates on the institutional driving force behind the integration of the EU. For intergovernmental proponents, this driving force is observed in the role of government influence through the Council of Ministers, whereas neo-functionalists point to the role of the elite through the Commission.

Intergovernmentalists (Moravcsik, 1993; Puchala, 1999, Pollack, 1997; Hix, 2002), regard regional integration movements as an outcome of nation state interests (in most cases economic), which, in turn, are fuelled by national political pressures. In this case, no European polity has emerged or is emerging for intergovernmentalists; there is an “on going struggle of give and take between member states” (Eliassen & Arnesen, 2001:116). Early integration efforts were loosely based “nationalist” (Sitter, 2005:53) strategies which focused on co-operation with the sole aim of solving political problems. It was political pressure that informed the pooling of defence resources, through US and Canadian efforts to form NATO along with ten other European states (Nugent, 1999; Archer, 2000). This was because Europe had been the centre of two world wars in the 20<sup>th</sup> century, with Germany as the precipitator of the war (Goodman, 1996:35). The threat of communism, with the division of Europe into the East and West, made Russia a threat (Messenger, 2006:41). In an effort to prevent and counter wars through a self-defence treaty, the five countries of Western Europe, led by France and the UK, joined together with the USA and Canada to form the NAT (North Atlantic Treaty), later NATO (North Atlantic Treaty Organisation) in 1949.



## **Intergovernmentalist Prescripts**

Rather than abnegate sovereignty, intergovernmentalists see nations as “delegating” sovereignty for effectiveness and efficiency (Puchala, 1999:313). For intergovernmentalists, the rules and institutions that support regional integration are indicative of national bargaining powers. For the proponents of intergovernmentalism, the landscape of regional integration becomes the playground for policy bargaining, gaming and differing long-term interests.

Pierson (1996:128) identifies three main features of intergovernmentalist arguments. First is a preoccupation with sovereignty, then a depiction of institutions as instruments and third, a focus on grand bargains. This will be the basis for the main issues to be discussed. These issues are the preservation of sovereignty, institutions as regimes of regional agreements and the importance of macro level bargaining.

## **Preservation of Sovereignty**

The gradual progression towards integration that started from the 1950s had been resisted at different levels by different countries for different reasons. To begin with, France, even as one of the founding members of the European Economic Community (EEC) and the European Coal and Steel Community (ECSC), took particular exception to the supranational decision-making powers of the community, which undermined national sovereignty (Nugent, 1999). Moreover, in the teething days of the European Union in the 1950s, the United Kingdom did not see any value in being part of a system based on the visions of integration of the EEC at the time (Messenger, 2006:39; Goodman, 1996:30). Economically, joining the ECSC was out of the question at the time as the UK’s steel capacity was larger than that of the countries put together. Politically, the UK was the number one world power and allied to the USA. It therefore did not see any reason for giving up this sovereignty to weaker states. Moreover, the idea of being part of the





European Defence Community was also not appealing, due to the United Kingdom's already stretched defence commitments around the World.

Nevertheless, things began to change in the late 50s and 60s when many British colonies began to gain independence and the political might of Britain began to give way to that of the United States of America (Goodman, 1996:30). Moreover, the cold war seemed to strengthen the power enigma that was the USSR and crucial World issues were now debated by the US and the USSR. Economically, the EEC was growing successfully and Britain sought to identify economically with the Community. Despite its membership, the issue of sovereignty still weighs heavily with Britain, as it tends to resist moves towards more integrationist policies within the community and proposes more market-related intergovernmental co-operation.

However a study of papers on the nature of European integration (Puchala, 1999; Tsebelis & Garret, 2001; Tsebelis, 2000; Taylor, 1982; Bulmer, 1998; Pierson, 1996) shows that the dominant approach to integration varied at certain times in the history of European integration. For instance in the 1970s the integration policy arena was dominated by increasing intergovernmentalism (Taylor, 1982:742) with the status of European institutions like the Commission declining. During this time, the integration of Europe was rocked on account of community members' lack of commitment to the integration process and the threat of national interests leading to the disregard of European Community decisions.

### **Institutions as regimes**

Although European integration was largely negotiated in intergovernmental forums like the Council, the play of national interest and short- and long-term attitudes about issues such as sovereignty resulted in the empowering of European institutions in later years. The 1970 and 1976 treaties amending the budgetary and financial provisions of the treaties was particularly significant for the European Parliament, which was weak in



terms of policy decision making (Jacobs et al., 1990). These treaties allocated certain powers to the Parliament.

The significant point of departure here is that, while neo-functionalists see this gradual empowerment of institutions as pointing to loss of national sovereignty, intergovernmentalists view it as a rational and conscious choice of member states through negotiations to solve a collective choice problem (Pierson, 1996:129). Significantly, this ties in with institutional functionalism which identifies institution outcomes as the conscious, rational, long-term intentions of their designers. For instance, the Single European ACT (SEA) of 1986 introduced provisions that relate to the Community's decision-making system (Nugent, 1999; Goodman, 1996). Noteworthy was the extension of the legislative powers of the European Parliament and the co-operation procedure in decision making. The aim of the co-operation procedure was to improve efficiency in decision making in the Council of Ministers and to strengthen the legislative powers of the European Parliament (Jacobs et al., 1990:167; Tsebelis, 1994). The SEA co-operation procedure was later abolished with the Maastricht and Amsterdam treaties of 1992 and 1997 respectively, which deepened the institutional base of the EU by giving the European Parliament the veto in some legislative proposals and introducing the co-decision procedure (Goodman, 1996:95). It is important to observe that there still is disagreement about whether the deepening of the institutional base of EU structures came about as a result of intergovernmental bargaining, which will be termed macro-level bargaining, or through institutional pressure coming from integration elite.

## **Grand bargaining**

Treaties are the fundamental focus of argument of intergovernmentalists. This is because treaties spell out the design and features of institutions and the policy-making procedures within the polity (Moravcsik, 1993, 1995). Treaties are negotiated at the intergovernmental level. In the case of the EU, government influence is through the European Council, the equivalent of the Assembly of the Heads of State of the African



Union (Ludlow, 2006:225). It is important to note that, although the EU as a regional arrangement has been time tested, the mild influence and control of the European Parliament over the European Council in terms of treaties reveals a strong intergovernmental component in Europe's regionalism, as argued by some authors like Moravcsik (1993) and Ludlow (2006:227). The European Council works outside the framework of the Treaty Establishing the European Community (TEC) and takes decisions concerning the contents of treaties.

Furthermore, according to Nugent (1999:218), council members individually and as a collective have been set up to be answerable to no one but individual national Parliaments. The strong pull of intergovernmental factors when it comes to decision making on issues of Foreign and Security policies, Police and Judicial co-operation and the European Monetary Union has also largely reduced the access of certain institutions like the European Parliament to the Council in terms of supervision.

Throughout the history of the EU, different treaties have contributed to the strengthening of decision making within EU institutions, which have, in turn, contributed to the deepening of Europe's integration. For instance, the Single European Act (1986) introduced the Qualified Majority Vote, which reduced the pressure on consensus building (Goodman, 1996:85). The Maastricht Treaty of 1992 created a new entity, the European Union, establishing three pillars as the basis of the European Union (Goodman, 1996:7). These pillars consist of the communities, a Common Foreign and Security Policy, and co-operation in the fields of Justice and Home Affairs. This treaty further made far-reaching institutional changes in terms of the decision-making processes within the EU by extending the legislative powers of the European Parliament through introducing the co-decision procedure between the EP and the European Council. It seems that member state interests eventually spur bargaining, which produces grand treaties that create and empower regional institutions.



## **Limitations**

Despite the arguments for seeing regional integration as an intergovernmental effort, there are limitations to this viewpoint as an explanation for the integration process in terms of theory and in the area of practice. Some of these limitations have led several scholars of regional integration to explore other arguments to explain deepening integration as evidenced in the European experience. Some of these limitations are touched on below.

### **Narrow perception of member interests/preferences**

Intergovernmentalists tend to view interests in the long term and thus perceive institutions as rational choice outcomes. However, this view does not take into consideration the potential for unintended consequences (Smith, 2004, Pierson, 1996) and the “assumptions on complete information” (Tsebelis & Garrett, 2000:387) which, according to the authors, has a very high threshold in treaty bargaining. The extent of rational thinking can go only as far as the ability of decision makers to systematically and absolutely process all issues relating to the decision. This is impossible because complexity and unpredictability in social and political behaviour makes it impossible for actors to anticipate all consequences. As a result, institutions have the ability to develop a life of their own, subsuming a designers’ intentions for them and carving a trajectory of growth different from that initially intended. According to integration scholars, the expansion of autonomy and authority of an integration entity is the result of what Haas terms “accommodation” (Haas, 1961:367). This is some sort of resolution of differences or conflict pursuant to a specific shared goal, a compromise to consider an alternative, through an institutionalised mediator, usually a board of experts or spokespersons for interest groups, parliaments and political parties (Haas, 1961:368). In his treatise, “*The path to European integration*”, Pierson (1996) shows how integration administrators or technocrats can sometimes influence integration even with institutional constraints placed on them by political office bearers or members. This can be achieved when member states are unable to maintain full control over the development of policies as decision



making expands (Pierson, 1996:137). This issue overload is due to time constraints and scarcity of information at grand bargaining levels. Accordingly, the need emerges to delegate decisions to experts.

### **Tends to view integration in moments**

It is significant that intergovernmentalist theories would have sufficed as an explanation for integration at different moments in the growth of the EU. Nonetheless, Pierson (1996:126) cautions that a snapshot of social processes may augur well for intergovernmentalists where inter-state bargaining looms large at any given time, whereas this large image is mitigated by interventions of non-state actors when seen from a historical process point of view. Historical path dependence will necessitate the development of unintended consequences, which may be usurped by non-state actors. Taylor (1982:759) exemplifies this snapshot argument in discussing the role of a Commission diminishing in the seventies with regard to mediating and persuading governments to develop spillover solutions to those pressing issues which were guided by national self-interests.

### **Does not posit explanation for deepening integration**

Intergovernmental theorists are ambiguous in terms of teleological arguments about integration, which is to say that intergovernmentalists have not offered much in terms of the prediction or explanation of the course of European integration (Pollack, 2001:222; Taylor, 1982:743; Pierson, 1996:124). Intergovernmentalists do not consider integration as an evolution into a new polity in terms of its point. Rather this school of thought is content to view the EU as a site for diplomatic exchanges, where member states are concerned with power, survival and domestic concerns.

In Africa, the intergovernmental bargaining space is even more complicated, as state interests are only matched with power struggles within, between and beyond African states. These competing interests and power struggles are unravelling in terms of the





regional agenda of African states. This is especially evident in regionalism developments in Africa and beyond since the turn of the century. Before looking deeply into the theoretical landscape of regional processes, it is relevant to briefly capture the nature of intergovernmental bargaining in a broad investigation of models of international bargaining relations.

### **The environment of intergovernmental bargaining**

The choice to explore these models of international relations and political economy is based on the fact that, although there are numerous benefits to the regionalism phenomenon in Africa, especially, the issues of who leads and who follows, who benefits in the bargaining process and who doesn't has always been at the centre of the global debate on regionalism and globalism. In the intergovernmental setting, power becomes important because, according to Smith (2004:102), "the largest and most powerful states often have the most impact". It is suggested that theories like regime theory and hegemony stability theory will attempt to explore these questions in the intergovernmental bargaining space of African regionalism.

### **Multilateralism**

Gill (1997:7) defines multilateralism as a political means that involves partly international organisations through which processes of structural change are articulated and projected, on the one hand, and potentially channelled and institutionalised on the other. Ruggie (1992:571) defines multilateralism as "an institutionalised form, which coordinates relations among three or more states on the basis of 'generalised' principles of conduct". It is the institutionalisation of global governance. Gill (1997:7) notes, however, that multilateralism can be further understood as a process or means of promoting global co-operation, and as a "site of political and ideological struggle for the forces of an emerging global political and civil society".



Despite the many tilts in definitions, a critical reflection on Gill's perspective on multilateralism evokes probable questions with institutional consequences for Africa. Gill's definition firstly connotes a strong intergovernmental component. Secondly, it also introduces a collective choice dilemma and, possibly, its implications for an "institutionalised form". Additionally, these questions have to do with the key constituents and entities of the African regional political economy, in this case the political and the technocratic, relationships between them, and if or how these relationships change over time. African regional institutions are the arena for multilateral relations and negotiations. The interconnectedness between change and multilateralism should not be swept under the carpet, especially with the divergent pull between globalisation and regionalism. It therefore begs the question of what the role of international organisations is in mediating these adverse effects.

## **Regimes**

The regime theory has so far provided the most widely accepted answer to the challenges of international co-operation. It was first coined by John Gerard Ruggie as "a set of mutual expectations, rules and regulations, plans, organisational energies and financial commitments, which have been accepted by a group of states" (Ruggie, 1975: 570). From Ruggie's definition, regimes provide a useful beginning to the study of international organisations because regimes can be conceived as factors around the environment of international organisations, which can improve, limit or even stop state action. Krasner (1983:2) defines regime as a set of principles, norms, rules and decision-making procedure around which actors' expectations converge in a given area of international relations.

According to William (1994:27), a regime analysis helps one to see that conformity in international relations need not arise solely through coercion or fear of sanction, it may arise through agreement with or attachment to an internationally agreed set of values. Scholastic inquiry into how these regimes develop is linked to the theory of hegemony



(William, 1994:29). It may provide one explanation for the creation, maintenance, and eventual dissolution of regimes.

### **Hegemonic stability**

Assumptions and premises that anchor this theory is that the “presence of a single dominant actor in the international system leads to collectively desirable outcomes for all states” (William, 1994:30). It also is assumed that the absence of a hegemony will lead to disorder in the global system, bringing harmful consequences for nation states (Lipson, 1982:417). This is the domain for political realists (intergovernmentalists) who hold the view that power in international relations is equivalent to political and military power vested in one or more hegemonic states. These states are seen as powers that alone can provide leadership to bring international economic order through providing a regime.

The best examples of hegemonies that come to mind are Britain and the United States. These theories developed from the British experience in the nineteenth century, from 1815 to 1870 (Gamble, 1992:21) which was largely made possible by British colonial networks. However, by the beginning of the twentieth century, rivalry between Britain and other European powers (especially the two World Wars) led to the rapid rise of the United States. After 1945, the United States of America emerged as the “undisputed hegemonic power of the world” (Gamble, 1992:22). This made it possible for the United States to impose a liberal trading order.

Be that as it may, the relationship between the periods of hegemony and world system periods of expansion and stability have made it imperative that issues of hegemonic power are not swept under the carpet in international relations. However, political and economic analysts have pointed to the emergence of Japan and other Asian states as leading world economies (Gamble, 1992:30), and the mounting momentum behind the growing integration of Europe as factors that would heavily influence the forms that globalisation and regionalisation will take in future.



Finally, the central argument for this section on grand theories of integration is that the explanation of European regionalism is not cast in stone. This suggests that intergovernmentalist and neo-functionalist views of integration should be seen as the totality of theorising European regionalism and not as a sole explanation for regionalism. To this end Haas (1961:368), in theorising European integration, surmises that integration “combines intergovernmental negotiation with the participation independent experts... a combination of interest and institutions...”. Therefore the European Union in its very structure is an amalgam of the intergovernmental (the Council), the neo-functional or elitist (The Commission) and the institutional or supranational (The Parliament and European Court of Justice).

## **Functionalism and neo-functionalism: an evolution of integration theories**

Before discussing neo-functionalism, it is important, for theoretical purposes, to distinguish between the two terms functionalism and neo-functionalism. The very character of functionalism in integration draws from analytical functionalism in sociology as it deals with the achievement of regional cohesion through the creation of institutions which are largely unobtrusive and incremental in decision making. In the early years of integration it was predicted that European integration would be a gradual spill-over process from non-political aspects of social life, like common markets, which would eventually result in the deepening of political aspects of integration (Bock, 1968:537; Claude, 1961:373). Connectedly, early functionalists like Radcliffe-Brown theorised that the emergence of any social institution stems from the “necessary conditions of existence” of that social group (Turner & Maryanski, 1979:41). Thus, the concept of spillover in regional integration means that, as commitments to regional transactions are intensified, tasks are expanded and thus institutions emerge because they serve a certain function. From this view, sociological functionalist and integrative functionalists arguments meet in that theoretical space where the existence of institutions can be explained by the need they fulfil in forging social integration. Nevertheless, the



conceptualisation of functionalism may differ in regionalism studies, for analytical purposes.

Functionalism in regional integration tries to explain process and outcome. It is characterised by its relation to all other matters (social, technology, economic and even human rights) that are non-controversial (Bock, 1968:537) and non-political (Claude, 1961:373). This involves nations integrating systems of production and administration (Brenner, 1969:5). In this case, sovereignty concerns can be eroded by internationalising, firstly, tasks which do not present an immediate threat to national sovereignty. A conceptual framework of integration as espoused by Kyambalesa and Hounnikpo (2006:1) shows what can be termed a functionalism continuum, which can be expressed as ranging from 'shallow integration' (preferential trade agreements, free trade area, customs union and common market) to 'deep integration' (economic union, monetary union, political union).

For instance, in the early stages of European integration, economic more than political interdependence was the driving force behind the integration of Western Europe. For instance, the promotion of free trade became an objective after the Second World War and there was an international drive towards economic co-operation between countries. The International Monetary Fund (IMF) and the World Bank were established to provide short-term and long-term loans, on top of alleviating currency instability and undertaking major investments respectively (Messenger, 2006:57). The General Agreements on Tariffs and Trade (GATT) was also mooted when 23 countries came together to lower international trade barriers. In this way, economic considerations and negotiations resulted in the design and establishment of regional institutions.

On the 25<sup>th</sup> of July 1952, the Treaty of Paris established the European Coal and Steel Community (ECSC) and was signed by six states: Germany, France, Italy, the Benelux states Belgium and Luxemburg, and The Netherlands (Martin, 2006:127). The treaty spelt out principles of merging common interests, commonality of markets and the consideration of the interests of the community versus the independent demands of





member states, which can be argued is one of the most controversial aspects of regional integration (Nugent, 1999:9-10). Thus, it will suffice to argue that economic considerations of integration can be explained through functionalist approaches to integration, which have the long-term effect of supranationality, thus posing a threat to national sovereignty.

Other characteristics of functionalism as espoused by Caporaso (1972:27-28) and evidenced in certain aspects of European integration are as follows:

1. Functionalism employs a problem-solving rather than political approach to decision making through an incremental decision-making style.
2. There is a tendency for proponents of functionalism to view federalism or political integration as its end goal. Early integrationists like Jean Monnet (Haas, 1970:625; Roy, 2005:78-80) were also considered functionalists due to their view of a patient and slow approach to federalism through the initiation of common policies and a reliance on institutional expansion of tasks and client base.
3. This end goal of federalism is a slow unobtrusive process which avoids political ideology.
4. Experts and technocrats are the central actors and authority in functionalist integration discourse.
5. Functionalism eventually achieves a 'lock-in' effect (Caporaso, 1972:28) in which state disentanglement from the integration process becomes unattractive and even possibly detrimental, in which case nations may find a greater need to delegate the power of decision making to the supranational bodies.

From the foregoing, it can be deduced that functionalism has the building of the nation state through regional agreements as its short- and medium term goals, with the long-term goal of political integration. Sitter (2005:54) argues that functionalism differs from neo-functionalism in the sense that, while functionalism holds no immediate threat to nation states, neo-functionalism has certain pre-requisites in trying to resolve conflict, which



pose a direct threat to state autonomy. In the following section, these neo-functional prerequisites and prescriptions will be discussed.

## **Neo-functionalism**

Neo-functionalism received much criticism in its lifetime, suffered death at the hands of its creator (Haas, 1975) and was resurrected (Schmitter, 2002:1) into what this thesis views as new appellations and modified forms such as institutionalism (Hall & Taylor, 1996) and constructivism (Smith, 2004). It is because of its seeming ‘non-death’ as evidenced from the work of new and old scholars like Philippe Schmitter (1969:2002), McGowan (2007) and Sandholtz and Stonesweet (1998), as well as its innovative insight into the possibilities of an emerging super-entity endpoint in regional integration, that it evokes study interest.

Neo-functional arguments began to take root in the mid 1950s with scholars assessing and bringing in new discourse to old functionalist thinking. Neo-functionalism is a grand theory of integration which developed through the study of the overall nature of European integration. It is important to this thesis because, in terms of theories of regional integration, the purpose of neo-functionalism is to use observable trends in the relationship between national character and emerging regional communities to predict the possible trajectory of regional transformation (Haas, 1970:628; Schmitter, 1969:164). As this study is premised on virgin territory, neo-functionalism will particularly serve for the purpose of studying the nascent and emerging African regional structure. The objective of this thesis is to observe and possibly understand the potential that the Pan African Parliament possesses in driving regionalism in Africa. It is suggested that examining the trajectory of growth of the African Union and the Pan African Parliament so far and contrasting this growth pattern with the neo-functional viewpoint will possibly reveal some useful insights as to the future of the Pan African Parliament.

## **Three hypotheses of neo-functionalism**

Pursuant of the key elements of Haas' (1958:1961) and his own and Haas' (Haas & Schmitter, 1964) regional integration scholarship, Schmitter (1969) in 1969 set out three hypotheses of neo-functionalism. These three concepts, which are pertinent to the discussion, are the concepts of spillover, externalisation and politicisation. Spillover as a concept has qualities which are relevant in pursuing research of this nature which is ultimately explorative, with predictive objectives. The two hypotheses of externalisation and politicisation have umbilical relations to the spillover hypothesis, in that they are conditions that may not occur without the spillover process.

### **Spillover**

Neo-functionalism cannot be discussed without an understanding of the concept of spillover. Spillover is a "Haasian" coinage first made reference to by Ernst Haas, who can be viewed as the luminary of the neo-functionalist school. Here are two definitions of spillover as proposed by two integration scholars: Ernst Haas (1961:368) theorises spillover as:

"policies made pursuant to an initial task and grant of power can be made real only if the task itself is expanded, as reflected in the compromises among the states interested in the task".

Schmitter (1969:162) refers to spillover as:

"...the process whereby members of an integration scheme, agreed on some collective goals for a variety of motives but unequally satisfied with their attainment of these goals, attempt to resolve their dissatisfaction either by resorting to collaboration in another, related sector...or by intensifying their commitment to the original sector... or both".



These two definitions have been used because two conditions which are important for spillover to occur, namely issue density and unintended consequences, can be isolated from them. They are discussed subsequently.

**Issue density:** According to the Haas (1961:368) definition, spillover occurs when there is an expansion in tasks and powers in decision making. It can result from an excessive demand from state and non-state actors, in what Pierson (1996:137) refers to as issue density. This highlights the role that pluralism plays in Haas's theory (McGowan, 2007:6). At the European Union level, decision making becomes more complex and demanding, thus there may be likelihood of cracks in member state control in decision making due to time constraints, scarcity of information or knowledge about issues. This will necessitate that member states delegate decision making to experts or institutions. It is possible that this will create unanticipated consequences. Accordingly, issue density may result in unintended consequences and the likelihood of member states control being compromised may grow, resulting in spillover.

**Unintended Consequences:** In terms of the definition by Schmitter (1969:162), the integration process consists largely of an upgrading of common interests (Haas, 1961:368). Spillover in this sense is the tendency for an integration transaction to have important consequences outside the intended realm. These consequences could generate dissatisfaction and even conflict hinging on each member's interests. Such unintended consequences have a tendency to empower regional actors (experts) who, in turn, generate demands and pressure for new policy extensions and interventions. This implies that a re-definition of conflict is achieved at a higher level, in which case solutions rely on the services of an "institutionalised mediator" (Haas, 1961:368). In this way, conflict is resolved by expanding the scope or level of central institutions (Schmitter, 1969:164). From the foregoing, one can isolate certain dynamics which could contribute to the natural expansion of spillover:

1. A defined policy area or transaction (scope)
2. Collective agreement from members (level)



3. Play of interests/disagreements/conflict
4. Issue density
5. Unintended consequences
6. Role of regional political elite

Firstly, there has to be a *defined policy area or transaction*. The wider the **scope** of the policy area in terms of number and importance of policy actors involved, the greater the likelihood of expansion of tasks (Schmitter, 1969:163). There has to be mutual commitment to *collective agreement by members*. The higher the **level** of commitment by members in terms of renegotiations and review of policy areas, the greater the likelihood of assigning control of a policy area to a supranational body (Schmitter, 1969:163). This has to be matched with an underlying inter-reliant current of functional tasks and issue areas (Schmitter, 1969:163) which had been idle or ignored during the original collective agreement by members. This current could be brought to the surface through the *play of interests* from governmental and non-governmental agencies, resulting in *issue density* and *unintended consequences*. Then there is the tendency for the *regional political elite* (administrators of regional institutions) to take advantage of these crises or disagreements to change or expand tasks at the centre, resulting in growing supranationality of institutions.

It follows, then, that spillover as a thesis of neo-functionalism attempts to explain theoretically the cross sectoral transition of integration from unobtrusive decision making (economic/humanitarian issues) to the more controversial (political issues). Here, conflict can result in the conscious ingenious interventions of regional administrative and political elites to make power more centralised in institutions possessing “jurisdiction over the pre-existing national states” (Haas, 1961:367). This cross-sectoral transition of integration is further elucidated and rationalised in two complementary hypotheses, externalisation and politicisation, as espoused by Schmitter (1969:163). They are discussed below.





## Externalisation

Externalisation occurs when a collective agreement has been reached by members on an external position in terms of a transaction (Schmitter, 1969:165). This convergence is sometimes motivated by the wish of these nations to increase the collective bargaining power of the region in relation to other regional blocs or globally. Due to the discriminatory nature of these transactions, there is a likelihood of response from outsiders who are adversely affected. Moreover, whether or not there is a satisfactory attainment of transactional goals, these reactions from outsiders treat the regional experiment as a viable project by:

1. Threatening action against the regional formation as a whole
2. Taking steps to join the regional formation.

As a result of these reactions, regional actors tend to close ranks by adopting a common foreign policy as a defence against external challenge. Nevertheless, in this case, according to Schmitter (1969:165), two types of hypothesis can be entertained in terms of externalisation, a null hypothesis where there is indifference from members to the formation of these new policies and a negative hypothesis where countries in the regional formation indulge in a scramble for advantage. This is what Taylor (1982:759) refers to as a “larger notion of their own self interest”. In effect, externalisation induces movement toward deeper integration and, by implication, a cross-sectoral transition from economic issues to political issues when regional agreements externalise themselves.

## Politicisation

This hypothesis explores the cumulative end of the spillover process. It engages the issue of the terminal position of integration, which is a core area of debate in neo-functional thought. Schmitter (1969:166) refers to politicisation as “a process whereby the controversiality of joint decision making goes up”. At this juncture it will be relevant to remember the earlier discussions on functionalism and the principal theses of integration



as a gradual progression from unobtrusive to more controversial decision making. In considering this, politicisation in terms of a neo-functional thesis occurs when controversiality, due to the attainment, over-performance or irrelevance of a particular transaction translates into a collective agreement to shift allegiance to a new regional centre. The rise in the controversiality of decision making within a regional entity (politicisation) will most likely result in an upward shift or what Haas (1961:368) refers to as upgrading of common interests in decision making to supranational institutions, through the expansion of the scope and/or level of these institutions. For this reason, integration deepens.

### **Limitations of the neo-functional discourse**

It must be said from the outset that neo-functionalism theoretically has several limitations. Two limitations which are relevant to this discussion are proposed by Ernst Haas (1970:628).

### **Source of theoretical construct**

The first limitation has to do with the Eurocentric origin of the neo-functional approach, in that it emerged from the “pluralistic-industrial democratic polity” (Haas & Schmitter, 1964; Hansen, 1969). This has resulted in predictions which only unearth difficulties and failures in the developing world regionalism efforts, without proposing the nature of African integration. As such, for Africa in particular, a theoretical basis for African regionalism is almost non-existent. The result of using variables from a source extraneous to the African context and history can only predict difficulties. This is compounded by the teleological difficulties in the much developed theoretical landscape of EU integration. It can only mean that theory development in terms of the nature and the terminal point of African regionalism has a long way to go.



Although one of the objectives of this study, especially this theoretical framework, is to identify gaps in literature in terms of African regionalism, this aim does not of itself entail the development of theory. Consequently, this study will go ahead and locate parallels between available regional integration literature and the African experience, which may help in producing findings and logical conclusions in terms of the research problem.

### **Elements of successful prediction**

Despite the laudable progress in terms of theory building in neo-functionalism, the attendant problem of what constitutes the terminal condition of the regionalism effort remains. There seems to be two phases of neo-functionalist studies: those focused on process, and those focused on outcome. However, it seems that neo-functionalism in recent times has taken to explaining the European Union as an outcome. For instance, the EU has been described as multilevel governance with three tiers, supranational, national and sub-national, with particular focus on the role of sub-national interest groups as concierges between national and European policy areas (Hooghe & Marks, 2001). Others see the EU inclined towards a state-like structure subject to the same expectations of accountability and representativeness accorded to individual countries (Wallace & Wallace, 1996). Then there is the supranational view of the EU according to which the nation state is seen as having lost control of the policy process to the institutions at the centre (Pierson, 1996).

Nonetheless, ascribing an outcome to the EU phenomenon is rather debatable as the European Union is a community in constant reform. Haas (1970:628) more than three decades ago identified this terminal condition of integration as a challenge in neo-functionalist thought; it seems to still be a challenge today. The reason is not altogether different from that espoused by Haas (1970:628), which is that neo-functionalists do not agree on a dependent variable and thus cannot pinpoint a time when successful integration has occurred.



There is no doubt that integration in Europe has been deepening and that, so far, no other regional formation has achieved functioning supranationality outside the processes contained in the neo-functional theory. In consideration of this, it will be logical to study African integration, which seems to be producing institutions that have supranational potential, with due consideration to neo-functionalist arguments.

To round up this discussion, one must not forget the one salient point in neo-functionalist theory, which is the non-intrusiveness of decision making and the gradual process of decision making from the unobtrusive to the more controversial or political. The crucial issue is that it seems that the emergence of institutions of integration in Africa have not followed an incremental process but rather were and still are driven directly by political objectives. In fact, regional integration scholars (Hansen, 1969; Nye, 1965), called for a review of neo-functionalism as applied to developing nations (Africa in particular) due to the “over-politicisation” accruing from the distribution of the benefits of integration. The table below represents some theoretical points in intergovernmentalist and neo-functionalist reasoning as drawn from the discussions so far. It represents the epistemic value attached to each theory, the limitations in epistemology, as well as the recognised areas of convergence and divergence in terms of their theoretical contents.



<b>Theory</b>	<b>Features</b>	<b>Limitations</b>
<b>Intergovernmentalism</b>	<b>Pre-occupation with sovereignty</b>	<b>Snapshots of social processes</b>
	<b>Sees institutions as instrumental outcomes</b>	<b>Gaps in member state control</b>
	<b>Grand bargaining</b>	<b>Has not explained or predicted the course of Europe's deepening integration</b>
	<b>Sees institutions as dependent variables</b>	--
<b>Neo functionalism</b>	<b>Unobtrusive, incremental decision making</b>	<b>Source of theoretical construct</b>
	<b>spillover(unintended consequences/collective action dilemma)</b>	<b>Is vague on the characteristics of successful prediction</b>
	<b>Tends towards predictions: the evolution of a new polity</b>	<b>Lack of micro foundation</b>
	<b>Sees institutions as independent variables</b>	--
<b>Convergence</b>	<b>Institutions matter</b>	--
	<b>Deepening integration</b>	--
		--
<b>Divergence</b>	<b>The end point of integration</b>	--
	<b>The role of institutions in regional integration</b>	--
		--

**Table 3.1: Grand theorising regional integration (configuration mine: 2008©)**





### 3.3.2 Middle-range theories of Integration

Middle-range theories of integration consider the processes of integration and include neo-institutionalism (rational choice, historical and sociological) and policy networks. This study will focus on the neo-institutionalism middle-range theory of regional integration.

#### Neo-Institutionalism

In regional integration studies, neo-institutionalism tries to explain integration processes. Put simply, neo-institutionalism as a theory tries to explain emergent activities en route to the regional outcome. In political and sociological studies, new institutionalism is a middle-range theory as opposed to grand theories and behavioural theories (micro theorising) that attempts to explain political outcome through institutions. Neo- or new institutionalism has developed along three schools of thought. The first approach to new institutionalism is rational choice institutionalism, the second, the historical institutionalism model, and the third is the sociological approach. From these approaches come different arguments which range from functionalist arguments which show institutional designers as long-term strategists who make utilitarian decisions (March & Olsen, 1984:735), to arguments which model institutions as methodically growing a life of their own, thus developing unanticipated consequences (spillover) and influencing regional outcomes (Miller, 2000; Bulmer, 1998), a view captured by the neo-functionalist school.

In this thesis, for purposes of analysis, sociological and historical institutionalism will be viewed as dialectically linked or related, as has been used by some authors in using terms such as “*socio-historical institutionalism*” (Kato, 1996; Smith, 2004). However, historical institutionalism will be the term used in this section to depict this concept. It will be important to assess the merits and/or demerits of these approaches critically as a precursor to putting forward the approach that best serves the purposes of this thesis. The



basic premises of rational choice and historical institutionalism will be highlighted for analytical purposes. It will also be important to assess the merits and/or demerits of these approaches critically as precursor to using them as framework for studying the institutional development of African regionalism, especially as it concerns the role of the Pan African Parliament in the new African Union. It should be noted, however, that the fundamental issues that underpin these arguments are those of the place of the institution vis-à-vis individual rationality in political and policy outcomes.

On one hand, historical institutionalism proponents (Pierson, 1996; Bulmer, 1998) argue that institutional analysis should be devoid of individual rational behaviour. This school of thought sees the introduction of a behavioural component to the study of institutions as diluting the institutionalism approach. On the other hand, rational choice theorists (Shepsle & Weingast, 1987; Tsebelis, 1994) turn to institutions in an attempt to explain individual rationality. It assumes that applying a behavioural assumption would help to differentiate institutional effects which may lead to varying outcomes in a political system. Bulmer (1998:370) posits that rational choice institutionalism is a thin application of new institutionalism while the historical institutional is a deeper application as it examines normative preoccupations of institutions rather than just more pragmatic aspects of institutions.

Following from the foregoing, it will be important to address some of the more theoretical aspects of these approaches so as to logically locate discussions on the PAP and African regionalism within the institutionalism framework. It will be significant in particular to examine the premises of these theories in as much as the Pan African Parliament is concerned. This means interrogating rational choice and historical institutionalism frameworks in so far as the origin and institutional building process in PAP and the AU is being addressed. Based on these findings, one may have to address issues of expectations for the PAP based on evidence from research data.



## **Rational choice institutionalism**

The rational choice model originates from economic and policy studies. From the economic standpoint, the rational choice model, according to Kato (1996:560), defines a behavioural pattern that links means to ends. March and Olsen (1984:735) point to utilitarian considerations which view the actions of actors within a polity as driven by calculated self-interest, as opposed to viewing these actions as a response to duties and obligations as imposed by institutions. There is a calculated move towards a choice for the best means for whatever goals individuals approach. In policy and public choice studies, scholars of the United States of America Congress (Riker, 1980; Shepsle & Weingast, 1987; Hall, 1987) began to study congressional decision making from an institutional perspective, which served as theoretical focus, on how the rules of congress affect individual legislators, with an emphasis on the Congressional committee system and the relationship between Congress and regulatory agencies (Hall & Taylor, 1996:944). Shepsle and Weingast (1987:87-90), for instance, attempted to propose mechanisms that explain member behaviour in decision making within the context of the rules and operating procedures of the Congress. The authors, inter alia, tried to explain why parliamentary committees rarely work contrary to committee decisions. In the authors' words, "in our view the explanation of committee power resides in the rules governing the sequence of proposing, amending and especially of vetoing the legislative process" (Shepsle & Weingast, 1987:86). Over time, this approach in decision making has been applied to other studies from bilateral and regional co-operation to the development of political institutions, an example being the study by Tsebelis (1994) on institutional decision making in the European Parliament (EP).

## **Features of the rational choice school**

According to Hall & Taylor (1996:944-945), the rational choice approach has four notable features. Firstly, rational choice institutionalists employ a characteristic set of behavioural assumptions (Hall & Taylor, 1996:944). Drawing from the work of Kenneth



Shepsle and Barry Weingast (1987:87), deference is propelled by self enforcement, meaning that most committee members are there because they are interested in the aspect of policy jurisdiction, so there is no reason to stir up the status quo.

Secondly, rational choice institutionalism tends to see politics as a series of collective action dilemmas (Hall & Taylor, 1996:945). In international relations (regional, global) in the domain of public policy, the element of international interaction is seen as essential (Nagel, 1991:xiv). The interests and ideas within groups and the differences between them produce opportunities for a wide variety of actors to influence the policy process. The group theory models the various interests and pressures between groups in the policy-making process and the importance role of interest groups within this equation. David Truman described interest groups as "shared attitude group that makes certain claims upon other groups in the society" (Truman, 1951). The policy landscape is shaped by the struggle between groups, and some policy scholars highlight the significance of groups in public policy by going as far as seeing public policy as the equilibrium in this struggle (Dye, 1981:27). Thus, there are strains and stresses, coupled with the push and pull between countries and the competitive levels of governance. Group policy theorists view the point of equilibrium as public policy (Dye, 1981:27), while neo-functionalists view this equilibrium as collective action resulting in spillover (Schmitter, 1969:162). However, it is can be argued that this equilibrium can not be reached with the preclusion of bargaining. According to international relations scholar Alexander George (cited in Lynn, 1980:15), "some kind of bargaining process is likely to operate within the group even if members are unaware of it". This is not to say that there are not variables that can affect the bargaining process. One such variable is the attitude and behaviour of the authority convening the group. Precisely, the authority may establish certain rules and norms that will affect group behaviour (Lynn, 1980:15). Predictably, if there are institutional arrangements that would guarantee complementary behaviour by others, actors would take a collectively superior course of action. Yet, some scholars highlight a key limitation in rational choice by pointing out that, in pursuing and maximising individual preferences, outcomes produced would be collectively suboptimal (Hall &



Taylor, 1996:945). This means that another outcome could be found which will make at least one of the members better off without any of the other members being worse off.

Thirdly, it emphasises the role of 'strategic context' (Thelen & Steinmo, 1991:7) in the determination of political outcomes and the role of the calculus approach to the problem of explaining how institutions affect individual action. In addressing the issue of how actors behave, rational choice theory stipulates that actors' behaviour is not predicated upon impersonal historical forces, but as a result of strategic calculation, which, in turn, is fed by the actors' expectations of the likely behaviour of others (Hall & Taylor, 1996:945). This is achieved through institutions creating mechanisms (rules and procedures) that reduce uncertainty in terms of the behaviour of other actors. Miller (2000:538), however, considers strategic calculative rational choice assumptions largely relevant in those policy areas that involve a risk in economic issues, as against more socially sensitive issues.

Finally and most relevant to this thesis, rational choice institutionalism has developed a distinctive approach to the problem of explaining how institutions originate. This is predicated on the premise of functionality. This institutionalism approach logically attempts to determine the functions of the entity by interrogating its origins. It does this by linking the values and functions of the entity to the instrumental choice of its designers. Therefore, according to Hall and Taylor (1996:945), institutions survive as a result of voluntary agreement by actors, agreements which provide more benefit to the actors than the prospect of any other form of institution. Rational choice institutionalists differ from the historical institutionalists, who advocate that historical path dependence provides the total picture in terms of institutional decision making. Rationality cannot be used to explain the nature of decision making within the polity; learned socialisation and culture play the central role, rather.





## Historical Institutionalism

According to Hall and Taylor (1996:937), historical institutionalism has its roots in two approaches in Political Science, namely group theory and structural functionalism, and developed during the 1960s and 1970s. The group theory models the various interests and pressures between groups in the policy making process and the important role of interest groups within this equation. Interest groups have been described as “shared attitude group that makes certain claims upon other groups in the society” (Dye, 1981:27). The policy landscape is shaped by the struggle between groups and individuals. Rational choice institutionalism and historical institutionalism therefore share this theoretical foundation. Like rational choice institutionalists, historical institutionalists agree that at the core of politics is the conflict resulting from rival groups competing for scarce resources.

According to Kato (1996:556), both these schools of thought are distinguishable in the way they interpret and analyse individual behaviour in institutions. Consider that historical institutionalists look for better explanations for the ‘suboptimal’ outcomes of collective action. Rational choice institutionalism, as indicated earlier, looks for these explanations in the link between utilitarian maximisation of self-interest and the role of institutions in placing restraint on or controlling such self-interest. Historical institutionalists contend that these explanations can be found in “the institutional organisation of the polity or political economy as the principal factor structuring collective behaviour and generating distinctive outcomes” (Hall & Taylor, 1996:937). In this case, there is a move away from behavioural assumptions, assigning importance to formal institutions like the state, political parties and social groups as centres of analysis in explaining collective behaviour and political outcomes.

Hall and Taylor stress that historical institutionalism emphasises structuralism, which is entrenched in the institutions of the polity, rather than functionalism, which sees political outcomes as a reaction to the needs of the system (Hall & Taylor, 1996:937). As analytical tool, rational choice institutionalism tends to construct assumptions by making



context-based deductions, while historical institutionalists are prone to inductive comparative research (Kato, 1996:557, Thelen & Steinmo, 1991:8-9). That is to say, while rational choice theorists rely on assumptions from a universal premise of the economic rational model of linking choice to means-end, historical institutionalists draw explanations from an analysis of empirical data.

In governance studies, historical institutionalism shifts attention from society- and individual-centred analysis to how the state as a complex repository of institutions is able to structure the character and outcome of group behaviour or conflict. Bulmer (1998:371) discusses this emphasis on the role of the state in systemic change in European integration. In this case, the author's work examines the impact of regional institutions as negotiation fora in the reconstruction of the state, building the relationships between the state and organised labour, interest groups, financial systems, the public and the judiciary.

### **Four features of historical institutionalism**

Four features of historical institutionalism as espoused by Hall and Taylor (1996:938-942) show, firstly, a tendency to conceptualise the relationship between institutions and individual behaviour in broad terms. Historical institutionalists go further. In determining how institutions affect the behaviour of individuals, historical institutionalists agree with the rational choice premise that individuals are strategic and calculating in making decisions. However, they go further in using historical (Thelen & Steinmo, 1991:9) and cultural (Hall & Taylor, 1996:940) analysis to explain individual action. In the cultural approach, action is determined not by instrumental calculations but by individual interpretation of situations based on familiar routines or patterns. In this case, institutions become the depository of moral or cognitive templates from which the individual constructs an interpretation. So, whereas the institution, as in the calculus approach (rational choice), is also a source of strategically useful information, for historical institutionalists it also affects identities, interests, goals and positions of the actors. Finally, Peter Hall and Rosemary Taylor, in their treatise on new institutionalisms,



propose that “institutions are resistant to redesign ultimately because they structure the very choices about reform the individual is likely to make” (Hall & Taylor, 1996:940). Thus, for historical institutionalists, institutions persist because they represent learned and conditioned processes.

Secondly, this school sets great importance by power and the disproportionate relations of power play associated with the operation and development of institutions. Historical institutionalists are concerned with how institutions distribute power unevenly across social groups. These theorists assume a system in which institutions such as rules, legislation and courts give some groups or interests a disproportionate access to the decision-making process. This has to do with how state institutions or the political system structures which kind of social interests are more likely to feature in the policy process. Rothstein (1991:33) and Hattam (1991:156), for instance studied the way political institutions allocate or restrict power in labour organisations. In this case, the outcome for the collective good is not emphasised, but rather how some groups gain and others win.

The third argument has to do with the emphasis on path dependence and unintended consequences in viewing institutional development. Path dependence is seen as the way “existing capacities”; “policy legacies” or “past lines of policy” condition subsequent policy choices, by encouraging the organisation of society to cultivate a particular identity or develop interests towards policies that are costly to shift (Hall & Taylor, 1996: 941). Sitter (2005:51), in a survey of the design and evolution of European organisations, contends that as much as the design of institutions reflects the preferences of design actors, the design of the first European international organisations shaped the design of subsequent ones. Thus, the emphasis on path dependence also deviates from the functionalist argument that institutions are the intended outcomes of their designers’ decisions. However, Pierson (1996:131) goes further to examine the factors that necessitate gaps in designers’ original intents. There is a branch of scholarship, for instance, that proposes the likelihood of historical paths to be punctuated by crises (Gourevitch, 1986:21-22). Hall and Taylor (1996:942) refer to this as “critical junctures”, echoing Krasner’s (1984:225) discussion of the historical conjuncture where substantial



institutional change takes place, resulting in an intersection from which historical development veers into another path. The end of the cold war and the collapse of communism can be seen as critical intersections in history that significantly changed world events.

Historical institutionalists are particular about integrating institutional analysis with the contribution that those other factors, such as ideas, can make to political outcomes. It is interesting to note that historical institutionalists do not consider institutions in isolation as the only causal factors in politics and outcomes (Hall & Taylor, 1996:942). For historical institutionalists, in particular, the relationship between institutions and ideas is paramount. For instance, institutional structures developed to handle trade in the US and China will differ based the impact of their fundamental differences in ideas on trade. The Structural Adjustment Programme (SAP) of the 1980s did not succeed as an institution in the long term because it failed to take into account localised ideas of poverty alleviation (Deng, 1998:51-52). Thus, accessibility of ideas and the adoption of ideas will differ from country to country, depending on structural differences between state institutions and political systems.

Finally, regionalism scholars, especially scholars of EU integration, have engaged in what can be termed politics of theorising. The hotly debated arena of theorising integration has left little room for compromise. Institutionalists try to topple each other's claims, be it for rational choice, historical or sociological. They, in turn, attempt to find inconsistencies in intergovernmentalist arguments. Intergovernmentalists themselves are divided into the rational choice and liberal groups and refute the neo-functionalists notions of the path of European integration.

Be that as it may, the aim of this theoretical framework, as pointed out earlier, is to attempt to create theoretical covering for the discussions on the nature of African regionalism and, in particular, the Pan African Parliament's definitive role as seen through the provisions, both in treaties and history. This will be a difficult task; already, the conceptualisation of European integration remains elusive. Nonetheless, these

theories of International Relations that have made their way into regionalism studies have huge potential as a foundation for analysis. This is because whether one considers one view as better than the other, they all offer genuine epistemological paths. In this sense, debating the nature of African regionalism by virtue of these theories makes research logic. The figure below represents a logical extraction that locates intersections or common characteristics in the relationships between the grand and middle theories discussed for this purpose.

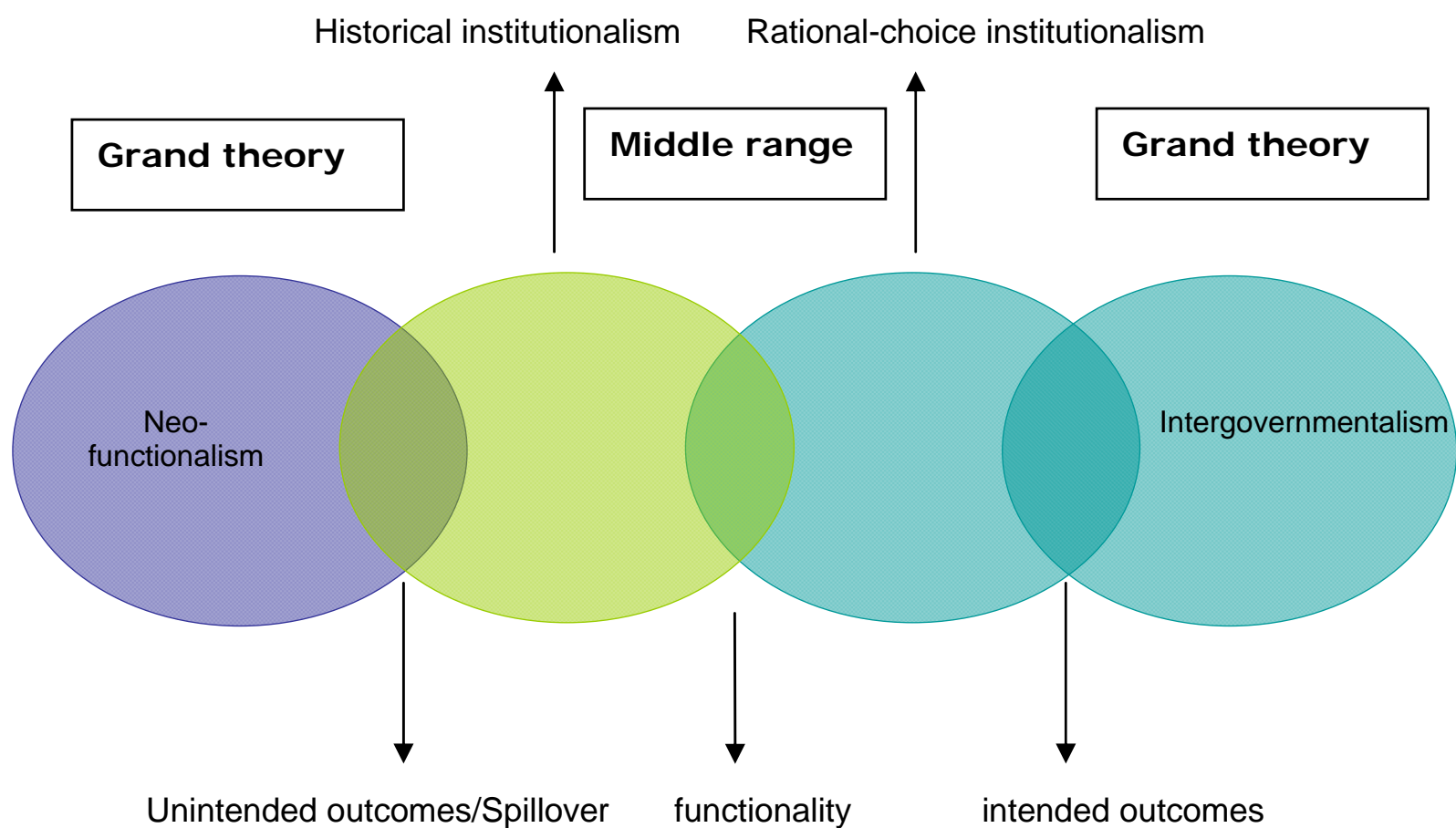


Figure 3.2: Overlaps in theoretical discourse (configuration mine: 2008©)





### **3. 4 Relevant Development theories**

#### **Dependency theory**

Dependency theory is currently considered as being relegated to the dustbins of history, for no other reason than the expansion of the globalisation process. However, it still stands as a reference point for how the world has changed rapidly from “keynesianism” (Velasco, 2002:44; Amsden, 2003:33) principles of protectionist theories to the current liberalised, rapid, global integration. This is particularly relevant for Africa, as it is usually seen as one of the most slowly developing countries. The pivotal idea behind the dependency theory is global inequality. Originating largely from the study of Latin American development history (Velasco 2002:44; Uchendu, 1980:6) and embraced by African countries (Owusu, 2003:1655), it was entrenched in the view of underdevelopment of poor countries, sentenced to a marginalised existent by the rich countries at the centre. With reference to Velasco(2002:44) it became a potent brew, which placed all the blame for third-world problems at the door of hegemonic powers. Its proponents therefore strongly advocated a de-linking from the world economy.

In research this, no causal relationship between expansion in the North and recession in the South was found; rather, as is now evident (Kim & Shin, 2002) prosperity in the North spelt prosperity in the South. Today Latin American countries that earlier advanced this theory are implementing far-reaching trade liberalisation, opening themselves to the world, and are calling for more globalisation. Moreover, a longitudinal analysis of globalisation showed that, between 1959 and 1996 (Kim & Shin, 2002:445), the world became increasingly globalised with the structure of the world trade network becoming more decentralised.

This glance at the dependency theory, though almost obsolete, was aimed at giving a targeted, albeit aerial, view of some developing nations’ past foreign economic policies, as a foundation for interrogating the evolution of African regional integration. One of the



new theories that dictate the direction of world economic policies is that of neo-liberalism.

## **Neo-liberalism**

The evolution of the neo-liberal philosophy seems to be viewed as a ‘triumph’ over the Keynesian perspectives of international relations. The name neo-liberal derives from the ‘classical liberal’ economic theory of Adam Smith and David Ricardo, who argued that a capitalist economy is largely self-regulating through the action of market forces (Kotz, 2003:15). Neo-liberalism, referred to as neo-liberal restructuring by Kotz (2003:15), is centred on transforming the role of the state in the economy through renouncing the use of government spending and taxing to moderate the ups and downs of the business cycle, thus eliminating government regulation of corporate behaviour in both domestic and international spheres. Thus, it advocates little or no meddling of government in the economy, giving room for free market economy, through privatisation, and cutbacks in social programmes, to name but a few.

Gill (1997:5), describes neo-liberalism as the ‘universalization’ of a particular set of cultural forms in ways that tend to make for greater social hierarchy and cultural homogeneity on a world scale. Although Gill (1997:5) argues that it promotes politics of dominance rather than its litany of integral hegemony, its proponents see neo-liberalist prescriptions as the panacea for world economic restructuring. Contrary to this however, is evidence which reveals the years after the war (1950-1973) as the ‘golden age’ of capitalism, while the period from 1973 to the 1990s (the years of neo-liberal reform), were years of slow growth and economic instability in these countries. Cheru and Gill (1997:141) also regard neo-liberalism as myopic in terms of social and ecological dimensions of change, which are inevitably vital for the “transnationalisation of capital and the liberalisation of global and national economic structure” (Cheru & Gill, 1997:141), which these countries are trying to achieve.



Be that as it may, the rise of neo-liberal thought and the expanding influence of these ideologies, even in socialist countries like China (Huque & Yep, 2003:131) and in South Africa (Kroukamp, 2000:261), seems to be unabated. The following arguments are made with relation to global policy trends as underlined by the theories discussed above. Mittelman (1997:77) contends that, “of all the great changes in restructuring the world today the single most important force may prove to be globalisation”. Contemporary globalisation processes therefore represent unprecedented market expansion accompanied by widespread structural disruption. These disruptions come in the form of trends in the globalisation of the state through the public-private shift, marketisation of the forms of state. This restructuring is tied to the apron strings of the neo-liberalist ideologies.

On the one hand, global restructuring of economies, especially in advanced economies, has shown indicators such as a shift from manufacturing (as industries relocated to countries of cheap labour) to service-based industries, expansion of poorly paid service jobs and the growth of informal employment and the sector in general (Beer & Forster, 2002:7). On the other hand, concerning less developed economies such as Africa, global restructuring finds its strength in dictating economic liberalisation policies, reduction of trade barriers, privatisation, elimination of government subsidies and deregulation (Tuman, 2000:174), all represented by the term ‘structural adjustment’. Global restructuring in this form is championed by international monetary structures, most prominent of which is the International Monetary Fund (IMF). The IMF (which, along with the World Bank, is a fruit of wartime collaborations between the United States and the United Kingdom (William, 1994:53)) operates on an organisational ideology rooted in the liberal economic paradigm. This neo-liberal stance is based on the principles of free market operation, trade liberalisation and cutting excessive demands through public sector cuts in spending on social welfare (William, 1994:72).

It can already be deduced that the perspective of global restructuring as is seen by many globalisation watchers is actually premised on the neo-liberalist theory and the strong hegemonies of the United States and Britain. It is also deduced that the process of



globalisation and regionalisation, the international systems that govern and arbitrate in these processes, have a general drift towards economic and political principles set out by the hegemonies of the North. This has not escaped the underdeveloped and developing world as once Keynesian countries of the Latin Americas and Africa now embrace, with hope, the come-in or stay-out globalisation trend that is neo-liberalism.

From the theoretical perspectives on international bargaining relations as expounded in this chapter, one observes a notable trend in world leadership in terms of the type of policies that are pursued by the richer north in relation to the poorer south, and those pursued by poor nations in relation to the northern nations. For instance, one of the greater challenges of leadership in Africa is the environment of survivalism and dependence on some super power or entity (Vil-Nkomo, 2002:295). This relationship is mirrored by the dependency theory, which asserts that “a country’s position in an international system of dependent or unequal exchange and political control, conditions its development strategies and achievements” (Uchendu, 1980:6). International dependency therefore spells national subordination for poor countries and fosters international exploitation by rich nations. In view of this circumstance, the socio-economic and foreign policy of poorer countries will tend towards the stipulations and conditions that donor aid countries impose. On the flip side, foreign economic, socio-political policies pursued by developed countries as it relates to underdeveloped and developing countries will, in most cases, be dependent on the expectation of some corresponding rewards (Todaro, 1981:17). Moreover, the issue of key entities in multilateral arrangements and the relationships among them is important; this more so with the dominance of hegemonies such as Britain and the European Union, as well as the United States, and the menu of choices available to them as superpowers in the formulation and the dictation of policy directions for multilateral institutions. This is contrasted directly with the slant towards dictated choice for the smaller countries by the superpowers. This raises questions about the lofty ideologues of the New International Economic Order of the 80s (Laszlo, Kurtzman & Bhattacharya, 1981:1) aimed at correcting the imbalances and inequities between poor and rich countries.



From the characterisations of a regime, it may be suggested that regimes are more or less spoken, unspoken, written, unwritten values and beliefs of facts, standards or behaviour and rules that play between the power structure of an international system or organisation and the economic and political bargaining that takes place between them. Theorists have argued, however, that power resources affect regimes, and though regimes affect bargaining and decision making, these are not held to affect power resources. So the recurring issue here is regime formation and the question of who benefits. Regimes affect policies. In the African situation and within the prescriptions of the African Union and its institutions such as the Pan African Parliament and NEPAD, the issue of regimes is pertinent. This is because, for Africa to remain competitive in a global economy, it is important that all African countries not only buy into the vision of NEPAD and the AU, but that the values and standards that govern the new African vision are understood by and enforced in individual nations through the work of the Pan African Parliament. One such regime that should affect the policies and decisions in the African Union in particular is the principle of collective self-reliance and the commitment to good governance.

Tied to the issue of regime is the subject of hegemonies. With the emergence of the African renaissance, there may also be emerging hegemonic African countries. Although the hegemonic state provides the regime out of self-interest, proponents of the hegemonic stability theory argue that the weak states gain more in the sense that they enjoy full benefits produced by the regime without bearing the cost of providing and maintaining it. A knock on this is the matter of certain regimes not being in the interest of weaker states, and the possibility of payments down the road for weaker states. The interaction between these 'stronger' African countries and other 'weaker' African states and the role they play in setting and adhering to regimes and therefore deepening regionalism in Africa, may play a significant role in how the so-called African renaissance unfolds.





## Conclusion

There is little doubt that studies of regionalism are mostly based on the economic and market-related integrationist trends, while political, institutional and security integrationist issues lag behind. Some schools consider this focus on economic integration as justified, because economic integration can be an unobtrusive vehicle for pursuing other political and security goals. Undoubtedly, modes of production and economic systems can be closely linked to political systems. However, for many late comers to the regionalism arena, the idea of political harmonisation is less tempting than that of economic co-operation.

The EU, so far, seems to present the only cohesive example of institutionalised regionalism. This is because the landscape of regionalism, apart from the EU, is littered with weak, loosely structured regionalism arrangements, where policy networks and co-operation agreements drive regionalism. While the European-styled institutional integration (supranationality, institutionalism, neo-functionalism) has permeated regional integration discourse, an overemphasis on the EU-styled regionalism should be cautiously pursued, as it may prove unsustainable in other contexts where there is serious divergence over other issues. It is important to consider regionalism within all these contexts and reflect on whether or not supranationality provides an explanation for EU success in regional integration and, by some level of implication, provides the answer to successful African regionalism.

Finally, certain challenging areas for the nascent African integrative institutions can be inferred from theoretical discussions. One that stands out is the struggle between the question of sovereignty and the phenomenon of spillover which pushes supranationality. African nations may be unwilling to abnegate any aspect of their sovereignty; this is already evidenced in the African Peer Review Mechanism (APRM) memorandum of understanding which only few nations have signed. This raises the question of how institutions like the Pan African Parliament will fare in this arena. Already, the basic theoretical provisions here show that there will always be that continued struggle between



the strong intergovernmental component of African regionalism and integration institutions in Africa. This is because, based on the concept of spillover, it may be expected that these AU organs will exercise opportunities to grow their powers over time. However, this is equally dependent on historical and institutional forces which will guide institutional development and organisational culture. It will also depend on the policy issues that come up for debate in the plenary and how the PAP is able to take advantage of regional issues to enhance its powers.



## CHAPTER FOUR

### **Institutional regional integration in Africa: a case of the Pan African Parliament**

The objective of this chapter is to investigate the Pan African Parliament as a case study. Firstly, it will set the contextual framework by looking at Pan Africanism in history and then examining the characteristic nature of African regionalism. These include the question of ideology and symbolism in African integration, as well as issues of sovereignty versus supranationality. These issues will be addressed based on Ernst Haas's (1970) relevant generalisations on African integration. Additionally, treaties and decision making power dynamics will be explored in relation to how power is delegated to institutions, offering insight into the role of technocrats in African Union institutions. Finally, the environment of policies and collective bargaining will be examined by appraising the African Union as an arena of intergovernmental bargaining. It is argued that insight into the role of institutions (in particular the Pan African Parliament) in a largely intergovernmental African integration arena will entail asking fundamental questions of whether institutions matter in African regionalism. This will be tackled by interrogating the motivations and interests for their emergence. Institutionalists that study European integration argue that institutions matter in integration (Miller 2000; Bulmer 1998). Although not as ambitious as the thesis of neo-functionalists (Haas 1958; Schmitter 1969), who predict the emergence of perhaps a new regional political entity, institutionalist similarly position their discourse on how institutions may acquire certain levels of supranationality not previously envisaged by their designers.

As such, the chapter also delves into the public administration of African regionalism. It will focus specifically on the policy and implementation framework within the regional intergovernmental bargaining space (treaties; protocol) and on regional as well as multilateral institutions that drive the African Economic Community (AEC) and the



relationships between them. This is crucial to the study because it sets the policy and institutional environment within which the Pan African Parliament is expected to perform its functions as an integrative institution.

## 4.1 Historiography

This section will focus on the modern beginnings of the idea of a Pan African Parliament, which it can be argued began also in the early stirrings of Pan Africanism, from the late nineteenth century to the present. The idea of Pan-Africanism is largely associated with the birth of nationalism and the independence of African states or nations. Geiss (1974: 7) perceives this view of Pan Africanism (which began in 1958 with the first two Pan African conferences on African soil) as the narrow view of Pan Africanism. The history of Pan Africanism however, goes back far beyond the independence of African states. In fact Thompson (1969: 3) cautions that a narrow view of Pan Africanism is limiting as there are “historical factors which gave rise to Pan Africanism before it found a base in Africa.” These historical factors can be traced to the early inclinations to Pan Africanism which began in the Diaspora before 1900 (Legum 1965:14; Geiss 1974:11). These early stirrings were inspired by the growing recognition of the African continent as the continent of origin by African American and other Africans in Diaspora. Moreover the growing awareness of the need to stand together against slavery and discrimination of the African peoples and the need for political and social emancipation was deepening among Africans of the New World and Europe.

Pan Africanism seems to engender different definitions from different authors. For instance Legum (1965: 14) conceptualises Pan Africanism as “a movement of ideas and emotions”. According to Geiss (1974:5) Pan Africanism represents the economic, technological, social and political modernisation of a whole continent while in certain circles, Pan Africanism stands for political and socio-economic African unity (Thompson 1969: 19). From the foregoing, one can surmise that Pan Africanism can be viewed from both intellectual and emotional perspectives. In this sense, although Pan Africanism was



a progressive movement towards the modernisation of the continent, it was also spurred and sustained by vigorous sentiments and ideology.

#### **4.1.1 Pan-Africanism in history**

Marcus Garvey in the early 20<sup>th</sup> century envisioned a “United States of Africa, strong enough to lend protection to the members of the race scattered all over the world and compel the respect of the nations and races of the earth” (Garvey Philosophy and Opinions Vol 2 pp 32 cited in Ajala 1973: 97). It may be important at this stage to note that allusions to African unity in this section is conceptualised as both the early ideas of unity in terms of the solidarity of the race all over the world and also as the continental movement towards the socio-political and economic integration of African states.

Pursuant to the discourse on the history of the Pan African movement, it will be necessary to rid this section of any attempts at romanticising the issue of Pan Africanism by considering only views about a continent committed to unity and self deliverance. In fact investigating the history of Pan Africanism one also notes a series of disjointed and opposing attitudes towards the issue of African unity and the development of the continent as a whole. For instance, while all Pan African movements had the goal of the betterment of the peoples of Africa in mind, it was largely an ideological process, championed by a distinct class of Africans and Africans in Diaspora, elitist and sometimes individualistic. This point is annotated in the personalisation of the Pan African movement and ideological differences between early Pan Africanists such as Marcus Garvey and W E Burghardt DuBois.

A perusal of the role of these two early champions of Pan Africanism reveals elitist, ideological and sometimes individualistic leanings. DuBois for instance deserves particular mention in the history of the Pan African Movement considering that his four Pan African congresses and his great talent as a writer endeared him to many a Pan Africanist and historian. However, Geiss (1974: 258-262) views DuBois’s Pan Africanist





history as an intellectualisation and romanticising of the African cause. This is seen in his earlier moderate stance along with white liberals and his later deviation from his moderate intellectual stance on Pan Africanism to quixotic philosophising of the Pan African cause. Some authors do not share this view however, because while Ajala (1973:101) agrees on DuBois's deep intellectual merit, this merit is interpreted as a notch up Marcus Garvey's repudiation of realistic and practical movements towards African freedom.

One cannot talk of post World War I Pan Africanism without mentioning Marcus Garvey and his radical Universal Negro Improvement Association. Garvey strove for an African nation, where all peoples of African descent can make their own way. There was considerable opposition to some of his views and actions which were seen as radical, from the black community in Africa and in the Diaspora. This is typified by the heated debates between leading delegates to Du Bois's second Pan African Congress over Garvey's slogan "Africa for the Africans" (Geiss 1974: 246). Nonetheless, Garvey labelled these opposing voices primary among them Du Bois as moderates and black intelligentsia. Ajala (1973:101) argues that Garvey's idea of a united Africa became the pivot of Pan Africanism. However, with a narrow frame of reference in terms of the implementation of these ideas, Garvey could only offer a new Africa created in the image of the white world which was his only frame of reference. Additionally, there was an imperialistic element (Geiss 1974: 279-280), and an extravagance (Ajala 1973:101), to Garvey's quest for liberating the African peoples, and a distancing from the realities within colonised Africa. Geiss (1974: 279-280) goes into more detail about the business empire that Garvey moved to establish and the flamboyance of his course.

During this period, there was a split in the Pan African movement, with the irreconcilable programmes of Du Bois and Garvey, and the personality clashes between the two individuals (Thompson 1969: 42). Ajala (1973:101) elucidates on the discrediting of Garvey by Du Bois and Geiss (1974:279-280) concentrates his thesis on the attack on Du Bois by Garvey. The individualism and elitism represented by Garvey and Du Bois



respectively, the divided views and the tendency towards rhetoric and ideologues reveals an early rift in the Pan African movement.

The history of Pan Africanism within the African continent was not devoid of challenges either. Colonisation and decolonisation in Anglophone Africa was marked with some level of political access of the African peoples to nationality and identity. Geiss (1974: 12) surmises that the process of decolonisation in British colonies was a democratic and peaceful one due to the opportunities albeit limited, it offered to African peoples, through a considerably free press, beginnings of a parliamentary system and limited political participation. This unique position possibly fomented the aggressive nationalistic trajectory in British West Africa and early Pan-Africanism.

Pan Africanism in other European colonies was slow and sometimes insignificant. In Francophone Africa for example, it was not until 1958, when Sekou Toure (later Guinean President) stood for independence that participation in the Pan African movement became strong. Otherwise, Francophone West Indies and Africa were obsessed with the idea of “assimilation” (Thompson 1969: 98), which represents the struggle for political and social emancipation within the French political system rather than outside it. In fact at the height of Garvey’s work in Liberia in the 1920s, when there was growing Pan Africanist movements, Blaise Diagne a Senegalese member of the French Chamber of Deputies declared in unequivocal terms that “none of us aspires to see French Africa delivered exclusively to the Africans (Ajala 1973: 98; Thompson 1969:103). Thompson (1969:106) describes French colonised Africa as the “sluggards of the Pan African movement”.

In addition to this internal variance, the history and the present reality of African unity and African integration, have one constant. The constant is, indisputably the role and the influence of the West otherwise known as the World powers in Africa. For instance, Ajala (1973) contends that there was another power manipulating early Pan African movements, that of the British, French and American Administrations which saw these moves as threats to their interests and needed the status quo to remain the same. Geiss



(1974: 271) also makes mention of the role of pressure from the colonial powers in the demise of Garvey's plans for Africa. In continental Africa, a point has also been made of the role that external interests played in the demise of African Pan Africanists like Kwame Nkrumah in Ghana and Patrice Lumumba in the Congo (Mazrui & Tidy 1984:: xix) From the beginning of the displacement and colonising of African peoples to the present, this appears to be one constant. This may be termed the external concurrence, due to the common goals of these powers which largely is the protection of their own interests.

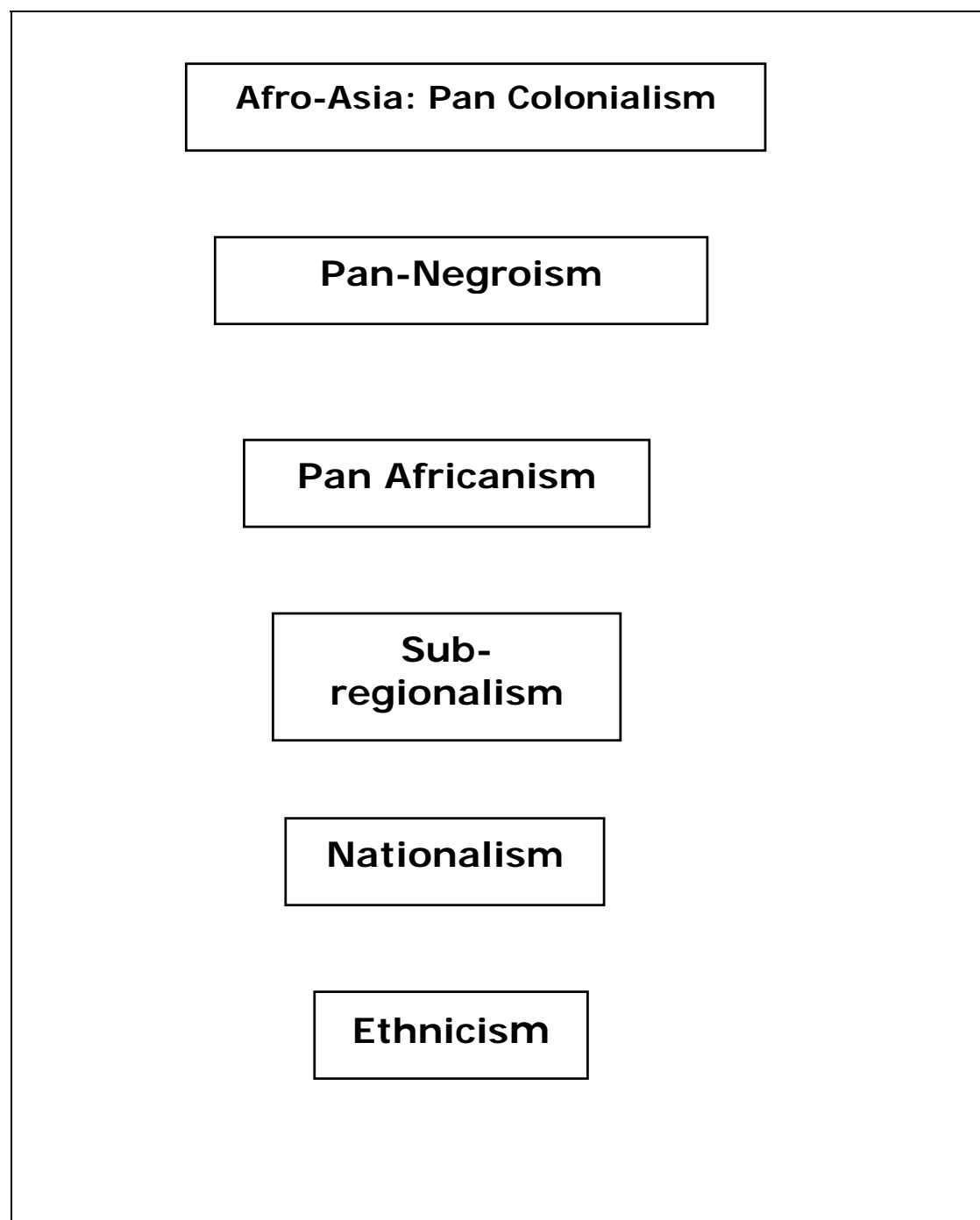
Still, it should be noted that divisions and disagreements were not unique only to the development of the African continent. In fact Nugent (1999:3) contends that the history of Europe has been characterised much more by divisions, tensions and conflicts than by commonality of purpose and unity of spirit. Threats to the move towards an organised Europe in the latter part of the 19<sup>th</sup> century were the growth of new states like Germany and Italy. Nationalism became more important to many emerging nations like the Poles, Slavs, and Romanians, which in turn became a threat to the existence of larger European empires. Moreover there were other divisive issues such as language and religion. The comparative research implication of how Europe was able to organise itself to consider the common visions and development and the motivation behind what Nugent (1999:5) describes as "dramatic and suddenly found" co-operative relationships between European nations, may be important for interrogating Africa's regional integration.

#### **4.1.2 The Nature and spectrum of Pan Africanism**

A political argument for establishing a Pan African Parliament rests on the enduring ideology of African Unity. Pan Africanism can be dated back to before 1900s in the light of the studies on the trans-Atlantic slave trade and the movements for the freedom from slavery. Although there has not been much work on the beginnings of African integration and regionalism in Africa, one can reason that based on these studies on the trans-Atlantic slave trade and the clamour for the freedom from slavery, African efforts

towards regional integration in turn can be traced back to the beginnings of Pan Africanism. The unity of purpose at the time which was emancipation from slavery and inequality, led to the various movements towards bringing African interests together for this purpose (Walvaren 1999:85, Geiss 1974: 8-15).

The following represents the continuum of political levels or movements of Pan Africanism as distinguished by Geiss (1974:4). One can position these movements from the broader conceptualisation of the term Pan Africanism to its narrower representations.



**Figure 4.1: continuum of Pan Africanism (adapted from Geiss 1974:4)**



Here, pan colonialism is seen as a movement of all coloured and colonial peoples: Afro-Asian solidarity movement, Pan-Colonial or Pan –Coloured). Pan Negroism is viewed as a movement defined in racial terms ( Africans and Africans in Diaspora excluding Arabic North-Africa). Pan Africanism represents a movement concentrated solely on the unity of the African continent (excluding Africans in Diaspora): unity of Sub-Saharan Africa and the unity of the entire African continent. Then there is sub-regionalism which is seen as the development of sub regional unity as a precursor to continental unity (British West Africa for a start and later the other regions like East Africa). Nationalism is a national level effort where implementation of concrete emancipation actions took place in the form of nationalism. Finally, ethnicism represents an ethnic level which developed and flowed into a national action. From the foregoing, a whole spectrum of Pan Africanist theorising is observed tracing the concept of African unity to early times from movements aimed at all coloured peoples to those that were defined by race and even narrower to those defined by ethnic groupings.

There is general consensus that the journey of Pan Africanism was an intellectual and elite led endeavour (Walraven 1999:86; Geiss 1974: 3). It was dominated by educated Africans in the Diaspora and later by Africans within the continent, exposed to Western education or influence (Walraven 1999:86). There were movements organised by Africans in Diaspora like Henry Sylvester Williams (The African Association), Marcus Garvey (The Universal Negro Improvement Association) and Dr. W.E.B DuBois (The National Association for the Advancement of Coloured People: NAACP). Although these organisations had the equality of African Americans as a central theme there was an unmistakable connection to the African continent in terms of racial solidarity and mobilisation of all Africans everywhere.

The first Pan African Conference was put together by Henry Sylvester Williams a West Indian Barrister practising in London. This was the first organised move towards Pan Africanism and attended by delegates mostly from America and the West Indies (Ajala 1973:4; Geiss 1974:8). This first organised international movement to unite Africans and Africans in the Diaspora under a united vision was aimed at protesting against white





colonialists, bringing people of African descent through out the world in closer touch with each other and to begin a movement which would ensure full rights and promote the business interests of all African races living in civilised countries (Ajala 1973: 4). A list of the participants at this first conference read like a gathering of scholars and intellectuals. Representing Africa were Benito Sylvain, ADC to the Emperor Menelik Abyssinia, F.S.R Johnson, ex Attorney General Liberia, G.W Dove City Councillor in Freetown Sierra Leone and A.F Riberio Lawyer from Gold Coast (Ghana). From the USA were professors, lawyers and church ministers and from the West Indies came Lawyers, literary experts, a land surveyor.

The elitist dimension of Pan Africanism is significant in the sense that certain theoretical standpoints in regional integration emphasize the role of the elite as opposed to governments in regional integration. For instance, theoretical thoughts on European regional integration also focus on neo-functionalism where the role of the elite on the integration of Europe through the EU Commission is emphasised.

### **4.1.3 Motivations for early African unity (Pan Africanism): slavery, World wars**

Deeper integration of Europe was spurred at different times by certain social and international events. This is significant when interrogating the motivations behind early and current efforts towards African integration movements. In the case of Europe, issues such as diversity, war, nationalism, state formation come up. For instance, the twentieth century saw two great wars which originated in Europe and spread across the world. There is general consensus (Nugent 1999:6, Archer 2000:3), that the Second World War provided the foundation for the EU as it is known today.

Globalisation also played a part in the emergence of the EU of today. This is because with the post World War II international institutionalisation of economic co-operation between nations through the IMF, World Bank and GATT (WTO), there seemed to be



greater opportunities for global trade (Nugent 1999:15). With these opportunities, it became more difficult for states to act independent of each other as bi, and multilateral agreements grew between states in the West, East and West and even North and South. For the sake of national preservation, this gradual interdependence between states became almost inevitable. With this trend, the states of Europe became more interdependent, conducting most trade between them; thus, regional response has become desirable through co-operative arrangements. The following section explores possible catalysts to the drive towards early Pan Africanism and to a large extent the idea of African regionalism and/or regional integration.

## **Slavery**

Shepperson (1960:312) in describing the early development of Pan Africanism located this movement within “a complicated Atlantic triangle of influences”. Relative to this, in creating a historical model that attempts to explain Pan Africanism, Geiss (1974: 8-15) unambiguously locates his argument in the “triangle” of the transatlantic slave trade, this being Western Europe (England especially) – Africa (British West Africa (Ghana and Nigeria in particular) and – the New World (USA and West Indies).

There were early (eighteenth and nineteenth century) rumblings of Pan Africanism from West Africa (Ajala 1973), which has the historical adversity of being the hottest spot for the transatlantic slave trade, providing the largest contingent of slaves. For instance, Ottobah Cugoano from Ghana, and an Ibo ex-slave Equiano (Gustavus Vassa), began criticising the slave trade and discrimination of the black race (Geiss 1974: 9). In the New World, the West Indies in particular provided the stage for slave revolts, specifically the revolt led by Toussaint L’Ouverture (Thompson 1969:4) which led to the independence of Haiti in 1804 the first black independent state in contemporary history.



## **The two World Wars**

An impetus was added to the development of the Pan African movement and ideology in the two World Wars. Some African historians and political scientists (Geiss 1974; Ajala 1973) contend that these wars provided a catalyst for the rapid growth of Pan Africanism. Correspondingly, it is of study interest to note that wars also played a huge role in the formation of the European Union. From the 17<sup>th</sup> century to the 19<sup>th</sup> century, nations in Europe interacted with each other on the basis of wars and diplomacy was like a bridge between one war ending and another beginning (Archer 2000:2). It seems as if war was always central to the evolution of the EU as the first and second World Wars were instrumental to the future formation of the European Union.

The experience of African American and African soldiers in the exposure to World War I and their experiences after the war may have spurred the burgeoning of Pan Africanism. In Africa, sentiments mounted to the need for Africans who were “good enough to fight and die in the Empire’s cause” to also have a share in the government of their countries (Davidson 1991: 326). It was after World War I in 1920, that the four representatives of the four British West African territories met to form the National Congress of British West Africa (Davidson 1991:326). For Africans in Diaspora especially in America, Geiss (1974: 231) provides some factors in the war experience itself that may have led to this greater political awareness. Some of these were the exposure to technology through the army or as construction workers in the European Armies, the exposure to the criticisms of harsh German colonial methods by Allied propaganda and the relative lack of racial prejudice in France. The widening of their world view was especially underscored by the ill treatment of returning African American soldiers who went to fight an ideological war for a better world (Ajala 1973: 5). According to Ajala (1973:5), this growth took three different trajectories the first, Marcus Garvey’s conventions or Parliaments, the DuBoisian Pan African congresses and the actions of the African intelligentsia.



## Post World War II

Much like the history of integration in Europe, wars like World War II played a catalysing role in the Pan African movement and nationalism from within Africa. The Ethiopian war of 1935-6 was seen by Mazrui and Tidy (1984:1), as a prelude to the relay of African independent states that emerged after World War II. This can be attributed to Ethiopia's successful resistance of the Italian Army in 1896 at the battle of Adowa (Thompson 1969:110; Geiss 1974:133 ) making it the only African country to safeguard itself against the Scramble for Africa. This war and Ethiopia's 2000 year legacy of resistance to European rule, engendered African pride and inspired more aggression and passion about the emancipation of the African at home and in the Diaspora. Thus the second Ethiopian resistance against Italy in 1935 and Ethiopia's defeat in this war ignited passionate nationalism in African intellectuals both within and outside Africa.

After the Second World War, population growth and urban migration became endemic. It was from the resultant tin-can and timber habitations and ad-hoc slums at the edge of colonial businesses and cities that snippets of nationalist ideologies and united front against colonialism began to emerge. While ideological theorising and political rhetoric was carried out at the supranational levels in the various Pan African conferences that spanned over 58 years, these politicising and ideological movements began to generate interest and soon became one of the most influential instruments that birthed and nurtured the growth of nationalism in colonial African states. Soon Pan Africanism was to gradually metamorphose from a movement for freedom from slavery and racism for Africans in Diaspora to a movement for freedom from colonial rule for Africans.

The educated elite carried this movement to new heights. Pan Africanism grew and nationalists such Kwame Nkrumah, Sekou Toure, Jomo Kenyatta, Julius Nyerere and Nnamdi Azikiwe began the anthem of autonomy and self rule. In 1951, Libya cut loose from Italian subservience, Ghana achieved internal rule in the same year with full independence in 1957, Nigeria followed with internal self rule in 1952 and independence in 1960. Next was Egypt in 1952 in a coup d'etat, Morocco, Tunisia and Sudan followed



between 1955 and 1956. The baton of independence was passed from country to country during the 1960s. However, despite the furore over independence, many countries at this time remained colonised or partly so (with Reference to France's continued strong influence in French Africa after political independence of French colonies in the sixties). As a result of this and other emancipationist reasons and in the overall spirit of Pan Africanism independent nations came together with a mission: the total annihilation of all the vestiges of colonial rule for political and socio-economic liberation.

#### **4.1.4 Institutionalisation of ideas: the Organisation of African Unity (OAU)**

Despite the early suggestions to Pan Africanism, its first organised form came to Africa only in 1958 in Ghana, with the first Pan African conference taking place on African soil. Pan Africanism transmuted from a movement of emancipation of black people around the world to a continental concern with independence and self rule for all African states. This became an important foundation for the formation of the Organisation of African Unity. This is the defining point in terms of this study. However, it must be said from the on set that while on one hand, the idea of and movement towards African Unity has not always been a unifying one; on the other hand it has been an engaging experience in unity of purpose albeit with disunity in approach. The development of an organised approach to African unity, the debates that raged on the nature of this approach and the institutionalisation of decisions and ideas on African integration can be traced to the first Pan African conference in Ghana.

#### **The birth of the Organisation of African Unity (OAU)**

According to Geiss (1974:3), the manifestation of the Pan African movement exposes political ideologues which stand out when attempting to understand the concept of Pan Africanism:





1. The tendency to regard Africans and people of African descent as homogenous
2. Ideas that have highlighted cultural unity and political independence of Africa, with solidarity concepts such as “Africa for Africans”
3. Promotion of political unity or political collaboration between all Africans.

These ideologues tie in with what Legum (1965:38) describes as a programme of ideas and actions which were central in Pan Africanism at the time of its transfer to the continent. Prominent among these ideas and actions and central to the discourse on African integration was the concept of the “United States of Africa” (Legum 1965:38) which was based on the principle of inter-linked regional federations with limited national sovereignty.

In April 1958 the first Pan African conference in Africa took place in Accra Ghana with the eight independent states in Africa at the time attending (Mazrui and Tidy 1984:344; Geiss 1974:419). In December 1958, the All African People’s Organisation a non-governmental body consisting of African Political parties met also in Accra. It is important to stress that the concept of a United States of Africa was not mentioned in the meeting of independent states but was mooted at the non-governmental level of the All African People’s Organisation in 1958. This is relevant as it showed the reluctance of the newly independent states to champion an idea that would entail a level of surrender of national sovereignty.

The idea of a United States of Africa or what Mazrui and Tidy (1984:344) term “continental-union government” was championed by Kwame Nkrumah who was also instrumental to the first three Pan African conferences that were held in Accra between 1958 and 1960. Additionally, early ideas of integration in Africa were envisioned by Nkrumah who in his book *Neo-colonialism: the last stage of imperialism* viewed what he termed the Balkanisation of the African continent as the major instrument of neo-colonialism (Nkrumah 1965:14). Nkrumah’s thesis was largely guided by a vision of an African state united against the powers of neo-colonialists and that Africa’s development can only be met through “cohesive and integrated planning” (Nkrumah 1965:11).



Nkrumah's Union of Independent African States was to have common citizenship, common defence and economic policy, a union bank and language teaching and cultural co-operation (Mazrui and Tidy 1984:344). This approach to African unity was considered radical by certain African states at the time as it tended to accommodate the logical imperative of having supranational institutions with powers to intervene in sovereign states. Nevertheless, the concept of a United States of Africa was vehemently opposed by Nigeria (Legum 1965:46) at the second conference of independent African states in Addis Ababa in 1960, with Nigeria preferring a slower intergovernmental co-operative approach.

During this time there was a noticeable development of two schools of thought on the best approach to African Unity or in this case, integration. According to Legum (1965:48) certain issue based politics and conflicts within the continent resulted in this early rift in terms of disagreements as to the nature of African unity. There was a noted division which immediately began to isolate "inter-African cleavages" made up of the radicals, moderates and conservatives centred mostly on the Congo crises (Walraven 1999: 103-109). Thus, differences in approach to African governance structures and approach to its unity were exposed. Legum (1965: 48) isolates five events that precipitated this natural selection of views: the independence of Nigeria; the sudden independence of 13 French territories, the Morocco and Mauritania conflict and the rift between Morocco and Tunisia over Tunisia's support for self governance for Mauritania; the Congo crisis and the role of the International Confederation of free Trade Unions in Africa.

However, the Congo crises provided the main arena for idealist and realists of the African unity question. These grouping of nations came to be known as the Casablanca and Monrovia groups (Legum 1965:50-55; Mazrui and Tidy 1984:345). Casablanca consisted of radical states like Ghana, Guinea, Mali, Morocco and Algeria who supported Patrice Lumumba on his envisioned unitary government structure for the Democratic Republic of Congo, while the Monrovia group was made up moderate conservative states or pro-Western states according to Mazrui and Tidy (1984:345), who favoured the federal



structure of government advanced by Joseph Kasavubu. The Monrovia group constituted the largest group of African states and consisted of most French speaking African states except Guinea and Mali, and none francophone states like Nigeria, Sierra Leone, Ethiopia and Liberia. However, the May 1963 meeting of African Independent States in Addis Ababa united the Monrovia and Casablanca groups into the Organisation of African Unity (Mazrui and Tidy 1984:346) with the Monrovia group declaring the principle of state sovereignty (Legum 1965: 56), which was carried through as part of the principles of the charter establishing the OAU (Mazrui and Tidy 1984: 347).

Later, Africa's change in priorities for the 21st century was manifested in the transformation of the OAU into the AU, with new priorities for accountable leadership, establishing equal weighted partnership, and the development of human, financial and physical capital. In a quest to be part of a rapidly globalising world the African Union moved from a political organisation in terms of its forerunner the OAU to an organisation aimed at socio economic integration and development of Africa for political unity. In what is seen by some as a response to the challenges of globalisation (Ravenhill 2001:8; Hettne 2002: 28), Africa has joined the increasing global trend towards regionalisation and regionalism. As pointed out by Laszlo (1981:16), the solution to the crippling economic problems of the majority of developing countries (especially Africa) would be to realise noteworthy improved levels of collective self reliance. This to a large extent is what the vision of the African Union has been.

Nugent (1999:2) dilutes intergovernmentalist prescripts of the detrimental effect of the nation state's loss of sovereignty by proposing that the phenomena of supranationality is not detrimental to nation states within the EU but largely empowering as member states can meet the threats posed by external threats like globalisation. Although highly debatable, this reasoning is mirrored in Nkrumah's idea of a United States of Africa, where the nations of Africa would unite their forces against global threats (Mazrui and Tidy 1984:344).



Many views have been put forward to attempt to explain the nature of Africa's integration. Some of these views are linked to interest based and fragmented colonial partitioning of African states which resulted in very diverse populations, the severance of whole African cultural nations (Mazrui and Tidy 1984: xi; Gordon 2001:58), and lack of interest in structural and economic development of Africa with little regard to the development of its peoples. Others are attributed to early nationalist views of African unity, with ideological and political differences. However, the issue that has universal resonance within Africa is the need for collective endeavours towards development and economic sustainability of all nations of Africa. This premise forms the basis for this study, which was undertaken to examine the institutions of integration in Africa in order to understand the nature and future of African integration. It also provides the reason for choosing to explore the study of the Pan African Parliament from middle range and grand theoretical viewpoints of regional integration.

## **4.2 Setting a contextual framework: the nature of regionalism in Africa**

It can be said that the United Nations (UN) provided the initial impetus for twentieth century regionalism around the world. Within its own stables it created opportunities for regional voice and co-operation through the establishment of the UN Regional Economic Commissions and UN regional offices (Mazzeo 1984a:1). For Africa, a continent emerging from years of colonial rule, the idea of regional co-operation was enticing as this offered an opportunity for newly independent states to interact based on common ideologies and principles. Although the idea of African unity at the time was not novel to Africa, issues such as national sovereignty, racial equality, in addition to foreign policies and economic relations with Western interests made it even more crucial. Rugumamu (2004: 2) states emphatically that "...if Europe needs economic and political integration for strength and prosperity, Africa needs it for survival." There was thus, a proliferation of continental and sub-continental regional groupings to foster that sense of opportunity.



Nevertheless, a cursory examination of the dynamics of continental regionalism in Africa through the years reveals perhaps a somewhat symbolic and rhetorical disposition to regional co-operation. African regional co-operation was founded on independence aspirations, nationalism and political ideologies, dispositions which while pertinent at the time also set the foundation for African regionalism in the years to come. The next section deals with the features of this past regionalism from 1963 to the legislative birth of the African Union in 2000. It is hoped that this exercise will reveal some notable features of African regionalism, which will give insight in terms of the thesis subject matter: the definitive role of the Pan African Parliament.

#### **4.2.1 Features of African regionalism in post colonial Africa (1963-2000)**

It is relevant to reflect on the characteristic nature of African regionalism through history. This will serve to give historical and socio-political context to the discussion on Africa's new regionalism dispensation as well as provide a basis for relevant conjectures in terms of African regional institutions. The idea of African regionalism has spanned regional integration developments from even earlier than organised Pan Africanism in the 50s and 60s, in form of the South African customs union in 1910 to subsequent regional integration movements.

In discussing the nature of African integration, Ernst Haas (1970: 614-619) deduced some functional generalisations based on African regional integration scholarship at the time<sup>3</sup>. Haas also identified theoretical, hypothetical and variability gaps in these assumptions (Haas 1970: 621-622), especially as it relates to the processes of integration

---

<sup>3</sup>Some of Haas's sources: Isebil Gruhn 1967, Functionalism in Africa: scientific and technical co-operation (unpublished PhD. Dissertation university of California Berkeley), WR Derrick Sewell and Gilbert F White 1966, The lower Mekong International Conciliation (No. 558); Carl G Rosberg and Aaron Segal 1963, An East African Federation" International Conciliation (No. 543) Abdul A Jalloh 1969 The politics and Economics of Regional Political integration in Central Africa (unpublished PhD thesis University of California Berkeley. ; Roger D Hansen 1969, Regional integration: reflections on a decade of theoretical efforts" World Politics January 1969 Vol 21 no 2 pp 257-270.





in the developing world vis-à-vis the West. Nevertheless, Haas's triangulation provides some relevant discussion points although generalised they may seem. Haas's generalisations have been highlighted here because they open up a starting point for inquiry in terms of the features of African regionalism efforts.

Features of regionalism in Africa can be viewed from historical, political, institutional and economic standpoints. These standpoints reveal circumstances which are unique to the region perhaps affect the variables consisting in the Haas generalisations. Here, African regionalism is seen as symbolic, highly politicised, and steeped in ideology and nationalism, saturated with non-evolving or constipated institutions, in addition to presenting an unequal playing field. It is justifiable to question if these generalisations suitably represent the manifestation of regional integration in Africa 37 years after Haas isolated them. This notwithstanding, these views reveal a window for longitudinal analysis and comparative inquiry in Africa, especially considering the slow pace of regional integration in the last 37 years.

## **Symbolic**

Haas (1970: 618) suggests that integration in Africa is as yet symbolic, a view earlier highlighted by Nye (1965: 872) as the 'high' politics of developing countries based on 'emotive and symbolic content'. Symbolism in this sense connotes the ideology and rhetoric that have dominated African regionalism efforts. There were nonetheless, reasons for the symbolism view of African regionalism.

The idea of integration for years may have been seen more as a means of political defiance against the external powers than as a development strategy. Thus, the early years of independence from colonialism, along with the cold war, provided breeding ground for ideology in African leadership (Franke 2007). 'Rhetoric' is a word that has been used often to describe commitments made by African leaders on regionalism and development (Gottschalk & Schmidt 2004:140; Onwuka 1985:58). Going further, African



development policies have been described as “grand plans, vague promises” (de Waal 2002:463). More to the point, the terrain of African attempts at integration for development was littered with fragments of idealism. Up until recently, there has been little variation in the lack of enthusiasm of African leaders to commitment in terms of the core content of resolutions, declarations, charters and treaties geared towards development and deepening African unity (Asante 2001; Onwuka 1985; Mistry 2000).

According to Mutharika (1972:15), African leaders find it difficult to “consider economic development problems, without considering the political realities”. Consider for instance the early days of regionalism with the sub-regional groupings like the Eastern African Community (EAC) between 1967 and 1977. The EAC recorded some success in terms of economic arrangements such as trade and industrial harmonisation of policies and even joint infrastructural ventures (Mazzeo 1984b:151). This non-intrusive approach to regionalism did not however escape politics. There is general consensus that the demise of the EAC can be attributed to political and ideological distrust (Hazelwood 1985; 183; Franke 2007). The ideological differences between the Kenyan and Tanzanian leadership and the military coup of Idi Amin deepened distrust which was already fomenting from treaty issues like the distribution of benefits accruing from co-operation (Mazzeo 1984b:152; Hazelwood 1985: 174). Thus, the ‘emotive’ content of politics in Africa as offered by Nye (1965:872), may have played a role in the weak political will, and institutional fragmentation evidenced in the overtures towards integration in Africa over the years. It is perhaps this ideological and rhetorical sphere of engagement with integration that has earned African regionalism the description of “symbolic”. Nonetheless, it can also be argued that ideology and rhetoric have ensured that the issue of regional integration in Africa has been put in the front burner of African governance.

Today, it is important to reflect that integration in Africa may have gone beyond the symbolic phase. For instance Mistry (2000: 556) alludes to this by noting that the principles of integration have moved from the political rhetoric to the more realistic and practical since the late 1990s. With the emergence of new democratic leadership by elections, the concept of pluralism nor its “functional equivalent” (Schmitter & Haas



1964: 284-5), which is argued by neo-functionalists as a prerequisite for deepening integration seems to be taking root in Africa. Although these elections do not ensure a high level of civil liberties, indications are that more elections translated to a better approach to civil liberty issues (Lindberg 2006:120) and by so doing, provides greater room for participation by civil society in African governance. For instance the Treaty of Abuja (Article 91) and the Constitutive Act of the AU (Articles 17, 22) provide for the greater participation of African civil interest groups and non-governmental organisations through the Pan African Parliament and the Economic, Social and Cultural Council of the African Union (AEC treaty 1991:59; AU: 2000: 10, 11).

Furthermore, lately, there seems to be a shared vision by African leaders on economic development as an integration objective. This is considering that with the turn of the twenty-first century, African leadership seemed to emerge into a new era, challenging itself to collective social, political and economic self-development and peer review through a new African Union and the New Partnership for Africa's Development initiative (NEPAD<sup>4</sup> 2002: 3-4). Possible drivers of this development include the resurgence of regionalism, "new regionalism" according to Ethier (2001:4), or a "re-birth" according to Bach (1999: 1). This phenomenon sparked the emergence of strong regional trade blocs around the world notably the Asian regions' Asia-Pacific Economic Co-operation (APEC) and Association of Southeast Asian Nations (ASEAN) as well as the North American Free Trade Area (NAFTA) and MERCOSUR in the Americas.

These new regionalisms were characterised by the unique approaches to regional integration as it suits the region based on its own specificity and historicity. Asia-Pacific Economic Co-operation (APEC) and Association of Southeast Asian Nations (ASEAN) countries formed regional growth strategies to propel them into global prominence. Consider for instance the 'Japanese flying geese' pattern of regional integration (Mittelman 1997:87) which has stimulated economic growth in the Eastern/Asian hemisphere. It involves countries at different levels of development penetrating the global market in different regional levels of integration. This resulted in unique Growth

---

<sup>4</sup> See Reference: New Partnership for African Development



Triangles (GT), a combination of state initiative and private entrepreneurship. Growth Triangle is defined by Kakazu (1997:6) as “trans-national economic zones spread over well-defined, geographically proximate areas covering three or more countries where differences in factor endowments are exploited to promote external trade and investment.” For instance, countries like Malaysia, Indonesia and Singapore formed the SIJORI Growth Triangle based on mutually exploiting each others complementarities like the vast lands of Batam Island and growing the labour force of Indonesia and the manufacturing prowess of Singapore. In combining complementarities, this regional economic strategy created a wide base with different factor characteristics, making the region attractive for foreign direct investment.

Taking these new regionalism developments into consideration, for some in the international community, as seen in Hawthorne’s Time magazine article at the time, the initiation of the African Union and NEPAD heralded new prospects for regional integration in Africa, (Hawthorne: 2002 :26-27). However, how these opportunities provided by growing regionalism and globalisation are harnessed will to a large extent determine the success of this new African Union. This is because up until now, African regionalism could easily be described as a proliferating, fragmented landscape of regional institutions, protocols and agreements.

## **Dependency**

Shaw (1985: 15-16) highlighted in his 1985 article that there was the tendency for African integration to be negated at the expense of Africa’s drive towards diplomacy, ideology and political power in the global community. Conceivably, the Organisation for African Unity (OAU) was about scoring political points, as African states were economically, highly dependent on the North. Regionalism at the time in Africa was not seen as a development strategy or economic strategy but rather as a political tool aimed at improving Africa’s position in the international community and ensuring that the balance of power is not continuously tilted against Africa.



Radical thinking by certain African economists during this period was that the only way Africa can achieve integration was by disentangling itself from pre-independence or colonial economic links (Shaw 1985:11, Onwuka 1985:63). Early radical views of integration seemed to submit that the nature of Africa's incorporation with the global capitalist system was largely dependent and was detrimental to continental integration (Mazzeo 1984a: 8; Shaw 1985:11). Today, there is little contention that Africa's relationship with the global political economy is still tilted towards dependency even in a largely globalised world. Yet, one cannot entirely posit that regional self reliance or intra regional trade is detrimental to or incompatible with globalisation. In other words Africa's continued economic dependence may not be the only factor hampering the critical move towards self reliance and integration.

A unique consideration of the dependency argument can be seen in the debate on the modelling of African regionalism to the experience in the developed Europe (Maluwa 2003: 159; Lee 2003:27). To illustrate this, Mazzeo (1984a: 4) points to the numerous failed attempts at functionalist and federalist approaches to regionalism in Africa. These approaches were founded on the experience of Europe. In 1963, about six years into the European treaty of Rome, African leaders with federalist thinking like Kwame Nkrumah had emerged. Although, Nkrumah's idea of a United States of Independent Africa was squashed by other African countries (Mazrui & Tidy 1984:344; Legum 1965:46), it is noteworthy that countries that opposed Nkrumah chose gradualism or the functionalist approach to regionalism like in Europe. This gradualist/functionalist approach focuses on economic co-operation as an obtrusive route to the political integration endpoint: preferential trade agreement, free trade areas, common custom unions, common markets, economic union, monetary union and then political union.

Additionally, the institutionalised structure of African regionalism, has led to some scholars viewing the Organisation for African Unity or the African Union as a copycat model of the European Union (Lee 2003:27). It can be argued that this tendency toward mimicking the EU may be detrimental to African regionalism. This is because the history, assumptions and principles of European integration are a far cry from that of





African regionalism. For instance, in terms of history, the beginning of European regionalism was premised as a route to re building Europe fast after World War II. Also, approaches to European regionalism assume that countries involved are highly developed, bureaucratically, technically as well as in infrastructure. European Union states have been described as states which show a level of neutrality in nationalism concerns (Nugent 1999, Archer 2000). In fact Nugent (1999:2) elucidates, that the concept and manifestation of state sovereignty in Europe has all but disappeared. Finally, these countries have a commitment to what Mazzeo (1984b:159) refers to as economics of scale, i.e. efforts to reduce transaction costs through co-operation economic development. African states are markedly different as they exhibit different historical context in terms of emergence of the OAU. Politically, the pervasiveness of dictatorial leadership, centralised governments and a strong commitment to state sovereignty characterises African governments. In terms of development, there is a challenge in harnessing technical and infrastructural competence and a struggle with bureaucratic integrity.

### **Institutional proliferation and Inertia**

Haas (1970:614) generalises that global regionalism trends show that the increase in numbers of institutional channels in a region (private and government), spurs interdependence among members as they resort to these institutions to resolve conflict. Has this been the case for Africa? From the earliest form of regional integration in 1910 with the Southern African Customs Union (Geda & Kibret 2002:2) African regionalism has been institutionalised. In early independence years Africa experienced a proliferation of regional groupings. In 1962, groupings like the Ghana Upper Volta Trade Agreement, the African Common Market with Algeria, Ghana, Mali Guinea, Egypt and Morocco and the Equatorial Customs Union (Union Douanière Equatoriale) of Cameroon, Central African Republic, Chad, Congo and Gabon emerged (UNECA 2004: 27) . This was followed by the East African Community in 1967 (Mezzeo 1984:152, Hazelwood 1985:172). In the 1970s, West African regional economic communities began to emerge

and for some consolidate. The Francophone Communauté Economique de l’Afrique de l’Ouest CEAO (West African Economic and Monetary Union for English speaking) in 1973 (Asante 1985:96), Mano River Union of initially Sierra Leone and Liberia in 1974 and later in 1980, Guinea (Sesay 1985: 125), and the Economic Community of West African States (ECOWAS) in 1975. In Equatorial Africa the Equatorial Customs Union (UDE), at the Brazzaville treaty in 1974, was transformed into the Central African Economic and Customs Union and subsequently into the Economic Community of the Great Lakes Countries in 1976 (UNECA 2004:27).

This proliferation was viewed as a “self reliant strategy” (Mytelka 1984: 131), a way to engage the more powerful nations (Fredland 1984:104). Some of the Regional Economic Communities had the goal of full economic community while a few were dedicated to common markets and free trade areas. Despite these noble goals, the fragmentation of the continental system into numerous, struggling regional blocs, the lack of framework for continental co-operation as well as rivalry amongst the Regional Economic Communities (REC) and between the Organisation for African Unity and the RECs did not augur well for early African regionalism (Franke 2007; Onwuka 1985). By 1979 the West African region had about 30 regional groupings (Asante 1985:74) and had grown to about 40 by 1990 (Esedebe 1994:217). In addition to this proliferation, there is also the complication of multiple memberships of these groupings. For instance, out of 53 Sub-Saharan African countries, while one country belongs to four RECs, only six have single memberships, 26 countries belong to two and 20 countries belong to three RECs (UNECA 2004: x).

These Regional Economic Communities are characterised by lack of resources (human, technical and financial); weak, politically marginalised secretariats (Gottschalk & Schmidt 2004: 138); poor organisational learning and driven by weak national economies. These challenges further complicate progress in emerging regional blocs, adding to challenges such as the duplicity of mandates, lack of regional cohesion in terms of goals, stalemates in decision making and weak institutions. Prominent, is the competition and conflict of interest in the Anglo/Franco West African experience. In what has been termed “rival groupings” (Asante 1985:75; Franke 2007), Francophone West Africa while forging regional alliances with each other in the Communauté



Economique de l'Afrique de l'ouest (CEAO) now Union Economique et Monétaire Ouest Africaine (UEMOA), maintained membership in Economic Community Of West African States (ECOWAS).

African regional institutions over the years seem to have slowly degenerated into a state of tepidness and even inertia. These struggling institutions question the success of the functionalist path which African integration seems to have followed. This is because functionalist reasoning provides that institutions tend over time to acquire supranational powers due to factors like issue density and spillover. Quite the reverse, many such attempts at institution building have resulted in what is referred to as “self encapsulation” (Haas 1970: 615). Self encapsulation means that institutions rather than engendering consequences triggering further integration, do not allow for this spillover. While Haas limits these institutions to agreements that do not deal with common markets like the protection of human rights and military alliances, it can be said that this inertia applies to some African integration arrangements or institutions. One of the core challenges in African integration is to understand why there is a proliferation of these types of institutions. Factors such as lack of resources in terms of skills and finance can be linked to this state of affairs. Taking into consideration these institutional deadlocks, today, there may be merit to describing the result of mimicry in African regional approaches as inertia. This is especially compared to the growth of other regional bodies.

Nonetheless, the move towards integration as provided for by the 1991 Abuja Treaty showed promise in the direction of Africa's approach to achieving an African Economic Community (AEC). This approach is a bottom –top approach to regional integration which defines the RECs as building blocks of the AEC (UNECA: 2004:27; NEPAD 2002:34). The idea being that rationalising, strengthening and allowing growth in the RECs, will lead to greater productive capacity of African states and by implication, intra-African trade through integration and harmonisation of policies and processes (Asante et al 2001:6). This building block approach to African integration introduced by the 1991 Abuja treaty is cemented in a protocol that governs REC/AEC relationship (OAU 1998b). The building block approach is equally re-enforced by its tie in to key AU regional protocols and policies like NEPAD's implementation strategies (NEPAD 2002:51) and



the Pan African Parliament's role in REC harmonisation (PAP Protocol 2001: Art. 11/ 7). Thus, whereas in the past there had been a noted rivalry between the RECs and the OAU, presently there is a legal transmutation of roles of RECs from stumbling blocks to building blocks of African regional integration. In 2004, Africa had 14 RECs supported by different protocols of the African Economic Community and financial bodies like the African Development bank aimed at supporting regional integration (UNECA 2004:27). The African Union presently recognises eight RECs as part of its integration system (AU 2006b). The above mentioned developments are still a long way from successful implementation as there are still challenges.

### **State led**

Haas (1970:618) supposes that although in terms of African regionalism joint regional groupings are propelled by economic objectives, they have not followed Europe's pattern of spillover, incremental decision making and non-coerciveness. Secondly, due to hasty politicisation of expectations, sovereignty and national concerns drive member state representatives to avoid incremental bargaining for fear of unintended consequences. The idea that such consequences may lead to the supranationality of regional institutions leads regional actors to scamper for the centralisation of decision making at the intergovernmental bargaining level.

It is significant to note that the European Union as a complex cluster of institutions began as a result of an ambitious idea which bordered closely on abnegating sovereignty to a large extent. This idea of state sovereignty in Europe was first mooted in 1648 with the Peace of Westphalia (Archer 2000:2), which ended the mutually destructive thirty year war in Europe (Mazrui & Tidy 1984:373). Before this war, there was a strongly hierarchical arrangement that had states answering to a higher authority like the emperor or pope (Archer 2000:2). Without this overall authority, Europe was an anarchic system. Remote advances towards unification sprung up during the early nineteenth century



Napoleonic Wars with the concert system which emerged from the war involving a meeting of the representatives of the great powers.

As highlighted by Mistry (2000:553), the African journey towards regional integration has been influenced and dominated by two conflicting predispositions, namely the tendency to adhere to political separation by colonial borders while emphasizing unity albeit at arms length. The OAU charter, Article 2, spells out co-operation and co-ordination as the core integrative route for Africa (OAU 1963a:3). Article 3 (section 1-3) of this charter emphasises the respect for territorial integrity and sovereignty (OAU 1963a:3-4). From the foregoing, it is clear that from the start, African leaders have been reluctant to abnegate sovereignty in any form. Nevertheless, is it safe to say that this makes African nations poor integration partners? Haas (1970) explains that due to national political and economic challenges in most African states, African leaders are reluctant to further undermine control at the national level through supranationality.

The debate on state sovereignty versus supranationalism in regional integration is one that should not be overlooked in studying or in understanding the existence and sustainability of regional bodies like the African Union or the European Union. For instance, neo-functional suggestions (Haas 1958; Schmitter 1969; McGowan 2007, Sandholtz & Stone-sweet 1998) maintain that the concept and manifestation of state sovereignty in Europe has all but disappeared. According to Nugent (1999:2), this phenomenon began even before the EU was established, when external forces within world economics and politics began to dictate the path of nations. Thus, the author suggests that the erosion of state sovereignty in Europe was a double pull, from external forces and from within the EU where members loose powers through “legal transfers of sovereignty to the central authority of the EU. Nevertheless, this “legal transfer” of sovereignty is viewed by intergovernmentalist as more of a delegation of sovereignty for effectiveness and efficiency than abnegation of sovereignty as proposed by neo-functionalists (Puchala 1999:313).





Finally, there is the tendency to view African integration as a process where spillover does not occur (Haas 1970:618), leading to weak institutions. The emergence of an African regional instrument like NEPAD is attempting to contest this view. Consider that of all the institutions of the AU with the most potential of having supranational powers, NEPAD stands out. Even the AU commission does not qualify as a supranational institution (Gottschalk & Schmidt 2004: 141). Ironically, although NEPAD is not an institution acknowledged in the formal line organisation of the African Union, NEPAD has managed to assume a position where there is no AU control or veto (de Waal 2002: 468). Be that as it may, one of the critiques of the NEPAD is that it is a non participatory process (Keet 2003), centralized top down process, initiated and to a large extent implemented by the Assembly of Heads of State and Government. This in turn raises key issues about its supranationality.

### **Unequal Benefits and Payoffs**

For members of regional groupings, the rationality of pay offs or benefits are integral in the game with different sized regional players. Haas (1970: 614-615) generalises that in transactions, interdependence is viewed as negative by members if they feel regional partners profit more and interdependence is viewed as positive by members if they feel equal with their partner in certain if not all transactions. The issue of economic inequality among African states is vital in exploring the character of African regionalism because of the cost of benefits and payoffs. As already mentioned, early African regionalism efforts tended more towards sub continental regionalism (Shaw:1985: 11; Mazzeo 1984a; 6). This perhaps can be seen as survival attempts for smaller states by establishing common markets for greater power. There were initial failures like the Mano River Union of Sierra Leone, Liberia, Guinea, and the East African Community (EAC) of Tanzania, Kenya and Uganda, both of which have subsequently been revived.

The example of the East African Community of Kenya, Tanzania and Uganda reflects the distrust and challenges that smaller states face in terms of allocating the benefits or pay



offs accruing from co-operation (Hazelwood 1985: 176-185). Kenya was increasingly seen as the major political force within the first East African Community (EAC) of Kenya, Tanzania and Uganda. There was mistrust from the smaller states like Tanzania, who felt vulnerable in terms of the treaty agreements and benefits accruing from regionalisation activities. Indeed the United Nations Economic Commission for Africa (UNECA), cautions that for integration attempts to succeed in Africa, benefits and costs of integration must be equitably distributed (UNECA 2004: 33).

In terms of power relations between African states, whereas early views of continental politics saw Africa as consisting of equal state actors (without an emerging structure of African regional integration), later views, radical in approach, contend that African regional powers were not transitional, but rather represented an emerging regional structure (Shaw 1985:9). These views are significant in considering that regional integration even in Africa, sometimes is driven and equally sustained by more powerful states.

It can be argued that 37 years after Haas's generalisations (Haas 1970:618), integration in Africa has gone beyond the symbolic phase. Some authors reflect this in highlighting a change from the 1990s from political rhetoric to more realistic and practical efforts towards regional integration (Mistry 2000: 556; Asante 2001:5). Nonetheless, how these opportunities are harnessed will to a large extent determine the success of this new African regionalism. This is especially in terms of the relationship between the small states and the larger states of Africa. With a large number of small and poor nations, inequality in a transactional relationship can make smaller states vulnerable.

To summarise, African regional landscape is littered with a host of institutions with replicated and overlapping tasks. Haas (1970) generalises that the number of members in a regional grouping does not predict the success of integration. This perhaps resonates with Africa. Yet, considering the context of African development and politics, one will have to wonder if this noticed establishment of institutions, some with supranational potential is not a once off grand design pushed by self interests. If countries in Africa do not sense easy pay offs, are susceptible to political instabilities and have differing



political ideologies, then creating a supranational body within the region which threatens their sovereignty directly or indirectly will receive strong opposition. This might account for the continued reluctance of African leaders to the idea of a United States of Africa, from when it was first mooted by Nkrumah (Mazrui & Tidy 1984:344; Legum 1965:46) to the Libyan re-iteration of this proposal at the July 2007 Assembly of Heads of State and Government of the AU in Ghana.

Finally, it can be seen that African regionalism is consumed with the idea of creating institutions. It is also clear that the treatise on institutionalisms, deduced from the study of European regionalism is probably not evidenced in African regionalism. Rather, the pervasiveness of the state-led process has created largely dysfunctional institutions, and dysfunctional institutions, cannot help integration. Thus, there are notable shortcomings in African regionalism in terms of dealing with pay offs and benefits of regional integration, resource constraints (debts), capacity (skills) constraints and lack of infrastructural and technological instruments to effect regional change as well as the dependency on foreign money, technical assistance (this relationship has to change for African regionalism to take root). Be that as it may, there are other levels of contemplation in viewing African integration or regionalism attempts in ways expressed above. For instance, one has to consider other mitigating circumstances within the African context that have resulted in these states of affairs. Consider the constantly scraped wounds of colonialism emphasised by the still skewed relationship between Africa and her ex-colonialist nations. In addition to this, consider the relationships between conflicts and resources, between conflict and development and the role of the international community. Consider also the challenge of infrastructure and capacity resources in Africa. In as much as one would like to scoff at the constant rhetoric of African leaders, it is also important to understand that these leaders as much as they would like to, do not operate in a vacuum or in isolation.

The greater challenge for Africa has always been to find a way to make feasible promises and engage at an advantaged position with the international community as partners to see



these ideals through. Lately, African leaders seem to have forged this route with the dawn of the new millennium through the African Union, its organs and New Partnership for Africa's Development (NEPAD). In fact De Waal reckons that NEPAD brings a level of realism as against idealism and grandiose rhetoric to African integration (De Waal 2002: 465). It is therefore significant that the new motto of the African Union website declares "an efficient and effective African Union for a new Africa" <http://www.africa-union.org/>. This vision speaks largely to institutional efficiency and perhaps points to the gradual recognition of regional integration institutions as an essential ingredient for deepening integration in Africa. This is where the role of the Pan African Parliament comes in.

### **4.3 The Institutional, policy and Governance Framework of African Regionalism**

The African Union is a complex hub of institutions. The central argument that will guide discussions in this section is the understanding that the African Union is in its early development years. Thus all its structures are in their developing years. The aim of this section is to help expose the core function of the Pan African Parliament. Nevertheless it can only do this, by first exploring the overall structure of the African Union, thus pointing to the role of the Pan African Parliament within the structure. Article 2 of the Constitutive Act of the African Union established the African Union, abrogating and replacing the Organisation of African Unity and its charter. Article 33 of the Act while committed to accelerating the implementation process of the Abuja treaty, overruled any inconsistencies in the Abuja Treaty establishing the African Economic Community (AEC) (OAU 2000a).

African regionalism is perceived as institutionally driven, mirroring European Union structures (Maluwa 2003; 159; Gottschalk & Schmidt 2004:141). The African Union represents the overall institutional framework of African regionalism. The AU's own website describes it as an event of great magnitude in the institutional evolution of the



continent (AU website [http://www.africa-union.org/root/au/AboutAu/au\\_in\\_a\\_nutshell\\_en.htm](http://www.africa-union.org/root/au/AboutAu/au_in_a_nutshell_en.htm)). The constitutive act sets out the broad framework of the organs of the union, their functions and relationships between them, as well as the conditions of the relationship between the African Union and the Regional Economic Communities. Although these relationships are still sometimes vague and organisational structures are being fine tuned as will be seen subsequently, this section will delve into the present relationships to possibly draw out a simple representation of where the Pan African Parliament sits within the workings of the AU system. First of all there are two broad groups of African Union institutional integration system: the article 5 organs of the Union and the Regional Economic Communities known as the building blocks of the Union. They are discussed below.

### **4.3.1 Article 5 Organs of the African Union**

Article 5 of the Constitutive Act of the African Union makes provisions for what can be termed the fundamental organs of the Union. The organs are: The Assembly of Heads of State and Government of the Union (AHSU), The Executive Council, The Pan African Parliament, The Court of Justice, The Commission, The Permanent Representatives Committee, The Specialised Technical Committees, The Economic, Social and Cultural Council, The Financial Institutions. These organs are briefly discussed in terms of the provisions of the Constitutive Act.

#### **The Assembly**

The Assembly is composed of the Heads of State and Government of African states. It is mandated as the supreme organ of the Union. Decision making within the Assembly is in three ways, consensus, two thirds majority, and in certain matters simple majority. The Assembly is the power centre of the AU and decisions made by the Assembly are binding. According to Article 9 (1) (d) (AU 2000: 7), the Assembly has the role of macro





policy making (treaties), institution designing, delegation of power and financial decision making.

### **The Executive Council**

The Executive Council is a body of African Ministers of Foreign Affairs. Voting is by consensus, two third majority and simple majority. While the Assembly manages macro policy formulation, the Executive Council is in charge of further breaking down policy formulation based on the provisions of grand policy (treaty) decisions of the Assembly. These policies are broken down into specific common interest areas like foreign trade, energy, industry and mineral resources; food and agriculture, transport and communication and education, culture, health and human resources development. The Executive Council is directly responsible to the Assembly and is in charge of implementation of grand treaties. It can also delegate power to the specialised technical committee (STC), related to specific policy area. The act inadvertently also spells out the key sectors within the African Union frame of reference.

### **The Specialised Technical Committees**

According to the Constitutive Act, there are seven key committees which are related to all key policy areas of the African Union. It is composed of government ministers or senior functionaries responsible for the different sectors. On the policy scale, the committees, further breakdown sectoral policies into projects and programmes. Presently, the Specialised Technical Committees as an AU organ is still in the process of being established (EC: 2006g; EC 2007f). It seems to play a project co-ordinating and monitoring role and is responsible to the Executive Council.



## **The Pan African Parliament**

The Pan African Parliament is provided for under Article 17 of the Constitutive Act and the Protocol to the Treaty establishing the AEC relating to the Pan African Parliament. It was adopted in 2001 and the Pan African Parliament entered into force in 2003. It is one of the two organs of the African Union that gives opportunity for the full participation of non-state actors (African people and grass roots representatives) in decision making in the AU. The second is the Economic Social and Cultural Council. It was established in the light of the Cairo Agenda for Action as part of the rationalisation of the institutional framework in order to achieve regional economic integration.

The ultimate aim of the Pan African Parliament according to Articles 2/3 of its Protocol (OAU 2001a: 2-4), shall be to “evolve into an institution with full legislative powers, whose members are elected by universal adult suffrage.” Before then, it shall have only consultative powers and members shall be by appointment. Thus, presently the powers of PAP are just consultative and advisory. In this state, the PAP can perform the following actions: examine, discuss, express an opinion, make recommendations and requests, promote and perform other functions it deems appropriate to achieve its objectives. In terms of the provisions of the Act, PAP has responsibility to the Assembly in budgetary matters and the African Court of Justice plays a key role in this relationship in terms of interpreting treaty and protocol based disputes emanating from any of the organs of the AU, the PAP included.

## **African Court of Justice and Human Rights**

The African Court of Justice and Human rights is provided for in the Constitutive Act of the African Union. It is an amalgam of the Protocol to the charter on human and people’s rights on the establishment of an African court on Human and peoples’ rights (OAU 1998a), and the Protocol of the court of justice of the African Union (AU: 2003a), adopted at the ordinary session of the Assembly, July 2003 in Mozambique. It is the



principle judicial organ of the African Union. Based in Tanzania, the Court of Justice subsequently has been merged with the African Court on Peoples and Human Rights (AfCPHR) into a single legal entity called the African Court of Justice and Human Rights (EC 2006a). It plays a very important role in the interpretation of treaties and protocols of the African Union. Fundamental is its independence and the binding force of its judgements (articles 13 and 37) and what role this will play in African integration. The African Human Rights Court was put into force in 2004. Its jurisdiction extends only to the issues, cases, disputes, emanating from the African Charter on Human and Peoples Rights and the Protocol establishing the Human Right Court, as well as any other Human rights instruments ratified between African States. Nevertheless, at the summit of the African Union in July 2004, a resolution was passed to integrate the African Human Rights Court with the African Court of Justice (PULP<sup>5</sup>: 2007:41), to become the African Court of Justice and Human Rights (AU 2006c). The African Court is currently undergoing institutional adjustments in terms structure and staffing (AU 2007d; EC: 2007f).

## **The Financial Institutions**

Article 19 of the Constitutive Act makes provisions for three continental financial institutions (AU 2000a: 11), the African Central Bank, the African Monetary Fund and the African Investment Bank. Contemplating the supranationality and independence of the financial institutions is necessary considering the development, integrated fiscal and monetary policy role financial institutions could play in integration. This will be in addition to the already existing African Development Bank established in 1964. Still struggling with dependency challenges in terms of donor money (as is with the African Development Fund), and subscription from member states (Nwonwu 2001:37), the Bank provides technical assistance, loans for African development projects. So far locations for the institutions have been finalised, with Cameroon as Central African Host for the African Monetary Fund (AMF) (EC 2007c). Libya has been nominated by North Africa

---

<sup>5</sup> See reference; Pretoria University Law Press



to host the African Investment Bank (EC 2006b), it is not clear which West African Country will host the African Central Bank.

### **The Peace and Security Council**

The Peace and Security Council is provided for by Article 9 of the Protocol on Amendments to the Constitutive Act of the African Union (AU 2003b) and by the Protocol relating to the establishment of the Peace and Security Council of the African Union, which was adopted in July 2002 (AU:2002a: 28). The main function of the PSC is the promotion of peace, security in Africa, along with the innovative early warning system and preventive diplomacy. The Protocol entered into force in December 2003 (ISS 2005:13<sup>6</sup>, PULP 2007; 17), and so far has generated considerable interest. With its 87<sup>th</sup> ordinary session since its election of member in March 2004, the PSC seems to be the busiest organ of the AU most likely in line with its functions and the need for conflict prevention, mitigation and resolution. The PSC is a decision making body responsible within the provision of the Protocol to the Assembly, to the Assembly and has standing relationships with the Pan African Parliament and the African Commission on Human and People's rights as well as the AU Commission (AU 2002).

### **The Commission**

The Commission describes itself as the engine of the Union and the integration process (AUC:<sup>7</sup> 2004:7). The Commission of the African Union (AUC) is the secretariat of the African Union created by Article 20 of the Constitutive Act of the AU (AU 2000a:11). The Commission has 26 core functions as provided by Article 3 of the Statutes of the Commission (AU 2002b:2). The Commission is directly responsible to the Executive Council through its chairperson (AU 2002b:6). According to the Statute, the AUC (article 3) is the policy initiation, making and implementation organ of the African Union.

---

<sup>6</sup> See reference: Institute for Security Studies

<sup>7</sup> See referenced as Commission of the African Union



According to Article 10 of the Protocol establishing the Peace and Security Council, the Commission also plays a vital role in the Peace and Security of the Union (AU: 2002a: 14). Notably, the Commission is the central hub of the AU and thus, extends relations to every organ of the African Union.

### **The Permanent Representatives Committee (PRC)**

The Permanent Representatives Committee was legally established in Article 21 of the Constitutive Act of the African Union. Section 1, rule 2 of the Rules of Procedure of the PRC, states that the PRC is directly responsible to the Executive Council (AU: 2002c 3). The PRC provides assistance to the Executive Council and is an advisory body of the Executive Council. Although the Permanent Representatives Committee is mandated to assist Executive Council in its work (AU 2000a: 11). For instance the Rules of Procedure of the Permanent Representatives Committee allows it the authority to consider and recommend on budgetary issues and audits (AU 2000c). In this respect the Permanent Representatives Committee wields significant power in decision making in the budget of the African Union, especially as the Executive Council has allowed it significant discretion in budgetary decision making (EC 2004b).

### **Economic, Social and Cultural Council (ECOSOCC)**

The Constitutive Act of the African Union spells out the “...need to build partnership between governments and all segments of civil society...”; “...promote democratic principles and institutions, popular participation and good governance...” and “...participation of the African peoples in the activities of the Union...” respectively (AU 2000a:3,4,5). The ECOSOCC represents civil society and non-governmental bodies or representatives of the peoples of Africa within the governance structure of the AU. According to the Article 22 of the Constitutive Act of the African Union, it is an advisory organ. The Economic, Social and Cultural Council (ECOSOCC), has along with the Pan





African Parliament been described as the democratic control and monitoring organs of the African Union (AUC 2004:10). The statutes establishing the ECOSOCC was adopted at the third ordinary meeting of the Assembly in July 2004, with the official opening session held in Addis Ababa in March 2005 (AU website: <http://www.africa-union.org/ECOSOC/home.htm>). The ECOSOCC will consist of 150 civil society organisations, who shall be elected. Already, 25 countries and three regions (West, South East) have been adjudged to undertake elections. As at February 2008, elections had taken place in six African countries (Algeria, Cameroon, Egypt, Kenya, Sudan and Tunisia) and one region (East Africa), electing 22 civil society organisations, with 19 countries in the process of organising elections (AU: 2008).

In summary, the Assembly of Heads of State and Government of the AU represents the centre of grand bargaining and decision making in the African Union. The Executive Council is also an intergovernmental decision making and policy implementation forum, with supervisory powers over the Commission, the Permanent Representatives Committee, the Specialised Technical Committees and other commissions like the African Commission on Human and People's Rights. Notably, there are some organs with varying potential for supranationality, like, the Court of Justice, The Pan African Parliament, the Economic, Social and Cultural Council (ECOSOCC), and the financial institutions. These institutions have the potential to achieve deeper integration in the continent.

The next part of this discussion deals with the building blocks of African regionalism, the Regional Economic Communities. It also represents a somewhat bottom-up approach to African regionalism. Since the AU inaugural meeting in July 2002 in Durban South Africa, the Assembly has made decisions on the institutionalisation of other deliberative organs. Prominent and integral to this thesis is the Conference of African Ministers in charge of integration, with the objective of rationalising the Regional Economic Communities (RECs), instituted at the 7<sup>th</sup> ordinary session of the Assembly (AU 2006a). The conference is responsible for recommending the urgent rationalisation of the RECs,

leading the Assembly of Heads of State and Government of the Union to formally recognise eight RECs.

### **The Regional Economic Communities (RECs)**

The Regional Economic Communities (RECs) are recognised in the Abuja Treaty as the building blocks of African regionalism. The amalgamation of the objectives of the Abuja Treaty provisions into the African Union, rather than supersede the ideals of African Economic Community (the expected final outcome of the Abuja treaty) reinforced it (AU 2000a:3). For instance, the Regional Economic Communities (RECs) form the integral component for deepening integration in the African Economic Community. The recognition of the role of RECs in the continental sphere by the Abuja Treaty and subsequently by the African Union, opens up a milieu for co-operation between the RECs and the African Union, far from the OAU's more detached engagement with RECs in the early 1960s (Thompson & Bissell 1973 341-342). This detachment resulted in a challenging relationship between the OAU and other continental subsystems like the Union Africaine et Malgache (UAM) and the East African Community (EAC). Nevertheless, there are certain concerns on how the RECs will be 'locked into the community agenda and compelled to accept and/or respect Community decisions...' (Asante 2001:9). This concern is justified based on the previous history of competition, fragmentation and complexities that had characterised the lateral and vertical relationships between the OAU and the numerous RECs (Asante 2001:10; Franke 2007:20). Notwithstanding, RECs are indispensable institutions within the new African regionalism space, providing the potential to the advantage or disadvantage of deepening integration in Africa.

The African Union has so far approached Regional Economic Communities in two broad ways; first as the fundamental components (building blocks) of African regionalism, hence their incorporation into the implementation of various AU plans like NEPAD (NEPAD 2002:34). Secondly, the AU seems to recognise the need for rationalisation of



RECs. This is through a process of reducing the number and streamlining the work of RECs for more efficiency and effectiveness in AU policy implementation. Thus at the 7<sup>th</sup> AU summit in 2006, in Bangul Gambia, themed, “rationalisation of RECs and regional integration.”, the AU put into motion the process of rationalising and harmonising of RECs and their various policy issues (AU 2006b). Hence out of the numerous multilateral and bilateral co-operation blocs, the AU has recognised just eight RECs:

1. Economic Community of West African States (ECOWAS);
2. Common Market of East and Southern Africa (COMESA);
3. Economic Community of Central African States (ECCAS);
4. Southern African Development Community (SADC);
5. Inter-Governmental Authority for Development (IGAD);
6. Arab Maghreb Union (AMU);
7. Economic Community of Sahelo-Saharan States (CENSAD); and
8. East African Community (EAC);

In a more detailed list below, the objectives, status and members of 14 regional economic communities, including the eight recognised by the AU, are shown. It will be important to remember that in Africa there are multiple RECs within the same region and most countries have memberships straddling more than one REC.



**Members and objectives of Africa's regional economic communities, 2001**

Community	Members	Specified objective	Current status	Comments
Arab Maghreb Union (UMA)	Algeria, Libya, Mauritania, Morocco, Tunisia	Full economic union	<ul style="list-style-type: none"> <li>Free trade area not achieved, but conventions in force for investments, payments, and land transport.</li> </ul>	Integration has been moving slowly since 1995.
Central African Economic and Monetary Community (CEMAC)	Cameroon, Central African Republic, Chad, Republic of Congo, Equatorial Guinea, Gabon	Full economic union	<ul style="list-style-type: none"> <li>Monetary and customs unions achieved, and competition and business laws harmonized.</li> <li>Macroeconomic policy convergence in place.</li> </ul>	
Common Market for Eastern and Southern Africa (COMESA)	Angola, Burundi, Comoros, Democratic Republic of Congo, Djibouti, Egypt, Eritrea, Ethiopia, Kenya, Madagascar, Malawi, Mauritius, Namibia, Rwanda, Seychelles, Sudan, Swaziland, Uganda, Zambia, Zimbabwe	Common market	<ul style="list-style-type: none"> <li>Free trade area among nine members achieved in October 2000.</li> <li>Customs union expected by December 2004.</li> <li>Criteria set for macroeconomic policy convergence.</li> </ul>	
Community of Sahel-Saharan States (CEN-SAD)	Benin, Burkina Faso, Central African Republic, Chad, Djibouti, Egypt, Eritrea, Gambia, Libya, Mali, Morocco, Niger, Nigeria, Senegal, Somalia, Sudan, Togo, Tunisia	Free trade area and integration in some sectors	<ul style="list-style-type: none"> <li>Study on feasibility of free trade area just launched.</li> </ul>	
East African Community (EAC)	Kenya, Tanzania, Uganda	Full economic union	<ul style="list-style-type: none"> <li>Significant progress on free trade area.</li> <li>Customs union expected by 2004–06.</li> </ul>	
Economic Community of Central African States (ECCAS)	Angola, Burundi, Cameroon, Central African Republic, Chad, Democratic Republic of Congo, Republic of Congo, Equatorial Guinea, Gabon, São Tomé and Príncipe, Rwanda	Full economic union	<ul style="list-style-type: none"> <li>Study on free trade area considered for implementation.</li> </ul>	
Economic Community of Great Lakes Countries (CEPGL)	Burundi, Democratic Republic of Congo, Rwanda	Full economic union	<ul style="list-style-type: none"> <li>Preferential trade arrangements signed.</li> </ul>	Integration at a standstill since 1994.
Economic Community of West African States (ECOWAS)	Benin, Burkina Faso, Cape Verde, Côte d'Ivoire, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, Togo	Full economic union	<ul style="list-style-type: none"> <li>Tariffs removed on unprocessed goods.</li> <li>Full elimination of tariffs on industrial goods not yet achieved.</li> <li>Second monetary zone in progress.</li> <li>Peace and security mechanism in place.</li> <li>Macroeconomic policy convergence in place.</li> </ul>	
Indian Ocean Commission (IOC)	Comoros, Madagascar, Mauritius, Réunion, Seychelles	Sustainable development through cooperation on diplomacy, environment, and trade	<ul style="list-style-type: none"> <li>Vibrant trade programme elaborated.</li> <li>Virtual University of Indian Ocean created.</li> </ul>	Political issues have slowed progress.

*(continued on next page)*



*Members and objectives of Africa's regional economic communities, 2001*

Community	Members	Specified objective	Current status	Comments
Inter-Governmental Authority on Development (IGAD)	Djibouti, Eritrea, Ethiopia, Kenya, Somalia, Sudan, Uganda	Full economic union	<ul style="list-style-type: none"> <li>Multilateral programmes elaborated in key priority areas (agriculture and environment, political and humanitarian affairs, and regional economic cooperation, including physical infrastructure projects).</li> </ul>	Intrastate and interstate conflicts have slowed progress.
Mano River Union (MRU)	Guinea, Liberia, Sierra Leone	Multisectoral integration	<ul style="list-style-type: none"> <li>Some training institutions created.</li> <li>Programmes elaborated in some sectors.</li> </ul>	Political issues have slowed progress.
Southern African Customs Union (SACU)	Botswana, Lesotho, Namibia, South Africa, Swaziland	Customs union	<ul style="list-style-type: none"> <li>Customs union achieved, as well as monetary agreement among four members except Botswana.</li> </ul>	
Southern African Development Community (SADC)	Angola, Botswana, Democratic Republic of Congo, Lesotho, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, Tanzania, Zambia, Zimbabwe	Full economic union	<ul style="list-style-type: none"> <li>Free trade area launched in September 2000.</li> <li>Power pool in place.</li> <li>Peace and security mechanism in place.</li> </ul>	
West African Economic and Monetary Union (UEMOA)	Benin, Burkina Faso, Côte d'Ivoire, Guinea-Bissau, Mali, Niger, Senegal, Togo	Full economic union	<ul style="list-style-type: none"> <li>Customs union achieved.</li> <li>Business laws harmonized.</li> <li>Macroeconomic policy convergence in place.</li> </ul>	

*Source: Economic Commission for Africa, from official sources. See appendix tables A2 and A3.*

**Table 4.1: members and objectives of African regional economic communities (source: UNECA)**

The table shows that the RECs are at different levels of integration, some having moved towards certain levels of integration. Considering the representation in the table above, with the exception of five RECs, the common objective the 14 RECs in Africa is that of full economic union. Despite this, most countries belong to more than one Regional Economic Community at different levels of integration. For instance, all Francophone members of the Economic Community of West Africa States (ECOWAS) belong also to the West African Economic and Monetary Union (UEMOA). These two RECS have full economic integration as their objective. Nevertheless already with a customs union, there seems to be more progress in terms of integration in UEMOA. ECOWAS has only achieved the elimination of tariff barrier on unprocessed foods. It can be seen from the table, that most African countries prefer to enter into agreements where there is likelihood of speedy benefits, where there are common interests like historical colonial boundaries and embrace the low risks that smaller groups can produce. Nevertheless, the





multiple memberships brings with it a disadvantage in the sense that commitment to signing and implementing multiple protocol agreements is low (UNECA 2004:48). There is also concern about duplicity of sectoral and trade policy agreements among others and since there is little harmony in the trade and policy preferences of the different RECs, there is also a likelihood of varying priorities. It is therefore a step in the right direction for the AU to call for and implement the rationalising of these RECs.

The Abuja treaty establishing the African Economic Community of 1991 was the first treaty to lay emphasis on the role of institutions in African integration. In it, the Regional Economic Communities received status as the central agency for integration, as building blocks of the African Economic Community. Article 88 of the treaty states that the “community shall be established mainly through the co-ordination, harmonisation and progressive integration of the activities of regional economic communities” (OAU 1991: 58). Nevertheless, there are salient issues to consider if this symbiosis can be achieved. The next section attempts to critically assess the institutional provisions in terms of the relationship between RECs and the African Economic Community or the African Union in integration.

### **RECs as Building blocks of African integration**

The idea of RECs as building blocks of African integration was first introduced legally in the Lagos Plan of Action (LPA) spearheaded by the Economic Commission for Africa (UNECA) in 1980 (UNECA 1980:5). The idea was then carried forward to chapter 19 (article 88) of the Treaty establishing the African Economic Community popularly known as the Abuja treaty of 1991(OAU 1991:58) and consolidated in article 3(L) of the Constitutive Act (OAU 2000a:5). Nevertheless, there is a need to explore this building block role to better understand the role of RECs within the greater integration plan. By so doing, give context and history to the envisioned role of the Pan African Parliament.



The Lagos Plan of Action subscribed to the idea of a horizontal approach to regional integration in terms of the importance accorded to RECs in the implementation of the action plan (OAU: 1980:99; Ownuka 1985:64). This involved an implementation strategy for regional integration which entailed the establishment, strengthening, co-ordination and harmonisation of the Regional Economic Communities. The Abuja Treaty of 1991 (OAU 1991) went further to institute the RECs as the foremost route to an African Economic Community (AEC). The treaty devotes articles 6 and 88, to the role of Regional Economic Communities. According to the treaty, the RECs are expected to work toward the ultimate objective of establishing the African Economic Community, and thus contribute to deepening African integration. It provides a six staged plan as in Article 6, and included as part of this process is the gradual removal of tariff barriers and non-tariff barriers to intra-community trade. These are:

1. Strengthening existing and establishing new RECs
2. Stabilising and quantifying existing trade, non trade barriers, customs duties and taxes in all RECs; and strengthening, harmonising sectoral integration.
3. Establishment of Free Trade Area at the level of RECs; Customs union (common external tariff).
4. Co-ordinating and harmonising all Tariff systems among RECs en route to establishing a continental Customs Union.
5. African Common Market: adopt common sectoral policies; harmonise monetary policies, and immigration.
6. African Common Market, African Monetary Union, Integration of sectoral policies, a fully functioning Pan African Parliament; other structures of the community.

In summary, the strategy for the African Economic Community entails sub-regionalism (RECs), sectoral integration, immigration, and harmonisation of policies. As has been represented in the legal frameworks, harmonisation and co-ordination is the methodology for building the AEC. This means the establishment of guidelines and frameworks aimed at moderating RECs integration actions, legislations and behaviour. Consequently, all nation states are to undertake that their commitment to the RECs spells commitment to



the AEC. The AEC will in turn co-ordinate and harmonise the activities of the RECs (OAU 1991: 58). The Treaty also introduces the issue of rationalisation at the regional level and the responsibility of member states in this regard.

Rationalisation is relevant considering the general feeling that the proliferation of RECs did little to improve intra-regional trade or development (Onwuka 1985; 63, Shaw 1985:11; UNECA 2004; 32; Kennes 1999; 29). From the foregoing, one recognises that RECs play a major role in African integration implementation process. It can be argued that the RECs represent a unique approach to the institutionalisation of integration processes. Nonetheless, the role of the RECs can be critically assessed from two angles. The first has to do with the relationship between the micro (RECs) and macro (African Union) institutional structures in terms of the harmonisation and co-ordination of the RECs. Secondly, the potential of the RECs as variable geometry tools despite issues of viability and multiplicity is also critical in debating the building block role of RECs.

The Protocol on the relationship between the AEC and RECs is the instrument that manages the relationships between the macro and micro institutional structures of the economic communities (OAU: 1998b). Here, the role of the African Union is to strengthen existing RECs, establish one where none existed, co-ordinate and harmonise the policies, programmes and activities adopted by the various RECs and integrate these RECs into the African Common Market. This is seen as an effort to avoid duplication of policies, activities and programmes in the RECs and the proposed African Economic Community, or in essence the African Union (OAU 1998b).

The Protocol provides that this task be managed through a Committee on co-ordination and a Committee of Secretariat Officials (of the RECs). Be that as it may, so far, the burden of overseeing co-ordination and harmonisation rests with the Commission of the African Union (AUC) and African Ministers in charge of Integration as seen in recent decisions on RECs taken by the Assembly at the 7<sup>th</sup> summit of the AU in 2006 (AU 2006a). From recent reports on the process so far, there is weak co-ordination and as a result, many of the RECs are yet to align their policies, programmes and treaty provision



with that of the AEC treaty (UNECA 2004:42). The links between the RECs and the African Union are given legal impetus in regional treaty provisions and the co-ordination organs. Even so, one of the biggest challenges to the strategy of RECs as building blocks (Asante 2001:9-10), is the question of how willing the RECs are to submit themselves to the legal imperatives of the Protocol.

It has been suggested that the phenomenon of RECs in the larger African integration picture can be viewed as a “variable geometry solutions or approach” to integration (Kennes 1999:27). This European Union approach constitutes the formation of multiple groups within the larger group focused on different policy issues, programmes and projects. The approach has been utilised as a decision making tool in co-ordinating national policies which are of particular significance to a group of countries, but not to others. Thus, a variable geometric approach is seen as a great resource for expedited decision making, in multi-membership groups. Conversely, it is debatable to consider the present African regional structure (REC/AEC relationship) as a variable geometric approach. This is because, firstly, most of these RECs developed independent of and prior to the larger regional instruments, thus, they are not part of a rationalized process. For years, policies, programmes and projects of RECs were fragmented, lacking co-ordination and harmonization at the centre. Secondly, the idea of RECs in African integration is to harmonise policies, programmes and projects, not departmentalise the AU programmes for regional convenience. Moreover, although most members join these communities to maximize benefits of integration in terms of their interests (UNECA: 2004:41), the regimes and demands of belonging to these RECs can be resource constraining.

The role of RECs within the framework of the Abuja Treaty and later, the AU is such that although RECs were not initially geared towards being units for variable geometric solution, their building block role may include elements of this approach. Then again, according to the UNECA report on the assessment of regional integration in Africa, RECs can play a building block role only if there is complementarity across RECs, commitment of “slow integrators” to ratify protocols, faster implementation, reduction in



length of negotiations and political will (UNECA 2004 50-51). Hence, there is a challenge of what RECs' building block role entails and also how to properly manage RECs to fulfil the building block role. The role of the Pan African Parliament becomes crucial in considering the challenges within the co-ordination and harmonisation mechanism, especially as it relates to promoting RECs commitment to the African Economic Community. The constitution of PAP as a grassroots and legislative institution and its relationship with Regional Parliamentary Assemblies (RPAs) can create negotiating advantage for the bottom-up process of integration, so far envisaged.

### **4.3.2 Leadership and Governance in the African Union**

Since the dawn of the new millennium, there seems to be a slow but consistent stride towards the more obvious elements of good governance in African states. Global trends show a steady global drop in autocratic leadership, from the mid 1970s; a steep rise in democracies and anocracies from the early 1990s; the highest record of democratic leadership across the globe rising to 77 countries in 2006 (Hewitt 2008:13). Globalisation has the tendency to dictate character and form, thus, these trends have not escaped Africa. For example, Nigeria has since 1999 reined in military dictatorship and there have been higher levels of political stability in two thirds of African countries and political reform in former warring states like the Democratic Republic of Congo, Angola, Sierra Leone and Liberia (Human Security Centre 2005). Although this may be attributed to the general decline in global conflicts since after the cold war, the point is that political violence especially civil wars in Africa has steadily declined (Human Security Centre 2005: 15; Hewitt 2008:12). The issue remains though, that in terms of the key indicators for good governance and stability, African countries still rank at the bottom of the pile.

In 2007, although some African countries like Nigeria had moved up the index ladder of the Transparency International corruption index, with the exception of Botswana and South Africa, all African countries rank below 5 points on a 1-10 range from most corrupt to the least corrupt (Transparency International 2007). Additionally, the Foreign





Policy magazine's failed states index (Foreign Policy 2007), shows that while countries like Liberia and the Democratic Republic of Congo have improved in terms of the 12 socio-economic, military and political indicators such as human rights, demographic pressures and the economy, only South Africa is listed as having stability status, all African countries are either critical, in danger or borderline in terms of instability. While there is a plethora of challenges in Africa, like security issues and gross human rights abuses in the Sudan, the positive developments since the beginning of the millennium, perhaps can be interpreted as showing a higher level of political will and commitment in terms of African integration and development. This is however subject to debate and research. Then again, can these improvements be construed as showing a long term disposition on the part of African leaders to a continental turn around? This question needs to be pondered because in considering the role of African regional integration institutions, it will be necessary to understand the designers of these institutions and the motivations and intents that inspired their emergence. Delving further into these issues it will be relevant to first examine governance within the African Union in recent years.

## **Governance in the AU**

The concept of good governance was first used in the 1989 World Bank publication *Sub-Saharan Africa: from Crisis to Sustainable Growth* (World Bank 1989). Since then the concept has been absorbed by the international development community as a precursor to sustainable development amongst other things. Governance has been defined by the World Bank in different ways at different times. In a recent report, the World Bank defined governance as "...the manner in which public officials and institutions acquire and exercise the authority to shape public policy and provide public goods and services" (World Bank 2007:3). The United Kingdom's Department for International Development (DFID) proposes three main components of good governance (DFID<sup>8</sup> 2006:20):

- State capability – this deals with how far and how much leadership and governments are able to carry out mandates. It also embodies competency, which

---

<sup>8</sup> See reference: Department for International Development



entails ensuring the efficiency, effectiveness and economy in the formulation and implementation of policy as well as service delivery.

- Responsiveness – people focused, it deals with whether government policies and institutions are able to respond to the needs and rights of the citizens. It deals with the respect for law and the protection of human rights.
- Accountability – the ability of citizens, to hold governments and public institutions to account, it goes beyond mechanisms of the state that dictate answerability of public officials and leaders, by drawing on the consent of the governed.

These good governance tenets are equally captured in a World Bank policy working paper (World bank 1999:1), in which governance is defined as:

"...the traditions and institutions by which authority in a country is exercised. This includes the process by which governments are selected, monitored and replaced; the capacity of the government to effectively formulate and implement sound policies; and the respect of citizens and the state for the institutions that govern economic and social interactions among them".

The African experience shows that for many years, issues of good governance and reform mattered, but they did not dominate the agenda of the regional organisation (OAU). This was largely because, the goal of Africa as a collective was centred predominantly on ending colonialism and apartheid (Nkrumah 1965:11; Mazrui & Tidy 1984:344). As a result, political relations between African nations were principled on non interference (OAU 1963a:3 Mathoma et al 2000:3). This culture of non interference by the Organisation of African Unity (OAU), and the independence and sovereignty incentive that drove the organisation, encouraged the continental negation of internal issues of accountability and transparency in many African states. This has been considered as detrimental to African development and regional integration. Accountability and transparency illustrate a people centred leadership, based on broad participation of civil society and the citizenry in governance, and the responsibility of government and



political office bearers to give account to the people. On the contrary, for many continental observers, over the years, African continent has established a legacy as a world region in dire need of political, economic and institutional reform as a result of civil wars, human rights abuses, economic depression and dictatorships.

With the independence of African states, one of the greater challenges of leadership in Africa was democracy in the environment of survivalism and dependence on stronger nations (Vil-Nkomo 2002:295). For many years this relationship was submerged in dependency, where “...a country’s position in an international system of dependent or unequal exchange and political control, conditions its development strategies and achievements” (Uchendu 1980:6). Originating largely from the Latin American development history, (Velasco 2002:44; Uchendu 1980:6), and embraced by African countries (Owusu 2003:1655), dependency was the theory of underdevelopment of peripheral countries, sentenced to a marginalized existent by the rich countries at the centre. International dependency therefore encouraged national subordination for poor countries like African states, and fostered international exploitation by rich nations. The pivotal idea behind dependency was global inequality. According to Velasco (2002:44), it is a potent idea, which places all blame of third world problems at the door of hegemonic powers.

This approach though, bore no dividends for the continent as Africa recorded a tumultuous economic melt down in the 1970s. During the 1980s, the idea of the New International Economic Order (NIEO) of the 80s (Laszlo et al: 1981:1), aimed at delivering Africa from its economic woes and correcting the imbalances and inequities between poor and rich countries, yet again failed to address this African inequality in the global system. In reaction to the economic crunch, African heads of state in the Monrovia declaration of 1979 had enthusiastically vowed to entrench African self-reliance, self-sufficiency and the development of an interdependent African economy as the fundamental principle in bridging the gap (OAU 1979). Radical views from this position were that in order for Africa to achieve integration, it had to dissociate itself from its ties to colonial economies as this dependence was detrimental to Africa’s survival (Shaw



1985:11, Onwuka 1985:63). African regionalism then was more for scoring political points in terms of the balance of power between Africa and the international community. Regardless, throughout that decade and the next, African countries continued to grapple with crippling debt and economic marginalisation as Africa struggled to conform to the dictates of the supercilious new international economic order, in economic models like the 1980s Structural Adjustment Programmes of the Bretton Woods Institutions.

Years later, towards the end of the 20<sup>th</sup> century, the burning issue that faced African integration moved away from concerns for freedom, independence and protectionism. This is seen in the 1999 OAU Algiers declaration that “the end of the Second Millennium represents for Africa, the demise of an era characterized by colonization and its tragic trail of domination, plunder and negation of the African personality” (OAU 1999a:2). Critical to this era was the realisation of a changing global landscape, where Information and Communication Technology (ICT) had transcended the limitation of time and space, compressing social relationships and entrenching a commonality of values. These changes became the grounds for the calls for the implementation of change in the OAU, as African states yet again realised that the deterritorialisation of borders meant that there was no way African nations can survive solely on self sufficiency.

As a result, the principal issue was *how best* to position African regionalism to compete favourably in this highly globalised world. A world modelled by Gill (1997:5), as involving at its forefront, primarily an Anglo- American, neo-liberal set of theories and practices. This concern was reflected in the 1999 OAU Algiers declaration in which African heads of state acknowledged that:

“First, globalisation is undoubtedly the most widespread of these challenges...it poses serious threats to our sovereignty, cultural and historical identities as well as gravely undermining our development prospects. We believe that globalisation should be... implemented collectively to make it an institution capable of fulfilling the hope for a concerted development of mankind and prosperity shared by all peoples.” (OAU 1999a:5)



In other words at the end of the 20<sup>th</sup> century, Africa was looking for a collective way to respond to a new world order best described as northern driven and steeped in neo-liberalism and democracy precepts. This meant that the socio-economic and foreign policy of poorer countries had to reflect the stipulations and conditions that northern donor aid countries imposed. Hence the critical values that guide global multilateral arrangements become central to this discourse.

Still, by the last decade of the 20<sup>th</sup> century, globalisation had expanded the influence of neo-liberal thought and the Northern concept of good governance around the world. These contemporary globalisation processes involve structural disruptions in the form of public/private shift and marketisation of the forms of state. Global policy trends as underlined by the growing pace of global economic restructuring, presented a predicament to African countries in trying to meet up with the challenge of globalisation.

The issue here is that the philosophy of the IMF in terms of micro and macro economic stability and regeneration of countries is slanted towards hegemonic and neo-liberal rules set by the developed economies, advocating the principles of good economic governance. Therefore the demand for accountable leadership and open market policies on African borrowing countries by international donor institutions amongst other factors led to the refocusing and redefinition of Africa's priorities for the new millennium and as a world player. Thus, the 1990s presented to Africa a rapidly changing world represented by structural adjustment and mounting pressures to reform governance.

According to a United Nations Development Programme (UNDP) report, the realm of good governance is ensuring that political, social and economic priorities are based on broad consensus in society and that the voices of the poorest and the most vulnerable are heard in decision-making over the allocation of resources (UNDP<sup>9</sup>: 2000: 54). In fact the concept of good governance, emanated from the ranks of the World Bank in 1989 (Chowdhury & Skarstedt 2005:4). There have been many knocks by African scholarship in particular on the concept of good governance especially as seen in the light of the

---

<sup>9</sup> See reference: United Nations Development Programme





Bretton Woods institutions (Mafeje 2002: 82). In this case rather than the purely technical approach to governance in terms of the prescript of the World Bank, based on efficient service delivery, accountability, transparency and sustainable development, the concept of good governance sees governance from a social light where the citizens' voice matters.

With mounting problems in Africa's political economy, donor countries also began to demand transparent leadership and democracy as a precursor to economic sustainability. However, this concept equally posed a challenge for African leadership as the OAU's preoccupation with politically burning issues such as ending colonialism and apartheid (Nkrumah 1965:11; Mazrui & Tidy 1984:344), put governance issues like transparency and accountability in African leadership in the back burner of African integration for many years. Therefore, the OAU, except in exceptional cases ignored state internal politics based on a principled non-interference stance.

Nevertheless, there is a cautious acknowledgement of change. With a changing global landscape due to the end of the cold war, globalisation and strides in information and communication technology (ICT), the need for Africa to reform priorities for the 21st century has become more daunting. The ripple effect of neo-liberal reforms from northern countries like the United States and Britain, Latin and Asian countries like Mexico and China have impacted greatly on the continent. The demand for accountable leadership and open market policies by international donors amongst other factors have led to the refocusing and redefinition of Africa's priorities as a world player in the new millennium.

Going into the 21<sup>st</sup> century, good governance prerequisites seem to have become priorities for the OAU, as evidenced in the 1996 Yaoundé and 1999 Algiers summit declarations of the African heads of state on the need for reform within the Union, in light of the approaching millennium (OAU 1996:16; 1999a: 5). The move towards reform has resulted in the African Union with a new security mandate (Peace and Security Council), as well as an economic recovery plan (NEPAD) with a good governance review mechanism appendage (APRM). Further more, the opportunity for civil participation,



responsiveness and accountability in the African Union governance opens up in the Pan African Parliament (PAP) and the Economic, Social and Cultural Council (ECOSOCC), as well as the many AU conventions on Human rights and the establishment of the African Court of Justice and Human Rights.

African leaders through NEPAD and the APRM are pursuing economic integration by opting to adopt sound economic and governance principles (NEPAD 2002: 3-12). The basic premise of NEPAD is the canvassing of democracy, good governance and peace in Africa in return for increased aid, investment and debt relief from developed countries. As a testament to the African reform progress, the APRM has launched reviews in 13 countries, completed and published in 3 countries Ghana, Kenya and Rwanda, with the South African/Algerian final report submitted to relevant parties (UNECA: 2007b). Selected indicators of progress in Africa show reform in private sector development, human development, infrastructure and capable states (World Bank 2007: iii). Although there is still debate about how much NEPAD is part of the AU (Adesina 2004); its continental and global buy-in legitimises it as an AU programme. Moreover, the conditionality reposed in participation in the NEPAD and APRM programmes indicate the potential for externalisation, compelling peripheral states to take the necessary steps to join in.

As a final point, it has been noted that in Africa, there are strides in terms of good governance. Ideally, the rhetoric of leadership in the Africa over the years, as evidenced in the OAU charter has been aimed at the betterment of the lives of the peoples of Africa, albeit with the strict political non-interference code. Thus as a testament to this, the emergence of the Pan African Parliament, with a focus on the participation of African people in continental governance was perhaps a matter of time. Nonetheless, it is the process of making noble objectives a reality which is juxtaposed with the challenge of institutions like PAP to thrive in the face of old legacies that becomes manipulated by interests, bargaining and the game in group decision making dynamics.



Next, to gain a better understanding of the intentions, long term and short term interests of the designers of the Pan African Parliament, a further inspection of the leadership persuasions within the continent will suffice. It is important to note that within the realm of regional governance, leadership is crucial especially in studying the emergence and growth of institutions of integration. Thus, the subsequent sections will deal firstly with the leadership environment of AU policy making. Next, it will examine how the environment of African leadership has impacted on the development of the legal framework establishing the Pan African Parliament, as well as how these provisions position the PAP in terms of growth and influence in African regionalism.

### **Leadership in the AU: interests and rationality in institutional emergence**

Group interests (internal and external) and instrumental state powers have featured in major integration events and landmarks in Africa's history. Take the OAU emergence in 1963, which in its self was a compromise between three major interests in Africa at the time, the Casablanca, Brazzaville and Monrovia groups. Termed 'inter African cleavages' by Walraven (1999:106), these groups represented the radical, the conservative and moderate group of states respectively. Interests in the groups ranged from total revolution against ex-colonialist states (a radical position which also tied into an abnegation of certain levels of sovereignty for deeper African unity), to the preserving of external political ties, a conservative position that insisted on the tenet of sovereignty and non-interference.

Prominent in the play of interests was Nkrumah's vociferous verbalisations of supranationality, which although having ideological support from leaders like Tanzania's Julius Nyerere (Sturman 2007:4), was also resisted by Nyerere along with the conservative and moderates as far as suspicions on Nkrumah's ulterior motives were. This was particularly given Nkrumah's tendencies towards political interference in other states and an aggressive ambition towards a possible Ghanaian hegemony (Thompson &



Bissell 1973: 343; Walraven 1999:111). Nonetheless, during this time the real core of power manipulations lay in the three splinter ideological groups that had emerged. Reflections on the question of sovereignty and the issues of supranationality during these early years show the power dynamics and interests between the left wing and right wing groups of Casablanca and Brazzaville (Union Africaine et Malgache: UAM) and the interventions of the moderate (Monrovia) group.

The Union Africaine et Malgache (UAM) wanted to maintain what they saw as a mutually beneficial relationship with colonial nations of France and Belgium. In so doing, the issues that dominated politics between 1960 and 1963, namely, the Congolese and the Algerian crises produced a deep wedge of division between the militant anti-colonialism interests of the Casablanca states and the pro western conservative states of the UAM. Soon, the clash of interests extended to allied states. This was so because, as the Congo and Algerian debacle was resolved, it resulted in the death of a rallying point for the Casablanca group (Walraven 1999:123). Consequently, other continental issues like the Togo coup, caused a rift between two radical nations of Guinea and Ghana. This led Casablanca leaders like Sékou Touré of Guinea to gamble for reconciliation with the Monrovia and Brazaville groups resulting in the compromise that established the OAU in 1963 in Addis Ababa. In this compromise, the radicals seemed to have only achieved a shadow of their intents in terms of the aspirations of a supranational OAU as seen in the resolutions of the first conference of the OAU, (OAU 1963b), while the conservative/moderates got the substance, a visibly and institutionally entrenched legal pronouncement on the right to sovereignty (OAU charter articles 2 c, 3 1-3).

The OAU thus became the negotiated decision taken in the face of a collective choice problem. This OAU compromise in 1963 though, did not satisfy all the parties. Between 1963- 1965 at Cairo and Lagos summits respectively, Nkrumah, in the face of non-popularity at home, pushed his ideological interests of establishing a continental supranational body. In addition, the perceived unity of the UAM states (Brazzaville group), was resisted by certain parties. Unfortunately, in approaching the issue Ghana preferred a total dissolution of the UAM while leaders like Sékou Touré and states like



Mali, put pressure through the OAU to assimilate the regional unit as a building block towards African unity. Thus, there was deep fragmentation in terms of alliances and distrust between different groups: the UAM states and Ghanaian leader Nkrumah, and between Ghana and the former ally Guinea (Thompson & Bissell 1973:342). The group friction at the time equally provided opportunity for the OAU to increase its powers. Thompson and Bissell (1973:338) submit the following about the OAU at the time “as the environment was clearly dynamic in character, however, it was evident that new demands for action by the organization would develop which, if responded to by the states in concert, could strengthen both the authority and legitimacy of the OAU.” It can be argued then that the shenanigans that went on during the time provided opportunity for the OAU to increase its legitimacy and power. The OAU unfortunately, could not manage the rifts between its members effectively and thus remained constrained by the highly statist nature of the bargaining environment as well as a lack of capacity to expand tasks in the centre. Other manifestations of these weaknesses are seen in the OAU failure in containing regional conflicts in the Nigeria/Biafra war in 1967 (Legum 1975:213), and the subsequent Congo crisis.

During the life of the OAU, the question of a supranational continental body was a recurring one. The need and wish for African unity was certainly evident. The bone of contention though, was the form the continental system will take. Initially the OAU was a forum for bridging political gaps, yet supranationality implied “escaping politics”. According to Legum (1975:212) “...the OAU has come to play the role of mediator, conciliator and arbitrator- all three roles being institutionalised in an OAU convention.” This does not mean that the OAU did not make attempts to engage the unobtrusive. The OAU also showed a desire to adopt a less obtrusive style towards African integration as is seen in some decisions on economic co-operation taken by African heads of state subsequently. This was especially during the 1970s global economic meltdown evidenced in the 1973 summit declaration on co-operation, development and economic independence of the continent, which was a declaration of intent on economic integration in Africa (OAU 1973). The Monrovia declaration of 1979 (OAU 1979) on a new International Economic Order paved the way for the development of a concrete way





forward towards an economic integration goal in the Lagos plan of Action of 1980. The 1980 Lagos Plan of Action introduced a concrete plan for an African Economic Community (OAU 1980:5). Laudable as these policies and declarations were, Mutharika's argument (1972:15) that African leaders always put political realities first when considering economic development problems comes to mind. Thus the politics of integration rather than the economics of integration always took centre stage. It was not until the end of the cold war, beginning from the 1990s, that a new form of Africa's future in terms of integration began to emerge. The next section investigates this emerging trend in African regional integration from the 1990s. It will be examined from the angle of PAP's emergence. This is because it was from 1990 that the reality of the PAP as an institution of the AU began to emerge.

#### **4.4 The PAP/AU interface**

The European Union provides an illustration of how institutions can grow into a life of their own, acquiring different levels of supranationality within a polity. It also sheds light on the possible factors that manure this growth. As a beacon for African integration, the EU shows that it is needless to create institutions if there is no room given for viable growth. Incidentally, members of the AU agreed in the Constitutive Act, ratified by all 53 states to take measures to strengthen common institutions and provide them with the necessary powers and resources (AU 2000:3).

In pursuing integration through institution building as African integration seems to show, the causal interaction between institutions and policy outcomes is important. Thus the institution becomes as much a focus of policy research as the behaviour of political actors within a system. Institutionalism (new and old) sees institutions as political actors (March & Olsen 1984: 738) in their own right. In so doing, institutions, such as political bureaucracies, legislative institutions like parliamentary committees and courts become the arena for straightening social forces, and institution structure, procedure and rules becomes the instrument that shape and position interests. Thus as noted by Thelen and



Steinmo (1991:2), institutions ‘constrain and refract politics...’ and consequently, can be viewed from a causal position, influencing society. Put another way, institutions can be studied and analysed also as an independent variable in terms of the role they play in providing structure, stipulating rules and boundaries and shaping human relationships within a polity. There is need to also point out that there are intervening variables which also affect institutional outcomes. Therefore, if institutions matter within a polity, in order to play this constraining and refracting role, there are certain conditions that need to exist.

Within this frame of reference therefore, this section examines the PAP/AU institutional interface, considering in particular the origins and elements of institutional growth in the Pan African Parliament. This excursion is designed to reveal the strengths of the Pan African Parliament as an institution moving towards possible supranationality and the constraints within its institutional space which could spell self encapsulation or dysfunctional decline. It aims to explore the capacity for growth as well as the possibility of institutional stagnation in the Pan African Parliament. Arguably, a viable approach to this exploration will be to trace the origins of PAP and the intents of PAP designers.

#### **4.4.1 The emergence and growth of PAP**

In exploring the issue of institutional design and growth, it is relevant to find out who the institutional designers of PAP are and how they behave. According to Pierson (2000:477), rational choice institutionalists argue that an institution exists because it is there to serve a function, which would imply a collective choice problem. A good example to consider is perhaps the development of the OAU 1979 Lagos Plan of Action (LPA) and the Final Act of Lagos (1980), the policy instrument that came up as a solution to the 10 year African Economic melt down between 1969 and 1979 (Mafeje 2002: 74; Adedeji 2002:38). Consequently, there is a need to address the issue of the problem if any that PAP seeks to solve. In terms of how designers behave, this section



will explore evidence or the lack thereof of long term as against short term interest and thus intents of PAP designers. Based on these intents, it will examine if the institutional arrangements in the Pan African Parliament reflect the outcomes intended by PAP designers. The main principles of rational institutionalism are thus explored, giving due credence to the limitation within this thinking, which consider historical and sociological analysis of institutional evolution. In this case, “actors may be motivated more by conceptions of what is appropriate than by conceptions of what would be effective” (Pierson 2000: 478). Therefore, at the macro level the emergence of the Pan African Parliament will be explored, supported first by an inquiry into the leadership dynamics in the continent, interests and bargaining within the regional integration environment. Next, these interests and bargaining influences will be weighed up against PAP’s institutional arrangement. Hopefully, this will pull out the functional significance of PAP to its designers and by implication within the African Union. To illustrate this point further, consider the many questions about the significance of NEPAD in the African Union. Many scholars are at odds on how to relate the NEPAD to the AU, attempting to give reason and prescriptions to the detachment of NEPAD in the AU system (Adedeji 2002; De Waal 2002; Gottschalk & Schmidt 2004). But, Adesina’s (2004: 131-135) perspective account of the origin and evolution of NEPAD, went further than most of these accounts by not only revealing NEPAD’s principal designer (Thabo Mbeki), but also showing how the intentions of Mbeki as designer are manifested in NEPAD’s present arrangement. This provides the critical gateway in understanding NEPAD’s disengaged relationship to the AU and also inspires suggestions as to how it can be grown into the AU system.

Secondly, at the process level, the institutional arrangement and process of institutional growth is of importance to the study as far as the practical implications of neo-institutionalism prescripts such as rationality and spillover as concerned. Is the Pan African Parliament’s present institutional arrangement the result of rational intentions of its designers, if so what is the significance in the AU, if not what informed the present institutional arrangement. The next question will be what is the potential for growth based on the present design of the Pan African Parliament? Here, a perusal of the



strategic plan of the Pan African Parliament and the nature of AU decision making will serve to show first PAP's role in decision making considering core institutions within the PAP such as the committees, plenary, the bureau, the secretariat, as well as the functional growth and weak points within PAP. Hopefully these arrangements in the Pan African Parliament will reveal institutional considerations that could propel the PAP towards supranationality and by implication deepen African integration.

### **Theorising the path to PAP's emergence**

Undoubtedly African leaders have unanimously consented to the need for African integration. But, the form of this integration has the bone of contention in African regionalism and still remains at the centre of integration discourse. Consequently, in negotiating its present gradualist form, the leadership tussle and interest between states which led to the compromise of the OAU and subsequently the AU. Accordingly, there is merit in studying these points of interlocking leadership and how they have shaped African integration.

Rationality supposes that institutional designers consciously weigh the potential social and political outcomes of their decisions. Yet, assuming that African leaders are rational decision makers with long term interests may be a bit simplistic based on the historical, social and political context of African leadership as has been discussed. This assumption can also be construed as speculative, considering that at this point there is little empirical evidence that gives credence to that fact. Nevertheless, it is probably a safe place to begin from in analysing emergence and growth in the Pan African Parliament as it begs the question of functionality. It is suggested that starting from a rational base will highlight the designer intentions that played a role in the establishment of the PAP. It will also indicate the utilitarian short and long term interests of PAP designers. Moreover, an idea of the motivations behind the design of the PAP will possibly reveal designers intents and thus, open up a window for analysis into the potential for PAP to grow or decline. Moreover, from a teleological view point, rational models can serve as a starting point

towards examining those ‘thicker’ design considerations like unintended consequences and appropriateness, which relate to the ability of institutions to escape (spillover) the functional consequences of decision making. In this case, institutions develop a life of their own. Spillover implies growth and the circumstances that can contribute to the natural expansion of spillover according to Schmitter (1969:164) include the following:

1. A defined policy area or transaction (scope)
2. Collective agreement from members (level)
3. Play of interests/disagreements/conflict
4. Issue density
5. Unintended consequences
6. Role of regional political elite

From the foregoing, the play between interests and rationality within the regional integration space, contribute to the growth of an emergent regional entity like the Pan African Parliament.

### **Designers of the Pan African Parliament**

Rationality entails a connection between institutional function and institutional designers. Rational choice institutionalists argue that institutional designers are rational, think in the long term and generally expect certain outcomes if there is genuine interest in the issue at hand (Riker 1980; Sheplse & Weingast 1987). But, according to Pierson (2000:449), these attributes assume that designers have care for the future, are confident in being able to influence the future and employ a systematic determination of risks. There are suggestions that appropriateness of potential decisions, possibly motivated by cultural persuasions, more than rationality plays a bigger role in the design of institutions (March & Olsen; 1989 Hall & Taylor 1996). Bearing this in mind and considering the emergence of the Pan African Parliament, this section will attempt to identify key actors in the design of the Pan African Parliament and examine if rationality (means-ends



determinations), or appropriateness (issues of legitimacy and allegiance), played a part in the motivations behind the emergence of PAP.

### **Designers: 1986-1999**

The Pan African Parliament emerged from the efforts to integrate popular participation in the continental democratic and development efforts in Africa's growth. The United Nations Economic Commission for Africa (UNECA) has since 1958, played a critical technical role in regional integration in Africa. For instance the UNECA was the power house behind the formulation and adoption of the Lagos Plan of Action (LPA), where the idea of an African Economic Community was first mooted (DeLancey 2001:109). The UNECA as one of the UN's regional commissions, occupies a unique position in terms of its mandate. It has a stake in the African integration system to preserve the African essence of unity, while cognisant of the need to adopt Western formulated economic and political policies of the United Nations. Thus, as can be garnered from its website at <http://www.uneca.org> (UNECA 2007a), the UNECA has over the years maintained a close working relationship with the OAU, in terms of physical proximity but most of all through its conference of African Ministers of Finance, Planning and Economic Development. Presently in the AU, the UNECA is also providing technical support, advocacy and policy analysis in economic development and integration matters, especially as it has to do with Regional Economic Communities (UNECA 2007a). This technical relationship is evidenced over the years in the OAU's reliance on the UNECA to plan and strategise on integration matters. For instance, in 1979, at the height of the economic melt down in African states, the Assembly of heads of government in the Monrovia declaration of 1979 gave UNECA the mandate to prepare an economic plan for Africa (OAU 1979). The Lagos Plan of Action and the Lagos Final Act (OAU 1980) were the result of this task. Still, in preparing such a plan the UNECA had to take into cognisance its unique circumstance which is pushing for the economic integration and development of Africa, within the global political economy.



Already, chapter eight of the UN Charter provides for participation in the regional and sub-regional peace and security system. In 1976, the UNECA produced its first landmark document on Africa titled the *Revised Framework of Principles for the Implementation of the New International Order in Africa*. This document was premised on four principles for the development of Africa, one of them, the democratisation of the development process (Adedeji 2002:38). Nevertheless, so far as popular participation in African continental governance is concerned the United Nations' Programme of Action for African Economic Recovery and Development UNPAAERD (1986-1990), opened the way for popular participation in African Integration (UNECA 2004). Under the auspices of the UNECA, the UNPAAERD, by highlighting the need for the effective participation of African peoples in all dimensions of development (UN 1986), set the pace for the subsequent conferences on popular participation as a development and governance imperative in African integration.

Subsequently, in 1987, the UNECA organised the Abuja International Conference on "the challenge of economic recovery and accelerated development in Africa" as well as the Khartoum International conference on the human dimension of Africa's economic recovery and development in 1988. It seemed that the mobilisation of civil society in African integration was taking root. If this mobilisation was consolidated at any point, it will have to be in Arusha Tanzania at the "international conference on popular participation in the recovery and development process in Africa" in 1990. The UNECA brought together representatives of African civil society, governments and the United Nations' system (DeLancey 2001; 136). The conference adopted a charter on public participation called the '*African Charter for Popular Participation in development and transformation*'. The charter stated that:

"Since African Governments have a critical role to play in promotion of popular participation, they have to yield space to the people, without which popular participation will be difficult to achieve... This makes it imperative that a new partnership between African Governments and the people in the common interest of societal and accelerated socio-economic development should be established without delay"(UNECA 1990)



This charter hinted on the need to institutionalise popular participation in African governance and in conclusion asserted that:

“It is manifestly unacceptable that development and transformation in Africa can proceed without the full participation of its people. It is manifestly unacceptable that the people and their organizations be excluded from the decision-making process. It is manifestly unacceptable that popular participation be seen as anything less than the centre piece in the struggle to achieve economic and social justice for all.” (UNECA: 1990).

In the same year, at the 1990 summit, African leaders convened as the cold war ended and the second wave of regionalism began around the world. The global context of the 1970s and 1980s had changed and Africa was eager to move away from the economic ignominy of those two decades. Moreover, the end to minority rule was eminent in Southern African states like South Africa and Namibia. Incidentally, even the 1990 summit acknowledged that the emerging 1990s was the beginning of a new era focused on economic development as against independence and nation building. During the 1990 summit in the declaration on the political and socio-economic situation in Africa and the fundamental changes taking place in the World (OAU 1990), African leaders stated that:

“We are fully aware that in order to facilitate this process of socio-economic transformation and integration, it is necessary to promote *the popular participation* (my emphasis) of our peoples in the processes of governance and development... We therefore assert that democracy and development should go together and should be mutually reinforcing.”

Apart from taking an affirmation to democracy, the summit re-launched the idea of rationalising Regional Economic Communities and establishing an African Economic Community, which became the basis of the Abuja Treaty the next year.



Thus, the values of the 1990 Arusha declaration and the 1990 OAU summit are seen in the nature of institutions provided for by the Abuja treaty the next year in 1991. These Abuja Treaty provisions were for the establishment of the Pan African Parliament, the Economic and Social Commission and the Court of Justice. These are institutions that would foster, good governance, human rights, human security and civil participation in AU decision making. In this way, the UNECA paved the way and played a central role in the design of the Pan African Parliament.

### **Designers: 1999-2006**

Backed by non-committing leadership, the Abuja treaty remained in limbo until 1999 at the Algiers OAU summit where a decision by the heads of state and Government to implement the African Economic Community was passed (OAU 1999a). The same year, the fourth extra-ordinary summit in Sirte Libya convened by Gaddafi, seemed to emphasise a renewed effort towards an African Economic Community. The heads of state decided to reinvent the floundering integration system in form of the African Union, and establish the institutions of the Abuja treaty in the process of AU institution building (OAU 1999b). It will be important to consider the leadership environment that shaped this decision by the heads of state in 1999. It will equally be important to see if this environment of leadership and political economy of African states in 1999 differed from that of 1991.

In 1999, African conflict was at an all time high. Before the July 1999 Algiers summit, Algeria was grappling with rebel insurgences. Ethiopia and Eritrea were still engaged in border wars. In West Africa, Sierra Leone was at war and there were coups in Niger and Guinea Bissau. In addition, Charles Taylor was sponsoring Sierra Leonean rebels, while Nigeria and Cameroon were disputing about the Bakassi peninsula. In East and Central Africa, UNITA was still actively engaged in guerrilla warfare in Angola, the DRC and



Burundi were respectively negotiating peace and Somalia and Sudan had ongoing conflicts (Conflict Watch 1999).

On the economic front, African debt was at an all time high. According to the International Monetary Fund, “the 41 HIPC countries—among the poorest of the poor—saw their total indebtedness increase from \$60 billion in 1980 to \$105 billion in 1985 and \$190 billion in 1990, and would have been, in the absence of debt reduction, near \$200 billion in 2000.” (IMF: 2000). Out of the 41 countries in the world designated as Heavily Indebted Poor countries, 33 are from Africa (World Bank 2004). These dire economic realities perhaps informed the mandate of the heads of state at the Sirte 1999 conference for Algeria’s Bouteflika and South Africa’s Mbeki to engage African creditors on Africa’s debt (OAU 1999b:3)

The socio-economic and political environment in 1999 although largely unchanged was distinct from the preceding years because key political events within Africa, led to a heightened focus on continental unity. These were the emergence of the “renaissance man” Thabo Mbeki as South African President (Maloka 2000:2), democratic elections in Nigeria with Olusegun Obasanjo becoming Nigeria’s President, and Gaddafi and Libya’s emergence from regional political isolation (Solomon & Swart 2005: 473). Hence, at the OAU summit in Sirte in 1999, there seemed to be a renewed albeit glaring need for reform in the OAU. However, the bone of contention was again, the perennial challenge of the form the reformed entity would take.

The debate on the emergence of regional power points and their influence in Africa is important in discussing regionalism in Africa and the emergence of the PAP in particular. There are views that there is an emergent substructure of hegemonic states in Africa (Alden & Soko; 2005; Schoeman 2000; Bischoff 2003). However, there are also opposing views to this. For instance Idahosa (Queen’s Centre for International Relations 2005) alludes to the ‘illusion’ of South African and Nigeria hegemonies. Nzewi and Kuye (2007:207) echo the scepticism expressed by some on emerging hegemonies within the African political space, as expressed by Noble (2002) in his New York Times article.





Politically, an example that comes to mind is the resistance to the bravado and singularity of South Africa's initial venture into African foreign policy. In its early stage of engagement with the OAU, South Africa called for sanctions against Nigeria on the Ken Saro Wiwa and Ogoni debacle (Venter 1997: 91; Vale & Maseko 1998: 272). Unfortunately for South Africa, the continental reaction to this was a unanimous closing ranks within the OAU from Liberia to Francophone West Africa against South Africa for not dealing with the African problem the "African way" (Venter 1997:94). Thus even with an iconic leader like Nelson Mandela and praises heaped on its new found constitutional democracy miracle, South Africa as a nation had to reflect certain values in its foreign policy decisions on crisis in other African states.

The idea of African hegemony is underscored in the discussions on middle powers in world politics. Middle power countries are ranked on power capabilities like military, demographic size, economic production and influence in terms of foreign policy (Bischoff 2003:183). Bernard Wood in his book *middle power and the general interests* lists Africa's middle power states based on GNP as Nigeria, South Africa and Algeria (Solomon 1997). Nevertheless, African countries resist the idea of an African hegemony, a possible result of an enduring African ideology of African equality, an old order influence in the principle of "one flag, one vote" , where no country is seen as having undue influence over the other states. This is highlighted in the weighted system of voting in the African Development Bank, used in order not to give undue advantage to richer states (Diaku 1985:46). Perhaps one example of this resistance is seen in the triumph of Mugabe's evocation of anti-imperialist ideology in counter-hegemony against South Africa (Alden & Soko 2005:389). Nonetheless, this does not mean that middle powers in Africa are not in a position to influence decisions in the African political and economic space. Far from it, South Africa for instance as an emergent 'middle power' in the continent has had a long term position of influence and benefit in the SADC (Alden & Pere 2003: 56, Schoeman 2000; Bischoff 2003:184). For many years Nigeria has been considered as a leader taking into consideration its long term role in conflict resolution and mediation in Chad, Ethiopia Congo and South Africa (Shaw 1984:397). Nigeria's oil, wealth, large population and experience in regional military peace keeping, positions it in



this light. While there have been disagreements on the status of countries like Nigeria, South Africa, Libya, Egypt and Algeria as African hegemonies, this exercise serves to point to the suggestion that regional integration sometimes is driven and equally sustained by more powerful states.

According to Rainey (2003:356) “public agencies are born of and live by the satisfaction of interests that are sufficiently influential to maintain the agencies’ political legitimacy and the resources that come with it”. There are suggestions that the foreign policy interests of South Africa’s Mbeki, Nigeria’s Obasanjo and Libya’s Gaddafi played a huge role in the formation of the African Union (Tieku 2004: 253-256; Sturman 2007:6). Haas (1970: 627) in interrogating further his previous notions on neo-functionalism theory, suggests that in the integration scheme of things there are certain “heroic” and discerning national actors like Jean Monnet and Charles de Gaulle who may manipulate or check the integration process as it suits them. For African integration in the 21<sup>st</sup> century this thesis argues the same. The arrival of these three leaders in continental governance at the rise of the new millennium produced three key efforts towards deepening integration:

1. A new economic plan (NEPAD) and a renewed approach to good governance (APRM)
2. A Continental Peace and Security plan reposed in a new Peace and Security Council.
3. A fresh inquiry into supranationality in the idea of a United States for Africa

It was clear that from the inception of his presidency that Mbeki will make Africa the centre of his foreign policy campaign. In the years leading to his presidency, Mbeki prepared for this unprecedented South African engagement with Africa. In the years between 1996 and 1999, Mbeki’s concept of African Renaissance dominated his political rhetoric. In 1996, Mbeki delivered his popular “I am an African” speech as South African vice president at the opening of Constitutional Assembly. The national discourse which spurned from this speech resulted in his African Renaissance speech in 1997, the African Renaissance conference in 1998, and the launch of the African Renaissance Institute in Pretoria in 1999 (Maloka 2000:1; Vale & Maseko 1998:272-274). Mbeki’s influence as a



continental leader cannot be disputed especially in the light of diplomatic peace making efforts with reasonable successes in Burundi (Economist Sept. 14 2006) for instance. Then again, Mbeki's access to Africa was made possible by building alliances and good planning. At his first OAU summit at the Algiers' 1999 Summit, Mbeki invoked the economic and governance principles of the Abuja Treaty as the take off point to meeting the challenges of globalisation. Mbeki also noted the need for the development of structures of good governance and most of all conjured up the spirit of supranationality by saying that:

“...questions might be raised about the issue of national sovereignty. Our answer to that will obviously be that by voluntarily acceding to the Treaty, we agree to qualify that sovereignty because we believe that our national interest would best be served by joining forces with our Treaty partners.” (ANC 1999: <http://www.anc.org.za/ancdocs/history/mbeki/1999/tm0713.html>)

With this logic on supranationality, and with the initial support of Nigeria's Obasanjo, and Algeria's Bouteflika Mbeki went on to develop an economic recovery plan of Africa with relative success resulting in the institutionalizing of the New Africa Initiative plan in the NEPAD and APRM. Although the relationship between the NEPAD and the AU has been a constant source of debate between scholars (Adesina 2004; DeWaal 2002), this is not the focus of the arguments in this section. Mbeki's presidency coincided with the election of Olusegun Obasanjo as President of Nigeria. Nigeria has always been one of the highest contributors to the African integration effort from the early days of the African Development Bank in 1966 (Diaku 1985:49). Presently, along with South Africa, Algeria and Libya, Nigeria pays 40% of the AU annual budget (Gottschalk & Schmidt 2004:142). In 2006 as an example, Nigeria voluntarily contributed US\$ 10 million to the AU budget (EC 2006c). Immediately after being elected Nigeria's President, Obasanjo began an effort to make Nigeria an influential voice in the continental body.

With his background in the African Leadership Forum (ALF) and Transparency International, Obasanjo set out to stamp his influence in pushing for the institutionalization of human security in a continental Peace and Security mechanism.



Earlier in the early 1990s, through the ALF and other development and civil society organizations in Kampala, Obasanjo was able to come up with a reform package labelled the “Conference on Security, Stability, Development and Co-operation in Africa” (CSSDCA). The CSSDCA otherwise known as the Kampala document was first unsuccessfully tabled before the OAU in May 1991 in Kampala and subsequently in the OAU summit in Abuja in 1991 (Tieku 2007: 30). Although it was not adopted by the OAU, it opened up the avenue for discussion of the future of human security in the African Union. After this initial failure, in 1999 as Nigeria’s President, Obasanjo re-launched the CSSDCA (Aderinwale 2001), and was able to persuade other African leaders to integrate the CSSDCA into the African Union (Tieku 2007:32). This informed the 2000 CSSDCA declaration of the OAU Assembly in Lomé (OAU 2000b). It is essentially a policy document that promotes democracy, peace and security as a precursor African development. It was the normative values of the CSSDCA that informed the AU Constitutive Act (Tieku 2004:256; Adesina 2004:132), and helped in institutionalizing peace, security and conflict resolution in the AU in form of the African Citizens Directorate (CIDO: [www.africa-union.org/root/AU/AUC/Departments/BCP/CIDO/cido.htm](http://www.africa-union.org/root/AU/AUC/Departments/BCP/CIDO/cido.htm)). Additionally, the Constitutive Act was also amended in 2003 to include an additional good governance and democratic institution, the Peace and Security Council (AU 2003b:2).

Going further, scholars, political commentators, government representatives and journalists have said much and written a lot about the paradox of Gaddafi’s engagement with Africa. Gaddafi’s new found interest in Africa came after years of both antagonistic and conciliatory efforts towards Libya’s neighbours. For instance, after a formal agreement to a Libya and Egypt political union in 1969, Libya’s aggression led to the 4 day war with Egypt in 1977. Gaddafi was also purported to have a hand in several coups in Africa like Morocco in 1971 and in Burkina Faso (former Upper Volta) in 1980 (Oye 1983: 160). Then there was the failed attempt to annex land and the military occupation of Chad which strained Chad –Libya relations for years during the 1980s (Oye 1983:161; Sturman 2003:110; Solomon & Swart 2005:474). In contrast to these relations with its neighbours, for more than 30 years, Gaddafi courted Arab states. That notwithstanding,





his personal efforts for “Arab integration” and his ambitions as its leader was snubbed by virtually all African Arab states: Egypt, Malta, Burkina Faso, Morocco, Syria, Tunisia, Sudan and Chad between 1970s and 1990 (Greavette 2005: 6; Solomon & Swart 2005:471). In 1999, after his declaration of Arab unity as a mirage (Solomon & Swart 2005:479), Gaddafi’s brought to the table his idea of a United States of Africa with a “single military force” (DeWaal 2002:467). Gaddafi succeeded in pulling African leaders together to an extraordinary summit in 1999 in Sirte to “discuss ways of making the OAU effective” (OAU 1999a:22).

So, the period from 1998 marked a turn on major foreign policy decisions of Gaddafi. Gaddafi seemed more conciliatory as seen in the hand over of suspected terrorists to be tried in The Hague in 1999, thus lifting the embargo on Libya by UN and other European nations. It was also in 1999 that Gaddafi for the first time since 1977 attended and hosted all African heads of state in an OAU summit (Greavette 2005). Yet, these conciliatory moves did not, soften Gaddafi’s controversiality. So far Gaddafi has made sure to stamp his ideas of governance in the AU, for instance, his vigorous denigrating of Mbeki and Obasanjo promotion of the New Africa Initiative/African renaissance plans. Notwithstanding the sentiments against Gaddafi, his influence prompted the compromise that resulted the drafting of a new African Union constitution (Solomon 2005:481). Taking these developments in African continental leadership into consideration, there seemed to be an emergence of certain dominant actors, intent on making a mark in the new millennium in terms of African integration.

The role of Africa’s smaller states in the emergence of the AU cannot be overlooked. Much of the failure of African regionalism experiments have been attributed to the pay off game between big African states and the smaller states where smaller states feel disadvantaged in the distribution of benefits and competition (Geda & Kibret 2002:12, Mazzeo 1984b:152). However, the ability of leaders like Mbeki and Gaddafi to impact greatly on the emergence of a new continental system rests also on the ability to convince smaller states that they can benefit equally from the spoils of integration. For instance, even with certain heads of state wary of Gaddafi especially Northern African countries





like Egypt, Gaddafi was able to develop personal ties with and mobilise smaller African countries to consider his African unity proposal (Tieku 2004:262; De Waal 2002:467). Perhaps it can be argued that smaller states rallied behind these proposals because for smaller states, the idea of supranational institutions will mean that the decision making powers determined sometimes by the financial and military powers of certain African states can be dispersed to institutions of integration.

The next section will further delve into how the present institutional arrangements in the Pan African Parliament reflect these designers' intentions. This exercise it is suggested will expose certain issues crucial to PAP's institutional growth. The section will investigate some intervening variables, which may impact on institutional growth and how the PAP can exploit these opportunities for growth. This entails considering the role of unintended consequences, issue density, regional experts and technocrats in the growth of institutions. Thus, by considering the strategic function of the PAP, the nature of AU/PAP decision making and those loopholes the PAP can exploit to induce growth, it may be possible to consider PAP's definitive role and weigh its potential to grow into this role.

### **Institutional arrangement and growth**

This section will consider the relevant conventions that define the African integrative arena. Selection of key policy instruments for this section is based on where these policy instruments (treaties, plans, and protocols) are located within the overall picture of the emergence and growth of the Pan African Parliament. It will be acceptable at this juncture to provide the design of the Pan African Parliament as far as the legislative framework is concerned by discussing the three legal provisions for this institution:

1. The treaty establishing the African Economic Community (Abuja Treaty)
2. The Constitutive Act of the African Union
3. The Protocol to the Treaty establishing the African Economic Community relating to the Pan African Parliament



## **PAP's legislative design**

It is proposed that these grand policy instruments represent the intentions (long or short term) of the institutional designers of the Pan African Parliament, since all parties (53 members of the AU) to the treaties have either signed and ratified or acceded to the treaties. In this regard, all 53 states have ratified the AU constitutive Act (AU 2007a), 53 have signed the Abuja treaty, 48 ratified or acceded to it (AU 2007b) and 48 countries have signed and 46 ratified or acceded to the Protocol establishing the Pan African Parliament (AU 2007c).

### **The Treaty establishing the African Economic Community 1991 (Abuja Treaty)**

Popularly known as the Abuja Treaty, the treaty establishing the African Economic Community marked the beginning of what some authors see as a significant but complex road to full economic integration for Africa (Asante 2001; Kennes 1999:27). The treaty (OAU 1991:10) seemed to be an embodiment of not just idealistic views of even more idealistic African leaders, but more important, a logical comprehensive 34 year strategic plan towards an African Economic Community. The significant difference between the Abuja treaty and other regional grand policies is that while incorporating the economic and development objectives of the Lagos Plan of Action (OAU 1980), the Abuja treaty also details the institutional, democratic and governance framework to support this process of integration. The treaty can thus be viewed as a foundational instrument, providing the blueprint or design for African institutional regionalism. It presents this blueprint in relevant protocols such as the Protocol establishing the Pan African Parliament, the Court of Justice and the Protocol spelling out the relationship between the Regional economic communities and the African economic community.

During the Lomé summit in 2000, the draft Protocol to the treaty establishing the African Economic Communities relating to the Pan African Parliament was first presented to the Assembly of Heads of State and Government (OAU 2000b). The Protocol was



subsequently adopted by the 5<sup>th</sup> extraordinary OAU/AEC Summit held in Sirte Libya in 2001 and entered into force on the 14<sup>th</sup> of December 2003. The inaugural session of the Pan African Parliament took place in Addis Ababa in March 2004. Before examining the PAP Protocol it will be important to study the present AU constitution and where the PAP fits into this AU defining document.

### **The Constitutive Act of the African Union (adopted 11th July 2000)**

The need for economic reform in the OAU gained momentum in the 1990s with the Abuja treaty (Treaty establishing the African Economic Community). Then again, it was also clear that the institutional and policy framework of the OAU needed reform in order to carry the functional tasks of the future African Economic Community (Tieku 2004:252). With added pressure from the international community, the dawn of the new millennium seemed to represent opportunity for reform in the OAU. Reference to the Yaoundé and Algiers declarations of 1996 and 1999 respectively, reveals that African heads of state saw the need for greater collective decision making in restructuring the African economy especially with the threat of globalisation (OAU 1996:16; 1999a:5). This opened the way for the 1999 Sirte extra-ordinary session and the resulting Sirte declaration (OAU: 1999b) which initiated the reviewing of the OAU charter and the decision to establish a new continental institution for Africa (Tieku 2004:261, PANA: 1999)<sup>10</sup>. At the 36<sup>th</sup> summit of the OAU in 2000, in Lomé Togo, the Council of Ministers of OAU, now the Executive Council, presented the draft treaty establishing the African Union which was adopted by the ordinary session of the Assembly of Heads of State and Government. With the novel AU treaty, the implementation of transformation of the OAU into the AU was put into motion at the 37<sup>th</sup> summit in 2001 in Lusaka, Zambia (OAU 2001b). The AU was inaugurated in July 2002, and the slow wheel of transformation continues to turn.

The Constitutive Act is the grand treaty of the African Union, amended and adopted by the 1<sup>st</sup> extra ordinary session of the Assembly of the African Union in Maputo in 2003

---

<sup>10</sup> See reference: Pan African News Agency



(AU 2003b). It provides a broad representation of the objectives, principles, organs and administration of the Union. Unlike its predecessor the OAU charter, the Constitutive Act of the AU entrenches the importance of participation and representativeness in achieving its goals in Articles 17, 22 (OAU 2000a:10-11). The Act emphasises a consideration of the provisions of the Abuja treaty and the OAU Charter and also reflects a sense of urgency towards integration going forward. It emphasises the need for peace, justice and people's rights as well as the detrimental effects of conflict within the continent. More significant is the apparent understanding of the role of common democratic, economic and security institutions and the need for them to be provided "... with necessary powers and resources to enable them discharge their respective mandates effectively" (OAU 2000a: 3). How this general commitment translates into action in terms of the functional role of the various AU organs and in particular the Pan African Parliament will be discussed subsequently.

### **The Protocol to the Treaty establishing the African Economic Community relating to the Pan African Parliament**

According to the Protocol, there were pertinent considerations pursuant to the establishing of the Pan African Parliament. First was the vision to provide a common platform for the grassroots in Africa to be involved in discussions and decision making on problems and challenges facing the continent (AU 2001). Secondly, there was the consideration of the values contained in past policy frameworks which inform the PAP like the Abuja Treaty and the Constitutive Act, as well as the values entrenched in the OAU. The Protocol spelt out the objectives of the Pan African Parliament and the functions of the Pan African Parliament as signed into law by the Assembly of Heads of State and Government. These objectives and functions are listed below.



## **Objectives of the Pan African Parliament**

The Protocol to the Treaty establishing the African Economic Community relating to the Pan African Parliament, spells out the objectives of the Pan African Parliament as follows:

1. facilitate the effective implementation of the policies and objectives of the OAU/AEC and, ultimately, of the African Union;
2. promote the principles of human rights and democracy in Africa;
3. encourage good governance, transparency and accountability in member states;
4. familiarize the peoples of Africa with the objectives and policies aimed at integrating the African Continent within the framework of the establishment of the African Union;
5. promote peace, security and stability;
6. contribute to a more prosperous future for the peoples of Africa by promoting collective self-reliance and economic recovery;
7. facilitate co-operation and development in Africa;
8. strengthen continental solidarity and build a sense of common destiny among the peoples of Africa;
9. facilitate co-operation among Regional Economic Communities and their Parliamentary fora.

In summary, the Pan African Parliament has a mandate to promote the principles of good governance, human rights, peace and security within African states. In light of the objectives of the Parliament, its functions pursuant to achieving these objectives are spelt out in Article 11 of the Protocol as follows:

## **Functions of the Pan African Parliament**

The Protocol to the Treaty establishing the African Economic Community relating to the Pan African Parliament provides for the functions and powers of the Pan African





Parliament in Article 11. These functions and powers will for the purposes of this thesis provide reference point for discussion and analysis on the definitive role of PAP:

1. Examine, discuss or express an opinion on any matter, either on its own initiative or at the request of the Assembly or other policy organs and make any recommendations it may deem fit relating to, inter alia, matters pertaining to respect of human rights, the consolidation of democratic institutions and the culture of democracy, as well as the promotion of good governance and the rule of law.
2. Discuss its budget and the budget of the Community and make recommendations thereon prior to its approval by the Assembly.
3. Work towards the harmonization or co-ordination of the laws of member states.
4. Make recommendations aimed at contributing to the attainment of the objectives of the OAU/AEC and draw attention to the challenges facing the integration process in Africa as well as the strategies for dealing with them.
5. Request officials of the OAU/AEC to attend its sessions produce documents or assist in the discharge of its duties.
6. Promote the programmes and objectives of the OAU/AEC, in the constituencies of the member states.
7. Promote the co-ordination and harmonization of policies, measures, programmes and activities of the Regional Economic Communities and the Parliamentary fora of Africa.
8. Adopt its Rules of Procedure, elect its own President and propose to the Council and the Assembly the size and nature of the support staff of the Pan-African Parliament.
9. Perform such other functions as it deems appropriate to achieve the objectives set out in Article 3 of this Protocol.

From the foregoing, one can extrapolate certain areas in which the Pan African Parliament can begin to work for extension of its powers. According to Terlinden (2005:2) the advisory competencies of a regional Parliament range from debates,



recommendations, proposals, to inquiries. For instance the PAP can request officials of the OAU/AEC to produce documents attend its sessions or assist it in carrying out its functions. This presents an opening for joint decision making with other AU organs. It can express an opinion, it can examine (going into the boundaries of research, fact finding missions etc) any issue within its jurisdiction. The Parliament as it is constituted can make recommendations on particular policy or governance issues. It can draw up its own budget subject to Assembly approval. Article 24 of the Protocol (PAP 2001) provides that the Parliament can propose an amendment to its own Protocol, express an opinion on the proposal and the Assembly will take into account the opinion of the Parliament in adopting the proposal. Article 25 of the Protocol gives the Parliament the power to decide to convene a conference of the state parties to the Protocol at an interval less than the stipulated 10 years. Perhaps most significant is the power the PAP has in conducting its own internal administrative and financial affairs through its Rules of Procedures. The next section goes into more detail in this area.

## **Powers of the Parliament**

From the provisions in the PAP's Rules of Procedures, it seems that the Parliament has used the loopholes in the Protocol to advance its strengths. Thus, in conformity with the objectives and functions provided in the Protocol, the Parliament determined its powers in its *Rules of Procedure* (PAP 2004:11) as follows:

1. Oversee the development and implementation of policies and programmes of the Union;
2. Organise debate on the objectives, policies, aims, programmes and activities of Regional Economic Communities, on all matters relating to the proper functioning of organs and the life of the African Union
3. Examine, discuss or express an opinion or give advice on its own initiative or at the request of any of the Organs of the African Union, a Regional Economic Community or the Legislative Body of any Member State;



4. Make recommendations and take resolutions on any matters relating to the African Union and its organs, Regional Economic Communities and their respective organs, member states and their organs and institutions;
5. Issue invitations to the representatives of the Organs of the African Union, Regional Economic Communities and their organs, member states and their organs and institutions to furnish explanations in plenary on issues affecting or likely to affect the life of the African Union;
6. Exercise all other powers as are incidental or auxiliary to the discharge of its functions.

The issue is how these provisions are translated practically in relation to PAP's overall contribution to AU decision making. The significance of this is how the PAP has used the latitude provided for by its powers over its own Rules of Procedure to influence decision making. Considering the challenging journey of the European Parliament for relevance, there is no doubt that coupled with the environment of African governance, PAP will indeed find it difficult to make itself heard even under its present advisory capacity. This advisory power is reminiscent of the early years of the European Parliament, when it was established by the 1957 treaty of Rome and known as the Common Assembly. It took more than 20 years for the European Parliament to begin to see real change. Through out the history of the EU, different treaties have contributed to the strengthening of decision making within EU institutions which have in turn contributed to the deepening of Europe's integration. However, one question that begs to be considered is if it is necessary for the European Parliament to wield such powers and why? Is it not possible for the EP to work effectively under a power sharing plan that is uniquely suited to the environment within which it operates? If this is the case, another question for consideration is then what the expectations for the PAP will be.

While the level of influence remains a debatable issue in the case of the European Parliament, there have been some provisions that have been made and developments towards a more influential role for the EP. The 1970 and 1976 treaties amending budgetary and financial provisions of the treaties was particularly significant for the



European Parliament which was weak in terms of contributing to budget and policy decision making. These treaties allocated extra powers to the Parliament. Another treaty of importance to the European Parliament was the Act concerning the election of the representatives of the Assembly by Direct Universal Suffrage. This 1976 Act, and fully ratified by all member states in 1978, provided a legal basis for direct election of EP members and rules of conduct, it is important to also note that this treaty did not in any way increase the powers of the EP. The Single European Act (1986) introduced the Qualified Majority Vote, which reduced the pressure in consensus building. The Maastricht Treaty of 1992 created a new entity the European Union, establishing three pillars as the basis of the European Union. These pillars consisted of the communities, a Common Foreign and Security Policy and co-operation in the fields of Justice and Home Affairs. This treaty further made far reaching institutional changes in terms of the decision making processes within the EU. For instance, it extended the legislative powers of the European Parliament by introducing the co-decision procedure between the EP and the European Council.

### **PAP's Strategic design**

As already mentioned a Parliament exists to perform certain key functions within a polity. These are budgetary, supervisory, advisory, investigative and legislative functions. In 2005, the Pan African Parliament produced its strategic short term vision for the years between 2006 and 2010. This discussion will focus on how the provisions of the Protocol have shaped the strategic plan of the Pan African Parliament.

The Strategic Plan 2006-2010, provides the shared vision, mission and strategic objectives of the PAP, meant to guide the operations of the PAP, PAP Bureau, Committees and the Secretariat for the plan duration and beyond (PAP 2005a:iv). The strategic plan was drafted by all stakeholders of PAP with the assistance of representatives of the European Parliament, The German Technical Co-operation (GTZ), and other capacity building NGOs. Thus, on paper, the Strategic plan like most other plans within African integration space looks comprehensive albeit ambitious. The PAP



strategic plan basically provides for its political and institutional objectives and the strategies to meet these needs. These objectives are drawn from a SWOT analysis of PAP's present milieu.

Strengths	Weaknesses
<ol style="list-style-type: none"> <li>1. Enhanced mutual dialogue and negotiations with National Parliaments of Member States to determine functional relationship as well as boundaries in decision-making;</li> <li>2. Enhanced dialogue and negotiations with Regional Parliaments and National Parliaments to strengthen parliamentarism;</li> <li>3. Enhanced Human Resource Management;</li> <li>4. Increased transparency and Improved Communication through ICT; and</li> <li>5. Enhanced resource mobilization through the PAP Trust Fund mechanism and any other means.</li> </ol>	<ol style="list-style-type: none"> <li>1. Inability to establish respective areas of jurisdiction among AU Organs;</li> <li>2. Likelihood of decreasing functional relationships with National and Regional Parliaments;</li> <li>3. Likelihood of difficulties in attracting and retaining high calibre professionals;</li> <li>4. PAP instability due to high turn-over of MPs;</li> <li>5. Inadequate Research Infrastructure; and</li> <li>6. Incoherence between PAP Strategic Plans and Budgets.</li> </ol>
Opportunities	Threats
<ol style="list-style-type: none"> <li>1. Consolidation of the APRM process in all Member States;</li> <li>2. Consolidation of the AU Peace and Security Architecture; and</li> <li>3. Good will of International Community: (Monterrey Consensus, Millennium Challenge Account, G-8 Summit commitments, Doha Development Agenda, Africa-Asia Business Summit etc).</li> </ol>	<ol style="list-style-type: none"> <li>1. Major violent conflicts and state collapses in Africa;</li> <li>2. Decline in ODA and FDI resources in real terms;</li> <li>3. Unfair trade practices from OECD countries and firms that marginalize African economies;</li> <li>4. AU Institutional paralysis;</li> <li>5. Weak Administration of Parliament; and</li> <li>6. Alienation of the general public.</li> </ol>

Table 4.2: Swot matrix (source: PAP strategic plan 2005)

From the SWOT analysis drawn up by the PAP itself, it is evident that the major challenges facing PAP are political and financial. For instance although the PAP lists its enhanced interaction with regional and national political structures within the African integration space as its strength, the main challenge (which the matrix also lists as a weakness), will be the growth and sustainability of these initial strides. This will require funds and technical support to maintain a working level of dialogue between these political structures in order to fulfil its harmonisation and co-ordination mandate. Of





course the SWOT matrix reveals the main weaknesses of institution building in Africa, chief of them being technical. It is also significant to see that in the threats pinpointed by the PAP, the institutional survival of the AU as a whole seems to pose a threat. Possibly, the historical legacy of moribund regional institutions has produced a level of scepticism in the ability of this new AU experience to survive. Be that as it may, the PAP Strategic Plan by highlighting these threats and weaknesses was able to come up with certain political and institutional objectives aimed at building on its present strengths and opportunities as well as minimising and mitigating weaknesses and threats. The political and institutional objectives are as follows:

### **Institutional objectives**

1. Strengthen funding capacity of PAP;
2. Develop the capacity of PAP in acquiring and retaining specialised expertise and knowledge in relevant fields;
3. Strengthen administration, support services and programme areas;
4. Develop value-added information and research services;
5. Develop and strengthen ICT infrastructure and use; and
6. Develop and strengthen research capacity.
- 7.

### **Political objectives**

1. Represent the voices of the peoples of Africa;
2. Promote and defend the principles of human rights, gender parity, democracy, peace and security;
3. Enhance oversight capacity of PAP;
4. Promote the harmonization of continental, regional and national laws to foster continental integration;
5. Encourage and support inter-institutional and other deliberative organs; and
6. Transform PAP from an advisory and consultative body to a full legislative organ.



From the foregoing, it seems that while the SWOT analysis of the PAP provided talking points and ideas about strategic objectives, as a political institution, the PAP's main objective is political in nature. However, in order to attain these objectives, there is a need to develop technical and administrative capacity of the PAP for it to use fully, the expert and specialisation advantages that parliamentary committees are known for. Having discussed the strategic plan of the PAP, it will be important to examine the administrative design of the PAP to see how finance, human resources and procedures are used to effectively achieve the stated objectives of the Pan African Parliament.

### **PAP Administrative design**

The Pan African Parliament is a locus of public administration. Thus, the Parliament possesses the universal elements of institutions, which according to Malinowsky (Turner & Maryanski 1979: 49-50) are personnel, defined goals, rules, activities and material implements for operations and function. These elements are no different from the universal functions of public administration: policy/planning, organising/reporting, personnel/human resources; work procedures; coordinating/control, finance/budget. In order to achieve its political objectives, there is a need for institutional growth in the PAP. Thus within the framework of the strategic institutional objectives, it will be key to examine the Parliament's present institutional arrangement in view of the environment of its emergence as well as the strength, weaknesses, opportunities, and threats as put forward in its strategic plan.

### **Finance**

As part of the transformation in the AU, the OAU transferred \$180 million worth of assets, liabilities, reserve funds and balance to the AU (EC 2004a). Over the years, AU members have constantly defaulted in their payments to the AU even with rescheduling plans in place, as shown in Executive Council yearly appeal for members to pay up between 2000 and 2006 (EC 2000: EC 2003; EC 2004a; EC 2004c; EC 2006c). With the 11 organs of the AU and many competing projects and institutions that require funding



like the African Union Biosafety Project, African Commodity exchange; African Stock exchange; African Customs Network, African Civil Aviation Commission, the Labour and Social Affairs Commission, African Centre for Studies and Research on Terrorism, funding is perpetually a priority challenge in the AU. The AU approached this problem by setting up a panel of 15 experts from member states to consider alternative sources of funding for the AU in 2004 (EC 2004d). The panel came up with several proposals on how to source alternative funding, one of which is the establishment of a Special Trust Fund. In terms of the Executive Council decision on the budget of the Pan African Parliament, the Parliament is partly funded by the African Union other costs are to be borne by the national Parliaments of the AU member states (EC 2004b). Additionally, as the host country, South Africa also subsidises PAP through its provision of venue, office accommodation and IT support. Be that as it may, since its inauguration, the PAP has not escaped the AU financial quagmire as it has also been grappling with financial problems of its own. Thus, as the AU fails in its financial obligation towards the PAP, it has struggled financially.

In response to the financial challenge of the Parliament and in view of the cash strapped AU, the Parliament instituted its own Trust Fund to finance extra budgetary activities as part of its strategic plans in strengthening the funding Capacity of PAP (PAP 2005a:9). The Parliament asked the AU Commission to consider the possibilities of setting up the PAP Trust Fund. Nevertheless, there already exists the proposed special trust fund for the AU by the group of 15 experts on the alternative sources of funding for the African Union. It is important that PAP's Special Trust Fund is seen as a complementary gesture and not a rival plan in the AU scheme of things. The point on complementarity is deemed more perceptive in considering the decision of the Executive Council of the African Union to freeze the PAP Trust Fund (PAP 2007c). This financial challenge will be highlighted more in the next section, which deals with PAP's role in the AU budgetary process.

## **PAP's role in AU budgetary processes**

Article 11 of the PAP Protocol, provides for the Parliament to “discuss its budget and the budget of the Community and make recommendations thereon prior to its approval by the Assembly”. In keeping with this mandate, the Parliament's Rules of Procedures set out the drafting and procedure of the budget (PAP 2004:49-50). The procedure is more detailed in PAP's own internal budgeting procedure but offers no procedural information on the PAP relationship with the AU budget.

### **Internal budget procedures**

PAP's own budget work is handled by, the Bureau of PAP, the Clerk of the Parliament, and the Permanent Committee on Monetary and Financial Affairs (PCMFA). The plenary, gives the final go ahead or approves the budget. The journey of the budget begins three months before the start of the AU financial year. Secondly, there are two readings of the budget which means that the Parliament considers the budget twice, first the budget estimates, which is then referred back to the PCMFA with amendments for final deliberations. The Parliament then approves the final draft of the budget. Although rule 82 sub rule (5) of the Rules of Procedure stipulates that the president of Parliament shall present the budget adopted by Parliament to the Assembly (PAP 2004:50), in reality, the PAP budget is discussed and decided upon by the Executive Council with a significant role played by the Permanent Representatives Committee. In fact, all budgetary matters in the AU are decided within the Assembly, Executive Council, Permanent Representatives Committee and AU commission axis.

### **PAP's external budgetary role**

It is within the Executive Council's mandate to delegate its powers and functions. Constitutionally, the Executive Council may delegate its powers on AU areas of common interest to the Specialised Technical Committees (STC) (AU 2000a: 9). In this case, the STCs, play an important technical role in sectoral projects and programmes policy

making and implementation. The Permanent Representative Committee, plays a more administrative role in relation to the Executive Council as it is mandated to prepare the work of the Executive Council and act on its' instructions (AU 2000a: 11). However, this present functional scheme between the PRC and the Executive Council seems to undermine the consultative powers of the PAP in budgetary issues by giving greater participation and discretion in budgetary decision making to the AU Commission and in particular the PRC. Thus, by authorising the PRC to approve the budget of the Pan African Parliament the Executive Council was undermining the consultative power of the PAP.

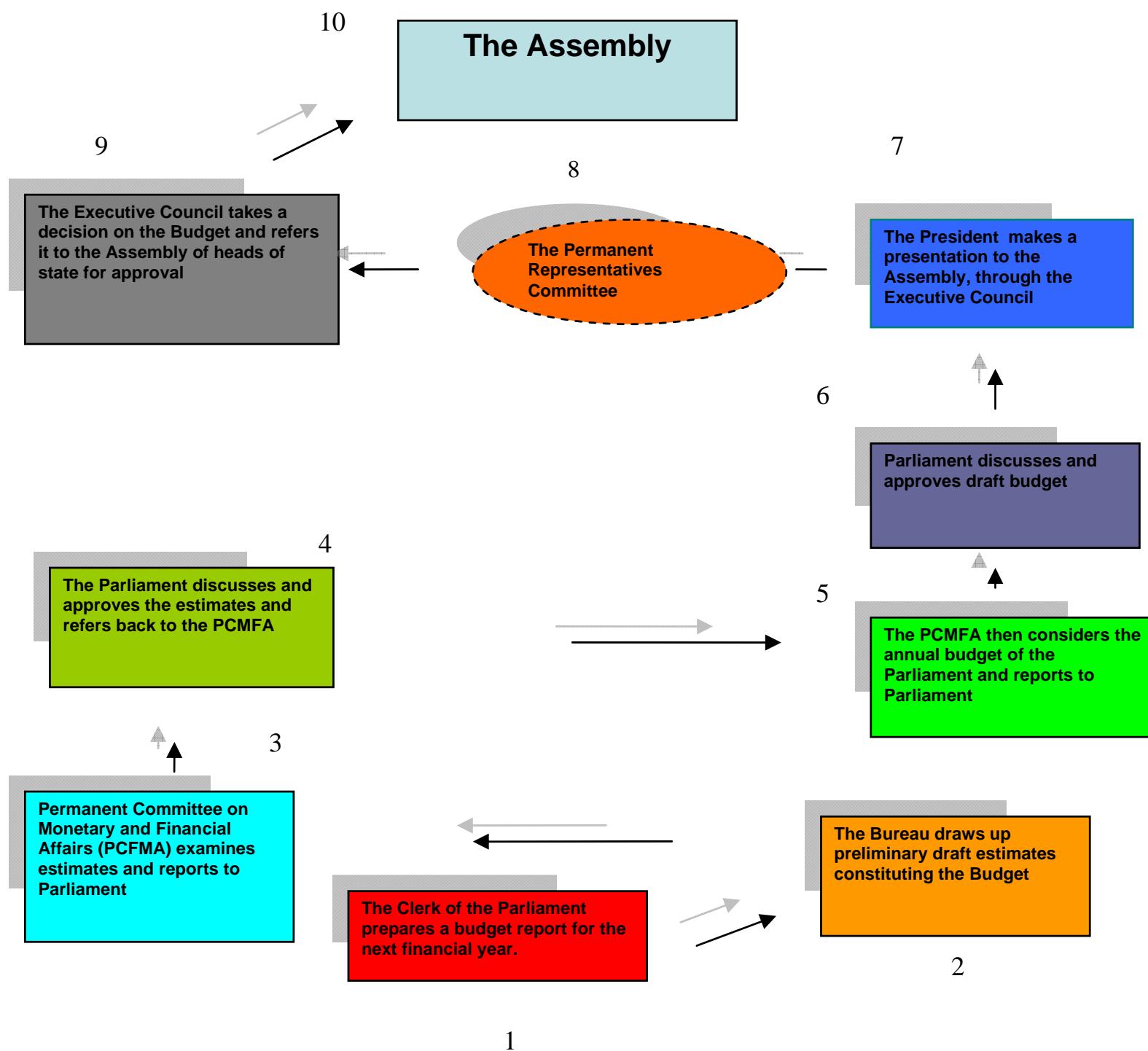


Figure 4.2: a representation of the PAP budgetary process (configuration mine 2008©)





The figure above represents the budgetary relationship between PAP and relevant AU organs. Notice that the Permanent Representatives Committee (PRC) is represented in broken lines and a different shape. The reason is that arguably, the PRC plays a delegated but powerful role in the budget. For instance, in 2004, the Executive Council sent back PAP's first budget proposal to the AU Commission "in collaboration with the Bureau of the PAP" for amendments (EC 2004b). The Executive Council then authorised the Permanent Representative Committee (PRC) to approve the amended budget (EC 2004b). Justifiably, the PRC Rules of Procedure gives it the authority to consider and recommend on budgetary issues and on financial matters like Audit reports (AU 2002c). Equally, the Pan African Parliament also has the same powers to consider and make recommendations on not only its own budgets, but also on the AU overall budgetary issues as provided for in Article 11 of the Protocol establishing PAP. To the contrary however, the PAP does not even control its own account. Rather, according to PAP's budget submission for 2006, PAP's accounts are controlled by two representatives from the AU Commission (AUC) who approve all accounts, with the authorisation of payments from the AU (PAP 2005b: 6).

There is no provision in AU legislative framework for the Pan African Parliament to report to the Permanent Representative Committee (PRC). This is perhaps, the reason why the Parliament's MPs in their second ordinary session (PAP 2004b) recommended that the Parliaments' budgets should directly be considered and approved by the Executive Council and the Assembly. This has not materialised as budgeting and financial responsibilities are still shared between the Commission and the Advisory Sub-committee on Administrative, Budgetary and Financial matters of the Permanent Representative Committee (EC 2004b; EC 2005a). This situation seems to undermine the budgetary powers and functions of the PAP in relation to both its own budget and that of the AU.

To illustrate PAP's lack of participation and influence in the AU budgetary matters, in 2005, the Executive Council asked that the PAP accounts from its inauguration in 2004 to 2006 be audited (EC 2005b). The findings of the external auditor showed that the PAP



had contravened AU financial rules and regulations (EC 2007d). From the audit report, it seemed that the Members of Parliament had ignored an earlier instruction from the Executive Council that MP allowances be borne by member states in the interim (EC 2004b). The MPs had gone ahead to claim travel and other allowances from the PAP. It was the Permanent Representative Committee that considered the audit report and submitted an incriminating report on PAP to the Executive Council (EC 2007d). The PRC recommendations implied that the PAP was attempting to flex some powers by suggesting that the Parliament reneged on its answerability to the Executive Council. The PRC then cautioned the PAP to respect decisions taken by the Executive Council and refrain from making its own rules. With reference to the auditor's report, the Executive Council expressed "grave concern" (EC 2007d) at this contravention. To this end, as punishment for violation of these rules the Executive Council endorsed the PRC recommendation that PAP ceases making allowance payment for MPs and those MPs including the President and other members of the Bureau pay back all per diems for committee, plenary and Bureau meetings.

## **Policy making**

It is the duty of the Assembly and the Executive Council to formulate policies and oversee their implementation in the AU. In terms of the Protocol, the Pan African Parliament's role in grand policy making is restricted to expressing an opinion, or making proposals towards policy. It can discuss and make recommendations on Assembly and Executive Council decisions. But, on the micro scale, the Parliament as an institution can draw up its own policy proposals. Through the Bureau of the Parliament, the PAP can formulate its own policies in relation to the management and administration of its affairs, facilities and department (PAP 2004a: 19). The Bureau is composed of the President and four vice Presidents of the Parliament (PAP 2004a:18). In terms of policy the Bureau is also responsible for the establishment of the plan and structure of the Secretariat and lays down the regulation for the staff terms and conditions of service. Thus, the Bureau is the centre of PAP's planning and organising. Bureau members are elected by the Parliament.



In terms of policy implementation, it is the duty of the Secretariat, composed of the clerk, two deputy clerks and other staff as provided for in Article 12 of the Protocol to carry out the day to day activities that make the PAP a functioning institution. The parliamentary committees are the policy making hub of the PAP. These committees have been set up to correspond to the common policy sectors of the African Union also seen in the Specialised Technical Committee and other organs of the African union.

### **Sources of policy proposals**

In order to understand the policy interface between the Pan African Parliament and the African Union it will be important to determine how policy agenda is set in PAP committees and the extent of PAP committee powers in the AU. The PAP Rules of Procedure provide that general committee business in terms of subjects or proposals to be handled originate from the Bureau of the Parliament, the Specialised Technical Committees (STC), the Parliamentary plenary, and PAP committees themselves. Nevertheless, the Bureau is the actual agenda setter as is seen in the Rules of Procedure as the Bureau determines the draft agenda and the programmes of the sessions of Parliament (PAP 2004: 19). The Specialised Technical Committees as an AU organ is still in the process of being set up formally (EC: 2006g; EC: 2007a). However, the idea that policy agenda for PAP should come from the Specialised Technical Committees is not implausible as STCs represent the central base for the initiation of sectoral projects and programmes of the AU. It is based on the programmes and plans of the STC that the responsible PAP committee takes a cue in terms of their responsibility to harmonise and monitor these programmes through out AU regional communities.

### **The role of PAP Committees in decision making**

According to Varela (2005: 185) the committee system is an avenue (through specialisation) to facilitate the acquisition of necessary information, so as to minimise the uncertainties in linking policies to outcome. The Pan African Parliament at present has 10 permanent committees each made up of not more than 30 members including a president, a vice president and a rapporteur. All PAP committees are as follows:

1. Committee on Rural Economy, Agriculture, Natural Resources and Environment
2. Committee on Monetary and Financial Affairs



3. Committee on Trade, Customs and Immigration Matters
4. Committee on Co-operation, International Relations and Conflict Resolutions
5. Committee on Transport, Industry, Communication, Energy, Science and Technology
6. Committee on Health, Labour and Social Affairs
7. Committee on Education, Culture, Tourism and Human Resources
8. Committee on Gender, Family, Youth and People with Disability
9. Committee on Justice and Human Rights
10. Committee on Rules, Privileges and Discipline

These committees are based on sectors which each correspond to those of the Specialised Technical Committees as provided for in the Constituent Act (AU 2000a). For instance there is a Special Technical Committee on Rural Economy and Agricultural matters (AU 2000a) and the Parliament has a committee on Rural Economy, Agriculture, Natural Resources and Environment. The Rules of Procedure state that the committees shall handle business ordinarily handled by the Specialised Technical Committees (PAP 2004:24). PAP committees have the power to investigate and report to the Parliament on sectoral responsibility particularly as it relates to harmonising AU sectoral objectives and programmes. The PAP committees take decisions by consensus or by a two thirds majority of all members present and voting. Decision making within the AU has over the years been by majority vote and in recent years through consensus building and majority vote (OAU 2000:7). According to the PAP Rules of Procedure (PAP 2004:23), each committee has specific functions, although, generally, all committees may invite any organ of the Union to take part in its proceedings and any person who is not a member to attend and speak at its proceedings.

It seems that presently, the Executive Council considers policy proposals and reports from the Permanent Representatives Committee and the AU Commission. This relationship with the Commission may be based on the responsibility that has been given to the Commission for all monitoring and implementation of Assembly and Executive





Council decisions.<sup>11</sup> So, although the PAP also plays a role in the monitoring and implementation of these decisions, the PAP remains outside the decision making axis of the AU. For instance, according to Article 11 (5) of the Protocol, the Pan African Parliament can request officials of the AU to attend its' sessions, produce documents and assist in the discharge of its duties. However, there is no evidence that this relationship is functional. There is a lack of symbiotic exchange of ideas in the efforts of the Executive Council and that of the PAP in specific policy areas. A case in point is the PAP recommendations on Migration (PAP 2006a) and the Executive's Council's decision on Migration in 2006 (EC 2006d, 2006e, 2006f). The sequence of events shows that although the Pan African Parliament's 6<sup>th</sup> ordinary session in November 2006, took place after the January and June AU summits of 2006 (October/November 2006), the PAP recommendations ignored the decisions of the Executive Council taken earlier in the year. The decisions of the Executive Council on Migration were:

1. An integrated Migration Policy/Draft Migration policy framework (EC: 2006c)
2. Experts meeting on African to Europe migration problem
3. An African Common Position on Migration and Development (EC:2006d)
4. African Centre for Study and Research on Migration (Mali) (EC: 2006e:)

In November that same year, at its 6<sup>th</sup> ordinary session, migration was also a key issue for the PAP. The PAP recommendations on Migration at the session particularly addressed the underlying causes of migration such as governance and human rights and security (PAP 2006d). With the exception of noting the Draft Migration Policy Framework, the PAP recommendation did not interrogate further or reflect the decisions of the Executive Council on an African Common Position on Migration and Development; African/Europe migration problem and the African Centre for study and research on Migration. These are AU decisions meant for implementation and except for calling for a harmonisation of migration policies in Africa, the PAP did not offer specific input on implementing those decisions. Rather the Parliament made vague and broad suggestions

---

<sup>11</sup> See all decisions of the Executive Council since the first summit of AU in Durban 2002, [www.africa-union.org](http://www.africa-union.org).





like encouraging harmonisation, promoting information and education campaigns. Incidentally, these suggestions or recommendations from the PAP did not inform the decision making on migration at the Assembly and Executive Council levels in two subsequent summits, at the 10<sup>th</sup> and 11<sup>th</sup> AU summits in 2007. Rather, at the January 2007 summit, the Executive Council endorsed the Joint Africa/EU declaration on migration and development another programme strategy on migration, which did not originate from the Parliament (EC 2007b). The AU Commission (AUC) as per routine was tasked with the implementation and monitoring of the policies contained in the declaration. Pointedly, it must be said that in its request for the AUC to report to it on migration matters, the Executive Council should have requested that reports be submitted also the PAP for input.

Finally, the general nature of PAP's recommendations show a lack of depth in exploration and research into the Migration concept from the AU policy perspective, and its recommendations were too vague and generalised (PAP 2006b). Thus, there is a need for inter-institutional communication which is duly acknowledged in the draft PAP work plan related to its strategic plan (PAP 2005b), where one of the requirements for institutional development and consolidation of PAP was to provide for communication within the AU.

## **Organising**

An organisation consists of formal and informal arrangements. Formal arrangements will include, the goals, structure, systems and procedures and services, while the informal arrangements will entail the values, attitudes, styles of leadership, politics and culture that exist in the organisation. Organising establishes structure in an institution or polity by classifying and grouping functions and labour into the most effective pattern to facilitate the achievement of objectives. This section will examine the components of PAP's internal organisation as well as some components of AU organisational framework and where the PAP fits into this framework.

## Internal organising

The Parliament approved an organogram in April 2005 during its 3<sup>rd</sup> session (PAP 2005d). For its own internal operations the organogram provides a guide for institutional building, dealing especially with issues such as recruitment, and capacity building. Nevertheless, the organogram should be considered as a tentative representation of organising and reporting. This is because of the unstable and unpredictable nature of the environment in which the nascent AU system and institutions operate. As such, the organogram like some of the other AU institutions has not received an official nod from the Assembly (Clerk, personal communication 28<sup>th</sup> September 2007). Below is a representation of PAP organisational and reporting framework:

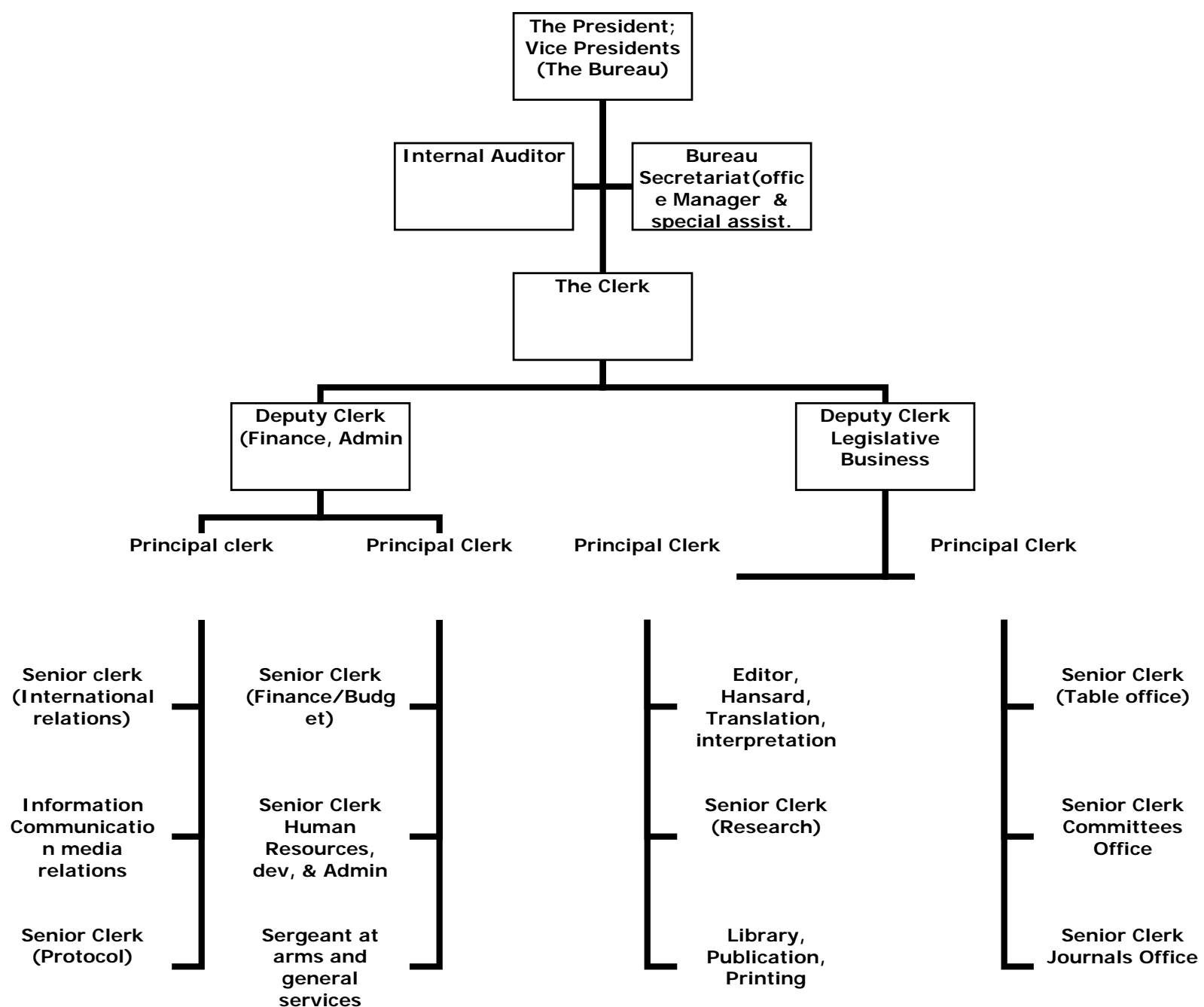


Figure 4.3 : PAP organogram (source: PAP strategic plan: 2005)



The aim of organising should be to maximise resources (human and material) for the ultimate goal of achieving objectives. From the organogram, it can be inferred that the Bureau is the highest decision making body in the PAP Secretariat and is closely assisted by the Internal Auditor and the Bureau Secretariat. Secondly, the Clerk of the Parliament reports to the Bureau and is assisted by two deputy Clerks one in charge of Finance and Administration and the other in charge of Legislative Business. Thirdly, there are four principal clerks who report to the deputy clerks. Their responsibilities or portfolios are not highlighted. There are three senior clerks who report to each of the principal clerks. Their areas of expertise and responsibilities are provided for. The organogram does not represent other line and functionary officers within the PAP.

As with public executive institutions, the PAP secretariat seems to run a formal mechanistic organisational structure. The PAP organogram shows that PAP supervisors represent expert knowledge (internal audit, finance and budget; research; translation etc). This represents a functional organisational system as represented by Frederick Taylor's specialisation of functions, where supervisors are the repositories of expertise and are involved in planning, policy and supervision (Dessler 1980:17). In this case, the line officers are basically non expert operation staffs who are guided by the supervisors.

What is not represented in the Organogram above is how PAP permanent committees fit into the internal organisational framework. Committee systems are regarded as organistic organisational systems (Robbins 1990). However, PAP committees seem to function like a line and staff system where according to Robbins (1990), expert knowledge is taken care of by providing expert assistants like the committee clerks to assist the public manager who probably in this case will be the Bureau and the Committees. Thus, PAP committees can be regarded as extra organisational arrangements, set up to maximise expert potential and flexibility in PAP decision making.



### **PAP's role in AU organising**

Organising is one of the areas of weakness in the SWOT matrix, expressed as the inability of PAP to “establish respective areas of jurisdiction among AU organs (PAP 2005a:7). It also poses a threat to the PAP in terms of the AU institutional framework. Rice and Bishoprick (1971:163-164) describe systems as consisting “...of a patterned, functional relationship among components. As such, it encompasses a host of phenomena, so much so that the word...has been applied to anything that has an identifiable pattern” Thus systems show an identifiable pattern of relationship and the dynamism between different parts of the system. Five years into the new African Union, there seems to be no definitive AU organisation system.

To further discuss the AU system, consider the environment in which the PAP operates and the information network or feedback process within this environment. The following organisational charts are from three different sources (ISS 2005:15; PAP 2005a:2; PULP: 2007:144). These charts represent the relationships between the organs in Africa's integration system. It is important to note that the African Union itself has not presented a formal organogram on the relationships between the institutions of its integration system. Thus, these organisational charts all take different interpretations of the relationship between the respective AU organs as provided for in the AU constitutive Act.

Organogram: African Union

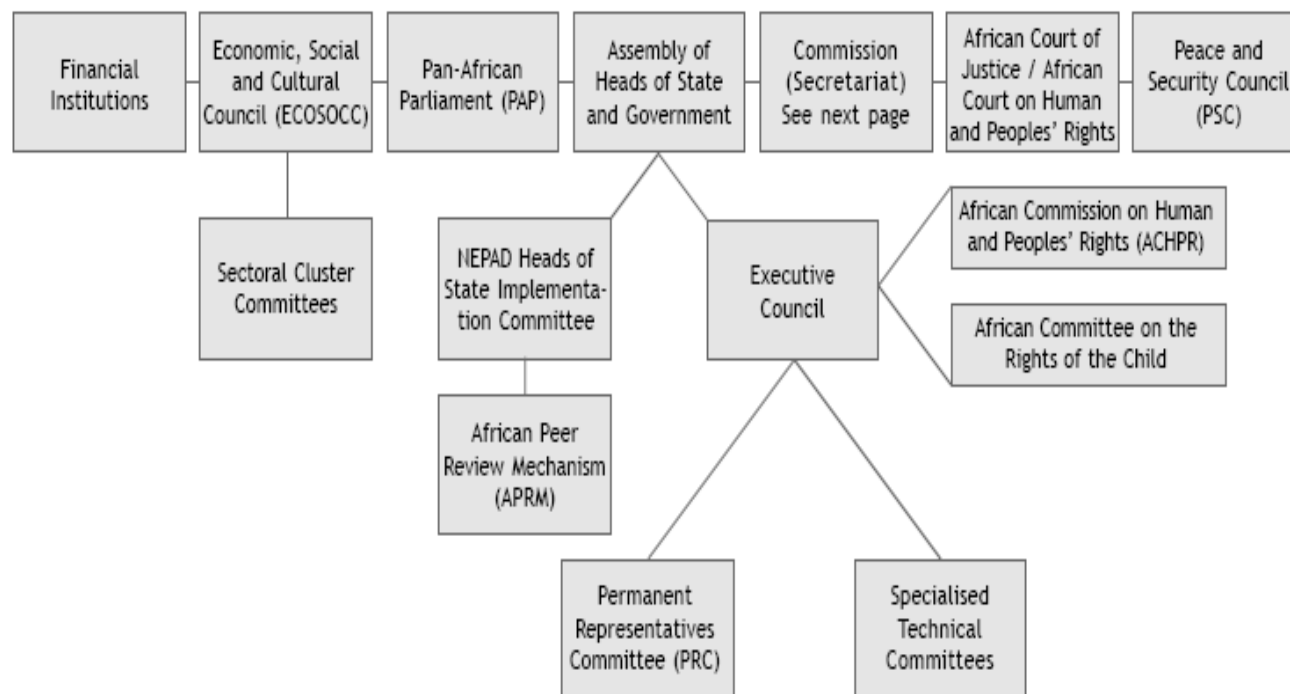
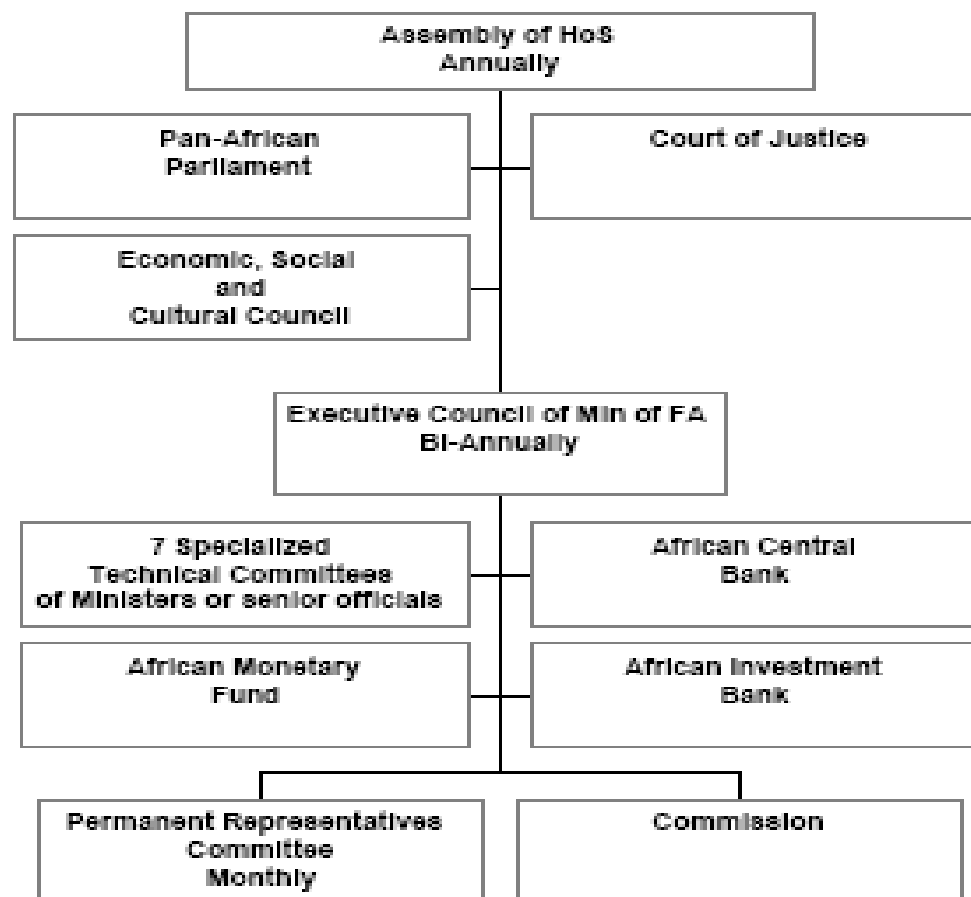


Figure 4.4: AU organogram (source: PULP)

The Pretoria University Law Press organogram ignores the crucial relationship between the AU Commission and the Executive Council. Its other shortcoming is in placing organs like the Pan African Parliament, Economic, Social and Cultural Council (ECOSOCC), the Peace and Security Council (PSC), African Court of Justice and Human Rights and even AU financial institutions as Assembly support institutions, while showing the subordination of the Executive Council to the Assembly. This implies that the Executive Council possesses less power than these other organs. This organisational chart it appears was produced without due credence to the protocols establishing the organs. This is because in terms of the Constitutive Act, statutes of the ECOSOCC (OAU 2004: <http://www.africa-union.org/ECOSOC/STATUTES-En.pdf>), and the protocols establishing PAP (OAU 2001a), the African Court of Justice and Human Rights (OAU 1998a; AU 2003a), the financial institutions and the Peace and Security Council (AU 2001), none of these institutions report directly to the Assembly of Heads of State and Government. They all report to the Assembly through the Executive Council, which reports directly to the Assembly. Even in cases that need approval of the Assembly like in the remuneration of Judges, it is by recommendation of the Executive Council. Thus this

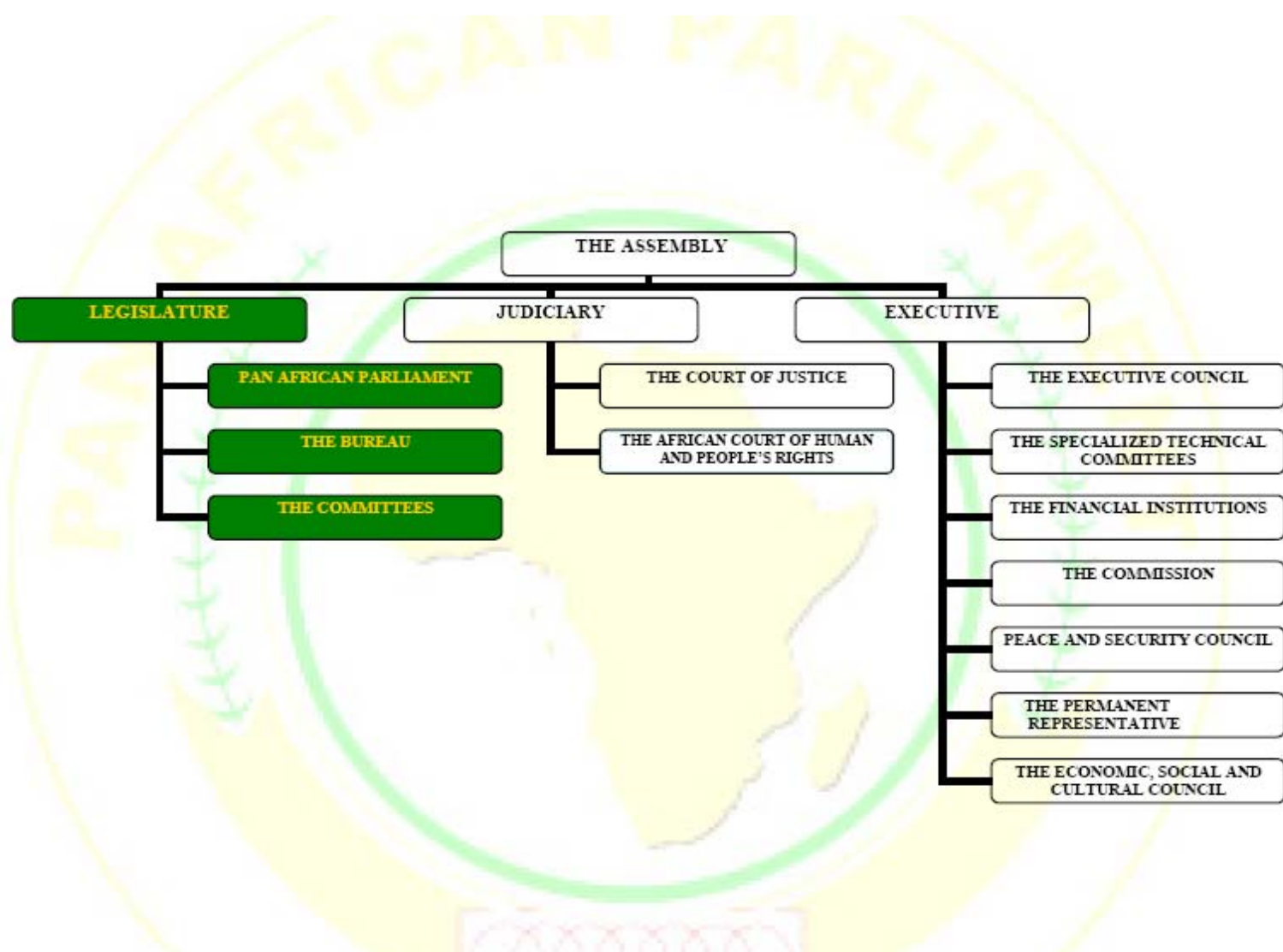


organogram is does not represent the power relations between the Executive Council and the other AU organs as seen in the legal instruments of the AU and its organs.



**Figure 4.5 : AU Organogram (source: ISS)**

Perhaps the Institute of Strategic Studies (ISS) organogram offers the closest representation of AU institutional relationships. It portrays the two main centres in AU decision making: the Assembly and the Executive Council, and how other institutions are related to them. Nevertheless it (perhaps inaccurately) attempts to portray the PAP, ECOSOCC and the Court of Justice as playing a direct role in AU decision making through a direct relationship with the Assembly. This is not the case in legislation or in practice as the Executive Council is the direct conduit to all Assembly decision making. It also shows those organs that report directly to the Executive Council whose decisions do not necessarily need to carry to the Assembly (PRC, AUC). It omits the Peace and Security Council and depicts the PAP at a higher level in AU decision making compared to the lower ranked PRC, which in practice is not so, as the PRC in fact supervises the PAP.



Source: Compiled from the Constitutive Act of the African Union and its Protocol on Amendments by PAP

**Figure: 4.6 : AU organogram (source: PAP)**

The Pan African Parliament's organogram sets out the AU as a polity with three different arms of governance, the legislature, the judiciary and the executive all reporting to the Assembly of Head of States. The organogram represents a wish list because its representations neither obtain in practice nor in legislation, as firstly the Court's and PAP's independence from the Executive Council does not exist in practice as power is centralised in the Assembly/Executive Council alliance. Nevertheless, since the AU is still in its embryonic years, there will be a level of flexibility of AU treaties and protocols as the process of relationship building in terms of responsibilities, and decision making powers is largely on going.

Apart from inter-institutional relationships within the AU, PAP has extra-institutional relationships with other African Parliamentary institutions. These are the regional and national Parliamentary institutions. Article 18 of the PAP Protocol stipulates that the Parliament shall work in close co-operation with the Parliaments of the RECs and the



national Parliaments or other deliberative organs of member states (OAU 2001). As such, the PAP is expected to convene annual consultative forums with the Parliaments of the RECs and the national Parliaments or equivalent. Within the African regional integration system, there are 3 working Regional Parliamentary Assemblies (RPA): the ECOWAS-Parliament (ECOWAS –P); the East African Legislative Assembly (EALA) and the Southern African Development Community, SADC-Parliamentary Forum. Other less established RPAs are the inter-Parliamentary Union of the Intergovernmental Authority on Development (IPU-IGAD), the Network of Parliamentarians of the Economic Community of Central African States (REPAC-ECCAS) and the Parliament of the West African Economic and Monetary Union (P-UEMOA). Apart from the SADC Parliamentary Forum, all these RPAs were inaugurated in the new millennium, making them all young assemblies. Thus to a large extent the challenges of the RPAs are no different from those already enumerated in connection to the PAP. Indeed Terlinden (2005:1-6), in exploring the current state and challenges of these RPAs, focused on formal powers of the RPAs vis-à-vis the reality of the limitations placed in the way of these RPAs in fulfilling their often advisory roles. This includes the executive's snubbing of RPAs' proposals, recommendations and inquiries; the lack of formal reporting relationships with the executive and the exclusivity of Executive and Assembly legislative powers. This sounds oddly reminiscent of the Pan African Parliament's limitations. Nevertheless, some of these RPAs have managed to make an impact in other areas like on the promotion of governance and human rights issues like with the ECOWAS –P and the SADC-PF as noted by O.C Eze in his unpublished conference paper (Terlinden 2005:4). Even more, the East African Legislative Assembly (EALA), has acquired minor law making roles limited to votes on motions that have no cost implication. Although the EALA discusses and approves the EAC budget, the Parliament cannot revise or draw up budgets (Terlinden 2005:3). However, even such limited budgetary power eludes the PAP. The next section will examine the co-ordination of AU activities as it relates to the PAP.



## **Co-ordination and Control**

The previous section discussed the Parliament's internal organising as well as how and where the PAP fits into the AU division of labour. Conversely, in the organising and policy provisions made in all AU legal instruments (protocols, statutes and Rules of Procedure), there is a marked absence of a thread that links the AU institutions together. This is where co-ordination and control comes in as a thread that links responsibilities and harmonises policies. Next, this section will examine the micro and macro levels of co-ordination in PAP.

### **Co-ordination**

Co-ordination can take different forms and can be carried out using different techniques. Cloete (1998:178) lists some co-ordination techniques as committees; regular meetings of division heads; manuals or codes, communication system and centralised institutions. Due to the complexity and dynamism reticent in the nature of the AU system, with its retinue of institutions and its building block integration strategy, the function of co-ordination will always demand continual attention and review. Organisational structure scholar Mintzberg (1979) proposes that co-ordination is the linking of operations laterally. This means the tangential relationship between departments based on certain criteria such as function and clients.

### **PAP co-ordinating Units**

PAP's objectives require a great level of co-ordination. Its co-operation and harmonisation objectives in relation to Regional Parliamentary Assemblies (RPAs) and national assemblies require a level of co-ordination. Articles 11 and 18 of the PAP Protocol formalises this lateral relationship between the PAP and other parliamentary fora by providing for the creation of an annual consultative forum. Internally, the PAP co-ordinates its work through certain co-ordinating structures sometimes based on



sectoral and geographical criteria. These are the bureau, the permanent committees, the regional caucuses and the joint meeting of the bureau and the chairpersons of committees.

**The Bureau:** According to rule 14 of the PAP Rules of Procedure, the Bureau is made up of the President of the Parliament and four Vice presidents (PAP 2004: 18). From the PAP organogram and budget, the Bureau has its own secretariat and is composed of an office manager and special assistants (PAP 2005a:4; 2005b:) The Bureau is responsible for co-ordinating and harmonising the functions of the Permanent Committees. For instance, before the adoption of recommendations and resolutions, the permanent committees submit all resolutions to the Bureau. Thereafter, the Bureau considers all resolutions and recommendations and they are where necessary, accepted for plenary debate and adoption. As traced in the record of debates in the PAP Hansard (PAP 2005d: 226; 246), recommendations are nevertheless dropped if they are in-house issues that can be handled at the Bureau or committee level and if issues are within the mandate of the Protocol which do not require a resolution at the time.

**Permanent Committees:** PAP committees are substructures of co-ordination. They are created in line with AU sectoral categorisation like trade, science and technology for instance. Permanent committees coordinating powers lie in their mandate to work towards the harmonisation and co-ordination of the various sectoral laws and policies of AU member states. Permanent committees, apply their co-ordinating mandate by requesting officials of the AU and RECs to attend sessions and present reports and formulating resolutions and making recommendations based on information garnered from these sources. There are at least two meetings a year of the Permanent Committees as the PAP holds two ordinary sessions a year. Nonetheless, at least once a year, there are committee meetings which are supposed to meet outside the ordinary sessions.

**Regional Caucuses:** PAP has five regional caucuses made up of MPs and divided into; Eastern, Southern, Central, Western and Northern Africa. The objective of the caucuses is to garner regional support for PAP and integrating the socio-economic and political objectives of RECs and RPAs with those of the PAP (PAP 2005c:32). According to rule





83 of the Rules of Procedure, caucuses meet to select names from amongst its members for nominations for election of President or vice president, membership of permanent committees and election of members as office bearers in the committees(PAP 2004:50). Thus regional caucuses offer a co-ordinating role between the PAP and regional Parliaments in terms of its members' affiliation to regional and national Parliaments.

**Joint meeting of the Bureau and Chairpersons of Committees:** This is a standing meeting which takes place before each ordinary session of the Parliament for purposes of finalising the plenary order of business (PAP 2004a: 20). The Joint Meeting also creates a forum for familiarising, discussions and decisions on the activities of the various committees. It is an opportunity to initiate co-operation of the different committees in common interest issues and be briefed on process in implementation of plans and activities.

**Regional Round Table Consultative Forums:** The Protocol mandates the Pan African Parliament to organise annual consultative forums with the Parliaments of the RECs and the national Parliaments or equivalent. So far the Pan African Parliament has held a regional Round Table Discussion (RTD) at the 2006 PAP Arusha Workshop on the Harmonisation of RECs and RPAs in Arusha Tanzania. The workshop was billed as the first RTD represented by the Eastern African Community Regional Assembly (EALA). Plans for the next four regions were set for 2007 (PAP: 2006a), but, the financial constraints in the PAP have hampered progress in this light. Moreover, the challenges faced by the RECs like lack of programme co-ordination, the multiplicity of membership and proliferation of multilateral regional economic groups and communities, will make the co-ordination of RPA activities a big challenge for the PAP.

## **Control**

Although the PAP in the interim does not possess functional legislative powers, it can still play some oversight role in the AU. Article 11 of PAP Protocol gives it oversight



powers in requesting officials of the AU to attend its sessions, produce documents, and assist in the discharge of its duties. The PAP has advisory powers in terms of making recommendations on the strategies and challenges of African integration and on the AU budget (AU 2001). Therefore, on the macro scale, the Pan African Parliament has a control function in the AU as it has an oversight role over AU organs. In this light, the Parliament's control tools as contained in the Protocol and Rules of Procedure are:

**Questions and Answers:** According to Rule 67 of the PAP Rules of Procedure, the PAP may put questions relating to the AU to the Executive Council and Commission as well as any other organ of the AU (PAP 2004: 43). The President of the PAP refers the questions to the appropriate organ of the AU. The questions may require an oral or written reply and the relevant organ is obliged to reply within 25 days. Nevertheless, the content of questions is such that it guards against undue sentiments from MPs towards member states rulers or representatives (PAP 2004:44-45). With this clause, the PAP sets boundaries for itself in terms of making an opinion as seen in Rule 77 (1&4). The rules require that questions shall not be framed to convey a particular point of view, or express an opinion or contain an argument.

**Reports:** In fulfilment of its oversight function as provided for in Articles 2, 3 and 11, of the Protocol, organs of the AU have to submit reports to the PAP on request. Rule 75 of the Rules of Procedure stipulates that all "annual reports and other reports of the organs of the Union shall be submitted to Parliament in order to enable Parliament make contributions in terms of Article 3 of the Protocol" (PAP 2004:47). These reports will be referred to the responsible committee which in turn will submit recommendations back to the Parliament after deliberations. The Parliament will then debate on the issues and pass a final resolution on the matter. These resolutions are then submitted for to the Executive Council for consideration. Example is the APRM and NEPAD annual reports presented during the 6<sup>th</sup> session of the Parliament on the 14<sup>th</sup> November 2006 as seen in the 6<sup>th</sup> session programme (PAP 2006b: research materials). Committees also have the powers to require the production of papers and documents (PAP 2004:24).



Rule 73 and 74 of the Rules of Procedure shows the reporting relationship the PAP has with the Assembly, Executive Council and the Commission (PAP 2004:47). The President of the Parliament after due consultation with the Bureau of the PAP, can ask the chairperson of the Assembly, Executive Council and/or the Commission, after Assembly or Council meetings, to make a statement to the Parliament based on major decisions taken during these meetings, and these parties can also request permission of the President to make a statement. With the reporting culture of the AU so far discussed it can be seen that this synergy does not exist between the Assembly/Executive Council and the PAP.

**Investigations/inspections:** One way that Parliaments perform their control functions is through investigations. For a regional Parliament like the PAP these investigations cover human rights issues and issues within the PAP democracy oversight agenda. According to rule 23 of the Rules of Procedures on the procedure of PAP committees, the committee shall have power to receive evidence, call witnesses and require the production of papers and documents (PAP 2004: 24). Inspection is another task that is carried out in the process of an investigation.

In a resolution in 2004, the PAP resolved to undertake fact finding missions to conflict areas (PAP 2004c). In September 2005 PAP sent a fact-finding mission to Darfur (GCIS 2006). The Parliament has also sent a fact finding mission on Toxic Waste to Cote d'Ivoire (NEPAD: 2005) and observer missions to elections in African states like the Democratic Republic of Congo and Chad (PAP 2006c: research materials). These inspections afford the responsible committees the benefits of on the ground experience of issues at hand. But, in line with its role in facilitating the effective implementation of AU policies, it seems that these missions have not produced any concrete effort in contributing to peace and security in Africa.

**Budgetary oversight:** In practice, the Pan African Parliament's budgetary oversight does not exist. Although this is not for want of asking. The PAP has in many of its recommendations asked that the AU budget be given to it for deliberation and debate



(PAP 2004b; PAP 2006f). However, none of PAP recommendations to this effect have been considered. This is despite the provisions of Article 11 of the Protocol and rule 4(g) of the PAP Rules of Procedure (PAP 2004a:10) which gives the PAP the power to examine, debate and make recommendations on the budget of the African Union before it goes to the Executive Council and Assembly for approval. Instead of getting the requested budgetary role, the Pan African Parliament found in itself in a precarious position of being audited probed and then sanctioned by the Executive Council through the Permanent Representatives Committee. This is even more ironic because while the PAP should be vetting AU audit reports, it had no input in its own audit report.

### **The political and techno-structure of PAP**

PAP human resources strategy is contained in its strategic plan. Some of the weaknesses identified by the PAP in its strategic plan are human resource related; like the “...likelihood of difficulties in attracting and retaining high calibre professionals; high turn over of MPs” (PAP 2005a:7). To this end, its strategic human resource objectives are to develop the capacity of PAP in acquiring and retaining specialised expertise and knowledge in relevant fields; upgrade and deepen the knowledge and skills of the Members of Parliament and strengthen administration, support services and programme areas (PAP 2005a: 8-10). In this regard, recruitment, training and retention of managerial and technical staff are key components of the human resource strategy. Human resources in this case will cover PAP’s political and techno-structure: MP’s and support or secretariat staff.

#### **Techno-structure: the Secretariat**

The Pan African Parliament’s support staffs makes up the PAP secretariat. The role of the Parliament in the appointment and retention of staff is contained in Article 11(8) of the PAP Protocol to “propose to the Council and Assembly the size and nature of the support staff of the Pan African Parliament” (AU 2001). Also, article 12 (6) of the PAP Protocol



imbues the Parliament powers to “appoint a clerk, two deputies and such other staff and functionaries as it may deem necessary...” (AU 2001). Consequently, according to rule 20 of the Rules of Procedure, “in the performance of its functions Parliament shall be assisted by the Secretariat” (PAP 2004:21). The head of the Secretariat is the Clerk, who is assisted by two deputy clerks and other support staff.

In terms of appointments, the Bureau makes recommendations on the support staff needed for the PAP and this is decided upon by the Parliament. In its 2006 budget, the Parliament budgeted and approved a total staff strength of 94. The Parliament also provided allowances for training education for almost all staff from secretaries to the director of the Bureau. The Parliament is geared towards attracting competent staff to run to secretariat. In order to attract good staff to PAP it uses the AU Niamey (Niger) salary rates which is supposed to be the best in the AU (PAP 2006b : 8).

### **Political structure: Members of Parliament**

In the long run, PAP MPs shall be elected by universal adult suffrage (AU 2001). In the interim, it is expected that MPs be elected or designated from their national Parliaments or any other deliberative organs of the member states. Additionally, MPs’ terms shall run concurrently with their terms in the national Parliament or deliberative organ. Nevertheless, an MPs seat is declared vacant if among other provisions in Article 5 of the Protocol, they are recalled by or cease to be members of the national Parliament or any other deliberative organ. In this manner, the cathartic nature of political appointments in some African states may lead to high turnover of MPs. This is a weakness expressed in the Strategic Plan of the PAP (PAP 2005a: 7). Furthermore, rules 6-13 of the PAP Rules of Procedure (PAP 2004: 11-17) show the extent of privileges, tenure, process of verifications and privileges and immunities of a Member of Parliament.





## **Representativeness**

According to article 4 (2) of the PAP Protocol, in the interim, each member state of the Assembly shall be represented by 5 members at the PAP and at least one of them must be a woman. This is irrespective of the size or contribution of member states to the AU. So, according to Gottschalk and Schmidt (2004: 142), whether Nigeria or Seychelles, the result is a “democratic inequality in terms of the value of each vote of more than 1000:1.” This makes the representativeness of policy outcomes questionable. Unlike the elected European Parliament, where in most cases seats are allocated through the d’Hondts system (Varela 2005:183), which ensures that MPs represent the general spread of voting, PAP membership is not based on any form of democratic representativeness. This undermines representativeness in policy outcomes. These are some of the issues that will come to play in the process of PAP growth.

## **PAP Committees: Division of Duties and specialisation**

Division of labour among MPs is observed in the composition of the Bureau and PAP committees. Members of the Bureau are appointed through a general election in the plenary by secret ballot and simple majority (PAP 2004: 19). For the Bureau, it is expected that candidatures for the posts of President and the vice presidents be submitted to the Clerk by regional caucuses before the election. There is a representative clause in the election process in terms of representing gender and regions (PAP 2004:19). The Bureau sets the agenda and programmes of Parliamentary sessions as well as determines the structure, plans and requirements of the Secretariat. The Bureau has to ensure policy coherence among the committees, hence its responsibility for co-ordinating and harmonising the functions of committees.

PAP committees are composed of at most 30 members and at any point in time, one MP is expected to be serving only one committee. The committees are divided according to sectoral significance in the AU. The regional caucuses draw up a list of members and



their committees, but the criteria or methods for the selection of committee members are not clear. Nevertheless evidence from scholarship shows that MPs are purposeful actors (Hall 1987:109; Shepsle & Weingast 1987), and as such may most likely be drawn to committees that hold certain interests for them (Varela 2005:184). Having five members of Parliament from each of the 41 nations that make up the Parliament, 10 committees, each with a maximum of 30 members and eligibility to be a member of only one, MP preferences are maximised and there is deference to members of other committees. This results in the likelihood of specialisation of members in their preferred committee areas.

In this regard, the PAP strategic framework highlights the need to upgrade and deepen the knowledge and skills of the MPs especially in terms of specialised knowledge and skills needed for their sectoral responsibilities (PAP 2005a :9). This need for improved competencies of the MPs is to develop and build on the role of committees as what Shepsle and Weingast (1987:85) describe as repositories of policy expertise. This point was put into consideration in the development of PAP action plans, a participatory process that involved the PAP Bureau and Committees, linking those strategic political objectives and institutional objectives to an implementation plan (personal observation, PAP work plans, 2007). This involved varying activities such as workshops, research and data gathering on general and technical knowledge on sectoral issues like agriculture, labour issues, trade and the environment, as well as the development of terms of references for inventory and data bases.

### **PAP Rules of Procedures**

Work procedures reveal how duties are connected, ensure policy cohesion, and inculcate the principles of a shared goal. Procedures are aimed towards ensuring that duties are carried out in the most efficient, economic and effective manner. The Pan African Parliament in Article 11 (8) of the Protocol is afforded the authority to adopt or approve its own Rules of Procedures. For the PAP in particular, this is important as a new institution to ensure a shared vision in AU policy integration, establish limitations and



opportunities in light of delegated powers. This is especially considering the complexity of the AU administrative system.

The Pan African Parliament adopted its Rules of Procedures on the 21<sup>st</sup> of December 2004. The document details the functions of the Pan African Parliament in line with the Protocol provisions. It outlines in detail the functions and powers of the Parliament, the code of conduct, tenure and mandate of MPs, the composition and powers of the Bureau, parliamentary committees, house order of business, quorum and voting petitions, budget and so on. The Pan African Parliament's Rules of Procedures acts as both a control and co-ordinating instrument. What is relevant to this study is whether these procedures have the potential to promote internal shared vision and policy consistency, rationality and unity in the PAP. It is argued that this will position the PAP in a better position to develop its voice in the AU.

The procedures deal with committee, bureau and plenary decision making. The PAP committee system and the bureau of PAP allow for a certain level of specialisation and flexibility in PAP decision making. With the specialised functions of PAP committees as provided for in rule 22 of the Procedure, there is opportunity for expert considerations in the long term plans for those special fields. PAP committees represent the various policy and operation areas of the Parliament and indeed of the African Union. These specialised committees are the blueprint in the design of the strategic and work plans of PAP (PAP 2005a). Institutional and political objectives of the PAP, accommodate those specialised tasks, needs and challenges of the different PAP sectoral committees. The set up of committees in the procedure (PAP 2004:23), provides that MPs serve on one committee at a time, this makes co-ordinated execution of PAP activities in general focused, as there isn't distraction that comes from multiple memberships. According to rule 22(3-4) of the Procedure, committees are subject to restructuring and there is provision for ad-hoc committees (PAP 2004:23). This allows for effective execution of pressing Parliamentary decisions or tasks.



It is important to note that there is need for flexibility so far as PAP's Rules of Procedure are concerned. In this case, the Rules of Procedures are subject to amendments by any member of the Parliament by referring the proposal to the Bureau, from which it goes to the Permanent Committee on rules privileges and discipline and finally to the Parliament for adoption. The opportunity and ability to amend its own Rules of Procedure is an essential tool for the PAP to adapt to change and grow its voice in the AU. This is because of the rapid changes going on in the AU system. As new organs of the Union are incorporated and as the AU system becomes more complex, the PAP needs to continue to push for its survival and move more to acquire supranational relevance in the AU.

## **Conclusion**

This section has examined the institutional arrangements in the Pan African Parliament as presently constituted. The strategy behind this action is to show how these arrangements reflect the intentions of PAP designers in this case the African heads of state and Government. From tracing nature of decisions making of African leadership in the design of African integration institutions from early independence to the present, the thesis was attempting to engage the historical precedence of designers' intentions in regional integration and institution building. Whether this has been done successfully is certainly subject to debate. That notwithstanding,, what this chapter has tried to reveal is that the ideological underpinnings of African Unity is an institution on its own. As such issues such as political non-interference and sovereignty still dictate the character of African integrative space. The imperative of globalisation has been inescapable in global governance, and Africa is not excluded. The pressure of globalisation in terms of the dictates of economic liberalisation and good governance has become a strong force in African continental leadership urging the move from ideology to a pragmatic engagement with global economic realities. This struggle between old policy legacies and new realities of change has resulted in a complex mix of interests and intentions between member states in the progress towards African Unity. This has resulted in a plethora of



African integrative institutions (Economic Communities, Treaties and Protocols), as African states grapple to maximise interests and the benefits of multilateral agreements.

As such, this chapter probed the rationale for the establishment of an African Parliament. From an examination of background political and economic realities and legislative frameworks in treaty provisions and protocol considerations, it can be argued that the PAP emerged as a result of the tension between the realism and idealism represented by the global imperatives and the African ideology of unity respectively. Thus, while it can be said that PAP emerged out of its ‘appropriateness’ to the vision of African Unity, its institutional arrangements as shown in the grand and micro policy instruments show that there was a rational process in the decisions of member states on its design.

The next chapter as an analysis of the study components will consider the relationships between theoretical underpinnings of this study and the findings of the study. It will try to find out if the PAP has potential for growth, by analysing how PAP’s institutional design reveals a rational choice prescript as against a more historical and cultural influence. It will also consider the meaning of the five year review clause in the PAP Protocol and examine how it may spell growth for the PAP, depending on whether it is considered as a spillover opportunity or an intentional instrumental consideration of the PAP designers. It is hoped that the chapter will provide the basis for future studies, considerations and debates on the potential for growth or inertia in the Pan African Parliament.





## Chapter 5

### Findings and Analysis

Chapter two laid out certain parameters, which were intended as a guide to the analysis in this thesis. Firstly, it noted some questions which will serve to guide the development of analytical themes and findings:

1. What is the collective choice problem that PAP serves to resolve?
2. Who are the institutional designers of PAP and how can their motivations in designing PAP be best interpreted (rational or non-rational)?
3. Is there evidence of long-term as against short term decision making goals of the designers?
4. Are there institutional arrangements which are emerging that
  - show intentional or unanticipated outcomes by designers
  - may result in PAP's gaining influence over time and thus effectiveness as a regional integrative institution?
  - may limit PAP's influence and thus stunt the growth of the PAP?

These questions were fundamentally geared towards answering the main research question: “*To what extent could the definitive role of the Pan African Parliament influence decision-making in the African Union?*” It was argued from the beginning of the methodology that the journey to answering the research question will begin with finding out what the definitive role of the Pan African Parliament is. It was also argued that of particular relevance to interrogating the definitive role of the PAP in African regionalism is the concept of functionality. Accordingly, taking into account the parallels evident in the institutionalised model of African Union integration and that of the European Union, it was logical to consider some of the theories that have developed over time in observing the development of European regional institutions. It was noticed that



literature was rife with theories which tried to explain the role of institutions of regional integration in deepening integration. These theories and concepts mirror different schools of thought which try to explain deepening integration in Europe for the past 50 years. While some accredit Europe's deepening integration to the ability of nation states to consciously abnegate some levels of sovereignty, others attribute Europe's deepening integration to the ability of the institutions of integration to acquire power from the centre. The disposition in this school of thought, which was relevant to this thesis nevertheless, were those theories that tried to explain how regional integration institutions emerge, grow and acquire supranational status.

Working to grasp these theories provided a challenge with regards to this study, especially if Africa's different political and social context as reviewed in Chapter four is considered. Africa's model of regionalism, which is modelled on the European institutional style, the highly intergovernmental and centralised African integration space, as well as the perennial challenge of capacity, provided a fresh research opportunity to check these theories against this work. Therefore, in order to answer the research question, this thesis had to investigate the emergence of the PAP, taking into account the concept of functionality, as well as how rational considerations can some times be absorbed in more historical and cultural factors when making decisions on institutional design.

In chapter three, the theoretical framework showed that a functionality premise views institutional function (what an institution does) as the intended consequences of institutional designers. Functionalist arguments also indicate that actors who are instrumental in developing institutions, base institutional designs (features and arrangement) on deliberate well thought out, far-sighted or long term vision. Institutions as a result, emerge as a solution to a collective choice problem. In interrogating functionality, the thesis also investigated other arguments that speak contrary to the more rational prescripts of functionality. For instance Pierson (2000:477) suggests that, while institutional effects (outcomes) may be seen as intended consequences of the designer's action, when examining the functionalist approach terms such as instrumental, farsighted

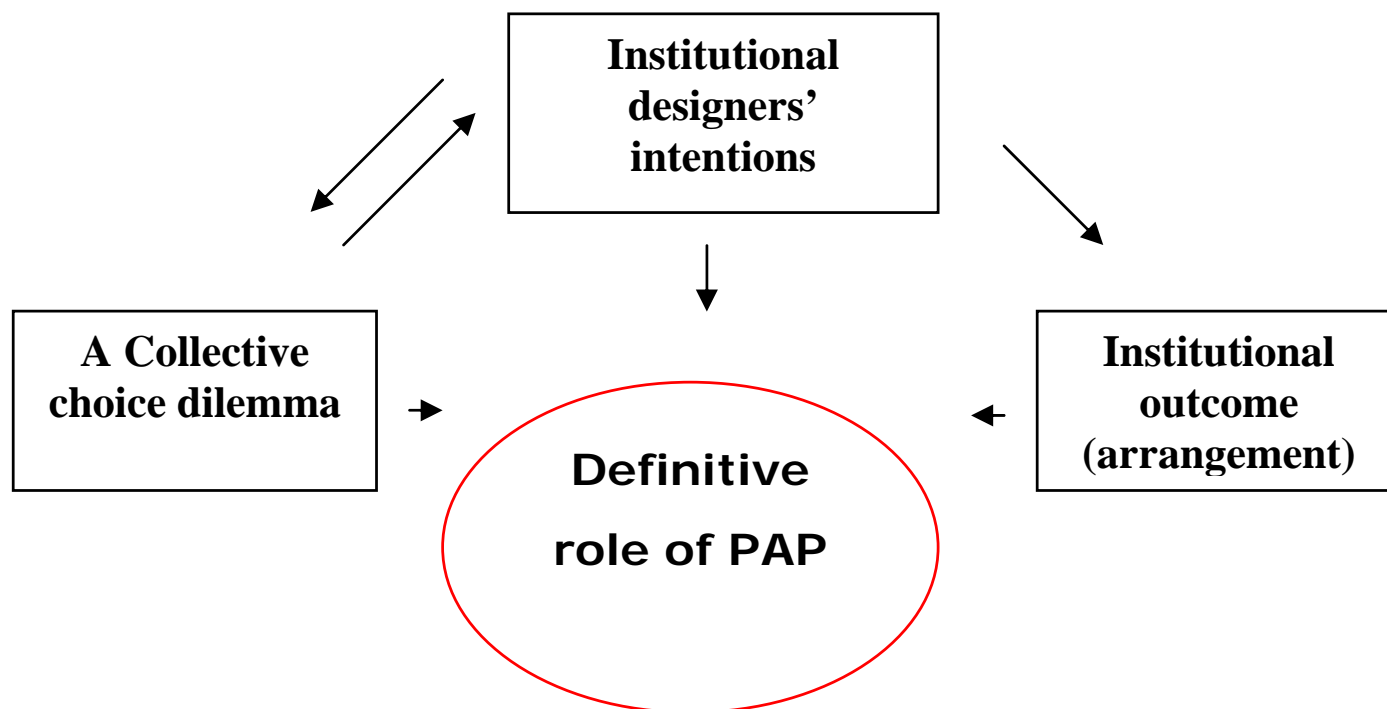


and intended should be further interrogated. This is because, sometimes institutional designers are inspired by more unintentional factors rooted in socio-cultural and historical antecedents. As such the question of who designed the PAP and motivations that inspired them is imperative.

That is why the case study section of the thesis probed the environment of PAP's emergence, examining the governance and leadership terrain of African continental politics, both before and leading up to the emergence of the PAP. The research also attempted to identify and discuss who the designers of PAP are, taking into account the history and principles of the old OAU and the transformation of Africa's regionalism path towards the formation of the African Union. The reason for this in depth interrogation of background was to isolate not only who PAP's designers are, but also to find out the intentions and motivation that informed the design of a democratic institution like PAP. In particular, the research set out to learn if these intentions and motivations were based on instrumental, long term considerations, or if PAP emerged based more on normative values like its appropriateness. Finding out the basis for the decision to institute PAP it was reasoned, could possibly unearth the definitive role of the PAP and show gaps that could either grow or stagnate this institution in the future.

## **Thematic framework**

The objective of the analytical framework was to provide themes for analysis which will help in answering the research question. These themes were developed for the purpose of analysis on PAP's role in the decision-making of the African Union. In Chapter 2 the analytical framework was represented thus:



**Figure 5.5: Analytical framework (Configuration mine, 2008©)**

From the above, the themes for analysis will deal with findings on the collective choice dilemma that the emergence of PAP seeks to address, who the designers of PAP are and what their intentions are, these two themes could shed some light on the next theme which is the institutional arrangement because institutional arrangements are assumed to reflect the intentions of institutional designers. The culminating objective is to give indications of the definitive role of the PAP, thus final theme examines the definitive role of the PAP by investigating how the first three themes tie into this role. Based on the findings, the thesis could possibly add to knowledge by identifying some of the growth potentials and limitations of the Pan African Parliament.

## **Theme 1: A Collective Choice dilemma**

As argued before, functionalists maintain that influential actors in the polity, will most likely base institutional designs on deliberate well thought out far-sighted vision. Based on this supposition, it has been argued that institutions exist to serve those very functions that are intended by designers. Although there are limitations to this view, which is derived from rational choice prescripts, functionality perhaps, more than any other view,



opens the way for discussions on collective choice dilemma. This is because institutional function implies the resolution of a collective choice dilemma. For instance as an answer to the ten year African economic melt down of the 1970s, two economic instruments emerged at the end of that end, the OAU 1979 Lagos Plan of Action (LPA) and the Final Act of Lagos (1980).

In international relations, regional systems are made up of many members with differing ideological and political leanings representing equally diverse groups. This state of affairs will logically entail a multiplicity of interests and motivations in matters that concern the group. Nevertheless, rationality assumes that when people come together in a group for a particular policy purpose, individual peculiarities are often put aside for the overall productiveness of the group. Therefore, if taken simplistically, the decision to reform the OAU and establish the Pan African Parliament as one of the organs of the new regional system, can be seen a resolution of a collective choice dilemma. The PAP emerged as a result of the collective agreement of AU member states on the best way to tackle African integration and governance going in the 21<sup>st</sup> century. Nonetheless, the issue of collective choice dilemma is not as simplistic, therefore the next section will go into more detail on collective choice dilemma in PAP emergence and the issues that impact on it.

## **Findings**

This discussion focuses on the problem that the establishment of PAP seeks to address. It is argued that there are two major issues that confronted African leadership at the turn of the century which informed the move to accelerate the implementation of the Abuja treaty and the establishment of its institutions. These were the threat and limitations facing African integration in the form of globalisation with its come-in or stay-out nature and the growth of new regionalism in response to globalisation. Second was the failure of previous African collective efforts in achieving effective development for the continent.



## **A collective response to globalisation and Africa's past failure at regional integration and development**

It has been established that the perspective of global restructuring as is seen by many globalisation watchers is actually premised on the neo-liberalism principles of Northern States. It has also been suggested that the process of globalisation as well as the international systems that govern and arbitrate in these process, have a general drift towards the economic and political principles set out by the hegemonies of the North. Ultimately, for underdeveloped and developing economies like Latin America and Africa, globalisation is inescapable. Thus, these economies have to adjust their approaches to development in such a way to adapt to the come-in or stay-out globalisation trend that is neo-liberalism.

Some authors argue that the growth of regionalism beginning in the 1990s was a reaction to the challenge of globalisation and hegemony within the global community (Hettne 2002:30; Joffe 2001: xiv). From Latin America to the Eastern Asian Tigers, collective responses to globalisation manifested and grew in regional groupings like the Mercosur in the Americas and the Association of Southeast Asian Nations (ASEAN) in Asia. Although regionalism efforts were not new to Africa, its old regionalism was no less interested in the function of integrative African institutions than on politically focused institutions aimed at nationalistic ideals. The result of this old regionalism can be seen in the failed collective economic recovery efforts of the past. Hence, African states needed a solution to these challenges in light of the unique challenges and the dictates of the global environment.

This point of view was acknowledged by African heads of state as early as the 1990 OAU summit in the declaration on the Political and Socio-Economic Situation in Africa and the Fundamental Changes Taking Place in the World (OAU 1990). In it, the perennial problems of food and human security, debt burden and infrastructural deterioration were highlighted as well as the need for the move toward the stability and democratisation of African states. It was in that same summit that the Assembly of Heads of State and



Government, the highest decision making body in African regional integration system, passed the resolution to institute the African Economic Community, providing for specifically and for the first time, the establishment of a Pan-African Assembly(OAU 1991). Accordingly in 1991, the Abuja Treaty was signed, setting up the first legislative provision for the establishment of the Pan African Parliament. Nevertheless, with all its laudable provisions, the Abuja treaty remained relevant only in paper until 1999, at the threshold of the new millennium. Globalisation coupled with a corresponding growth of regionalism and the failed attempts at African collective economic recovery efforts, cemented the need to reform the OAU.

The 1999 OAU Algiers summit provided the way forward as African leaders decided to implement the provisions of the 1991 Abuja Treaty on the African Economic Community (OAU 1999a). This decision was re-enforced when at Gaddafi's behest, in 1999, an extraordinary session of the Assembly of Heads of State and Government was convened in Sirte, Libya. Running on the coattails of proposals submitted by Gaddafi on a United States of Africa, Mbeki's economic recovery plan and Obasanjo's Conference on Security, Stability, Development and Co-operation in Africa (CSSDCA), this meeting resulted in the decision to establish the African Union (OAU 1999b). It also decided to accelerate the establishment of the institutions provided for in the Abuja Treaty, resulting in the enhanced effort to establish the Pan African Parliament.

## **Analysis**

So far, the above discussion has attempted to identify the collective choice dilemma that the establishment of the PAP seeks to address. Globalisation and its dictates in the light of the failure of Africa's past attempts at collective economic development, peace and security and human security, provided a challenge for African leaders going into an uncertain and new millennium. In 1999, after detailed consideration of the docile, ineffective OAU and the failure of its provisions to make necessary impact in African regionalism and globalisation, African leaders unanimously began to consider the need for more assertive institutions. Consequently, the AU emerged premised on good



governance/democratic principles, sound economic prescripts and a continental peace and security mechanism.

As a result of these developments, the PAP emerged as an African collective effort to foster human rights, human security and good governance issues by integrating the grassroots in the decision making of the AU. This argument resonates with some of the early views on institutional growth where the Pan African Parliament emerged on the grand bargaining scale through an “upgrading of common interests” (Haas 1961:368). In this case, as Schmitter (1969:162) attempts to explain, members “...unequally satisfied with their attainment of these goals attempt to resolve their dissatisfaction either by resorting to collaboration in another, related sector...or by intensifying their commitment to the original sector... or both. “ This implies a spillover of tasks and power to new institutions as the resolution of a collective choice dilemma. Unlike in the early years of the formation of the OAU stressed in this thesis, in this particular process there was a greater sense of mutual collectivism in the commitment by member states to forge a new body as noted in the Sirte declaration:

“Having discussed frankly and extensively on how to proceed with the strengthening of the unity of our continent and its peoples, in the light of those proposals, and bearing in mind the current situation on the Continent, we decide to: Establish an African Union, in conformity with the ultimate objectives of the Charter of our Continental Organisation and the provisions of the Treaty establishing the African Economic Community.” (OAU 1999b: 2)

The mutual collective agreement from members to finally prioritise the establishment of the Pan African Parliament was the culmination of intent since 1990 noted in several declarations and policy instruments. Examples are the Declaration on the Political and Socio-Economic Situation in Africa and the Fundamental Changes Taking Place in the World(OAU 1990) the African Charter for Popular Participation in development and transformation and the Conference on Security, Stability, Development and Co-operation in Africa (CSSDCA). The Pan African Parliament was a resolution that stemmed from



the perennial challenge of democracy, good governance, human security and human rights in African leadership. These issues had come into prominence with the mounting pressure from the effects of globalization, and the pressure from the international community. Finally, this first theme attempted to show how the PAP emerged based a collective choice dilemma that found its resolution in the development of a new continental governance and integration system. Principal was the question of globalisation and how best to focus and locate Africa in the rapidly changing global order, especially in light of the failed attempts at collective integration efforts.

## **Theme 2: Designers and intentions**

As seen in theme one, the external environment of African regionalism had a huge influence in the two main treaty decisions (Abuja Treaty; Constitutive Act of the AU) that both conceived and produced the PAP. In the 1990s a new wave of regionalism gripped the world. Pressing internal needs and external pressure to conform to the come in or stay out nature of globalisation, and the collapse of communism meant that to avoid global marginalisation, Africa as a collective, needed a new integration strategy. Therefore in 1991, the Assembly of Heads of State and Government decided that the Abuja treaty, with its pro-democracy institutions represented this strategy. In effect, this was important in order to be seen as a possible player in the fast changing world order, especially in the light of African external problems like international debt (Mukisa & Thompson 1995: 59). However, it was not until 1999, that OAU transformation became more palpable. This was made possible by recipe of globalisation and regionalism mixed with a changing African leadership terrain with the emergence of some transformative and influential African leaders. In this case one can say that the foreign policy interests of three African heads of state (Obasanjo, Mbeki and Gaddafi), in particular catalysed the transformation of the OAU into the AU, resulting in the establishment of the Pan African Parliament as one of the organs of the AU. This transformation also augured well for leaders of smaller African states who saw this as opportunity to become equal players and beneficiaries in the hitherto lopsided regional integration landscape.



PAP designers can be grouped into two, the principal designers as the politically inspired Assembly of Heads of State and Government and their representatives and the secondary designers as the technocratic UNECA. Although the motivations and intentions of the two groups of PAP designers are different, both the technocratic UNECA and the political Assembly of Heads of State and Government or their representatives seemed to gravitate between the rational scale of decision making and more the idealistic range. Rationality entails weighing up the means/end implications of a decision.

The UNECA operates largely based on instrumental concerns in light of its more technical role in integration, making it more likely to think in the long term. African heads of state are largely motivated by short term considerations. In spite of this likelihood to think in the short term, it can be argued that considering the 2001 PAP Protocol, African heads of state in designing PAP were guided by logical considerations, resulting in the manipulation of the PAP 2001 Protocol provisions to suit concerns on sovereignty. Nevertheless, a closer observation of the 1999 declarations and the negotiations resulting in the formation of the African Union will show that decisions of African leaders were laced with a cautious sense of commitment to the tenet of democracy and good governance. This argument is based on the demands of a changing global environment, the emergence of African leaders and the actual initiation of the processes that led to the reform of the OAU, with the first ever promise to voluntarily “give power” by the AU Constitutive Act (AU 2000:3). This represents a departure from of past commitments of African leaders exemplified in the OAU charter, and it differs from the intents of African heads of state in adopting the Abuja Treaty 1991, which can be dismissed as the hitherto perennial blend of rhetoric aimed at self preservation. These points are dealt with in greater detail in the discussions that follow below.

## **Findings**

The following detail the findings of this research in terms of who the designers of PAP are. These are findings of this thesis as represented in the summary above. It will look in





detail at why the heads of state and government of Africa and the UNECA are the principal and secondary designers of PAP respectively.

### **Politicians: African Heads of State and their representatives as principal designers**

It was not until the late the 1990s that, prodded by certain dominant African heads of state, African leaders began to consider the need for regional transformation. Theories that border on hegemonies indicate that dominant actors within a regional system, lead to collectively desirable outcomes for all the parties involved (William 1994:30). However, from the study so far, there seems to be reluctance by both scholars and African political elite to acknowledge the existence of a political hegemony within Africa. For instance, the 1960s early negotiations for the OAU, saw certain countries such as Guinea, Ethiopia, Ivory Coast and Nigeria lead the mediation and diplomatic processes, yet, not one of these countries not even radical Ghana could lay claim to hegemony. The sense of common struggles as well as the pressures of a growing neo-liberal economic world system made the view of a globally marginalised Africa united together against the world rather appealing. This makes the idea of hegemony a delicate and sensitive topic for African leaders.

Nevertheless, with a world so different from what it was in the 1960s and 1990s and considering the developments that led to the formation of the African Union in 2000, the influence of certain nations cannot be disputed. That is why in chapter 4 I delved into the African foreign policy interests of Obasanjo, Mbeki and Gaddafi, three African leaders who emerged with proposals to change African regionalism as the sun set on the 20<sup>th</sup> century.

At the Algiers and Sirte Extraordinary Summit in 1999, newly elected leaders Mbeki and Obasanjo as well as an enthusiastic Gaddafi tabled their African integration proposals and principles, all of which pointed to the need to transcend the usual rhetoric of African integration and aspire to the supranational imperatives of integration. For Mbeki, it was



the institutionalisation of good economic and fiscal governance to tackle the reality of globalisation. Mbeki's idea of good governance meant the creation of institutions with certain levels of supranationality, to promote democracy and human rights. Obasanjo's interest lay in the institutionalisation of a peace and human security mechanism within the continent, through the "Conference on Security, Stability, Development and Co-operation in Africa" (CSSDCA) or the Kampala document, as a precursor to genuine African development. The Kampala document as a policy document drew attention to the link between peace and security and popular participation in Africa and emphasised the need for a common African Agenda towards peace (ALF<sup>12</sup>: 1991). In the years leading up to the reform of the OAU and subsequently after the establishment of the African Union, the issue of supranationality remained a focus of debate. This was more so in 1999, with the resurrection of the United States of Africa idea by the Libyan president Muammar Gaddafi. Although Gaddafi's idea of an African state did not materialise, it seemed his idea was acknowledged as the inspiration for the "frank" and "extensive" deliberations that led to the decision to proceed hastily with the process of establishing the African Union (OAU 1999b: 2).

Therefore, riding on the back of the proposals of Obasanjo's CSSDCA document, Mbeki's African economic renaissance plans and Gaddafi's vehement proposal on the United States of Africa, a compromise resulted in the decision to replace the OAU at the Sirte conference of 1999 (Tieku 2004:261). Smaller states in the region also saw the new African experiment as an opportunity to disperse the powers of strong states within the region to supranational institutions of the new AU. The idea that certain individual heads of state brought about the much needed reform in the OAU ties in with Grugel and Hout (1999:4) view on regionalism as state action in response to the vision of relatively autonomous states in the region. As a result it can be argued that the concerted and sometimes assertive effort by certain influential African leaders like Mbeki, Obasanjo, and Gaddafi to push for more legitimacy for African integration, resulted in the acceleration of and re-commitment in 1999 to build strong democratic and economic integration institutions. Accordingly, if African leaders by signing the treaties and

---

<sup>12</sup> See reference: Africa Leadership Forum



protocols that established the PAP are its designers, Obasanjo, Mbeki and Gaddafi are its anchor-designers as they provided the impetus that catalysed the emergence of the Pan African Parliament

### **Technocrats: the UNECA as designer**

In the early 1990s, the UNECA organised the International Conference on Popular Participation in Arusha Tanzania, a joint effort between the UNECA and civil society organisations in Africa (UNECA 1990). The Arusha Charter on popular participation in development and transformation, which emerged from the conference was critical in the drafting of the Abuja Treaty which introduced the Pan African Parliament as an African integration institution. According to Asante (2001:5), the Abuja Treaty which provides for the establishment of the Pan African Parliament reflects the core principles contained in the UNECA's African charter for popular participation in development and transformation.

Neo-functionalists regard experts or technocrats as the drivers of deepening integration, especially as decision making becomes more complex at the member state level. Integration scholar Haas (1964:9) in fact proposes that the disharmony and conflict that comes with political authority can be avoided if technocrats and experts are put in charge of integration. Although there are arguments which question this reliance on experts as drivers of integration (Simon 1967:98), the central argument of tasks over power, is that it fosters agreement where there could have been political deadlocks. Contrary to this view, the role of the UNECA as designer of AU institutions seems to be more concentrated on its technical and knowledge expertise. This is because, so far as decision making goes African leaders hold the power in the highly statist setting of African integration.

This scenario perhaps indicates why, treaties, declarations, protocols and conventions in the African integration space, sound and look good on paper, but are not carried through



in practice. Accordingly, although the 1970 Lagos plan of Action (LPA); the 1991 Abuja Treaty and the 2000 Constitutive Act of the African Union, provide for democratic, participatory leadership in African integration, there was little political will to adhere to the conditions of the technocrat inspired plan. The technocrats (UNECA) propose and the politicians (African heads of state) dispose. Moreover, consider that regardless of the development of the Abuja treaty and its signing into effect by African heads of state, the UNECA could not make decisions about the implementation of the plan.

## **Analysis**

This analysis aims to interrogate the intentions behind the decision to establish the PAP. Bearing in mind the theoretical standpoints on macro and micro integration processes, like institutionalism and intergovernmentalism prescripts, as well as the institutional, policy and governance framework of African regionalism, the following deductions were made in the determination of PAP designers and their motives. It will also investigate the motivations and intent that may have guided the Assembly of Heads of State and Government of Africa in particular to sign the treaty that set up the democratic institutions of the AU (the PAP being one of them) despite the threat this represents as far as sovereignty issues are concerned.

## **Motivations and intent in the emergence of PAP**

It was argued in the chapter 4 review of African regional integration efforts that for years scholars of African integration, have probed the commitment of African leaders to African integration as bothering on the rhetorical, emotional and symbolical (Nye 1965: 872; de Waal 2002: 463; Franke 2007). The reason for this as presented in scholarship was due to the highly emotive content, symbolism and ideology of African regionalism efforts. Those early commitments were labelled as symbolic, rhetorical and emotive, resulting in the proliferation of dysfunctional institutions of integration, more detrimental



to African integration than beneficial. However, this study also showed that from the late 1990s, there seemed to be a deviation from this stance as noted by certain scholars (Mistry 2000:556; Asante 2001:5; Tieku 2004; Bach 1999:1; Ethier 2001:4; Lindberg 2006:120). Thus this thesis argues that the emergence of new democratic governments in Africa in the late 1990s, as well as the reality of globalisation which has fomented the re-birth of regionalism efforts across the globe among other factors, engendered more action and commitment to African integration by African leaders. In particular the thesis examined the efforts of African leaders like Obasanjo, Mbeki and Gaddafi in this light. Nevertheless, it is yet too early to call on how these commitments to African unity, (largely due to the realisation of the global realities of our time) differ from those that followed early on after the independence of African States.

Having identified the designers of PAP, it will be important to reconsider the decision to establish the PAP in order to find out how and what interests, motivations and intentions drove these decisions. This is because to fully test the rational choice argument it will be important to see how far PAP's present institutional arrangement is a reflection of a calculated long term strategy by its designers, in particular African heads of state who decided on and signed the relevant legal documents.

Chapter 4 considered the designers' environment in terms of the African and global political economy at the time of the signing of the major treaties that introduced the PAP. This is because in theory, there is an existing link between the structure of the polity and how it affects collective behaviour (Hall and Taylor 1996:937). It was therefore necessary to use context (policy, social and political) to infer the motivations that guided decisions in the continental sphere such as how certain policy legacies in the OAU, national political leanings and the prescripts of the international community may have contributed in structuring decision making in the African integration. This is because rational prescripts would suggest that the present PAP institutional arrangement is the outcome intended by African leaders. However, considerations in this light will take cognisance of these concerns:





1. The contemplations and acceptance of the long term implications of the Pan African Parliament assuming full legislative powers
2. That having a Pan African Parliament entailed the recognition that to make this institution viable as a legislative making body, a level of sovereignty may be abrogated.
3. That if this abrogation was not tenable, this institution may potentially become a white elephant institution of African integration, stifled in terms of playing its role in legislating African development and human security matters and in harmonising African integration policies and pronouncements to deepen integration.
4. The cost implications of setting up these institutions especially in terms of the financial and human capital required to make these institutions viable.

This then implies certain growth implications for PAP if this is the case. It is argued that the commitments or intentions behind the establishment of the new initiatives in African regionalism and by that the Pan African Parliament, need to be interrogated. This is because, in order to avoid the inertia that has characterised African institutional integration thus far, it will be important to examine how far African leaders have moved away from rhetoric and symbolism in the reformed African Union and its democratic organs. To answer this, the next section attempts to weigh intentions and motivations, by interrogating the import of the legal instruments that ushered in the Pan African Parliament (PAP).

**Intentions and motivations: The treaty establishing the African Economic Community 1991 (Abuja Treaty)**

The Abuja treaty is relevant to this discussion in so far as it is the foundational treaty that provides for the establishment of the Pan African Parliament. The treaty positions the Pan African Parliament as an integral institution in the journey towards an African Economic Community (AEC). Incidentally, the Constitutive Act ushering in the African Union incorporates the institutions and principles of the Abuja Treaty. Still, the Abuja Treaty



remained in limbo for about 10 years after its signing. But, in signing the treaty, African leaders were agreeing to all the conditions and implications of the treaty. It is argued here that the value of the Abuja Treaty with its laborious and costly six staged plan for an African Economic Community as well as its pro democracy institutions (OAU 1991:10), had more rhetorical than genuine significance to most African leaders at the 1991 Abuja Summit. Internal governance issues and the non-interference culture of the OAU are some of the reasons for this argument. These are explained in detail in the following discussions.

First of all, the long term plans provided by the Abuja treaty goals (37 years to achieve the African Economic Community), augured well for African heads of state especially in countries with little stability in terms of regime change. This suggestion is made based on the leadership terrain in Africa between 1990 and 1991, which was composed of a large number of unstable states. There were illegitimate autocratic governments in Africa, with few democracies in Botswana and Cape Verde. These illegitimate governments included the military Junta in Nigeria, Ghana, Benin, Burkina Faso, Burundi, and Central African Republic; life presidents in the Gambia, Gabon, Togo, Angola, Malawi, and Equatorial Guinea and long drawn civil unrests in the Democratic Republic of Congo, Angola, Ethiopia/Eritrea, Sudan and Somalia and up start wars in Liberia and Sierra Leone. Moreover, there were more pressing internal problems aggravated by the heavy debt burden and the dire economic constraints of the Structural Adjustment Programme (SAP) of the International Monetary Fund (IMF). This was coupled with the repressive, embezzlement of state resources by the many African dictators and political instability. For instance, Nigeria's military President Ibrahim Babangida had just the year before in 1990 executed 68 Nigerian master minds of the Gideon Orka Coup between July and September of 1990 (New York Times 1990). For that reason, adopting a complicated and costly integration plan, with a long implementation span, meant that in the short term these heads of state could pursue more pressing national uncertainties of leadership.

In this manner, moved by local and external pressures, African leaders were content to support a plan that incorporated the values of the new economic and democratic world



order, but which at the same time did not represent an immediate threat to their sovereignty. Thus, short term rather than long term interests may have motivated the adoption of the Abuja plan and that the UNECA inspired Abuja Treaty was adopted based more on its appropriateness to please the international community and institutions, than on the practicality of it based on a genuine care for the future. This is because while the democratic provisions of the treaty posed a governance challenge for some African heads of state, the non-intrusiveness of the long term provisions were of even more benefit to the heads of state at the time.

Furthermore, the OAU institutional culture of non-interference in the national affairs of member states entrenched in Article 3 of the OAU founding charter, created a huge gap in terms of the ideal and the practicable. In this sense, while the provisions of the Abuja treaty provided the ideal situation that was perceived for African integration, the article 3 principles of OAU provided a loophole making members unaccountable should they not follow treaty provisions. Even in the new dispensation of the AU and notwithstanding the amendments in the Constitutive Act of the AU to accommodate more AU intervention at certain levels of internal conflict, the traditional thread of non-interference seems to have survived as a policy of the AU.

Finally, while the instrumentality and farsightedness of the UNECA is seen in the six staged plan of the Abuja Treaty, the same cannot be said of the decision by the Assembly to adopt the Abuja Treaty, especially with its supranational prone institutions. With short term challenges like the preservation of internal political power and national economic mismanagement, the Assembly of African Leaders lacked genuine interest in the issues at hand. As such the democratic values of the Abuja Treaty were irrelevant as decision making at this time was aimed at maximising short term gains. Based on this, it seems that African leaders did not adopt the Abuja Treaty based strictly on the potential of such a plan to change the lives of African people, as there seemed to be no genuine interest in the future. Taking this trend of thought, it can be inferred that in adopting the Abuja Treaty, as against rejecting it out right, history, culture and ideology may have inspired



again, the traditional “rhetoric” of African Unity. Little wonder that the plans of the Abuja Treaty remained in limbo for years until 1999.

### **Intentions and Motivations: post Abuja Treaty**

Unlike in 1991, African leaders by the end of the 20<sup>th</sup> century were more concerned and interested about the outcome they wanted from African regionalism going into the 21<sup>st</sup> century. It seemed that this level of engagement will spell more instrumental and committable decision making. With the buzz of the new millennium in 1999 there was pressure on African leaders to forge stronger continental unity, especially with the growth of regional trade blocks and with the international community watching. These developments necessitated the call for reform in the OAU and the establishment of certain democratic institutions of integration. It is argued that this pressure to reform African Unity moved away from the usual rhetorical allegiance for two reasons: globalisation and the emergence of certain continental leaders at the time.

In 1999, the emergence and re-emergence of regional leaders in traditional regional power houses like Nigeria, Libya and South Africa, and their individual foreign policy designs, inspired a sense of legitimacy (especially in the international community) to the renewed promotion of the African Economic Community with its proposed institutions. The collapse of the past initiatives in continental governance and Africa’s plethora of challenges may have necessitated the hands on approach of African leadership in the matters at hand. So it is suggested that there was greater lucidity in the decision to reform.

Accordingly, in 1999, in Sirte Libya, motivated by the challenges and opportunities buried in the prospect of the new millennium, the international political and economic pressures for reform, as well as the renaissance enthusiasm of certain leaders of middle power Africa states, African heads of state agreed to proceed with the transformation of the OAU. As a result, in Lomé in 2000, the Assembly of Heads of State and Government adopted the Constitutive Act of the African Union. From the Sirte declaration to the signing of the Constitutive Act of the African Union, African leaders seemed to show a



renewed commitment to African regional integration. Nevertheless, the issue here is how this commitment differs from that of their predecessors in the formation of the OAU and subsequent treaties, protocols and conventions of the OAU. This question is deemed necessary in considering that designers' intentions are reflected in the institutions they create. In this way greater commitment means a genuine care for the future, which in turn will be reflected in the nature of the design of the AU legal and institutional arrangements. In this case, these legal instruments will provide for a PAP with sufficient legal and institutional leeway to accommodate growth.

There are suggestions that PAP designers may not have given much thought to the long term consequences of establishing an African Parliament, (personal Communication, 28<sup>th</sup> September 2007). This is because with the sovereignty and non-interference culture of African collective efforts so far, the establishment of these new AU institutions entailed again, a test on the willingness of African member states to relinquish certain levels of sovereignty and become pliable in the hands of a supranational continental system. This view is however debatable and the following analysis of the legal provisions that establish the PAP will show that more than in the past, there was judicious consideration in the decision to establish PAP and other AU organs. An in depth analysis of the post 1991 legislation relating to the PAP supports this view as will be seen subsequently.

**The Constitutive Act of the African Union:** In 1999 at the extraordinary summit in Sirte Libya, the Assembly of Heads of State and Government made a decision to:

“Ensure the speedy establishment of all the institutions provided for in the Abuja Treaty; such as the African Central Bank, the African Monetary Union, the African Court of Justice and in particular, the Pan-African Parliament. We aim to establish that Parliament by the year 2000, to provide a common platform for our peoples and their grass-root organizations to be more involved in discussions and decision-making on the problems and challenges facing our continent”  
(EAHG/Draft/Decl. (IV) Rev.1) (OAU 1999b:2)





This view is expressed later in the 2000 Constitutive Act of the African Union where the heads of state, not only acknowledged the same values of participatory decision making in the AU but also stated their determination to equip these institutions with supranational potential. Therefore African heads of state determined to:

“...take all necessary measures to strengthen our common institutions and provide them with the necessary powers and resources to enable them discharge their respective mandates effectively”. (AU 2000:3)

In this decision African heads of state committed themselves to not only establish and strengthen common institutions as is seen in the OAU Charter (OAU 1963a:2) but to afford or grant these institutions powers as necessary to fulfil effectively their mandates. In this way, unlike the emphasis on the limits of powers institutions as is contained in the OAU charter and the Abuja Treaty (OAU 1991:13), the Constitutive Act by this clause engages the issue of voluntary abnegation of powers to supranational institutions.

This view is further authenticated by scrutinising the nature of institutions mentioned in the Sirte declaration and provided for in the AU Constitutive Act. These are institutions like the Pan African Parliament, the Peace and Security Council and the African Court of Justice and Human Rights which are geared to uphold the tenets of good governance, democratic leadership and the preservation of human security and rights in Africa. As a result, their powers ought to escape national and continental politics, and by so doing, should have supranational potential. The Pan African Parliament for instance should be like any national Parliament and should “exercise legislative, budgetary and supervisory powers to enable them to play a fundamental political role...” (Demeke 2004:55). Yet, exercising these functions will put pressure on the non-interference culture of the OAU.

In the statement above, the heads of state seem to recognise the need to strengthen institutions like the PAP and provide ‘necessary powers’ to PAP. The heads of state in doing so seem to acknowledge that only when they begin to delegate decision making powers to the institutions of the AU like PAP, can these institutions fulfil their respective



mandates in driving regional economic integration and security. It then follows that as a legislative organ, the Pan African Parliament's role ought to develop into a supranational one.

In further interrogating this issue, it must be acknowledged that the Constitutive Act in engaging the possibility of voluntary surrendering of certain powers represents a milestone in the efforts in African integration. Even so, the question is whether PAP designers not only acknowledge the need to give necessary powers to institutions like the PAP, but also whether the designers are equipped for the implications and challenges of regional institutions like the PAP acquiring supranational status. Prior to the Sirte declaration, for more than 30 years, the main principle that governed African integration was rhetoric, possibly driven by the culture of non-interference (OAU 1963a; 1963b). Accordingly, in terms of this decision to establish regional institutions with the potential to undermine state sovereignty, the issue of whether this was a rational decision or one based more on appropriateness should be interrogated.

The next section may provide some answers. Here it is argued that the provisions of the Protocol to the treaty establishing the African Economic Community relating to the Pan African Parliament show that there was calculation and reason in the decision to establish the Pan African Parliament.

### **Beyond rhetoric: The Protocol to the Treaty establishing the African Economic Community relating to the Pan African Parliament (PAP Protocol)**

After the decision to speedily set up all the relevant institutions provided for by the Abuja Treaty, in 2001, the PAP Protocol was adopted by African heads of state. If the Abuja Treaty and the Constitutive Act thereafter provide the broad agenda for the establishment of the PAP, the Protocol is the legal framework that defines the powers, functions and the organisational arrangement of the PAP. From the provisions of the 2001 Protocol establishing the Pan African Parliament, it seemed that the transformation exuberance for



the new millennium, which informed the Sirte declaration and the Constitutive Act settled into rational stock taking. It is equally argued that the Protocol shows a calculating and weighted decision making of African heads of state for the following reasons.

In calculating the import of having an institution like the PAP, the heads of state duly acknowledged that there will be long term implications and consequences in establishing the PAP: “conscious of the obligations and legal implications for member states of the need to establish the Pan African Parliament...” (AU 2001:2). In this light, PAP designers were aware of the fact that as a legislative body, the PAP can make legislations which each African state is expected to comply with even if these laws may impede on some issues of political preservation and contrast with national interests. They acknowledge that the Pan African Parliament will by so doing, play an oversight role over the executive.

Nevertheless, it must be remembered that the AU Assembly of Heads of State and Government is and has been a highly centralised decision making organ. Secondly, there is the legacy of non-interference in the OAU to consider as well as the long duration given for achievement of treaty goals (the 37 year clause of the Abuja Treaty’s timeline for full powers of the Pan African Parliament). The argument is that institutional legacies such as these played a role, conscious or unconscious in the nature of the emergent PAP. Historical institutionalists are of the view that past institutional legacies tend to shape future decisions. In fact Hall and Taylor (1996: 940) argue that “institutions are resistant to redesign ultimately because they structure the very choices about reform the individual is likely to make”. Historical and cultural factors in this way sway choices to the familiarity of an existing policy structure. This is reflected in the ethos of non-interference which has dictated African relations for decades. Its influence is resilient as African heads of state pay homage to it in the Protocol by “...considering the principles and objectives stated in the Charter of the Organisation of African Unity” (AU 2001). Consequently, it will seem only logical that while recognising the full legislative role that the Pan African Parliament is meant to play, short term considerations entailed that African leaders will try to protect their sovereignty and political ambitions. As a result,



the noble objective of bottom up participatory decision making in the AU pushed by some in the rank of African leaders, was restrained by a limiting clause which holds a lot of promise for non-interference.

Taking these arguments into consideration, there is little wonder that the definitive clause that established PAP in Article 2 (3) of the Protocol reads that:

“the ultimate aim of the Pan African Parliament shall be to evolve into an institution with full legislative powers, whose members are elected by universal adult suffrage. However, until such a time as the Member states decide otherwise by an amendment of this Protocol: the Pan African Parliament shall have consultative and advisory powers only; and the members of the Pan African Parliament shall be appointed as provided for in Article 4 of this Protocol.”

Along these lines, Article 2 (3) effectively, puts a check on the Pan African Parliament acquiring legislative, budgetary, and supervisory powers. The inaugural session of the Pan African Parliament took place in Addis Ababa Ethiopia, in March 2004,. Since then the PAP has had eight ordinary sessions and passed more than 26 resolutions and made 30 recommendations (2006 personal information, PAP website). However, not one of the recommendations of the Pan African Parliament has been recognised by the African heads of state in their decisions.

According to articles 24 and 25 of the PAP Protocol, after the first five years of the entry into force, there ought to be review in see the operation and effectiveness of the Protocol. According to the Protocol this is to ensure that the objectives, purposes and vision of the Protocol are being realised and are meeting the “evolving needs” of the African Continent (AU 2001). A two thirds majority decision of the Assembly will make amendments to the Protocol. The PAP has begun its struggle for survival. It is the nature of institutions to protect themselves and develop a life of their own. At the end of its second ordinary session between September and October 2004, the PAP was already recommending a review of its Protocol, so as to establish a clear time limit for the first



term of the PAP, going as far as suggesting a first term of 5 years (PAP 2004). The PAP in the same session resolved to strengthen the parameters of its oversight rule. While the timeline for the review of the Protocol is provided for in Articles 24 and 25 of the Protocol, there is little institutional capacity and support currently for this review to result in considerable change.

The nature of these recommendations and resolutions, reflect the determination by PAP to acquire powers fast. Cilliers & Mashele (2004:75) capture this urgency by the PAP to fully exploit these first term powers to pave the way past a ceremonial role. Although PAP is just in its fourth year, it is unlikely that a review will result in the devolution of much power to the PAP by the African heads of state. This is because there is a clear difference between the strength of these powers on paper and the strength of the powers as manifested in the influence exerted by PAP on the key decision making organs of the AU. It is going to be a long arduous journey for the PAP in this light.

In terms of the decisions to reform the AU and establish AU institutions, African heads of state moved beyond rhetoric and so far, most of the AU institutions provided for in the Constitutive Act have been established. Even so, the crux of the matter is the arrangements that the institutions are showing, as this in turn is dictated by designers and represents perhaps, designers' intent. Do these institutions have the ability to escape institutional dysfunction? Initially, it seemed that these institutions and PAP in particular will be different from past initiatives in terms of their function and powers. However, the manifested design of PAP as seen in its Protocol sets a different tone in terms of PAP's role in the AU. Presently, the PAP is seen as a talk forum, an advisory body of the AU. In fact there are suggestions that PAP has been designed more like the advisory Parliamentary Assembly of the Council of Europe than the European Parliament (Clerk, personal communication 28<sup>th</sup> September 2007). Summarily, there seem to be evidence of both a rational process as well as decision making based on the familiarity of institutionalised historical and cultural factors. Firstly, in signing the Abuja treaty that introduced the Pan African Parliament in 1991, there seemed to be no commitment by African leaders to the implementation of the treaty. This is attributable to the solely short





term considerations about pressing domestic constraints (autocratic leadership, war, coups and economic hardships), the highly centralised nature of decision-making in the OAU, as well as the non-interference culture of the OAU. In twenty first century Africa, these issues still pose a distraction and African leaders still have short term interests. Also, there is no debating that African heads of state still hold issues of national sovereignty sacrosanct. It is then important to consider why African heads of state have not only legally provided for the internationalisation of governance and human security issues in the continent, but also established institutions to support them, especially seeing the challenge this is likely to pose for national autonomy. What changed with the Sirte declaration, the Constitutive Act of the African Union and the Protocol that establishes the PAP is that African heads of state this time were faced with and approaching new millennium, a highly globalised world and a crop of African leaders eager and ready to stamp their influence in African integration. Thus, despite the long term implications of such a venture, decided to begin the journey, albeit reluctant to go full throttle. This strategy resulted in the creation of a potentially dynamic democratic institution, but with a safety latch (in legislation) to hold in this potential for as long as African heads of state deem fit thus removing the immediate threat to state autonomy. The issue now is whether Africa can risk stalling integration.

In conclusion, the PAP exists exactly in the form that its designers wanted. It is an indeterminate state especially in terms of its powers. This has significance in terms of the future existence and growth of PAP. Theme two has established that PAP's present institutional form represents the deliberate, calculated considerations of its designers (African heads of state) albeit informed by a strong institutional heritage from the old order. Consequently, in acknowledging the consequences of giving supranationality status to AU institutions the PAP was established with conditions. By so doing, African leaders showed a calculating and long-term disposition oddly informed by short term political concerns and a strong sense of allegiance to the old OAU culture. Taking a thread from the first two themes, theme three will inspect how these designer's intentions as shown manifest in PAP's institutional arrangements. Theme three will show how legislation in form of PAP Protocol, Rules of Procedure and other AU conventions have



shaped the functions of the PAP in budgeting, policymaking, organising, human resources and control in the AU.

### **Theme 3: Institutional arrangements**

It ought to be first stressed that PAP's institutional arrangements must be dealt with within the context of the equally nascent AU. This is because, taking cognisance of an AU system in the process of growth will put discussions in perspective, especially as it concerns the role that past legacies can play in building new institutions within the AU and the emerging opportunities that abound in a growing AU which its institutions can exploit to advance their survival and grow their influence. By so doing, one can better put the findings on PAP's institutional arrangement in context.

It has been suggested that the Pan African Parliament represents a transcending of OAU rhetorical legacy in terms of institution building. That notwithstanding, this premise must be seen in light of the institutional and political trappings which threaten to annihilate it. There is no doubt that in the PAP Protocol, African heads of state succumbed to the pervasive dependence on centralised statist form of African integration as well as the long held sovereignty principles of non- interference. As a result, the PAP Protocol set certain limitations on the PAP in terms of its powers. Discussions so far show that these limitations are indeed the calculated intentions of PAP's designers who were more interested in maximising their own short term goals. The subsequent analysis of the institutional arrangement of the PAP will further reveal how far these limitations have gone.

### **Findings and Analysis**

Chapter four gave a detailed description of the organisational and operational make up of PAP, by scrutinising the legislation and in-practice provisions of PAP's functional make



up. This section critically examines the implications of some of these provisions in terms of PAP's potential influence in the African Union and African regionalism.

## **1. Parliamentary budgetary oversight role: Authority and responsibilities**

From discussions and evidence on the administrative design of the PAP in chapter four, the Parliament has not managed to exert authority in the determination of its own budget, consequently, oversight powers in terms of AU budgetary arrangements is also a challenge. Budgetary and financial responsibilities in the African Union are shared between the African Union Commission and the advisory sub-committee on Administrative, Budgetary and Financial matters of the Permanent Representative Committee (EC 2004b: EC 2005a). From the records of Executive Council decisions from 2004-2007, there is no record that the budgetary and financial process in relation to the PAP has changed even with PAP's recommendations on budgetary reform.

Presently in terms of its budget, the PAP reports to the Permanent Representatives Committee. This is despite the fact that within the legislative framework of the AU, PAP is not obligated to report to the Permanent Representative Committee on budgetary matters (OAU 2000a; OAU 2001a; AU 2002c). Indeed the PAP by provision in Article 11 (2) of the Protocol is set up to be the final gatekeeper and provide recommendations on the AU budget before it is sent to the Assembly by the Executive Council for approval (OAU 2001a). In practice, this is not happening. However, this is not for want of asking. In reality, at the 5<sup>th</sup> session of the Parliament in 2006, the PAP added to previous calls through its recommendations to have a direct input in AU budget (PAP 2006f). In fact as discussed in chapter four, the powers of the PAP was more undermined when the Permanent Representatives Committee took the position of judge and jury by instigating an audit into the PAP and providing unflattering reports of financial misuse. The Executive Council duly approved this report and also approved the recommendation of the PRC to sanction PAP Members of Parliament(MPs). In session debates after the



reprimand from the Executive Council, PAP members pointed out a lack of inter-institutional communication between the PAP and other organs of the AU. In this case, the PAP had made no input in, or any contributions to the deliberations of the PRC which produced the report (Hailu: 2007). In fact, there seems to be marked undermining of the role of PAP on budgetary matters, a situation that some MPs regard as double standards, with the Executive Council regarding some AU organs more highly than others (Bame: 2007) This financial squabble reveals the locus of budgetary powers, which is certainly not in the Pan African Parliament.

The recommendations of the PRC demonstrate a gap which exists in the AU organisational structure in terms of responsibilities, determination of procedures for work and formal lines of communication. This is perhaps more evident if one considers that the AU itself has no approved organisational structure. As for the PAP, its draft organogram is yet to be considered and approved by the Executive Council (Clerk, personal communication, 28<sup>th</sup> September 2007). This lack of organisational clarity is also captured in two points made by the Parliament during deliberations on the finance fiasco (Hailu: 2007)

1. The importance of the provisions of the Protocol to the Treaty establishing the AEC relating to PAP in terms of the liberties reposed in PAP's budgetary functions.
2. The lack of co-ordination and complementarity between organs in this case, the PRC advisory sub-committee on Administrative, Budgetary and Financial matters of the Permanent Representative Council and the PAP Permanent Committee on Monetary and Financial Affairs.

Presently, the AU Assembly through the Executive Council controls the financial resources of the AU. The AU Commission and the Permanent Representatives Committee (PRC) control the disbursement of AU allocations to the various AU organs. The PAP plays no role in the budget of the AU. Certainly, the Pan African Parliament has begun its struggle for institutional growth and relevance in the AU. As can be inferred, this struggle is enmeshed in the culture of an African Union which like the OAU, is still



fully entrenched in a highly intergovernmental and centralized structure reinforced on the premise of state sovereignty. Consequently, it seems that the traditional decision making organs of the AU don't know how to approach the concept and practicality of the Pan African Parliament.

This struggle is not new as the issue of sovereignty of states also played a huge role in the way EU institutions approached integration. For instance because of the sovereignty/supranational dichotomy, the EU Commission and the European Parliament have never been able to overcome some weaknesses in enforcement. Therefore, from the 1950s the European Parliament endured a gruelling and gradual progression from consultative, to co-operation and then to co-decision procedure in EU decision making, with varying levels of resistance from the Council and the Commission. The European Parliament's experience shows a rough road ahead for the PAP. However, how the PAP navigates this road is crucial to its potential for success in the future.

## **2. Policy making role of PAP**

As described in Chapter four, PAP policy agenda is set by the Bureau of the PAP, the Specialised Technical Committees and the Parliament itself. The Specialized Technical Committees represent technically, a direct policy link between the PAP committees and the AU decision making system (PAP 2004: 24; AU 2000a:10). Of course the PAP Bureau can source integration policy issues from the Commission and possibly from the Executive Council. Yet, the direct AU sectoral policy source that the Specialized Technical Committees represent is crucial to the PAP in terms of its role in AU policy and institutional harmonization. Nevertheless, the Specialised Technical Committees of the AU are still in the process of being instituted (EC: 2006g; EC: 2007a). Therefore, presently, there is no direct policy making interface between the PAP committees and the AU, except one counts the vague policy relationship the PAP has with the AU Commission.





This is a challenging situation because whatever the source of proposals, ideally, PAP committees should be “...gatekeepers in their respective jurisdictions... repositories of policy expertise... policy incubators and possess disproportionate control over the agenda in their policy domains” (Shepsle & Weingast 1987:85). Nonetheless, the above description of committee powers is a huge expectation for the PAP committees to fulfil because the PAP has to first deal with its inability to establish any level of jurisdiction in the AU decision making system as highlighted in its own SWOT analysis (PAP 2005a). Therefore, PAP committees have to compete for significance with the competing sectoral policy nodes in the AU like the conference of AU sectoral ministers, the RECs sectoral policies areas, the sub-committees of the Permanent Representative Committees (PRC), the AU Commission departments and the soon to be established Specialised Technical Committees. Additionally, PAP committees, battle for policy reference points due to the non-defined relationships and institutional distance between the committees and other corresponding policy nodes in the AU.

There isn't effective inter-institutional exchange between PAP and key institutions like the Assembly of Heads of State and Government, the Executive Council and the Permanent Representatives Committee. This lack of policy complementarity is depicted in the content of recommendations made by the PAP and the total lack of consideration or acknowledgement of any of these recommendations in the decisions made by the Executive Council. This is critical, as Article 11 (4) of the Protocol gives the PAP the mandate to not only make recommendations, but to draw attention of all stakeholders to challenges of African integration. The tables below represent an overview of recommendations from the PAP 2<sup>nd</sup> to 6<sup>th</sup> ordinary sessions on conflict, institutional and



budgetary issues and how they have passed the radar of the Executive Council/Assembly decisions between 2004-2007.

**2<sup>nd</sup> ordinary session: recommendations (16th September -1<sup>st</sup> October 2004**

<b>PAP Recommendations</b>	<b>Core Provisions of recommendation</b>	<b>Executive Council Decisions 2004-2007</b>	<b>Assembly Decisions 2004-2007</b>
Recommendation on the establishment of a tenure for the Pan African Parliament	Assembly to review Protocol to establish a clear term limit of 5 years	Not acknowledged. Instead in 2007, the EC decides that the amendment of Assembly, Executive Council and PRC Rules of Procedure and AUC statues be adopted (EC: 2005c; EC: 2007g	Not acknowledged
Recommendations on peace and security in Africa	President of PAP to be member of the “Panel of the Wise” of the African Union Peace and Security Council	Not acknowledged in decisions between 2004 and 2007	Not Acknowledged; The President of the PAP is <b>not appointed</b> to the “Panel of the Wise”, January 2007 at the 8 <sup>th</sup> AU summit (Assembly/AU/Dec 152 (VIII); PANAPress 16/03/2007).
Recommendations on the budget for the PAP	PAP Budget to be approved directly by the Executive Council and the Assembly and NOT the Permanent Representatives Committee (PRC)	Not acknowledged PRC still plays an integral role in PAP budget. its 2007 recommendations on PAP audit were endorsed by the Council(EC: 2007d)	

**Table 5.1: recommendations of PAP and impact in AU decision making (2<sup>nd</sup> ordinary session)**



**3<sup>rd</sup> Ordinary Session: Recommendations as adopted on the 11<sup>th</sup> of April 2005**

<b>Recommendations</b>	<b>Core Provisions of recommendation</b>	<b>Executive Decisions</b>	<b>Council Decisions</b>	<b>Assembly Decisions</b>
Recommendation on the Pan-African Parliament Peace Mission to Darfur	Use Naivasha Model in negotiations; African Mission in Sudan (AMIS) administrative structure to be developed in line with proposals in PAP report on the fact finding mission to Darfur	No acknowledgement of this report of the PAP on Sudan from 2004-2007. Rather decisions are made based solely reports and recommendations of the Peace and Security Council and African Mission In Sudan (AMIS).	No acknowledgement of this report of the PAP in decisions on Sudan from 2004-2007. Rather decisions are made based solely reports and recommendations of the Peace and Security Council and African Mission In Sudan (AMIS).	No acknowledgement
Recommendation relating to Request Directed to States who have not yet ratified the Constitutive Act of the Union and the PAP Protocol		No acknowledgement of PAP's effort on this, rather, the Commission is commended on institutional and personal effort to this end in 2005 (EX/CL Dec 180(VI)).		

**Table 5.2: recommendations of PAP and impact in AU decision making (3rd ordinary session)**



**4<sup>th</sup> Ordinary Session as adopted 2<sup>nd</sup> December 2005**

<b>PAP Recommendations</b>	<b>Core Provisions of recommendation</b>	<b>Executive Council Decisions 2004-2007</b>	<b>Assembly Decisions 2004-2007</b>
Recommendation on Peace and Security Issues in Africa	Develop a mechanism to enforce promotion of Peace, security	No acknowledgement	
Implementation of the AU and PAP Budgets	AU budget be submitted to PAP for debate before approval PAP budget should be approved by Assembly (a rejection of PRC 's role in this).	No indication of acknowledgement, rather Executive Council expressed concern at the findings of the External Auditors, and set up a PRC committee to implement finding EX/CL/Dec 235 (VII	

**Table 5.3: recommendations of PAP and impact in AU decision making (4<sup>th</sup> ordinary session)**



**5<sup>th</sup> Ordinary Session adopted May 12<sup>th</sup> 2006**

<b>PAP Recommendations</b>	<b>Core Provisions of recommendation</b>	<b>Executive Council Decisions 2004-2007</b>	<b>Assembly Decisions 2004-2007</b>
Decolonisation of the Saharawi Arab Democratic Republic	AU declare illegal, any economic activities conducted in the Saharawi by international and Moroccan companies on the basis of agreements concluded with the Government of Morocco.	No acknowledgement or decision on Saharawi between 2006 and 2007	Not acknowledged
Situation in Somalia	AU organize an Inter-Somalian Dialogue Forum, with the participation of the Transitional Government of Somalia, the Union of Islamist Courts and the different layers of the civil society	Not acknowledged	Not acknowledged, however 8 <sup>th</sup> AU summit (2007) acknowledges all efforts of the Peace and security Council (Assembly/AU Dec 142 (VIII))

**Table 5.4: recommendations of PAP and impact in AU decision making (4<sup>th</sup> ordinary session)**





**6<sup>th</sup> Ordinary Session adopted during the session 23<sup>rd</sup> November 2006**

<b>PAP Recommendations</b>	<b>Core Provisions of recommendation</b>	<b>Executive Council Decisions 2004-2007</b>	<b>Assembly Decisions 2004-2007</b>
Recommendation on the solution on the creation of the University of Africa	The creation of the University of Africa	Not acknowledged	Not Acknowledged

**Table 5.5: recommendations of PAP and impact in AU decision making (4<sup>th</sup> ordinary session)**

**Discussion**

While this is not an exhaustive list of all PAP recommendations, the ones listed in the table show that no decisions of the Executive Council has acknowledged or reflected any of PAP's recommendations or reports. This suggests three scenarios in terms of policy co-ordination and control. First, that there seems to be no channel for recommendations of PAP to reach the decision making body; second, that if this channel exists it is ineffective and third that the Assembly and Executive Council are not obligated to follow these recommendations and choose not to. It follows then that these recommendations are not considered important in the overall scheme of AU decision making. Principally, although there are three determined sources of proposals for PAP (the bureau of the Parliament; the Specialised Technical Committees and the Plenary), there seems to be no structure to parliamentary committee discussions. Recommendations do not come from a consultative process with other responsible AU organs like the Peace and Security Council although sometimes, especially in peace and security issues, there is some reference to the on-going policies and projects of the AU. Additionally, the Pan African Parliament has made several efforts in bringing the importance of it exercising its



budgetary functions to the attention of the Executive Council to no avail. In fact the PAP power over its own budget is highly limited.

From the table one can deduce that the most utilized and defined working/reporting relationship in the AU is between the Assembly, Executive Council, the Commission and the Permanent Representative Committee. Take into account that although the PAP, has recommended a review of certain aspects of its institutional functions, the Executive Council has ignored this, but has adopted the amendment of Assembly, Executive Council and PRC Rules of Procedure and the Commission's (AUC) statutes (EC 2005c EC: 2007g). To highlight this point, recently, a PAP new report reported that MPs in PAP suggested that the AU/EC seems to be favouring other organs to the detriment of the PAP (Haliu 2007).

The table also highlights the Pan African Parliament's lack of influence in peace and security issues in Africa. This is because no peace and security recommendation of the PAP has been the basis of AU decision making. To the contrary, specific recommendations such as the inclusion of the PAP president as a member of the Panel of the Wise, was ignored. The issue of peace and human and food security is one of Africa's biggest challenges and the inability of the PAP to exert pressure on AU peace and security decision making may impede on the strategic role of Africa's peoples in AU decision making.

Finally, the general nature of PAP's recommendations shows that there is no inter institutional dialogue going on between PAP committees and AU structures. Noticeably, there is a lack of in depth research in the general content of PAP recommendations. These recommendations are usually, vague, not detailed, with little sign of cross referenced policy talking points in the AU. Arguably, debates and recommendations with due reference to specific and relevant Assembly/Council decisions are more likely to "draw attention" than debates on issues that have no immediate policy significance to policy decisions taken in the Assembly/Executive Council axis. Presently, it is difficult for the PAP to compete with the biased relationship in the Executive Council/PRC/AUC policy



interface. The PAP has made little progress in the policy synergy between it and the Executive Council and consequently the Assembly. This is compounded by the fact that legislatively, although the PAP is required to draw the Assembly and Executive Council's attention to certain issues, the Assembly and Executive Council are not obligated to pay attention..

### **3. PAP in AU organising**

Another aspect of PAP's institutional arrangement that can show the limits of PAP's influence in AU decision making as purposed by its designers can be seen in the nature of the AU organising and reporting relationships. This will entail investigating where the responsibilities of PAP lie in terms of the AU organisational system. PAP's place in terms of AU organising should be seen in the context of an emerging and untested AU. The African Union at present has not approved any organogram representing formal responsibilities, duties and relationships in the AU system, therefore, there seems to be no agreed organisational representation of AU institutional relationships. This represents an organising predicament as one sees three different interpretations of AU institutional relationships in organograms originating from the Institute of Security Studies (ISS 2005:15), the Pretoria University Law Press (PULP: 2007:144) and the Pan African Parliament strategic plan (PAP 2005a:2) as identified in Chapter 4. The inter-institutional relationships provided for in the Protocols and Statutes are interpreted differently by each of these organogram.

Organogram: African Union

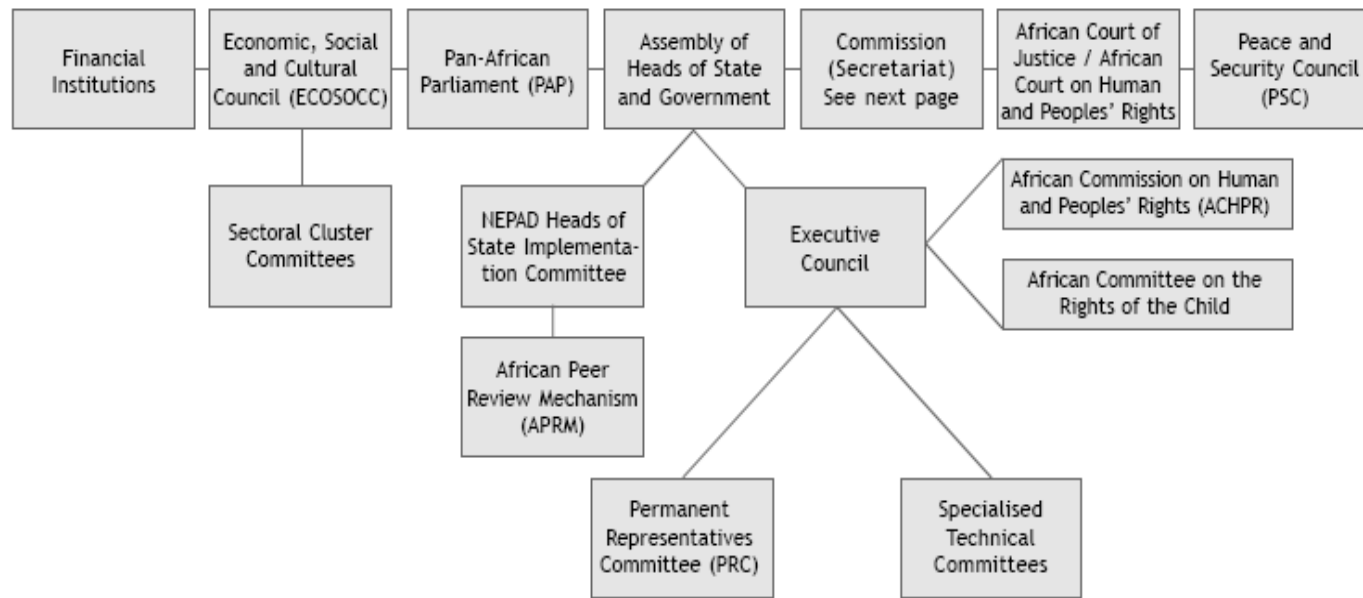


Fig.5.2: Organogram of AU institutional relationships(PULP)

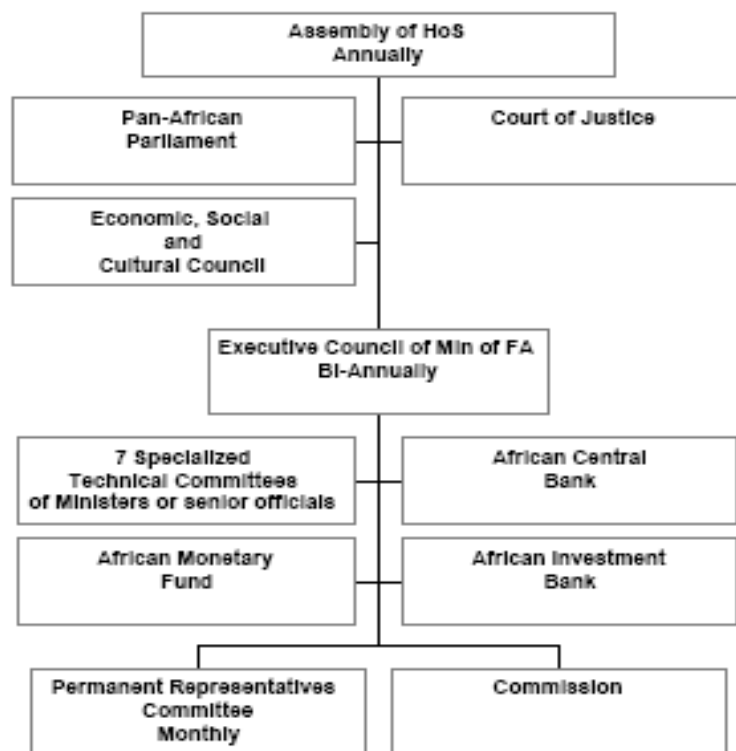
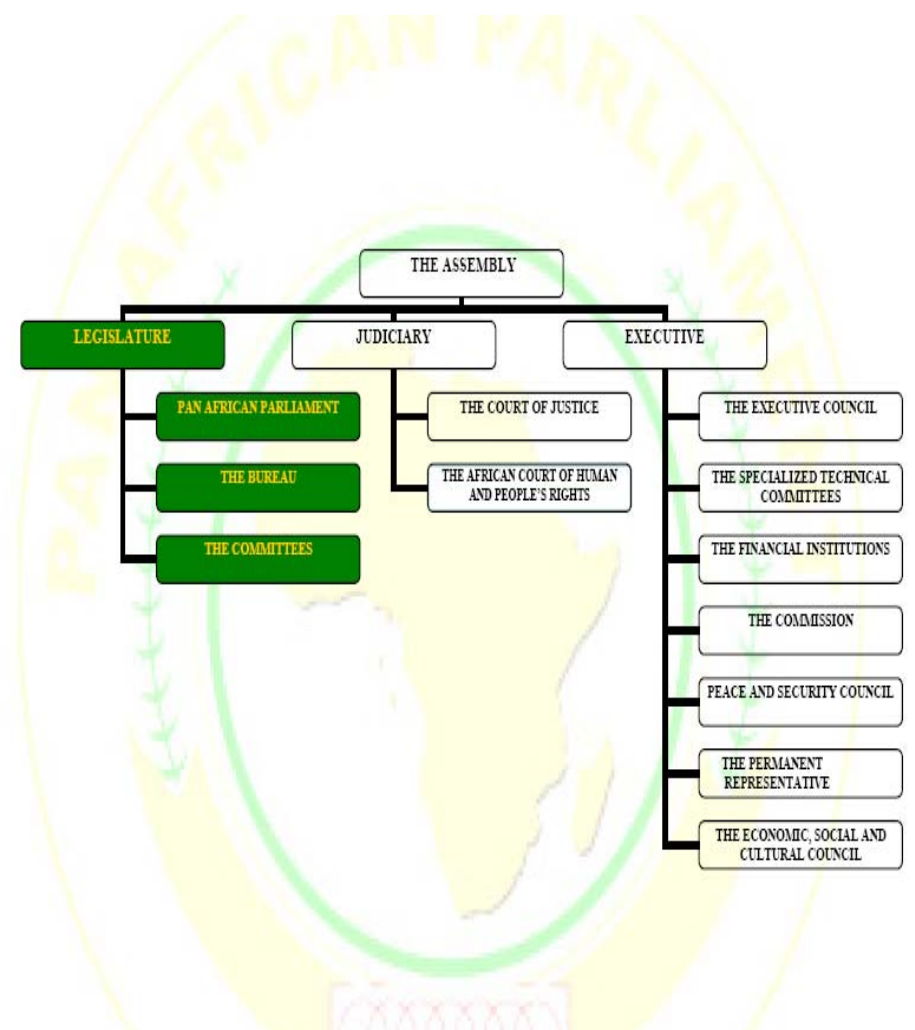


Fig 5.3 Organogram of AU institutional relationships(ISS)



Source: Compiled from the Constitutive Act of the African Union and its Protocol on Amendments by PAP

Fig 5.4 Organogram of AU(PAP)



## Discussion

From the three representations, the only certain organisational representation is that of the role of the Assembly as the highest decision making body of the AU. None of the organograms accurately represents the relationships between the AU organs. According to findings from this research, the following persist:

**The power of the Executive Council:** The Constitutive Act of the AU gives the Assembly the legal lee-way to delegate its powers to any organ of the Union. All organograms seem to underestimate the powers of the Executive Council. So far, in practice, the Assembly has delegated most of its policy making and implementation powers to the Executive Council. The Assembly has not given this power to any other organ of the Union. Also, it is only the Executive Council that is provided for constitutionally in Article 13/2 of the AU Constitutive Act as being directly responsible to the Assembly of Heads of State and Government (AU 2000a: 9). Legally, the Executive Council may delegate any of its powers to the Specialised Technical Committees (STC) as seen in Article 13/3 of the Constitutive Act. In practice, the main tasks of decision making and organising in the AU system are limited to the Executive Council which has delegated powers principally to the Permanent Representative Committee and the African Union Commission. The Specialised Technical Committees which will be made up of sector relevant Ministers or their representatives has not been put into operation.

**The imaginary powers of the PAP:** Although all three of the organograms show the PAP as an institution with delegated powers from the Assembly of Heads of State and Government, in practice and by legislation this is not so. Although Rule 18 of the PAP Rules of Procedure requires the President of the Parliament to attend and report to the Assembly on the work of the Parliament (PAP 2004a: 20), the PAP Protocol does not provide direct reporting to the Assembly. In 2006, the PAP President presented the annual report of the Pan African Parliament to the Ninth Ordinary Session of the Executive Council and not the Assembly per say (PAP 2006b). As a consequence, in

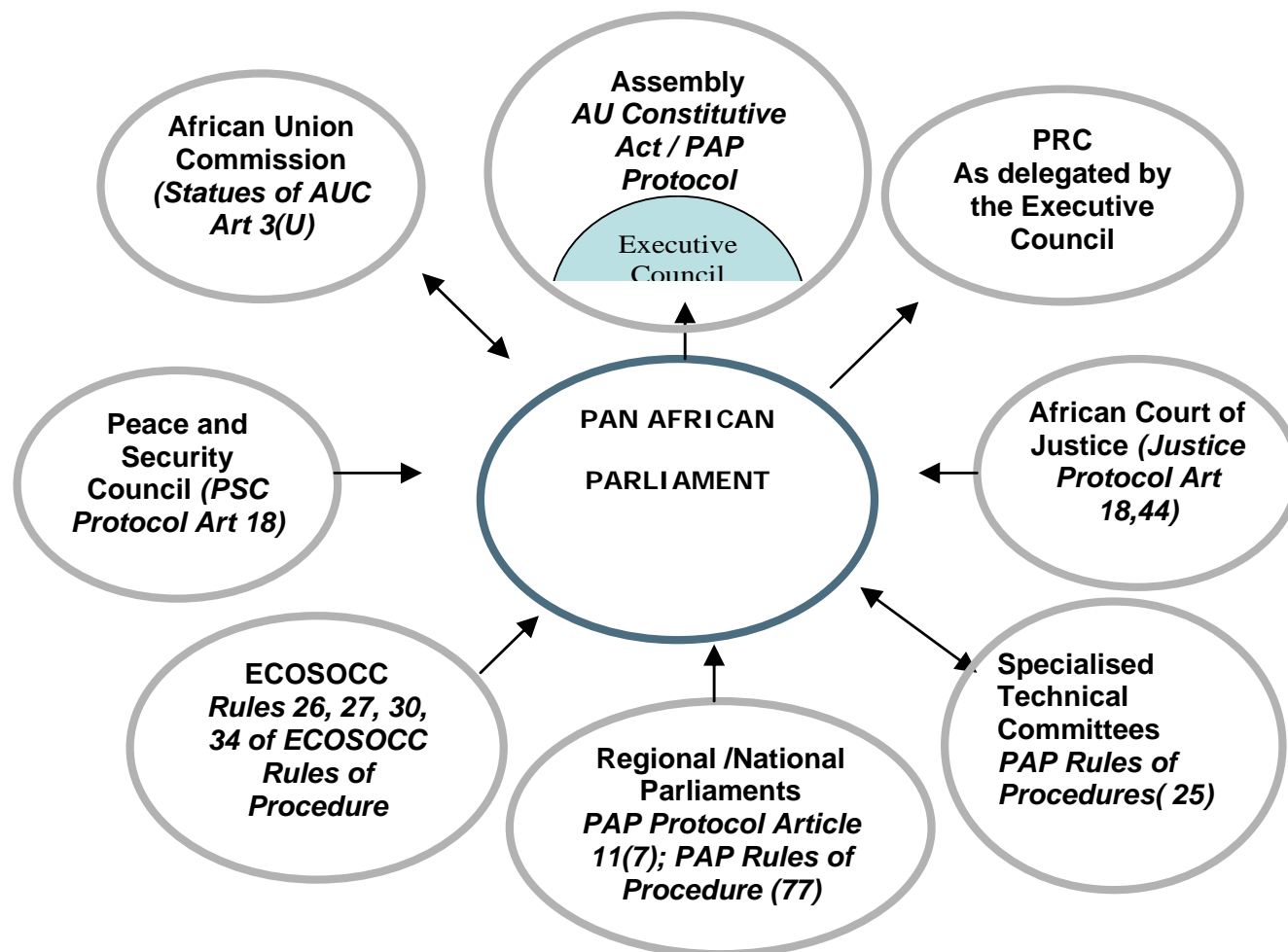




practice PAP's is supervised by the Executive Council. The Executive Council seems to have delegated this supervisory authority to the Permanent Representative Committee (PRC) and in some cases to the AU Commission, so that, the PRC approves PAP's budget (AU 2002c; EC 2004b) and the AUC oversees the implementation of all AU policies. A Parliament exists to perform certain oversight functions. For the PAP to fulfil its objectives of facilitating the effective implementation of the policies and objectives of the AU as enumerated in the AU legislation, it will need to exercise oversight powers even with its current advisory roles. On the contrary, as it relates to its oversight role in sanctioning the executive, PAP's power does not exist.

However, AU legislation makes provisions for PAP's relationship with other AU organs. For instance apart from the PAP Protocol which spells out responsibilities of the PAP in terms of its oversight roles (OAU 2001a), other AU legal frameworks show PAP's oversight or supervisory relationship to organs like the ECOSOCC in rules 26, 27, 30, 34 of the Revised Rules of Procedure of the ECOSOCC (AU 2005); the Statutes of the Commission Article 3(u) (AU 2002b:4); and the Peace and Security Council in Article 18 of the PSC Protocol (AU 2002a:25-26).

Below, is an extrapolation of other AU organs the PAP has relations with based on AU legislative frameworks (Treaties and Protocols). The arrows represent the direction of reporting. The figure above shows that the PAP has oversight powers in relation to the organs of the AU especially the democratic and human rights institutions like the Peace and Security Council, the court, and the ECOSOCC. Organs like the Executive Council, the PRC, the AUC and the STC in certain areas, play a more supervisory role in terms of their relationship to the PAP. It is clear that the whole system of PAP's organisation and that of the AU is really a complex one and that this complexity may increase as the PAP grows. Therefore there is need for the parameters of reporting, co-ordination and control to be defined in the AU.



**Figure 5.5** organs and legal provision on PAP's relations to AU organs.  
(Configuration mine 2008©)

In terms of its relationship with extra-institutional organs in AU integration, the PAP has stressed its commitment to the objective of facilitating co-operation among RECs and their Parliamentary forums in the harmonising, and co-ordination of AU policies and programmes (PAP 2005c:57 PAP 2006d). There are certain provisions for the engagement between PAP and the different Regional Parliamentary Assemblies as provided for in rule 77 of the Rules of Procedure of the PAP (PAP 2004: 48). These include consultative meetings, visits and information dissemination through annual Parliamentary programmes and records of relevant debates and reports to permanent committees. Except for some PAP resolutions and recommendations expounding the rhetoric on the roles or expectations for the regional and national Parliaments in relation to certain human rights issues like Peace and Security(PAP 2006d) and migration (PAP 2006d), this engagement is not yet defined in practice.



Finally, there is an institutional distance between PAP and the executive which is not represented in the organograms above. Instead, the organograms seem to accord PAP direct relationship with the Assembly of Heads of State and Government. It will be argued that this is perhaps what is hoped for the PAP, because in reality, legislation does not provide this closeness and in practice PAP is far from the decision making axis of the Assembly/Executive Council/PRC/AUC. The Executive Council oversees and coordinates decision making in the whole of the African Union. The PAP in practice is so distant from this sphere of influence, that for it to have the Executive Council's ear, it has to go through the PRC or the AUC. This perhaps reflects an institutional arrangement geared towards compromising even the advisory and consultative powers of the PAP as provided for in legislation. The next section investigates the oversight component of PAP's functions.

#### **4. PAP's control and oversight role**

In a democracy, the core function of the legislature is to pass legislation on matters entrusted to it (Cloete 1998:42). This legislative role is the exercise of control by putting in place laws that govern African development. The legislature also exercises control through its oversight role in governance. The aim of control in the AU like any other governance system will be to ensure that the AU system functions in the most effective and efficient manner and to institute transparency and accountability in the development and governance of the AU.

The issue of co-ordination on the grand scale is a challenge in the AU. The RECs are a typical example of the AU's struggles in effective co-ordination (UNECA 2004:42). Then again, this does not mean that there isn't a measure of co-ordination in place within the AU institutional framework. The sectoral committees of the various organs like the PAP permanent committees, the ECOSOCC sectoral committees, the sub-committees of the Permanent Representative Committees (PRC) and the Specialised Technical Committees (STC) should be co-ordinating instruments in terms of related sectoral



policies and programmes. The hierarchical relationships between AU organs discussed previously, show a level of co-ordination from the Executive Council's role. But, the issue is that there is little co-ordination between AU institutions as these co-ordinating arrangements are limited to the internal activities of the AU institutions themselves or restricted to certain programme/sectoral areas of the various committees.

Legislation provides certain mechanisms through which the PAP can exercise its oversight functions. Articles 2, 3 and 11 of the Protocol imply that the PAP can exercise oversight, investigative, consultative and advisory powers (OAU 2001a). PAP's Rules of Procedure spell out certain mechanisms that the PAP can use in its control functions.

These are through:

1. Parliamentary question and answer time (PAP 2004: 43-45);
2. Reports to Parliament(PAP 2004:47);
3. Investigations and inspections (PAP 2004: 24) and
4. Budgetary oversight (2004a:10).

From the foregoing, advocacy, transparency and accountability should become strong competences of the PAP. In terms of budgetary oversight However, in terms of budgetary oversight the PAP has little control. Its own budget is still vetted by AU officials who are signatories of the PAP account (PAP 2005b: 6). Moreover, the tight rein of the Executive Council over the PAP budget is such that in 2006, it instituted an audit into the Pan African Parliament, and authorised the Parliament to provisionally utilize one-twelfth of its budget for the previous year until accounts are audited (EC 2007e). In terms of its investigations, the PAP has achieved little or no impact on the executive from the recommendations and resolutions it has made based on its fact finding missions to election and trouble spots in the African continent. It is clear that the PAP does not enjoy oversight over the executive. Nevertheless the PAP has made some inroads into the Commission, first with AU Commission commissioners delivering reports and presentations during PAP sessions as seen in the agenda of plenary for the 5<sup>th</sup> session (PAP 2006c: personal information), and secondly through a joint technical committee the PAP has with the AUC (Clerk, personal communication, 28<sup>th</sup> September 2007).



Finally, although the PAP may exercise certain oversight in policy implementation in the African Union through reports to it from the different AU policy organs, its inputs to these policy decisions eventually have little impact in final PRC reports and the Executive Council and Assembly decisions. Thus the crucial role that the legislature plays in sanctioning the executive has vague possibilities in the AU, hinting at the possibility that PAP designers are content for PAP to exist in legislative limbo.

## **5. Human resource capacity in PAP**

The PAP organogram shows the technocratic or expert slant of PAP human resources needs. Technocrats and experts play a crucial role in deepening integration as pointedly manifested in literature on regional integration (Haas 1961; 1970; Schmitter 1969). Schmitter (1969:162) identifies the creative talents of political elites especially the administrators of regional institutions who take advantage of frustrations and crises to redefine or expand tasks at the centre. These experts within the integration institutions can then exploit these gaps as leverage for influence in decision making. It logically follows therefore that for the PAP, the issue of specialisation and skills will be paramount to its institutional growth. The PAP organisational system as seen in the PAP internal organogram in chapter four, makes provision for a functional organisational system which should avail PAP the knowledge and skills of expert parliamentary supervisors. However, in practice, there are challenges to implementing this.

First is the perennial problem of weak capacity and administrative services. This is compounded by highly visible hold-ups to its institutional building, of which PAP's strategic plan identified as finance, legal mandate and limited access to value added information (PAP 2005a: 28). Added to this is the problem of the insufficient support structure for the PAP committee system, the core of decision making body in the Parliament. To fill this gap, the Permanent Committees invite expert contribution in committee decision making, through special briefings, visits, workshops and seminars (PAP 2005c: 35-37). Additionally, the PAP has been concentrating efforts on capacity





building through technical partners like the German Technical Co-operation GTZ, the European Parliament the African Capacity Building Foundation as shown in the PAP strategic plan (PAP 2005a: ii). Key areas of capacity building will cover the strengthening the capacities of committees, the MPs and parliamentary support staff; enhancing the communication and outreach abilities of PAP and building the research capacity of PAP.

In spite of these institutional building efforts, the persistence of the AU institutional culture is a threat to the growth of PAP. As Taylor and Francis suggest, "...institutions are resistant to redesign ultimately because they structure the very choices about reform the individual is likely to make" (Hall and Taylor 1996: 940). Schein (1992:6) describes the pervasiveness of institutional culture as "a deeper level of assumptions and beliefs that are shared by members of an organisation that operate unconsciously and define...an organisation's view of its self and its environment". The shared collective experience of the OAU over the years has spurn a value system entrenched in the legacy of centralised power and rivalry between the OAU and institutions that show supranational promise (Franke 2007; Onwuka 1985). Therefore, notwithstanding the governance principles that the PAP represents, the highly statist and centralised culture of African institutional integrative experience threatens its very existence. Herein lies the huge hurdle for the PAP to surmount if it is to raise independent views and have them considered and adopted.

Finally, scholarship shows that the experience of deepening integration as seen in Europe's institutional example is positioned in the ability of institutions to acquire more powers from the centre (Haas 1961:367; Pierson 1996:137). This is turn is made possible by the existence of experts and technocrats, who use opportunities like constraints in decision making due to expanding tasks at the centre to redirect decision making from the centre to the periphery. In the light of this, the "dismantling" of AU institutional power culture, by the PAP, among other things, will require skills in terms of expertise and strategy. Presently, the PAP is very far from its capacity building goals as contained in its strategic plans and overcoming these institutional hurdles will be an uphill battle.



## 6. Procedures in the PAP

New demands on continental leadership like the commitment to human rights and security, good economic governance and democratic, accountable and transparent leadership, necessitates that integration tasks are carried out to optimise opportunities for growth. This can be achieved through efficient, effective and economic procedures. Hence, the aim of the PAP Rules of Procedure will be to ensure policy cohesion between it and the rest of the AU organs by providing authoritative instruction on work assignments, policy positions, based on the objectives of the PAP. The PAP Protocol in articles 11/8 and 12/1 (OAU 2001), gives the Pan African Parliament full powers over the content and disposition of its own Rules of Procedures. The Rules of Procedures of the PAP lays out PAP's preferences in terms of the tenure, make up and functions of the bureau and committees. It also spells out the procedures in the order of business of the house, disciplinary issues, relations with other organs and Parliaments, as well as the drafting and procedure for the budget. In this light, the PAP Rules of Procedures represents a possible space where PAP can exercise full powers and a definite opportunity to make itself relevant in the AU decision making system. In this way, the PAP can through the Rules of Procedure restrict itself in many ways, or use opportunities afforded by these rules to grow its influence in the AU. This is expounded subsequently.

First of all PAP's Rules of Procedure provides that its functional powers in the AU involve the tasks of overseeing policy formulation and implementation in the AU. This involves organising debates on RECs and AU functioning; examining and expressing an opinion on its own initiative or at the request of any of the AU organs. Other tasks are making recommendations and take resolutions on any matter relating to AU and African integration and inviting AU organs and RECs to explain any matter concerning the union.

Since inauguration, the PAP has trudged towards this mandate and has so far organised debates on a range of issues affecting the AU like NEPAD, APRM and migration (PAP 2005e; 2005f). The PAP has also adopted independent positions in certain issues, especially as they relate to governance and human rights issues, as it did in the resolution



on the unconditional release of Dr. Kizza Besigye leader of Ugandan opposition (PAP 2006a). Additionally, the PAP has issued out many recommendation and resolutions on different matters of the AU interest. The issue though is that neither the Executive Council nor the Assembly has referenced or utilised these recommendations or resolutions as basis for any decision making. This makes the PAP resemble a faulty printing press, churning out material that ends up in the trash.

Nevertheless, despite this lack of interest from the executive, the PAP, through its procedures can take opportunities in the AU system to exert itself, especially as the AU grows and tasks increase at the centre. One way to achieve this is by using its procedures to achieve policy cohesion externally and policy coherence internally. In terms of policy cohesion, rules 73-76 of the PAP stipulates reporting relationships between PAP and the decision making organs of the AU. In the rules, the PAP expects the Assembly to submit all decisions of the Assembly and the Executive Council to it. The Parliament can also invite the Assembly and the Executive Council or the Commission to explain these decisions. These are consultative powers well within PAP's Protocol provisions. Nevertheless, the PAP seems to have failed to develop an effective mechanism in getting information from these sources (if direct reporting fails), especially where some of them like the executive are used to centralised decision making. The issue is that in reality, not only has the PAP failed to have a voice in any sort of decision coming from the Executive arm, so far, it has not managed to make policy relevant recommendations to the executive .

Secondly, the nature of decision making in PAP committees can also limit the quality and quantity of committee decisions. Decision making is by consensus or a two-thirds majority as the provision of rule 22 (8) requires. The down side of this type of decision making is that consensus building is sometimes a lengthy and negotiated process, thus, complex decisions which have great potential for change may be abandoned. Secondly, consensus building takes time and thus in this form, decision making may be time-consuming. Furthermore, the quorum requirement of an absolute majority for voting in rule 22(7) may also pose a challenge due to absenteeism and high turnover of MPs. PAP



committees meet twice a year and the committee on monetary and financial affairs meets at least twice a year (PAP 2005b:6). Nevertheless the decision made by the Executive Council to have member states bear the cost of their respective MPs expenses (EC: 2004b), poses a challenge in this regard. For instance attending any meeting outside the session time table may not be possible for MPs by reason of financial constraints (PAP 2005b:4). The European Union in recognising that unanimous voting can impede progress towards integration introduced the qualified majority vote (QMV), in 1986 with the Single European Act (SEA) which reduced the pressure in consensus building.

Thirdly, PAP's Rules of Procedures marshals out the modalities for it to exercise its consultative powers through questions, investigations and reports from any organ of the AU. These activities intend that the PAP has its hand on the policy pulse of the AU at all times. It also implies that by having this hand on the pulse of the matters that matter, PAP may increase its power of voice as its recommendations will always have relevance to executive decisions. Nevertheless, this is not so as there is a gap between the ideal as represented in legislation and the practised as represented by AU institutional culture.

In conclusion this section on PAP's institutional arrangement, has tried to show that PAP's institutional arrangement may indeed be a manifestation of the intents of African leadership as a collective. These intents embody the old centralised and intergovernmental culture of the OAU. In this case, the PAP exists in supranational limbo to perform roles which have no impact in the executive decisions of a highly statist AU. So far as this is the case, the PAP poses no immediate threat to member states and African heads of state. Thus the PAP sputters and puffs in its battle to be courted by the executive, as its consultative and advisory powers has had no significance or consequence in AU decision making so far. If this is the case, and having reviewed what can be termed the institutional arrangements in the PAP, the next task of the thesis will be to consider what the definitive role of PAP is under these circumstances.



## Theme 4

### Answering the research question

What is the definition role of PAP considering the circumstances discussed above? This thesis argues that the Pan African Parliament emerged as a resolution to the question of globalisation and its attendant challenges in the economy and governance in weaker global economies like Africa. Accordingly, the PAP emerged through collective grand bargaining, as a democratic governance solution to “give hope to the masses of Africa to play a role in African decision making” (AU 2001; personal communication ,28<sup>th</sup> September 2007). As an instrument of democratic governance it is supposed to provide African grassroots people with the platform or voice to become part of the change that Africa so desperately needs. The thesis suggests that the PAP was established based on a genuine concern for Africa’s future coming into the 21<sup>st</sup> century. However, PAP’s Protocol produced two years after the Sirte declaration shows a calculating decision most probably influenced on one hand by short term interests and on the other by past OAU institutional legacies to bind the PAP in legislative inertia. As a result, African leaders put pen to paper and signed into existence a Pan African Parliament, whose powers they preferred to rest in the future and as a matter of fact, may remain in the future.

Permit the reiterating of a point made several times, which is that the relevance of an institution in the polity can be traced to its origins in terms of who its designers are and their intentions. That is, bearing in mind that where rational, these intentions tend to be manifested in the emergent institutional arrangement. In this light, the question of the definitive role of the Pan African Parliament goes beyond idealism embracing irrefutable realities. This section will attempt to inspect the definitive role of the Pan African Parliament by drawing on the arguments in the previous sections. To draw out PAP’s critical make up, the section will draw inferences from the theme that deals with PAP’s designers and their intentions, the theme on the collective choice problem that PAP is meant to address and the theme on PAP’s institutional arrangement.





## Searching for PAP's role in the AU

The challenges and opportunities enmeshed in the notion of participatory and democratic governance have interested African scholarship and leadership for many years. Hence the many efforts of regional actors like the UNECA and the OAU, to engage the idea of participatory governance in the affairs of the regional system from as early as 1976. Land mark documents such as the - UNECA *Revised Framework of Principles for the Implementation of the New International Order in Africa* (Adedeji 2002:38); the 1990 Arusha declaration on popular participation (UNECA 1990); the declaration on the Political and Socio-Economic Situation in Africa and the Fundamental Changes Taking Place in the World, (OAU 1990); and in the provisions of, and declaration on the Kampala document or the CSSDCA (OAU 2000b; Tieku 2007:32), attest to this engagement. It is important to point this out considering that all these declarations and policy instruments were at different times described as land mark decisions, which reflected the commitment of African leaders to democratic continental development (Aderinwale 2001;60; Adedji 2002:4). Notwithstanding these were all rhetorical as there was no practical move to implement participatory governance in African integration until 2004.

Tracing the journey from PAP's initial introduction in the Abuja treaty to its inauguration in 2004, it can be seen that there was a steady build up towards the institution of participatory governance in the AU. With the dismantling of communism in the 1990s and the harsh dictates of neo-liberalism and globalisation in the new millennium, African leaders were compelled to consider a new approach to continental development. This meant intensifying the notion of Africa as a collective in dealing with a new global economic and governance arrangement. One of the results of this new outlook was the decision to rapidly implement the provisions of the Abuja Treaty for participatory governance in the form of the Pan African Parliament. Moreover, a Pan African Parliament would also stand as a symbol of the much theorised African unity. In view of these arguments, what was the definitive role in instituting the PAP?



## **The definitive role of PAP**

PAP's definitive role can be inferred from the themed discussion on PAP's origin and institutional arrangements. Based on those discussions, it will be argued that PAP's role is two-pronged, the first is PAP's ideal role as seen in the pronouncements and declarations (rhetoric) that heralded PAP's establishment, and the second is the practised role as is evidenced in the PAP Protocol and current institutional arrangement as presently constituted. At the end of this section, the definitive role of PAP will be revealed, based on the research conceptualisation of 'definitive' and on the findings based on this.

### **1. The ideal role**

From the Sirte declarations and the stipulations on the establishment of the Pan African Parliament contained in the Abuja Treaty and the Constitutive Act of the AU, it can be argued that the definitive role of the Pan African Parliament in the AU is to provide a representative platform for ordinary Africans to participate in continental decision making through legislation. Along these lines, the PAP is supposed to perform the functions of a legislature. According to Article 2 (3) and Article 11 of the 2001 PAP Protocol, the Pan African Parliament's ultimate goal is to evolve into an institution with full legislative powers. This impression of the eventuality or future possibility of a legislative PAP, goes back to 1991. At the time Article 6(iv) of the Abuja treaty envisioned that by the end of the 37 year timeline, at the final and sixth stage of the AEC, the Pan African Parliament will be undergoing its own final implementation into a duly elected and fully legislative organ of the AU (OAU 1991). Emerging scholarship on the PAP focuses on PAP's parliamentary powers in legislation (Demeke 2004; Cilliers & Mashele 2004). Moreover, the provision of a legislative mandate in Articles 2 and 11 of the Protocol albeit throttled means that PAP is indeed meant to run like a full Parliament with legislative powers.



Thus in an ideal situation, the definitive role of PAP will be to contribute to regionalism decision making through legislation aimed at harmonising and co-ordinating laws, policies and programmes within the AU integration system. To fulfil this role the Pan African Parliament will have to acquire legislative powers. The extent of the European Parliament's powers within the EU system is at times seen in direct relation to the powers enjoyed by Parliaments of national governments of the EU. Similarly, considering recent reforms in the AU, every now and then, continental watchers and scholars (Cilliers & Mashele 2004: 75) are tempted to view the AU as representing an emerging polity. Accordingly, the AU is seen as resembling the separation of powers within a state, between the executive, the judiciary and the legislative. When considered in this manner, PAP is supposed to exert its legislative influence through the legislating and budgetary processes and through the control and supervision of the executive. However, it is argued that this role is PAP's ideal role. This is because rhetoric and idealism more than anything else seems to characterise the ambitious vision for an African legislature. This is more so, considering the challenges of leadership in Africa among other things. Little wonder that when in 2001 it became apparent that, the PAP will be established, its' establishing Protocol settled into more rational considerations in view of realistic African governance and leadership realities.

## **2. The Practiced Role**

In 2001, PAP's designers in contemplating the Protocol instituting a working Parliament must have considered that a Parliament with real legislative powers mentioned above will entail relinquishing a considerable portion of national sovereignty. Ultimately, states prefer to know that there are still independent entities within any international grouping and will go as far as possible to protect this sense of control. Nonetheless, to truly be effective, parliamentary systems ought to have certain levels of supranationality and (as seen with the European Parliament) have on occasion, been known to have extensively tested its powers with the executive arm, in this case the European Council and the Commission (Nugent 1999: 213, Archer 2000: 62). Therefore, not unlike the member states of the EU, there is a strong pull for intergovernmental preferences when it comes to



decision making on issues of African integration. As a result, it is not unexpected that PAP designers will for as long as possible, want to limit supranational interference in decision making at the intergovernmental level. Plausibly, for PAP, this will mean putting weighty limitations on its access to and influence in decision making in the AU. The Protocol establishing the PAP does precisely that.

The Protocol explains in simple terms the objectives, functions, powers and relationships that the PAP has in the AU. Here, PAP's designers make PAP's role clear in terms of what is practicable under the circumstances. In this case, PAP's role rather than take on the potential for law making becomes advisory. This advisory role may be construed as an incremental approach to PAP's legitimacy. However, as seen in the policy, budgetary and organising arrangements discussed above, the advisory role of PAP is detached from AU decision making which takes place in the Assembly/Executive Council/PRC alignment. In this way, PAP's span of control is largely limited to its own institutional space, making it difficult to achieve its prescribed objectives of facilitating the effective implementation of the policies of the AU and facilitating co-operation among Regional Economic Communities (RECs) and Regional Parliamentary Assemblies.

It is acknowledged that PAP designers in Article 2 and 24 of the Protocol created room for a review of PAP's Protocol in view of its journey towards a full legislative institution. Nevertheless, while these provisions suggest opportunities for growth for the Pan African Parliament albeit in the long term, they essentially portend possibilities of encapsulation for PAP especially at this early stage. This is because while the advisory and consultative powers can be seen as the beginning of incremental growth for the PAP, it also can be construed as a show of a wilting exuberance that characterised the reform declarations of the OAU heads of state in 1999. Considering the near morbid legacy of the OAU, this scenario spells a problem. There are reasons for this assertion.

**Wilting Political Will:** To begin with, it has been argued that the integration enthusiasm that engaged African leaders like Obasanjo, Gaddafi and Mbeki at the turn of the century catalysed the decision to form the AU and its institutions. For the first time, African



heads of state made unprecedented decisions that implied a willingness to defy sovereignty concerns in certain matters like peace, security and human rights. This can be seen in the decision to establish potentially independent institutions like the Pan African Parliament, the African Court of Justice and Human Rights and the Economic, Social and Cultural Council (ECOSOCC). Additionally, the Constitutive Act amendments in Article 4h made provisions for the right of the AU, albeit conditional, to intervene in a member state and in Article 5h established the AU Peace and Security Council (AU 2003b). These Constitutive Act provisions and amendments were seen by some African integration scholars as ground breaking (Sturman 2007; 6). Yet, in the face of the amendments in Article 4h of the Constitutive Act to accommodate more AU intervention at certain levels of internal conflict (AU 2003b) and with the provision for grassroots participation in AU decision making (PAP; ECOSOCC), the traditional thread of non-interference remains unbroken in this new AU. Tiekou (2007:32-35) demonstrates the chronological breakdown of the principles of Article 4h in the AU constitutive Act, since the formation of the AU. In doing so, the author highlights the growth of anti-human security influence in the AU and the eventual lukewarm attitudes of the Obasanjo and Mbeki alignment in terms of upholding the principles of Articles 4h and 5h of the Constitutive Act. Thus it can be safe to say that the initial exuberance towards change at the breaking of a new millennium has been watered down to political apathy.

**Weak financial commitments:** The cost and human resource implications of the new African regional experiment are high. The African Union is in a financial quagmire. The financial reality of establishing AU institutions running in full capacity is a huge hurdle for a struggling AU to surmount. As AU member states struggle to pay their membership fees and commitments to the AU, the effect is felt in the AU system as the AU dithers on its financial commitments to its organs. This has not escaped the PAP as its first institutional objective is to strengthen its own funding capacity (PAP 2005a). The AU has had running financial issues with the PAP, ranging from freezing of PAP's fund raising efforts and cuts in PAP budgets to reprimanding the PAP for financial mismanagement (EC 2007d; Bame 2007). Additionally, the AU has not lived up to its obligations in terms of financial support to the PAP due to the failure of member states to fulfil their financial





obligations to the AU. Barely able to make basic payments for the secretariat, the PAP, relies heavily on technical support from European organisations such as the German Agency for Technical Co-operation (GTZ). Thus, financially, the reality of a fully functioning Parliament is improbable, especially in the short to medium term.

**Indefinite time line:** Secondly, article 11 of the Protocol states that, “the Pan-African Parliament shall be vested with legislative powers to be defined by the Assembly. However, during the first term of its existence, the Pan-African Parliament shall exercise advisory and consultative powers only”. This statement implies that the PAP will be vested with legislative powers after its first term of office. Then again, the lack of specificity in the duration of this first term gives the first term an indefinite time line. The PAP has nevertheless leapt to assume that this first term is five years as article 25 of the Protocol provides for a review of the Protocol after five years (PAP 2006). But, the five year clause is for a review of the PAP Protocol and not necessarily to grow PAP’s powers legislative or otherwise. To all intents and purposes, PAP designers were unwilling to make any definite commitments to giving it any kind of powers. Taking all these into consideration, there is no doubt that PAP’s practiced role can be described as an undefined role.



Definitive role of PAP	Legal Provisions	PAP designers intentions	Institutional arrangement	Outcome
The ideal role	Abuja Treaty	Short term, no genuine care for the future; rhetoric	Supranational body	None
	Constitutive Act (2000)	An improved concern for the future; thinking in the long term; instrumental	Supranational potential	Foundation for a founding Protocol
The practiced role	PAP Protocol	Short term concerns about sovereignty issues; growing indifference, gradualist approach Very vague;	A consultative body; No input in budget of AU; Far removed from decision making structure of the Executive Council/PRC/AUC; MPs not selected through democratic process; No time line in terms of acquiring full legislative powers; Lack of democratic representativeness in the composition of MPs; Lack of resources to carry out harmonisation plans through RPA consultative for a.	Minimal influence in AU decision making (still exclusively intergovernmental); potential to encapsulate; inertia

Table 5.5: Matrix of the PAP's definitive role



## Conclusion

Taking these points into consideration, it can be seen that the initial commitment to the principles of the new AU has waned in the light of national sovereignty concerns, gross financial constraints and the perennial challenge of democratic leadership in Africa. As such, African leaders are content to leave decision making at the top. Accordingly, there is reluctance for the Assembly or Executive Council to make amendments that will increase PAP's decision making influence in the AU. In fact from the study so far, any effort from PAP to draw the executive's attention to its tasks in AU decision making seems to be selectively ignored by the AU executive. Considering the lack of will of African leaders to engage PAP at a consultative level and PAP's counter effort in stressing the need for it to be taken seriously, it is argued that Africa and the AU in particular may not be ready for PAP financially, capacity wise and most of all politically. Therefore, although it can be acknowledged that it will be ideal for PAP to have full legislative powers in the future, its feasibility remains constrained as the AU and Africa is not prepared for such an institution. So, even with the five year initial review stipulation of the Protocol, the road to acquiring powers for the PAP is an uncertain one due to the weak capacity of African integration institutions to make and carry out legislation. Additionally, the lack of political will of states to give up any level of sovereignty and the AU institutional quagmire keeps the various AU organs in confusion in terms of their mandates.

PAP's definitive role is its practiced role. PAP's definitive role was conceptualised based on the extent of rational considerations on institutional arrangements. Having weighed rationality with the realities of more historical and social influences in AU decision making, there is no doubt that from the evidence of PAP's present institutional arrangement in the AU, the definitive role of the PAP is its practiced role. This is because even in its advisory capacity, the PAP has not made any impact in AU decisions as none of its recommendations have been factored into AU decision making. In terms of its oversight role on the AU budget, the PAP does not have the final say on its own budget as the PRC first vets PAP's budget and recommends to the Executive Council. It is



argued that this role is subsumed in the intents of its designers to keep their sovereign interests alive through more intergovernmental engagement at the continental level. The final chapter as recommendation considers the possible scope of PAP's influence in its present undefined state as currently practiced, to consider possibilities for growth which are open to it at this stage.



## Chapter six

### Conclusion and Recommendations

I chose this research topic based on my observations on the struggle of institutions of African integration for growth and relevance. I was especially attracted to the challenge that faced both the creators and technocrats of the African Union and regionalism in general. These challenges ranged from internal politicking and technical shortcomings, to the threats represented in a rapidly globalising world. Moreover, the perennial failure of the OAU efforts in the past to pursue regionalism, led me to take up the challenge to investigate institutional regionalism in light of the AU with its new institutions. A growing objective from the beginning of this thesis was to find out if this new African regionalism held a fundamental departure from the African regionalism of the 1960s-1990s. I also felt that there was a need to see the role of AU institutions as part of the new African regional integration effort in strengthening and deepening African regionalism.

I singled out one of the new institutions of the AU, the Pan African Parliament as my unit of analysis. I wanted to find out the definitive role of the PAP in African regionalism. My research question was thus: “to what extent could the definitive role of the Pan African Parliament influence decision-making in the African Union?” My study approach was to study PAP from an institutionalism angle, which meant examining regional integration from the point of view of how institutions originate and persist, consequently acquiring supranational authority. I examined applicable theory which developed from the study of the European Union’s institutional regionalism over the years. At the macro level, I examined the overall nature of African integration by matching up grand theories of integration like intergovernmentalism and neo-functionalism. Establishing that African regionalism is a largely intergovernmental arena, I sought to examine the role of a potentially supranational organ like the PAP within this landscape. It meant investigating the middle-range theoretical schools which examine the processes of regional integration. In particular neo-institutionalism provided the avenue to show how regional institutions





acquire power and political clout. So, in further pursuit for the best approach to the question, I considered some of the arguments of the social science research premise of functionality, which attempts to link an institution's existence to the functions it serves. If I could find out why continental designers decided to establish the PAP, I would have an idea of the role they intend for it to play in African Union and thus be able to answer my research question. But in order to best answer the functionality question, I had to examine the structural, policy and historical environment of decision making in African integration. This in turn will help in pin pointing the collective action problem that may have led to the decision to establish PAP. Thus, functionality served as a base for analysis in answering the research question. In essence while functionalists try to show the relationship between politics and administration, by positioning institutional arrangements as a function of designers intents, neo-institutionalists attempt to show how rules, past legacies and policies (institutions) affect choices in the design and growth of new institutions. So while, neo-institutionalism provided a theoretical launching pad to investigate and functionality provided the tool for analysis.

Having established a theoretical and analytical basis for my study, the methodology of the thesis was important in order to answer the research question, which was: "to what extent could the definitive role of the Pan African Parliament influence decision-making in the African Union?" I chose a case study approach. The contextual richness that a case study provides enabled the unveiling of dominant analytical themes emerging from the research question. This led to a full interrogation of the three dominant themes which are the existence of a collective choice problem, institutional designers' intents and institutional arrangement. Having done this, the thesis showed that:

1. The emergence of the PAP was premised on the attempt of African leaders to tackle globalisation and previous failed integration effort.
2. This definitive role of PAP is manifested in the political, legislative and administrative arrangements in the PAP. In this sense one sees that African leaders still prefer the intergovernmental approach in regionalism and view



supranational tending institutions as threat to sovereignty and thus the OAU code of non-interference. This translates to the following:

- a. PAP's legislative role exists in rhetorical limbo.
  - b. PAP's definitive role is its practiced role
  - c. This practiced role originates from a conscious calculation motivated by short term political interests and the legacy of intergovernmentalism in African integration to limit the powers of the PAP.
3. As a result of the above, the Pan African Parliament which is supposed to have an important input in AU decision making is struggling to be relevant, and perhaps if left unchecked may be tethering on the brink of institutional inertia. This is the beginning of the struggle of the PAP and complacency may prove detrimental to African regionalism.

With its present consultative and advisory assignment, the Pan African Parliament functions more like a talk shop, struggling even with the lack influence it possesses in any decision making in the AU. Accordingly, there seems to be confusion on what the PAP is. However, neo-functional and institutionalism schools in regional integration studies argue that institutions have the ability to take advantage of gaps, tasks and policy expansion (unintended consequences) in the decision making system, to acquire more powers from the centre. From this viewpoint, the preceding recommendations will focus on where these opportunities lie and how PAP can harness these opportunities to grow. My recommendations will also consider viewpoints for future research.

## **6.1 Recommendations**

While intergovernmentalists view the empowerment of regional institutions as attributable to the ability of national states to rationally, and consciously abnegate powers to institutions, institutionalists see this process of growth as the triumph of institutions in acquiring power from the centre. Nevertheless, it is significant to note that no matter which school of thought is considered, institutions can escape inertia and encapsulation.



In order for the Pan African Parliament to survive, it will need empowerment pursued by the PAP itself and willingly given by the AU leaders. This section of the recommendation probes the feasibility of this empowerment in light of PAP's present institutional make up.

### **6.1.1 Growing the PAP: a note on the resilience of institutions**

An institution cannot survive without serving a function. Although PAP's function in the AU is still muddled based on sovereignty concerns and the OAU non-interference legacy, there is still room for PAP's growth of influence in the AU. Nevertheless, the PAP will need to take advantage of the opportunities for growth in its present constitution to grow its influence in the AU. So, although the powers of the Pan African Parliament has been challenged by the highly statist legacy reposed in the AU, the long term consequences of instituting the PAP can still materialise. This assertion is hinged on unanticipated consequences, like gaps in member states' control and policy shifts, which institutions can exploit for growth.

#### **Take opportunity of legislative gaps**

Firstly it is important to note that Articles 9/2 of the Constitutive Act of the African Union, gives the Assembly the room to delegate any of its powers and function to any organ of the Union. This means that African heads of state are in a position to abnegate the necessary powers to AU institutions including the Pan African Parliament. Since this is provided for by treaty, it is the duty of the PAP to convince the Assembly that it should have these powers. This is where the growth of PAP hinges and that is the discussion that will be had subsequently.

## **Take opportunity of expanding tasks**

Secondly, a perusal of the strategic plan of the African Union Commission (AUC) and all the decisions made by the Executive Council from 2002-2006 shows the growing responsibility that the African Union Commission (AUC) carries in terms of its role in the AU policy making and implementation process. As the fledgling AU grows, these tasks are likely to grow. The PAP should take opportunity of this expansion to grow its powers in the AU especially playing a bigger role in the AU budgeting process. Additionally, by strengthening its harmonising role in the key policy areas like the economy and migration in the Regional Economic Communities (RECs), the PAP can grow its influence especially if it is seen to work better with the RECs. By so doing, the PAP can position itself as a mediator and moderator in those contentious issues of regional harmony on the road to African regional integration. However in order to fully utilise the opportunity of these expanding tasks, PAP within its present mandate has to:

1. Develop committee expertise and establish policy cohesion in committee structure especially in prioritised sectoral areas like peace, security and human rights.
2. Develop strong internal accountability and transparency structure/culture
3. Maximise the use of PAP Rules of Procedure to grow influence.
4. Courting the power nodes: inter-institutional diplomacy.
5. Make the AU 'shared vision' workable
6. Maximising PAP's symbolism

These points are discussed in detail subsequently.

### **1. Develop committee expertise**

For regional integration institutions to be viable, experts and technocrats have a crucial role to play. Functionalists see experts as the drivers and authority in integration. As integration activities grow in the AU, tasks in budgeting, human resources and appointments, planning and organising (harmonisation of policies) will increase with



growing demands from state and non-state actors in African integration. Responsibilities of some AU organs like the Commission will increase. This growth may see varying degrees of disagreements and conflicts develop between technocratic and political entities in the African integration space. The bid to resolve such conflict presents an opportunity for the expansion of scope or level of integration institutions like the PAP. For instance, as the AU intensifies integration through bolder moves in harmonising REC policies, the need for co-ordination, monitoring and evaluation increases. Additionally, conflict requires mediation and thus, the need to provide an avenue to resolve issues that emanate from these processes will grow. The Pan African Parliament represents a legitimate avenue to co-ordinate and address fall outs from these expansions. Already issues like this are beginning are yielding decisions which are likely to help in the deepening African integration.

For instance, several decisions on establishing an integrated migration policy for Africa and free movement of African peoples, created room for the decision to launch the African Union diplomatic passport and establish the African Centre for Study and Research on Migration. Additionally, developments in sectoral policy areas like energy, science and technology, education and culture have also necessitated the need to hasten the establishment of AU organs like the Specialised Technical Committees. As civil unrest, wars and political instability rocks African states like Sudan, Zimbabwe and the Democratic Republic of Congo, the need for complementary institutions to the Peace and Security Council, has resulted in the establishment and the appointment of Judges for the African Court on Human and People's right. Despite the presence of the Pan African Parliament, the growing need for Africa's people to participate in African integration decision making has also resulted in the recent election of representatives to the ECOSOCC. These developments mentioned here, connote a growing need for expert hands-on decision making (from migration to energy to issues of human rights and security) in the integration sphere as integration deepens in Africa. Thus these early stages of the AU also present an opportunity for the PAP to increase its own relevance along with the growing AU. Thus to develop committee expertise the following are key issues.





## **Specialisation**

The Pan African Parliament by virtue of its proposed function of facilitating the harmonisation of AU and RECs policies has to function as a repository of expert knowledge. This knowledge repository is in the PAP committees. By their very nature, parliamentary committees represent nodes of specialisation and are composed of specialist members. Generally, MPs will be attracted to committees which are of significant interest to them in achieving their political goals. Hence, MPs from countries like Sudan or Somalia will likely have interests in the Committee on Co-operation, International Relations and Conflict Resolutions. Rule 22 (11) of the PAP Rules of Procedure already allows for this specialisation by virtue of the one-MP one-Committee system. This forces MPs in the face of many potential interest areas to specialise. PAP Rules of Procedures provide that committee membership be decided by PAP Regional Caucuses which designate at least three members per committee. However, the criteria for selection of members by PAP regional caucuses to PAP committees are not clear. This needs to be addressed.

## **Information**

Whether or not PAP committees attract members with special interests, PAP committees need the advantage of information and expertise. As already discussed in this thesis, the PAP committees presently make use of expert consultants in certain areas in order to inform decision making. Although some organisations like the African Capacity Building Foundation have committed technical support for capacity building for both MPs and the secretariat, there is need to increase research competency and specialised knowledge in the PAP. To be viable, the PAP needs to beef up its capacity in terms of knowledge and skills, research capabilities and ICT infrastructure as spelt out in its own strategic plan. By so doing as tasks increase in the AU system, the PAP committees can use this as leverage to draw in tasks and acquire more responsibility. By so doing PAP increases its indispensability status as a stop for proposal and policy input in the AU decision making



cycle. This will give PAP institutional and political leverage in view of the competing sectoral policy proposals and reports that the Assembly and Executive Council receive.

## **2. Develop strong internal accountability and transparency culture**

The PAP is in a struggle to survive. This survival is hinged not just on issues of institutional growth and political influence, but on institutional integrity and transparency and thus should itself be above reproach. This is especially if it has to play an oversight role in the accountability of other AU organs. Since inception, the PAP has tried to make inroads into the AU budgetary process with minimal success. From its second sitting, the PAP recommended that it be actively involved in the budgetary process (as per legislated in the PAP Protocol) and that its work be aligned with the process of preparing the budget of the AU a task which for now is entrusted to the African Union Commission (AUC) and the Permanent Representatives Committee (PRC). The PAP also in the same recommendation implied that it is being wedged between the Executive Council and PRC and thus, subordinate to the PRC. It therefore suggested that as far as its own budget goes the PRC should not be involved. These were recommendations made during PAP's second session (the first after inauguration). Curiously the tone of the recommendations showed a PAP that was willing to be assertive in demanding powers to fulfil its Protocol functions. By later recommendations however, one sees the change of this tone to a more resigned tone.

The Executive Council and Assembly did not consider the proposal. Instead in the audit of PAP in 2006, the PRC submitted an unflattering report tainting the PAP's accountability and transparency. From the Executive Council's decisions on the report, it seemed that some MPs defrauded the Parliament by taking funding from the PAP coffers, going against an earlier Executive Council decision that MPs should be funded by their respective countries in the interim. So, rather than contemplate budgetary powers for the PAP, the Executive Council approved the findings of the PRC. Consequently, it froze PAP accounts, deemed MPs in violation of the AU Financial Rules and Regulations and



ordered them to refund monies misappropriated. These reports were the subject of the debate of the PAP during its 8<sup>th</sup> session in October 2007 in which the Parliament succumbed to the Executive Council decisions. In a finance constrained and centralised AU system, the PAP discredited itself by defrauding the Parliament. In its teething stage in an equally nascent and finance strapped AU the PAP MPs ought to be seen to be above board.

### **3. Maximising the use of PAP Rules of Procedure to grow influence**

Studies on the European Parliament show that the EP has utilised its right to approve its own Rules of Procedure to grow its powers. The PAP Rules of Procedure is the rare instrument that gives the Pan African Parliament an opportunity to grow its status. If the PAP wants to make inroads in its oversight role of the executive arm of the AU as well as grow its influence in decision making, it must strengthen its own internal workings through its Rules of Procedure. An example is how the Rules of Procedure force specialisation by MPs in terms of committee memberships. An important element in PAP's institutional arrangement and future growth is the dynamic between its committees and the internal organisation. The PAP has been pressing for AU budget oversight role to be enforced. Yet, while the Protocol mentions that the Parliament shall discuss the budget of the Union and make recommendations, apart from making mention of this, PAP's Rules of Procedure does not elaborate on the modalities for this engagement. In this case, the PAP ought to use its own Rules of Procedure creatively to cover institutional gaps in the budgetary process. This means constant review of the Rules of Procedure as first foundation when introducing new institutional building blocks like new decision making channels and relationships with relevant organs of the AU. For instance, the PAP committees need to cultivate a joint committee with the African Union Commission. As the engine room of the AU, the Commission is responsible for the implementation of Assembly and Executive Council decisions. Thus, the PAP needs the experience and the knowledge of the AUC in developing its own institutional and technical competencies, which will give it the backbone to carry out its political objectives. Developing this



horizontal relationship will benefit the Parliament in terms of information sourcing, building capacities, and provide guidance in the AU integration process.

#### **4. Make the AU ‘shared vision’ workable**

The AU has not adopted a formal organogram on responsibility, supervision and reporting within its system. This state of affairs has caused an organising predicament. Yet the African Union talks of a “shared vision” as reflected in the strategic plan of the AU and the strategic plan of the PAP. The idea of “shared vision” connotes complementarity of functions, and an institutional culture that runs through the whole AU system. For instance the relationships between AU institutions are still not clear as there seems to be no agreed organisational representation of AU institutional relationships. There are salient points that should be taken into consideration in the development of effective organisational structure and processes in the PAP. Foremost is need for an inter-institutional co-ordination/reporting mechanism between the PAP and relevant AU organs, as well as a reporting mechanism between the PAP and the other integrative institutions in Africa.

#### **A defined policy thread**

PAP is still a new institution. In fact its strategic plan was drawn up in 2005, and it is yet to be approved by the Executive Council. Perhaps this delay in approval is based on the organisational confusion in the AU. This lack of organisation has trickled down to its organs as a perusal of PAP’s draft work plan shows that it is still in the process of providing for appropriate organisational structures and processes. Thus there is a huge gap between the legal provisions for these organs of the AU and what is practiced. There needs to be an organisational thread that links all policy and sectoral nodes in all AU organs, from the commission, to the Parliament, to the Permanent Representatives Committee, the specialised technical committee and the Executive Council. This will open the way for policy cohesion in terms of the respective policy jurisdictions in the AU system. One way of achieving shared policy/programme vision and engendering



meaningful debates and eliciting practicable recommendations is for the PAP to work from information on major decisions taken at AU summits. Logically, parliamentary statements and reports by the Assembly/Executive Council is one way of achieving this goal. But, so far, the likelihood of the PAP President to draw in the AU Executive Council into Parliament to discuss decisions made at summits seems remote. However, PAP committees can enhance communication with sectoral committees in other AU organs to become powerful policy repositories within the AU polity. Additionally, communication between the PAP and other AU organs need to be established and defined this will give the PAP reference points for recommendations based on the decisions, reports, and proposals made by the Executive Council, PRC, AUC and other related policy nodes.

### **A PAP/PRC/EC communication system**

This research itself showed the wide gap between the PAP and the Executive Council and the lack of complementarity between the recommendations of PAP and the decisions of the Executive Council and consequently the Assembly. The research however noted the close relationship between the Executive Council and the Permanent Representatives Committee (PRC), which does most of the preparatory work for and reports to the Executive Council. The committee set up of the PRC can offer the PAP an opportunity for it to engage closer with the Executive Council through joint committee meetings between the PAP and PRC sectoral committees. Perhaps, this is an area that needs alternative approaches in sharing information, like having a PAP/PRC/EC communication mechanism, perhaps through an electronic information network or through meetings between the PAP sectoral committees and the PRC sectoral committees. One advantage of this PAP/PRC working relationship is that the PAP can exploit the close relationship the PRC has with the Executive Council by having the advantage of the Executive Councils' early word on decisions and also by having direct access and input on decisions of the Executive Council in the PRC report process.





Additionally, this PAP/PRC/EC working axis can bring greater efficiency to the workings of the AU and PAP as it will minimise duplication and multiplicity of policy perspectives which, otherwise may cost the AU more and put the PAP through the paces of making recommendations which are totally out of line with the Executive Council and Assembly policy path. With the perennial lack of funds, PAP needs synergy with the Executive Council in order to complement and comment on AU policy proposals. The European Parliament and the Council in 1976 established the conciliation committee to attempt to seek agreement between the two institutions. Although the Specialised Technical Committee (STC) of the AU is intended to be closely related to the PAP committees it may serve it well for now to have a working relationship to the relevant committees of the Permanent Representatives Committee.

## **5. Inter-institutional diplomacy**

Parliamentary diplomacy was a chief contribution to European integration. Just as is witnessed from the findings of this thesis, in 1961, the European Parliament had no influence at all in the EU Council as the treaty amending certain financial provisions of the treaties of 1970 and July 1976 had not yet materialised. But integration authors like Ernst Haas argued that the European Parliament was able to inspire and motivate the emergence of voluntary elite groups across European national boundaries which were able to influence EU decision-making. This use of diplomacy and advocacy is crucial to PAP's institutional growth within the broader AU system.

1. Firstly, with the vague and limited responsibilities and challenges in lines of communication and with the perennial problems of finance and the turn over of MPs, it is suggested that a strong regional parliamentary forum between PAP and the Regional Parliamentary Assemblies (RPA) will put regional Parliaments in a better position to engage the principles of governance and African integration.
2. Secondly, the PAP should establish close working relationship with civil groups like non-governmental organisations represented both within and outside the ECOSOCC for effective advocacy in human rights and peace and security issues.



3. The Parliament will need to make itself relevant or “market” itself to the Executive Council, whose discretionary powers have to a large extent been deposited in the Permanent Representatives Committee. Additionally, while the PAP must continue to exert its rights as provided by the Protocol, it should be stated that there is no replacement to the PAP consciously courting the decision making powers.

Already it can be seen that the traditional decision making organs of the AU don't know how to approach the concept and practicality of a democratic, legislative and participatory institution like the Pan African Parliament. In this case, the PAP ought to establish a diplomatic corridor with the Executive Council, perhaps as mentioned earlier by instituting a PAP/Permanent Representative Committee (PRC) consultative forum. This will surely augur well for the PAP in entrenching its relevance in the AU especially considering that as already established, the PRC always has the ear of the Executive Council.

## **6. Maximising PAP's symbolism**

There is no Parliament in the world that has achieved total legislative powers, thus while the PAP needs to evolve, what has to be clear is the level of powers it is looking for. For now, although the PAP struggles in getting anyone in the AU executive to pay attention, using its symbolism to the full may indeed inspire a way forward in its growth. PAP does not carry even an illusion of strength. As a talk shop, reduced to making inconsequential recommendations and resolutions, the Pan African Parliament does not even measure up to such illusions. The PAP has to be seen at least symbolically as an institution of some influence, especially on issues of good governance. For instance the presence of PAP in an African political or conflict situation should carry weight albeit symbolic. Already there are signs that this is happening and it should be exploited by the PAP. For instance PAP's observer missions to elections and trouble spots within the continent attract media attention. Through media coverage and by interactions with stakeholders during these



missions the PAP can sensitise African people and familiarise them with the existence and role of PAP. Thus, such missions can become a way for the PAP to entrench its relevance in the continental political system. There is no doubt that full legislative influence will be PAP's challenge of the 21<sup>st</sup> century. However for now, using technical and administrative leverages in the growing AU and by building alliances with civil society across the continent, the PAP can begin to find a level of influence within the AU decision making system.

### **6.1.2 Viewpoints for future research**

This thesis is an exploratory work, undertaken to give an insight into the nature of the evolving African Union and its organs. So far, the AU institutionally seems to be cloaked in a film of mystery. There is little understanding of the workings of the AU and scholars seem to be presently playing a guessing game. The very fact that there were three different organograms of the AU from three different otherwise dependable sources (Institute for Strategic Studies, the Pan African Parliament strategic plan and the Pretoria University Law Project), shows the little effort that scholars of African Union integration and administration have put into its study. It also shows a low level of interest from students of African integration. Although one can dismiss this dearth in research on the short life span of the AU so far, I argue that this should not be an excuse, as even its teething challenges can be studied as basis for descriptive, exploratory and even predictive research. Thus, it may be time to begin to describe, monitor and evaluate this AU, which is steeped in organisational quagmire as it navigates the process of consolidating and establishing all its organs,

It is quite telling that researchers of the African Union, have done little in harmonising views on the administration of the AU. Academics working together with practitioners should be able to construct a clear picture of what the administration of the AU looks like. There is no work that has done justice to this. In teaching students of Public Administration the administration and governance of the AU, it is vital that the different



processes and structures in administering the AU are understood, like the journey of proposals in the AU, the financing of the AU and more importantly how the RECs which are building blocks of African integration are administered in the AU. Although economists have done some work on African economic integration there is little scholarship on the administration of African integration. The lack of consensus and factual disharmony in the different AU organograms consulted for this thesis are huge indictments on institutions and students of African integration. The following ideas hold research interest:

1. Exploring the possibilities for a co-ordinating system for AU sectoral nodes. This will involve studying the best way to co-ordinate all the policies, programmes and activities of all the AU sectoral nodes starting from the Specialised Technical Committee, sectoral committees in Parliament and at the Commission.
2. Looking for factors that contribute to the ineffectiveness of PAP recommendations. This will explore reasons PAP recommendations get lost in the overall scheme of the Executive Council and Assembly decisions.
3. Searching for how PAP can make its' recommendations matter in the AU decision making
4. Further interrogating the idea of an ideal and practiced role of PAP: this will involve taking the ideal/practiced role further to find out if based on designers intentions, institutions can operate based on an ideal and practice standpoint.
5. Examining further if the observed AU incremental strategy for PAP will spell encapsulation?
6. In terms of the more governance aspects of this research it will be interesting to further interrogate those factors if any that resulted in integration apathy after the excitement of the 1999 Sirte declarations?
7. Another area for research emanating from this research will be examining the African Union as an intergovernmental integration experience. This will open the space for debate on whether supranationality is a myth in African regionalism and really challenge the present institutional progression of African regionalism.



These ideas for future research are some of the lingering questions that have emerged at the end of this research. They range from administrative to political issues and will possibly provide insight, dispel the findings of this research or possibly provide openings for the development of an African regionalism theory.

## 6.2 Conclusion

The thesis studied the struggle of AU institutions for relevance in a highly intergovernmental regionalism space. Tackling the Pan African Parliament as a case as explained in Chapter two, the thesis, largely explored the functionality of this potentially supranational institution in a highly statist regional integration agenda. By so doing, as seen in chapter four, the thesis was able to locate and develop its central argument, which is that given the historical non-interference legacy of the OAU, supranational prone institutions like the PAP, are bound to face an almost insurmountable hurdle in fulfilling their ideal roles as agents for African integration. This central point is seen if one views the path to PAP's existence from the enthusiastic rhetoric of its premise to the reality of its institutional arrangements as presented in the fourth chapter. While an incremental delegation of power for regional institutions is not new in regional integration as the example of the European Union's institutions like the European Parliament has shown in discussions in chapter three, the difference for African integration lies in its historical and political legacy, elucidated in discussions on the nature of African regionalism in chapter four. Thus, given its history of failed institutions, the decision to limit the powers of the PAP rather than provide lee-way for growth, may likely spell encapsulation.

However, the point of reviewing institutionalism theories, especially rational prescripts which underline origin and growth of institutions in chapter three was to show that notwithstanding the context of experience, ideology and approach in governance, it is still possible to link institutions to designers. This in turn opens up discussions on the role of unintended consequences, showing that given the right strategy, African integration institutions, can grow. The thesis has managed to give an overview of the political





journey of the PAP and its administrative arrangement as a reflection of this political journey. By so doing the thesis made some important findings that impact on the understanding of the African Union and PAP in particular.

The thesis found that the Executive Council's power in the AU is extremely under-rated. The thesis also showed some misconceptions on the powers of the PAP. The PAP is not the legislative organ of the AU and thus does not report directly to the Assembly, as some scholarly works imply. As a matter of fact, neither does the PAP report directly to the Executive Council. The Permanent Representatives Committee (PRC) plays a central role in the AU decision making process much more than PAP and the Commission combined. The PAP plays no effective role in AU decision making despite that its legal importance in terms of the AU constitutional act rates higher than the PRC. Other findings are that none of the PAP's recommendations from inception to 2006 has ever been vetted or acknowledged in Executive Council decisions. In terms of organisation and administrative running, the thesis showed the disjointed and fragmented organisational system of the AU, which in turn has made the PAP vulnerable to redundancy due to lack of policy cohesion with other relevant AU institutions. In terms of governance, the thesis has shown that contrary to the highly lauded new direction in African integration with the emergence of the AU, there seems to be a waning of political will in terms of the spirit and letter of the AU. This is largely based on the strong tradition of the OAU in terms of non-interference and the vehement support for sovereignty. Finally, the final chapter has argued that although historical, political and institutional antecedents do not augur well for the growth of PAP, evidence as seen in the review of literature and theoretical framework shows that depending on the growth strategy and goals the PAP sets for itself, it still has the possibility albeit challenging to grow and find its relevance in AU decision making.



## References

### Books

- Adedeji, A. 1968. 'Introduction: the evolution, organisation and structure of the Nigerian civil services' in A Adedeji (ed) *Nigerian Administration and its political setting*. Hutchinson educational ltd, London.
- Adedeji, A. 2002. "From the Lagos Plan of Action to the New Partnership for African Development and from the Final Act of Lagos to the Constitutive Act: Wither Africa?" in P Anyang' Nyong'o, A Ghirmazion and D Lamba (eds) *NEPAD a new path?* Heinrich Böll Foundation, Berlin, Nairobi Kenya
- Ademolekun, L. 1983. *Public administration: a Nigerian and comparative perspective*. Longman group Limited, Essex.
- Aderinwale, A. 2001. "The Conference on Security, Stability, Development and Co-operation in Africa: Framework and the Role of the Regional Institutions" in M Goucha and J Cilliers (eds), 2001. *Peace, Human Security and Conflict Prevention in Africa: proceedings of the UNESCO-ISS Expert Meeting held in Pretoria, 23 - 24 July 2001*. Pretoria South Africa.
- Ajala, A. 1973. *Pan-Africanism*. London: Andre Deutsch.
- Archer, C. 2000, *The European Union: Structure and Process*. Third edition. Continuum, London and New York.
- Asante, S.K.B. 1985. ECOWAS/CEAO: conflict and co-operation in West Africa, in R.I. Onwuka & A. Sesay (eds.). *The future of Regionalism in Africa*. New York: St. Martins Press
- Asante, S.K.B. 1986. *The political economy of regionalism in Africa: a decade of the Economic Community of West African States (ECOWAS)*. New York: Praeger.
- Asante, S.K.B. 2001. "Towards an African Economic Community", in S.K.B. Asante & F.O.C. Nwonwu. *Towards an African Economic Community*. Pretoria: Africa Institute of South Africa (AISA).



- Babbie, E. & Mouton, J. 2001. *The practice of social research*. South African edition. Oxford University Press, South Africa.
- Bach DC, 1999. 'Revisiting a Paradigm', D C Bach (ed) *Regionalisation in Africa: Integration and Disintegration* J. Curry, Oxford U.K. ; Indiana University Press, Bloomington.
- Bain E.G. 1986. 'The administrative process' in SX Hanekom, RW Rowland EG Bain (eds). *Key aspects of public administration*, Macmillan (South Africa) Pty Ltd, South Africa.
- Balogun, M. T. 1983. *Public Administration in Nigeria: a developmental approach*. Macmillan Press Ltd, London.
- Bock, P.G. 1968. 'Functionalism and functional integration' D Sills (ed) *International encyclopaedia of the social sciences*. Macmillan and Free Press New York.
- Bourenane, N. 1997. 'Theoretical and strategic approaches' in R Lavergne (ed) *Regional integration and co-operation in West Africa : a multidimensional perspective* Africa World Press, Trenton NJ
- Brenner, M. J. 1969. *Technocratic politics and the functionalist theory of European integration*" Cornell University Research papers in International studies, Cornell
- Breslin, S. & Hook. G.D. 2002. 'Microregionalism and World Order: Concepts, approaches and implications', in S. Breslin and G.D. Hook (eds.). *Microregionalism and World Order*. Palgrave Macmillan, Basingstoke; New York
- Campbell, D.T. & Stanley J.C. 1966. *Experimental and quasi-experimental designs for research*. Rand McNally College Pub. Co, Chicago, Ill
- Caporaso, J.A. 1972. *Functionalism and regional integration: a logical and empirical assessment*. Sage, Beverly Hills, CA.
- Cheru, F. & Gill, S. 1997. 'Structural adjustment and the G-7: limits and contradictions' in S, Gill (ed). (1997). *Globalisation, democratization and multilateralism*. 2<sup>nd</sup> edition Macmillan, Basingstoke, St. Martin's Press New York.
- Claude, I. 1961. *Swords into ploughshares: the problems and progress of international organisations*. Random house, New York



- Cloete, J.J.N. 1981. *Introduction to Public Administration*, JL van Schaik Academic, Pretoria, South Africa
- Cloete, J.J.N. 1998. *South African Public Administration and Management*. 9<sup>th</sup> revised edition, JL van Schaik Academic, Pretoria, South Africa
- Clough P. & Nutbrown, C. 2005. *A student's guide to methodology* Sage Publications Ltd, London ; Thousand Oaks, CA.
- Cutchin, D.A. 1981. *Guide to public administration*. F.E Peacock Publishers Inc, Illinois.
- Davidson, B. 1991. *Africa in History*, Phoenix Press, Great Britain
- DeLancey, V. 2001. "The economies of Africa" in AA Gordon and DL Gordon (ed) *Understanding contemporary Africa* 3<sup>rd</sup> edition. Lynne Reinner Publishers Inc. Boulder, Colorado.
- Deng, L.A. 1998. *Rethinking African development: toward a framework for social integration and ecological harmony*. Africa World Press, New Jersey; Eritrea.
- Dessler, G. 1980. *Organisation theory: integrating structure and behavior*. Prentice-Hall, Englewood Cliffs. New Jersey.
- Diaku, I. 1985. 'The African Development Bank/African Development Fund: Problems and Prospects' in Onwuka R I and Sesay A (eds) *The future of Regionalism in Africa*. St. martins press, New York
- Dunsire, A 1973, *Administration: the word and the science*. Martin Robertson and company ltd, London.
- Dye, T.R. 1981 *Understanding Public Policy*, 4<sup>th</sup> edition, Prentice Hall, Englewood Cliffs. New Jersey
- Eliassen K.A. & Arnesen C.B. 2001. "Comparison of European and Southeast Asian integration" in M Telo (ed), *European Union and new regionalism: regional actors and global governance in a post hegemonic era*. Ashgate publishing, Aldershot, England ; Burlington, Vermont
- Elton, M. 1946. *The human problems of an industrial civilization* Division of research, Graduate school of business administration, Harvard university, Boston
- Esedebe, P. O. 1994. *Pan-Africanism: the idea and movement, 1776-1991*. Howard University Press, Washington, D.C.





- Ethier, W.J. 2001. 'Regional regionalism' in S Lahiri (ed), *Regionalism and Globalisation: theory and practice.*: Routledge, London
- Evans L.G. and Newsham F. 1990. *The dictionary of World Politics* Hemel Hempstead Hertfordshire Harvester/Wheatsheaf, United Kingdom
- Fawcett, L. & Hurrell, A. 1995. 'Introduction' in L Fawcett and A Hurrell (eds). *Regionalism in World Politics: regional organisations and international order.* Oxford University Press, New York.
- Fesler, J.W. 1980. *Public administration: theory and practice.* Prentice Hall Inc, New Jersey.
- Fox W. & Meyer, I.H. 1995. *Public Administration Dictionary.* Juta, South Africa.
- Frankel, J 1973, *Contemporary international Relations theory and the behaviour of states.* Oxford University press, Oxford.
- Fredland, R.A. 1984. 'OCAM: one scene in the drama of West African development', in D Mazzeo (ed), *African Regional Organisations*, University of Cambridge, Cambridge, New York, Melbourne.
- Gamble, A. & Payne, A. 1996b. 'Conclusion: the New Regionalism', Andrew Gamble and Anthony Payne (eds) *Regionalism and World Order.* St. Martin Press, New York.
- Gamble, A 1992. 'Internationalisation and the national economy: the British Case', in G D Hook and M A Weiner(eds), *The internationalisation of Japan.* Routledge, London and New York.
- Gamble, A. & Payne, A. 1996a. 'Introduction: the Political Economy of regionalism and World Order', A. Gamble and A. Payne.(eds.). *Regionalism and World Order.* New York: St Martin's Press.
- Geiss, I. 1974. *The pan-African Movement.* Methuen and Co ltd, London.
- Gill, S. 1997. 'Global structural change and Multilaterism' in S Gill (ed). *Globalisation, democratisation and multilateralism.* 2<sup>nd</sup> edition Macmillan, Basingstoke, St. Martin's Press New York.
- Gladden, E.N. 1972. *Central government administration*, vol 1 Staple Press, London.
- Glaser, B G & Strauss, A L 1999, *The discovery of grounded theory : strategies for qualitative research* , 1st paperbound ed, Aldine press, Chicago, Ill.





- Goodin, R. E. 1996. 'Institutions and their design' in Goodin RE (ed) 1996, *The theory of Institutional Design*. Cambridge University Press, Cambridge (England), New York, USA .
- Goodman, S. F. 1996. *The European Union*. Third edition. Macmillan press ltd, London.
- Gordon, D.L. 2001. "African Politics", Gordon AA and Gordon DI (eds). *Understanding contemporary Africa*, 3<sup>rd</sup> edition, Lynne Rienner Pub, Boulder, London.
- Gourevitch, P. 1986. *Politics in hard times: comparative responses to international economic crises*, Cornell University Press, Ithaca and London.
- Grugel, J. & Hout, W. 1999. 'Regions, regionalism and the South'. J. Grugel & W. Hout (eds.). *Regionalism across the North-South Divide: state strategies and globalisation*. Routledge, London; New York:
- Gruhn, I. V. 1979. *Regionalism Reconsidered: The Economic Commission for Africa*. Westview Press Inc. Boulder Colorado.
- Haas, E.B. 1975. *The Obsolescence of Regional Integration Theory*. Research Series, No. 25, 1975. University of California, Institute of International Studies Berkeley, CA:.
- Haas, E.B. 2001. Does Constructivism Subsume Neo-functionalism? in T. Christiansen, K.E. Jørgensen & A. Wiener (eds.). *The Social Construction of Europe*. Sage. London
- Hanekom, S.X. & Thornhill C. 1986. *The functions of the Public Administrator*. The Butterworth Group, South Africa.
- Haralambos, M. & Holborn, M. 1995. *Sociology themes and perspectives*. Fourth edition. Collins Educational (HarperCollins Publishers), London.
- Hattam, V. C. 1991. Institutions and political change: Working class formation in England and the United States 1820-1896 in S Steinmo, K Thelen and F Longstreth (eds) *Structuring politics: Historical institutionalism in comparative analysis*. Cambridge University press, New York.



- Hazelwood, A. 1985. 'The end of the East African Community: what are the lessons for regional integration Schemes?' R I Onwuka and A Sesay (eds) *The future of Regionalism in Africa*. St. martins press New York
- Henderson, R. 1985. 'The southern African customs union: politics of dependence', in R.I. Onwuka & A. Sesay (eds.). *The future of Regionalism in Africa*. St Martin's Press.
- Henry, N. 1975. *Public administration and Public affairs*. Prentice Hall In New Jersey
- Hewitt, J.J. 2008, "Trends in Global Conflict 1946-2005" in J J Hewitt, J Wilkenfeld, R Gurr. (eds) 2008. *Peace and Conflict 2008: Executive Summary*, Paradigm Publishers; Centre for International Development and Conflict Management, University of Maryland,
- Hill, M. J. 1972. *The sociology of Public Administration*. World University, Weidenfeld and Nicolson, London.
- Hooghe, L. & Marks, G. 2001. *Multi-level Governance and European Integration* Rowman & Littlefield, Lanham, MD
- Human Security Centre 2005. *Human Security Report 2005: War and Peace in the 21st Century*. University of British Columbia Canada, Human Security Centre. New York, Oxford University Press. Viewed October 21 2007 Available at: <http://www.humansecurityreport.info/>
- Hurrell, A. 1995. 'Regionalism in theoretical perspective', in L. Fawcett & A. Hurrell (eds.). *Regionalism in World Politics: regional organisations and international order*. Oxford University Press, New York
- Hveem, H. 1999. 'Political regionalism: master or servant of economic internationalization?' in Björn Hettne, András Inotai, and Osvaldo Sunkel(eds) *Globalism and the new Regionalism* St. Martin's Press, New York.
- Jacobs, F. Corbett, R. Shackleton M. 1990. *The European Parliament*. Longman group UK limited, UK.
- Joffe, G. H. 2001. 'Foreword: Regionalism- a new Paradigm?' in M Telo (ed), *European Union and new regionalism: regional actors and global governance in a post hegemonic era*. Ashgate publishing, Aldershot, England ; Burlington, Vermont



- Kakazu, H. 1997. *Growth Triangles in ASEAN: A New Approach to Regional Co-operation APEC*. Discussion Paper Series GSID, Nagoya University
- Kennes, W. 1999. 'African regional economic integration and the European union', in D. C. Bach (ed) *Regionalisation in Africa: Integration and Disintegration* J. Curry, Oxford U.K. ; Indiana University Press, Bloomington.
- Krasner S.D. 1983. 'Structural Causes and Regime Consequences: regimes as Intervening Variables" in SD Krasner (ed). 1983. *International Regimes*, Cornell University Press, Ithaca.
- Kumar, R 2005. *Research Methodology: a step by step guide for beginners*. 2<sup>nd</sup> edition. Sage Publications Ltd, London, Carlifornia, New Delhi.
- Kyambalesa, H. & Houngnikpo, M.C. 2006. *Economic integration and development in Africa* Ashgate, Aldershot, London
- Lahiri, S. (ed). 2001. *Regionalism and Globalisation: theory and practice*. Routledge, London
- Laszlo, E. Kurtzman, J. & Bhattacharya, A.K. 1981. *RCDC: regional co-operation among developing countries: the new imperative of development in the 1980s*. Pergamon Press, New York
- Lee, M.C. 2003. *The political Economy of Regionalism in Southern Africa*. University of Cape Town Press, Cape Town, Lynne Rienner Publishers Inc, Boulder Colorado
- Legum, C. 1965. *Pan-Africanism : a short political guide*. Revised edition, Praeger, New York.
- Lindberg, S.I. 2006. *Democracy and elections in Africa*. The John Hopkins University press, Baltimore Maryland
- Ludlow, N.P. 2006. "From deadlock to Dynamism: the European Community in the 1980s." D Dinan (ed) *Origins and Evolution of the European Union*. New European Union Series, Oxford University Press, Oxford, New York.
- Lynn, L E. 1980. *Designing Public Policy: a casebook on the role of public analysis*. Goodyear Publishing Company Inc, Santa Monica, California
- MacRae, S. & Pitt D. 1980. *Public Administration: an introduction*. Pitman Publishing ltd, London.



- Mafeje, A. 2002. "Democratic governance and new democracy in Africa: Agenda for the future," in P Anyang' Nyong'o, A Ghirmazion and D Lamba (eds) *NEPAD a new path?* Heinrich Böll Foundation, Berlin, Nairobi Kenya
- Maloka, E. T. 2000. 'The South African "African renaissance" debate: a critique,' in E Maloka and E, le Roux, *Problematising the African Renaissance*, Africa Institute of South Africa, Pretoria South Africa.
- March, J.G. & Olsen, J.P. 1984. 'The new institutionalism: organisational factors in political life', *The American Political Science Review*, 78(3), September:734–749.
- March, J.G. & Olsen, J.P. 1989. *Rediscovering Institutions: the organisational basis of politics*. The Free Press, New York:
- Marini, F. 2000. "Public administration" in JM Shafritz (ed) *Defining public administration : selections from the International encyclopedia of public policy and administration*. Westview Press, Boulder, Colorado.
- Marshall, C. & Rossman, G. B. 2006. *Designing qualitative research* . Sage London, California New Delhi
- Martin, S 2006. 'Building on Coal and Steel: European Intergration in the 1950s and the 1960s.' in D Dinan (ed) *Origins and Evolution of the European Union*. New European Union Series, Oxford University Press, Oxford; New York.
- Mathoma, P, Mills, G, Stremlau, J (eds) 2000. *Putting people first: African priorities for the UN millennium assembly*. South African Institute of International Affairs, South Africa
- Mayo, E. 1946. *The human problems of an industrial civilization*, -1<sup>st</sup> edition, Division of research, Graduate school of business administration, Harvard university, Boston
- Mazrui, A.A. & Tidy, M. 1984. *Nationalism and new states in Africa from about 1935 to the present*. Heinemann. Nairobi:
- Mazzeo, D. 1984a. The regional trend, in D. Mazzeo (ed.). *African Regional Organisations*. University of Cambridge, Cambridge, New York, Melbourne.
- Mazzeo, D. 1984b. "The experience of the East Africa Community : implications for the theory and practice of regional co-operation in Africa" in D Mazzeo, (ed) 1984,



- African Regional Organisations*: University of Cambridge, Cambridge, New York, Melbourne.
- Messenger, D.A. 2006. 'Dividing Europe: the cold war and European Integration'. D. Dinan (ed) *Origins and Evolution of the European Union*. New European Union Series, Oxford University Press Oxford, New York.
- Mintzberg, H. 1979. *The structuring of organisations*. Prentice Hall Rainey, Upper Saddle river NJ
- Mittelman, J.H. 1997. 'Restructuring the global division of labour: old theories and new realities', in Gill, Stephen (ed). (1997). *Globalisation, democratisation and multilateralism*. 2<sup>nd</sup> edition Macmillan, Basingstoke, St. Martin's Press New York.
- Mouton, J. 2001 *How to succeed in your master's and doctoral studies : a South African guide and resource book*, Van Schaik, Pretoria .
- Mutharika, B.W.T. 1972. *Toward multinational economic co-operation in Africa* Praeger Publishers, New York.
- Mytelka, L.K. 1984. 'Competition, conflict and decline in the Union Douanière et Economique del l'Afrique Centrale (UDEAC)' in D Mazzeo (ed), *African Regional Organisations* Cambridge, University of Cambridge, New York, Melbourne
- Nagel, S.S. 1991. 'Introduction to global policy studies" in SS Nagel (ed), *Global Policy Studies: international interaction toward improving public policy*, St. Martin's Press, New York
- Nkrumah, K. 1965. *Neo-colonialism: the last stage of imperialism*. Thomas Nelson, London
- Nugent, N. 1999. *The government and politics of the European Union*. (fourth edition). Duke University Press, Durham.
- Nwonwu F.O.C. 2001. 'The formation of an African economic Community; problems and Prospects', in SKB Asante and FOC Nwonwu, *Towards an African Economic Community* Africa Institute of South Africa AISA Pretoria
- Ohamae K. (1995). *The end of the nation state: the rise of regional economies*. HarperCollins publishers, London.
- Ohamae, K. 1995. *The end of the nation state: the rise of regional economies*. HarperCollins publishers, London.





- O'Sullivan, E. Rassel, G.R. & Berner, M. 2003. *Research methods for public administrators* 4th ed Longman, New York.
- Pauw, J.C. 1999. 'The concept public administration', JS Wessels and JC Pauw, *Reflective public administration: views from the South* Oxford University Press, Oxford, UK.
- Pretoria University Law Press (PULP) 2007. *Compendium of Key Human rights Documents of the African Union*. 3rd Edition Centre for Human Rights, UPeace , Pretoria South Africa
- Radcliffe-Brown, A.R. 1948. *A natural science of Society*. The free press and the falcon's wing press, Illinois.
- Rainey, H.G. 2003. *Understanding and managing public organizations* 3rd ed Jossey-Bass, San Francisco.
- Ravenhill, J. 2001. *APEC and the construction of Pacific Regionalism*. Cambridge University Press, United Kingdom.
- Rice, G.H. and Bishoprick, D.W. 1971. *Conceptual models of organisation*. Appleton-Century-Crofts, New York.
- Robbins, S.P. 1990. *Organisational theory: structure, design and application*. Prentice Hall Englewood Cliffs. New Jersey
- Rothstein, B. 1991. 'Labor market institution and working class strength', in S Steinmo, S. Thelen K.A. and Longstreth, F. (eds) *Structuring politics: Historical institutionalism in comparative analysis*. Cambridge University press, New York.
- Roy, J. 2005. 'The nature of the European Union', in P M Van der Hoek (ed) 2005 *Hand book of Public Administration and policy in the European Union*. Taylor and Francis Group, Florida.
- Sandholtz, W. & Stone-Sweet, A. 1998. *European Integration and Supranational Governance* Oxford University Press, Oxford.
- Schein, E.H. 1992. *Organizational culture and leadership* 2nd edition, Jossey-Bass, San Francisco
- Sesay, A. 1985. 'The Mano River Union: Politics of Survival or dependence'? in RI Onwuka & A Sesay (eds.). *The future of Regionalism in Africa*. St Martin's press, New York.



- Shaw, T.M. 1985. "Towards a Political Economy of Regionalism in Africa" in R I Onwuka and A Sesay (eds) *The future of Regionalism in Africa*. St. martins press New York
- Simon, H.A. 1957. *Administrative Behaviour: a study of decision-making processes in administrative organization*. 2<sup>nd</sup> ed. New York: Macmillan
- Simon, HA, Smithburg, DW & Thompson, VA 1971. *Public Administration*. Alfred A Knopf, New York.
- Sitter, N. 2005. "European organisations: from negotiated design to overlapping competencies and quasi-membership". P M van der Hoek (ed) 2005 *Hand book of Public Administration and policy in the European Union*. Taylor and Francis Group, Florida.
- Stake R. 2003. 'Case studies', in N K. Denzin, Y S. Lincoln (eds) *Strategies of Qualitative Inquiry*, Sage, London, Thousand Oaks, CA
- Te Velde, D.W. (ed.) 2006. *Regional integration and poverty*. Overseas Development Institute (ODI), Ashgate. Burlington, Vermont Aldershot, England:,
- Thelen, K.A. & Steinmo S. 1991. 'Historical Institutional in comparative Politics', in S Steinmo, K Thelen and F Longstreth (eds) *Structuring politics: Historical institutionalism in comparative analysis*. Cambridge University press, New York.
- Thompson, V.B. 1969. *Africa and unity : the evolution of Pan-Africanism* Longman, London.
- Thorsen, N.A. 1988. *The political thought of Woodrow Wilson; 1875-1910*. Princeton University Press, Princeton, New Jersey.
- Todaro, M.P. 1981, *Economic Development in the third world*, Second edition, Longman, New York, London.
- Truman D.B. 1951. *The governmental process: political interests and public opinion* Knopf, New York.
- Turner, J.H. & Maryanski, A. 1979. *Functionalism*. : Benjamin/Cummings, Menlo Park, California.
- Uchendu, V.C. 1980. Dependency and the development process: an introduction, in V.C. Uchendu (ed.). *Dependency and underdevelopment in West Africa*. E.J. Brill, Leiden, The Netherlands:



- Van den Bos, V.H. 1988. 'The theory and practice of Public Administration against the back ground if the views of Woodrow Wilson : an orientation' in J S H Gildenhuys, *South African public administration : past, present, and future*. Owen Burgess, Pinetown, South Africa.
- Varela, D. 2005. 'The European Parliament', in P M Van der Hoek, (ed), *Hand book of Public Administration and policy in the European Union*. Taylor and Francis Group, Florida.
- Venter, D. 1997. 'South Africa and Africa: relations in a time of change', in W Carlsnaes and M Muller(eds). *Change and South African external Relations*. International Thompson Publishing (Southern Africa) Pty Ltd, South Africa:
- Wallace, H. & Wallace, W. (eds.) 1996. *Policy making in the European Union*. 3rd edition. Oxford University Press, Oxford
- Walraven van, K. 1999. *Dreams of Power (the role of the Organisation of African Unity in the politics of Africa 1963-1993)*. Ashgate Publishing Limited, England.
- Wellington, J. Bathmaker, A. Hunt, C. McCulloch, G. & Sikes, P. 2005. *Succeeding with your doctorate*. Sage, London, Thousand Oaks, CA ,
- Welman, J.C. & Kruger, S.J. 1999. *Research methodology for the business and administrative sciences*. International Thomson Publishing, Johannesburg, South Africa.
- William, M. 1994. *International economic organisations and the third world*. Harvester Wheatsheaf, Britain.
- Willis, J. 2007. *Foundations of qualitative research: interpretative and critical approaches*. Sage Publications ltd, London, California, New Delhi
- Wyatt-Walter, A. 1997. 'Regionalism, Globalisation and World Economic Order'. L Fawcett and A Hurrell (eds). *Regionalism in World Politics: regional organisations and international order*. Oxford University Press, New York.



## Articles and monographs

(Except for where otherwise indicated all journal electronically sourced from University of Pretoria google scholar search engine <http://0-scholar.google.co.za.innopac.up.ac.za/>)

Adésinà, J.O. 2004. 'NEPAD and the challenge of Africa's development: towards the political economy of a discourse', *Society in Transition*; Vol. 35 Issue 1, p125-144,

Alden, C. & le Pere, G. 2003. 'South Africa's Post-Apartheid Foreign Policy – From Reconciliation to Revival?' *Adelphi Papers*, Volume 43 Issue 362 IISS (International Institute for Strategic Studies).

Alden, C. & Soko, M. 2005. 'South Africa's economic relations with Africa: hegemony and its discontents', *Journal of Modern African Studies*, 43, 3 (2005), pp. 367–392.

Alemayehu, G. & Haile, K. 2007. 'Regional Economic Integration in Africa: A Review of Problems and Prospects with Case Study of COMESA', *Journal of African Economies* Vol 17, no 3 pp 357-394 viewed August 31 2007, <http://0-jae.oxfordjournals.org.innopac.up.ac.za/cgi/content/abstract/17/3/357>

Amsden, A.H. 2003. 'Goodbye dependency theory, hello dependency theory', *Studies in Comparative International Development*, 38(1):32 –38.

Beer, A. & Forster, C. 2002. 'Global restructuring, the welfare State and Urban programmes: Federal policies and inequality within Australian cities', *European Planning Studies*. vol, 10 no, 1 pp7-25.

Bischoff, P. 2003. 'External and domestic sources of foreign policy ambiguity: South African foreign policy and the projection of pluralist middle power', *Politikon*, 30:1, 183 - 201

Bulmer, S.J. 1998. 'New Institutionalism and the governance of the Single European Market', *Journal of European Public Policy*, 5(3): 365–86.

Chowdhury, N. & Skarstedt, C.E. 2005. 'The principle of good governance: A Legal Working Paper', *Recent Developments in International Law Related to Sustainable*





- Development Series*, Centre for International Sustainable Development Law (CISDL) Quebec Canada [http://www.cisdsl.org/pdf/sdl/SDL\\_Good\\_Governance.pdf](http://www.cisdsl.org/pdf/sdl/SDL_Good_Governance.pdf)
- Cilliers, J. & Mashele, P. 2004. 'The Pan African Parliament: a plenary of Parliamentarians', *African Security Review* 13(4) 2004. pp 73-83.
- Cilliers, J. 2002. 'The NEPAD African Peer Review Mechanism', *African security review* (editorial), 11(4) December:1-3.
- De Waal, A. 2002. 'What's new in the 'New Partnership for Africa's Development'? *International Affairs*, 78(3):462-75.
- Demeke, T. 2004. 'The new Pan African Parliament: prospects and challenges in view of the experience of the European Parliament', *African Human Rights Law Journal*, Vol 4 No. 1 pp 53-71
- Franke, B. F. 2007. 'Competing Regionalism in Africa and the Continent's emerging security architecture.'. *African Studies Quarterly (the on-line journal for African studies)* Vol 9, Issue 3 Spring 2007. viewed 20 August 2007, <http://www.africa.ufl.edu/asq/v9/v9i3a2.htm>
- Geda A. & Haile Kibret, 2007. 'Regional Economic Integration in Africa: A Review of Problems and Prospects with Case Study of COMESA', *Journal of African Economies*, published on line November 2, 2007, viewed January 2008. <http://jae.oxfordjournals.org/cgi/content/abstract/ejm021v1>
- Gottschalk, K. & Schmidt, S. 2004. 'The African Union and the New Partnership for Africa's Development: strong institutions for Weak states?' *Internationale Politik und Gesellschaft (IPG)*, 4:pp138-158.
- Granovetter, M. 1985. 'Economic Action and Social Structure: The Problem of Embeddedness', *The American Journal of Sociology*, Vol. 91, No. 3. (Nov., 1985), pp. 481-510.
- Greavette, G. 2005. *The fall and rise of Muammar Qaddafi* PhD candidate Tri-University History Program ,Wilfrid Laurier University Viewed January 2008 [www.cda-cdai.ca/symposia/2005/Greavette,.pdf](http://www.cda-cdai.ca/symposia/2005/Greavette,.pdf)+Greavette+2005.
- Haas, E.B. 1970. 'The study of regional integration: reflections on the joy and anguish of pretheorising', *International Organisation*, Vol 24 No. 4 (Autumn 1970), pp 607-646





- Haas, E.B. & Schmitter, P.C. 1964. 'Economics and Differential Patterns of Political Integration: projections about Unity in Latin America', *International Organization* XVIII(4), Autumn:705–737. viewed October 27, 2007, <http://www.jstor.org>.
- Haas, E.B. 1961. 'International integration: the European and the Universal Process', *International Organisation*, 15(3), Summer 1961, pp 366–392.
- Hall, P.A. & Taylor, R.C.R. 1996. 'Political Science and the three new institutionalisms', *Political Studies*, 44(5), pp 936–957.
- Hall, R.L 1987. 'Participation and purpose in committee decision making', *American Political science review*, Vol 81, No 1 pp 105-128
- Hansen, R.D 1969. 'Regional Integration: Reflections on a Decade of Theoretical Efforts', *World Politics*, Vol. 21, No. 2. (Jan., 1969), pp. 242-271.
- Hansen, R.D 1969. 'Regional Integration: Reflections on a Decade of Theoretical Efforts', *World Politics*, Vol. 21, No. 2. (Jan., 1969), pp. 242-271.
- Hettne, B. 2002. 'Globalisation, regionalisation and Security: the Asian experience', *The European Journal of Development Research*. June; 14:1, pp22-46.
- Hettne, B. & Soderbaum, F. 2000. 'Theorising the Rise of Regionness', *New Political Economy*, 5(3):457–473.
- Hix, S. 2002. 'Constitutional agenda setting through discretion in rule interpretation: why the European Parliament won at Amsterdam', *British Journal of Political Science*, 32:2 pp 259-280.
- Huque, A.S. and Yep, R. 2003. 'Globalisation and reunification; administrative reforms and the China –Hong Kong convergence challenge', *Public Administration Review*. March/ April, vol, 63, no2; pp141.
- Idahosa, P. 2005. 'Emerging powers: governance in a changing global order' summary of proceedings, of the annual conference, Queen's Centre for International Relations Kingston, June 14-16, 2005, viewed 17<sup>th</sup> October 2007 <http://www.queensu.ca/cir/files/Emerging%20Powers%202005.pdf>
- Kacowicz, A.M. 1999. 'Regionalization, globalisation and nationalism: convergent, divergent or overlapping?' *Alternatives: Social Transformation and Humane Governance*. Oct-Dec; 24: 4; pp 527 –556.



- Kanbur, R. 2004. 'The African Peer Review Mechanism (APRM): An Assessment of Concept and Design', *Politikon South African Journal of Political Studies*, 31(2) November, pp 157–166.
- Kato, J. 1996. Review Article: institutions and rationality in politics; three varieties of Neo-institutionalists. *British Journal of Political Science*, 26(4), October: pp 553–582.
- Keet, D. 2003. "Nepad and the African Union", *New Agenda*, no. 9, pp, 112–33
- Kim, S & Shin, E. 2002, 'A longitudinal analysis of globalisation and regionalisation in international trade: a social network approach', *Social Forces*. Dec; 81; 2, pp 445-468.
- Kotz, D. 2003. 'Neo-liberalism and the US economic expansion of the '90s', *monthly review*, April, 54: 11, pp 15-33, viewed, May 31 2007, <http://0-web.ebscohost.com.innopac.up.ac.za/ehost/pdf?vid=2&hid=2&sid=606df99d-d0ba-429d-afd9-c1edfc9b1a92%40SRCSM1>
- Krasner S.D. 1984. 'Approaches to the State: Alternative Conceptions and Historical Dynamics', *Comparative politics* vol 16 issue 2 pp 223-246.
- Kroukamp, H.J. 2000. 'Successes and failures of globalisation efforts in the South African public sector', *South African Journal of Public Administration*. December; vol 35, no. 4; pp 261-278.
- Lipson, C. 1982. 'The transformation of trade: the sources and effects of regime change', *International Organisation*. Spring; 36:2; pp 417 – 456.
- Lorenz, D. 1991. 'Regionalization versus regionalism: problems of change in the world economy', *Intereconomics* 26:1; pp 3-10.
- Maluwa, T. 2003., 'The Constitutive Act of the African Union and institution building in post colonial Africa.', *Leiden Journal of International Law*. 16:1 pp 157-170, viewed 20<sup>th</sup> October 2007 <http://0-journals.cambridge.org.innopac.up.ac.za/action/displayAbstract?fromPage=online&aid=14767>
- McGowan, L. 2007. 'Theorising European Integration: revisiting neofunctionalism and testing its suitability for explaining the development of EC competition policy?' *European Integration on line papers* Vol 11 Date of publication in the EIoP: 25 May



- 2007 viewed August 30<sup>th</sup> 2007  
<http://www.eiop.or.at/eiop/index.php/eiop/issue/view/12>
- Miller, G. 2000. 'Rational Choice and Dysfunctional Institutions', *Governance: an International Journal of Policy and Administration*, 13(4) pp 535–547.
- Mistry, P.S. 2000. 'Africa's record of regional co-operation and integration', *African Affairs*, 99(397), October:553–573.
- Moravcsik, A. 1993. 'Preferences and Power in the European Community: a liberal intergovernmentalist approach', *Journal of Common Markets*, 31(4):473–524.
- Moravcsik, A. 1995. 'Liberal intergovernmentalism and Integration: A Rejoinder. *Journal of Common Market Studies*, 33(4): 611–28.
- Nye, J.S. 1965. 'Patterns and Catalysts in Regional Integration', *International Organization*, Vol. 19, No. 4. (Autumn, 1965), pp. 870-884.
- Nzewi, O.I. & Kuye, J. 2007. 'The developmental state and conceptual interpolations: a comparative policy targeting for South Africa within the global context', *Journal of Public Administration*, vol, 42; no, 3 August pp195-210.
- Ogunbadejo, O. 1983. 'Qaddafi's North African Design', *International Security*, Vol. 8, No. 1. (Summer), pp. 154-178.
- Owusu, F. 2003. 'Pragmatism and the gradual shift from dependency to neo-liberalism: The World Bank, African leaders and development policy in Africa', *World Development*. October; 31:10; pp 1655-1673.
- Oye O. 1983. 'Qaddafi's North African Design', in *International Security* (Cambridge, Mass.), 8, I, Summer 1983, pp. 154-78.
- Pierson, P. 1996. 'The path to European Integration: a historical institutionalist analysis,' *Comparative Political Studies*, 29(2):123–63.
- Pierson, P. 2000. 'The limits of design: explaining institutional origins and change,' *Governance: An international Journal of policy and administration*, 13(4), October:475–499.
- Ple, B. 2000. 'Auguste Comte on Positivism and Happiness', *Journal of Happiness studies*. No.1,pp 423-445.
- Pollack, M.A. 1997. 'Delegation, agency and agenda setting in the European Community', *International Organisation* 51:1, pp 99-134



- Pollack, M.A. 2001. 'International Relations Theory and European Integration,' *Journal of Common Market Studies*, 39, 2 June pp 221-44
- Puchala, D.J. 1999. 'Institutionalism, intergovernmentalism and European Integration: A review Article', *Journal of Common Market Studies*, 37(2):317-31.
- Riker, W.H. 1980. 'Implications from the Disequilibrium of Majority Rule for the Study of Institutions', *The American Political Science Review*, Vol. 74, No. 2 (Jun., 1980), pp. 432-446
- Ruggie, J.G. 1992. 'Multilateralism: the anatomy of an institution', *International Organisation* Summer 92, Vol. 46 Issue 3, p561, 38p
- Ruggie, J.G. 1975. 'International Responses to technology: concepts and trends', *International Organisation*. Summer; 29:3; pp 557-584.
- Rugumamu, S. 2004. 'Africa's search for regional co-operation and integration in the 21<sup>st</sup> century', *ACBF working paper*, No. 3, October 2004. African Capacity Building Forum, Zimbabwe.
- Schmitter, P.C. 1969. 'Three Neo Functional Hypotheses about International Integration.' *International Organisation*, 23(1) Winter, 1969:161-166.
- Schmitter, P.C. 2002. 'Neo-neo-functionalism: déjà vu, all over again?' *European University Institute* July 2002 viewed August 31<sup>st</sup> 2007, <http://www.eui.eu/SPS/People/Faculty/CurrentProfessors/PDFFiles/SchmitterPDFfiles/NeoNeoFunctionalismRev.pdf>.
- Schoeman, M. 2000. 'South Africa as an Emerging Middle Power', *African Security Review*, vol 9, no, 3, viewed 2<sup>nd</sup> October 2007 <http://www.iss.co.za/pubs/ASR/9No3/SAMiddlePower.html>
- Shaw, T.M. 1984. 'The State of Nigeria: Oil Crises, Power Bases and Foreign Policy', *Canadian Journal of African Studies / Revue Canadienne des Études Africaines*, Vol. 18, No. 2 pp. 393-405.
- Shepperson, G. 1960. 'Notes on Negro American Influences on the Emergence of African Nationalism', *The Journal of African History*, Vol. 1, No. 2, pp. 299-312.
- Shepsle, K.A. & Weingast, B.R. 1987. 'The institutional foundations of committee power', *American Political science review*, 81(1), March:85-103.





- Smith, M.E. 2004. 'Institutionalization, Policy Adaptation and European Foreign Policy co-operation.' *European journal of international Relations*, 10(1):95–136.
- Solomon H. and Swart G. 2005. 'Libya's Foreign Policy in flux', *African Affairs* 104/416. pp 469-492.
- Solomon, H. 1997. 'South African Foreign Policy and Middle Power Leadership' Fairy godmother, hegemon or partner? in search of a South African Foreign Policy' *Institute for Strategic Studies (ISS) Monograph Series*, 13, p. 62, May 1997 Viewed 1<sup>st</sup> October 2007 <http://www.iss.co.za/Pubs/Monographs/No13/Solomon.html>
- Sturman, K 2003, "The rise of Libya as a regional player" *African Security Review* 12(2) pp109-112.
- Sturman, K. 2007. 'New growth on deep roots' Prospects for an African Union government" *Institute for Strategic Studies (ISS) Paper* 146 June 2007
- Taylor, P. 1982. "Intergovernmentalism in the European Communities in the 1970s: patterns and perspectives", *International Organisation* 36, 4, Autumn pp 741-766.
- Terlinden U. 2005. *African Regional Parliaments/Parliamentary bodies as engines of Integration: current state and challenges* presented at the roundtable on the interface between regional Parliamentary bodies and the Pan African Parliament, 8-9 August 2005, SADC Parliamentary Forum /Friedrich Ebert Stiftung, Namibia, Lusaka Zambia, viewed October 22<sup>nd</sup> 2007, [http://www.ulf-terlinden.de/docs/2005-08SADCPF\\_RAs\\_Lusaka.pdf](http://www.ulf-terlinden.de/docs/2005-08SADCPF_RAs_Lusaka.pdf)
- Thompson, S.W. & Bissell, R.E. 1973. 'Development of the African Subsystem: Legitimacy & Authority in the OAU' *Polity*, Vol. 5, No. 3. (Spring.), pp. 335-361.
- Tieku, T.K. 2004. 'Explaining the clash and accommodation of interests of major actors in the creation of the African Union.' *African Affairs*, 103(411) April:249–267.
- Tieku, T.K. 2007. 'African Union Promotion of Human Security in Africa' in *Challenges and Prospects for Peace in the Great Lakes Region*, *African Security Review*, 16(1).
- Tsebelis, G. & Garrett, G. 2001. 'The institutional foundations of intergovernmentalism and supranationalism in the European Union.' *International Organisation*, 55(2):357–390.





- Tsebelis, G. 1994. 'The Power of the European Parliament as a conditional agenda setter', *American Political Science Review*, 88(1), March:128–142.
- Tsebelis, G. 2000. *Rational choice theory of European integration: institutional analyses of European Union*, Colloque : L'intégration européenne : entre émergence institutionnelle et recomposition de l'État, Centre d'études et de recherches, internationales. May 2000. Available: <http://www.ceri-sciences-po.org/archive/mai00/artgt.pdf> [2007, 5September].
- Tuman, J.P 2000. 'Labour markets and economic reform in Latin America' in *Latin American Research Review*. 35:3; pp173-187.
- Uzzi, B. 1996. 'The Sources and Consequences of Embeddedness for the Economic Performance of Organizations: The Network Effect' *American Sociological Review*, Vol. 61, No. 4. (Aug., 1996), pp. 674-698.
- Vale P. & Maseko, S. 1998. "South Africa and the African Renaissance." *International Affairs* 74, 2, 271-287.
- Velasco, A. 2002. 'Dependency theory', *Foreign Policy*. 133, Nov/Dec. pp 44–45.
- Vil-Nkomo, S. 2002 'Leadership for Development in a globalised environment', *Journal of Public Administration*, vol 37, no. 3.1 pp292-305.

## Governmental organisations documents

- Africa Leadership Project 1991, *The Kampala Document Towards a Conference on Security, Stability, Development And Co-operation*, Africa Africa Leadership Project, OAU, UNECA, Kampala Uganda
- African Union 2000 *The Constitutive Act of the African Union*, adopted in Togo July 11, 2000. African Union Addis Ababa Ethiopia.
- African Union 2002a. *Protocol relating to the establishment of the Peace and Security Council of the African Union*. adopted 10<sup>th</sup> July 2002 at the 1<sup>st</sup> ordinary Session of the African Union, Durban South Africa, African Union Addis Ababa Ethiopia. viewed 3<sup>rd</sup> Oct. 2007, [http://www.africanunion.org/root/au/organs/psc/Protocol\\_peace%20and%20security.pdf](http://www.africanunion.org/root/au/organs/psc/Protocol_peace%20and%20security.pdf)



African Union 2002b *Statutes of the Commission of the African union*, adopted 1<sup>st</sup> Ordinary Session of the African Union , African Union Addis Ababa Ethiopia.

African Union 2002c. *Rules of Procedure of the Permanent representatives Committee*, adopted at the 1<sup>st</sup> Ordinary Session of the African Union. July 2002 Durban African Union Addis Ababa Ethiopia. Viewed 1<sup>st</sup> October 2007 [http://www.africa-union.org/rule\\_prot/perm-reps-ctte.pdf](http://www.africa-union.org/rule_prot/perm-reps-ctte.pdf)

African Union 2003b *Protocol on amendments to the constitutive act of the African Union*. Adopted at the extra ordinary session of the AU Addis Ababa Ethiopia February 2003, and by the 2<sup>nd</sup> ordinary session of the AU, July, 2003 Maputo, African Union Addis Ababa Ethiopia. viewed 20<sup>th</sup> September 2007, [www.africa-union.org/.../Treaties/Text/Protocol%20on%20Amendments%20to%20the%20Constitutive%20Act.pdf](http://www.africa-union.org/.../Treaties/Text/Protocol%20on%20Amendments%20to%20the%20Constitutive%20Act.pdf).

African Union 2005 *Draft Rules of Procedure of the Economic Social and Cultural Council (ECOSOCC) of the African Union*. Revised February, 2005, African Union Addis Ababa Ethiopia <http://www.africaunion.org/ECOSOC/RULES%20OF%20PROCEDURE.pdf>

African Union 2006c, “Decision on the draft single instrument on the merger of the African Court on human and Peoples’ rights and the court of Justice of the African Union,” *Decisions and Declarations*, Assembly of the African Union, seventh ordinary Session, African Union Addis Ababa Ethiopia, viewed 11<sup>th</sup> October 2007 [http://www.africaunion.org/root/au/Conferences/Past/2006/July/summit/doc/Decisions\\_and\\_Declarations/Assembly-AU-Dec.pdf](http://www.africaunion.org/root/au/Conferences/Past/2006/July/summit/doc/Decisions_and_Declarations/Assembly-AU-Dec.pdf)

African Union 2007a, *List of countries who have signed ratified and acceded to the African union convention on the constitutive Act of the African Union* African Union Addis Ababa Ethiopia viewed 3<sup>rd</sup> October 2007 <http://www.africa-union.org/root/au/Documents/Treaties/List/Constitutive%20Act%20of%20the%20African%20Union.pdf>

African Union 2007b *List of countries who have signed, ratified and acceded to the African Union Convention on Treaty establishing the African Economic Community* African Union Addis Ababa Ethiopia, viewed 3<sup>rd</sup> October 2007 <http://www.africa-union.org/root/au/Documents/Treaties/List/African%20Economic%20Community%20Convention.pdf>



[union.org/root/au/Documents/Treaties/List/Treaty%20Establishing%20the%20African%20Economic%20Community.pdf](http://www.africanunion.org/root/au/Documents/Treaties/List/Treaty%20Establishing%20the%20African%20Economic%20Community.pdf)

African Union 2007c: *List of Countries which have signed, ratified and acceded to the African union Convention on Protocol to the Treaty establishing the African Economic Community relating to the Pan African Parliament*. African Union Addis Ababa Ethiopia, viewed 3<sup>rd</sup> October 2007 <http://www.africanunion.org/root/au/Documents/Treaties/List/Protocol%20on%20the%20Pan%20African%20Parliament.pdf>

African Union 2007d, “Decision on the activity report of the African Court on human and People’s right for 2006” *Decisions and Declarations*, Assembly of the African Union, eighth ordinary session, African Union, Addis Ababa Ethiopia, viewed 1<sup>st</sup> October 2007, [www.africanunion.org/root/UA/Conferences/2007/janvier/SUMMIT/Doc/Decisions/Decisions%20and%20Declarations](http://www.africanunion.org/root/UA/Conferences/2007/janvier/SUMMIT/Doc/Decisions/Decisions%20and%20Declarations)

African Union 2008 *Template for Election into the ECOSOCC General Assembly*, African Union Addis Ababa Ethiopia, viewed March 3 2008 <http://www.africanunion.org/ECOSOCC/CIDO-en.htm>

African Union, 2003a *Protocol of the Court of Justice of the African Union*. Adopted at the African union 2<sup>nd</sup> Ordinary Session of the African Union Sept. July 2003 Maputo, Mozambique, African Union Addis Ababa Ethiopia. viewed 18<sup>th</sup> September 2007, <http://www.africanunion.org/root/AU/Documents/Treaties/Text/Protocol%20to%20the%20African%20Court%20of%20Justice%20-%20Maputo.pdf>.

African Union, 2006a, “Decision on the institutionalisation of the conference of African Ministers in charge of integration,” *Decisions and Declarations*, Assembly of the African Union, seventh ordinary Session, African Union Addis Ababa Ethiopia, viewed 5<sup>th</sup> October 2007 [http://www.africaunion.org/root/au/Conferences/Past/2006/July/summit/doc/Decisions\\_and\\_Declarations/Assembly-AU-Dec.pdf](http://www.africaunion.org/root/au/Conferences/Past/2006/July/summit/doc/Decisions_and_Declarations/Assembly-AU-Dec.pdf)

African Union, 2006b, “Decision on the Moratorium on the recognition of Regional Economic Communities (RECs)”, *Decisions and Declarations*, Assembly of the



African Union, seventh ordinary Session, African Union Addis Ababa Ethiopia, viewed 5<sup>th</sup> October 2007

[http://www.africaunion.org/root/au/Conferences/Past/2006/July/summit/doc/Decisions\\_and\\_Declarations/Assembly-AU-Dec.pdf](http://www.africaunion.org/root/au/Conferences/Past/2006/July/summit/doc/Decisions_and_Declarations/Assembly-AU-Dec.pdf) ).

Commission of the African Union, 2004, *Strategic Plan of the Commission of the African Union: Volume 2: 2004-2007, strategic framework of the Commission of the African Union*. African Union, Addis Ababa Ethiopia. viewed 28<sup>th</sup> September 2007, [www.africa-union.org/AU%20summit%202004/volume%202%20final%20-%20English%20-%20June%202004.pdf](http://www.africa-union.org/AU%20summit%202004/volume%202%20final%20-%20English%20-%20June%202004.pdf)

Department for International Development (2006) *White Paper on International Development, eliminating world poverty: making governance work for the poor* Crown Department for International Development, Norwich UK.

Executive Council 2000 'Decision on the report of the secretary general on the financial situation of the organization', CM/Dec.517 (LXXII) Rev.1, *Decisions and Regulations adopted by the Seventy-second Ordinary Session of the Council of Ministers and Seventh Ordinary Session of the AEC* African Union, Addis Ababa, Ethiopia viewed, 1<sup>st</sup> November 2007 <http://www.africa-union.org/root/au/Documents/Decisions/ExeCoundecisions.htm>

Executive Council 2003 'Decision on the report of the sub committee on contributions in Decisions', EX/CL/Dec.25(III) *Decisions*, third Ordinary Session of the Executive Council, African Union, Addis Ababa, Ethiopia viewed, 1<sup>st</sup> November 2007 <http://www.africa-union.org/root/au/Documents/Decisions/ExeCoundecisions.htm>

Executive Council 2004a 'Decision on the balance sheet of the African Union as at 31<sup>st</sup> December 2002' EX/CL/75 (IV) *Decisions of the fourth ordinary session of the Executive Council*, African Union, Addis Ababa Ethiopia viewed 1<sup>st</sup> November 2007, <http://www.africa-union.org/root/au/Documents/Decisions/ExeCoundecisions.htm>

Executive Council 2004b 'Decision on the Budget of the Pan-African Parliament for the period July to December 2004', EX.CL/Dec.98 (V) *Decisions* Fifth Ordinary Session off the Executive Council, African Union, Addis Ababa Ethiopia, viewed, 1<sup>st</sup>





- November 2007, <http://www.africaunion.org/root/au/Documents/Decisions/ExeCoundecisions.htm>
- Executive Council 2004c ‘Decision on the Report of the Sub-Committee on Contributions’, EX.CL/Dec.97 (V), *Decisions*, fifth Ordinary Session of the Executive Council, African Union, Addis Ababa Ethiopia, viewed 1<sup>st</sup> November 2007, <http://www.africaunion.org/root/au/Documents/Decisions/ExeCoundecisions.htm>
- Executive Council 2004d ‘Decision on the Vision and Mission of the African Union and Strategic Plan, Programme and Budget of the Commission’ EX.CL/Dec.93 (V), *Decisions*, fifth Ordinary Session of the Executive Council, African Union, 2004 Addis Ababa Ethiopia, viewed, 1<sup>st</sup> November 2007, <http://www.africaunion.org/root/au/Documents/Decisions/ExeCoundecisions.htm>
- Executive Council 2005a, ‘Decision on Administrative, Budgetary and Financial Matters’ EX.CL/Dec.218 (VII), *Decisions* Seventh Ordinary Session of the Executive Council, African Union, Addis Ababa Ethiopia, viewed, 1<sup>st</sup> November 2007, <http://www.africaunion.org/root/au/Documents/Decisions/ExeCoundecisions.htm>
- Executive Council 2005b, ‘Decision on the Improvement of the Operations of the Pan-African Parliament’, EX/CL/Dec 235 (VII), *Decisions* Seventh Ordinary Session of the Executive Council, African Union, Addis Ababa Ethiopia, viewed, 1<sup>st</sup> November 2007, <http://www.africaunion.org/root/au/Documents/Decisions/ExeCoundecisions.htm>
- Executive Council 2005c, ‘Decision on the Proposed Amendments to the Rules of Procedure of the PRC, the Executive Council and the Assembly and the Statutes of the Commission’, EX/CL/Dec 181/(VI), *Decisions*, Sixth Ordinary Session of the Executive Council, African Union, Addis Ababa, Ethiopia, viewed, 2<sup>nd</sup> November 2007, <http://www.africaunion.org/root/au/Documents/Decisions/ExeCoundecisions.htm>
- Executive Council 2006a ‘Decision on the merger of the African Court on human and peoples’ rights and the court of Justice of the African Union. EX.CL/Dec.237 (VIII), *Decisions*, eighth ordinary session of the Executive Council, African Union, Addis





Ababa, Ethiopia, viewed 1<sup>st</sup> November 2007,

<http://www.africaunion.org/root/au/Documents/Decisions/ExeCoundecisions.htm>

Executive Council 2006b ‘Decision on the interim report of the establishment of financial institution’, EX.CL/Dec.242 (VIII), *Decisions*, eighth ordinary session of the Executive Council, African Union, Addis Ababa, Ethiopia, viewed 1<sup>st</sup> November 2007,

<http://www.africaunion.org/root/au/Documents/Decisions/ExeCoundecisions.htm>

Executive Council 2006c ‘Decision on the Contributions by member states’, EX.CL/Dec. 279 (IX), *Decisions and Declaration*, ninth ordinary session of the Executive Council, African Union, Addis Ababa, Ethiopia. viewed, 1<sup>st</sup> November 2007,

<http://www.africaunion.org/root/au/Documents/Decisions/ExeCoundecisions.htm>

Executive Council 2006d, ‘Decision on Draft Framework for a Migration Policy for Africa’, EX.CL/Dec.304 (IX) ). *Decisions and Declaration*, ninth ordinary session of the Executive Council, African Union, Addis Ababa, Ethiopia. viewed, 2<sup>nd</sup> November 2007,

<http://www.africaunion.org/root/au/Documents/Decisions/ExeCoundecisions.htm>

Executive Council 2006e, ‘Decision on African Common Position on Migration and development’, EX.CL/Dec.305 (IX) *Decisions and Declaration*, ninth ordinary session of the Executive Council, African Union, Addis Ababa, Ethiopia. viewed, 2<sup>nd</sup> November 2007,

<http://www.africaunion.org/root/au/Documents/Decisions/ExeCoundecisions.htm>

Executive Council 2006f ‘Decision on the Establishment of the African Centre for Study and Research on Migration’ – EX.CL/Dec.314 (IX), *Decisions and Declaration*, ninth ordinary session of the Executive Council, African Union, Addis Ababa, Ethiopia. viewed, 2<sup>nd</sup> November 2007,

<http://www.africaunion.org/root/au/Documents/Decisions/ExeCoundecisions.htm>

Executive Council 2006g ‘Decision on Specialized Technical Committees’, EX.CL/Dec.313 (IX), *Decisions and Declaration*, ninth ordinary session of the Executive Council, African Union, Addis Ababa, Ethiopia. viewed, 1<sup>st</sup> November



2007, <http://www.africa-union.org/root/au/Documents/Decisions/ExeCoundecisions.htm>

Executive Council 2007a, 'Decision on the report on the specialized technical committees', EX.CL/Dec.316(X). *Decisions*, Tenth Ordinary Session of the Executive Council, African Union, Addis Ababa, Ethiopia viewed, 1<sup>st</sup> November 2007, <http://www.africa-union.org/root/au/Documents/Decisions/ExeCoundecisions.htm>

Executive Council 2007b 'Decision on Africa-EU Ministerial Conference on Migration and Development', EX.CL/Dec.323 (X) *Decisions*, Tenth Ordinary Session of the Executive Council, African Union, Addis Ababa, Ethiopia viewed, 1<sup>st</sup> November 2007, <http://www.africa-union.org/root/au/Documents/Decisions/ExeCoundecisions.htm>

Executive Council 2007c Decision on the establishment of the African Union financial institutions EX.CL/Dec.329 (X) *Decisions*, Tenth Ordinary Session of the Executive Council, African Union, Addis Ababa, Ethiopia viewed, 1<sup>st</sup> November 2007, <http://www.africa-union.org/root/au/Documents/Decisions/ExeCoundecisions.htm>

Executive Council 2007d Decision on the Report of the Board of External Auditors for the Pan-African Parliament EX.CL/Dec 371 (XI) *Decisions and Declarations* Eleventh Ordinary session of the Executive Council, African Union, Addis Ababa, Ethiopia, viewed, 4<sup>th</sup> November 2007, <http://www.africa-union.org/root/au/Documents/Decisions/ExeCoundecisions.htm>

Executive Council 2007e 'Decision of the Tenth Ordinary Session of the Executive Council on the Budget for 2007', EX.CL/Dec.340 (X), *Decisions*, Tenth Ordinary Session of the Executive Council, African Union, Addis Ababa, Ethiopia viewed, 1<sup>st</sup> November 2007, <http://www.africa-union.org/root/au/Documents/Decisions/ExeCoundecisions.htm>

Executive Council 2007f 'Decision on the structure of the African Court on human and peoples' rights ', EX.CL/Dec.351 (XI), *Decisions and Declarations* Eleventh Ordinary session of the Executive Council, African Union, Addis Ababa, Ethiopia, viewed, 4<sup>th</sup>



- November 2007, <http://www.africa-union.org/root/au/Documents/Decisions/ExeCoundecisions.htm>
- Executive Council 2007g EX.CL/Dec.317 (X) ‘Decision on the Proposed Amendments to the Rules of Procedure of the Assembly of the Union, the Executive Council and the Permanent Representatives’ Committee, and the Statutes of the Commission’, *Decisions*, Tenth Ordinary Session of the Executive Council, African Union, Addis Ababa, Ethiopia viewed, 1<sup>st</sup> November 2007, <http://www.africa-union.org/root/au/Documents/Decisions/ExeCoundecisions.htm>
- New Partnership for Africa’s Development 2002, *NEPAD at work: summary of Nepad action plans*, NEPAD Secretariat, South Africa.
- Organisation of African Unity 2000b Decisions and Regulation adopted by the Seventy-second Ordinary Session of the Council of Ministers and Seventh Ordinary Session of the AEC, African Union, Addis Ababa, Ethiopia, viewed 1<sup>st</sup> October 2007, <http://www.africa-union.org>.
- Organisation of African Unity, 1963a, OAU Charter 25<sup>th</sup> May, 1963, African Union, Addis Ababa, Ethiopia viewed 2<sup>nd</sup> October 2007, <http://www.africa-union.org>
- Organisation of African Unity, 1963b, *Resolutions adopted by the first conference of independent African heads of state and government held in Addis Ababa, Ethiopia, from 22 to 25 May 1963* African Union, Addis Ababa, Ethiopia.
- Organisation of African Unity, 1973, “African declaration on co-operation, development and economic independence” *Resolutions*, prepared by the council of ministers at the Twenty-First Ordinary Session, African Union, Addis Ababa, Ethiopia, Viewed 1<sup>st</sup> of October 2007, <http://www.africa-union.org/root/au/Documents/Decisions/decisions.htm>
- Organisation of African Unity, 1979, “Monrovia declaration”, *declaration and resolutions adopted by the sixteenth ordinary session of the Assembly of heads of state and government*, African Union, Addis Ababa, Ethiopia, viewed 1<sup>st</sup> October 2007 <http://www.africa-union.org/root/au/Documents/Decisions/decisions.htm>
- Organisation of African Unity, 1990, “declaration on the political and socio-economic situation in Africa and the fundamental changes taking place in the World”, *resolutions adopted by the twenty-sixth ordinary session of the Assembly of Heads of*



*State and Government*, African Union, Addis Ababa, Ethiopia, Viewed 1<sup>st</sup> Oct, 2007, <http://www.africa-union.org/root/au/Documents/Decisions/decisions.htm>

Organisation of African Unity, 1996 “Yaoundé declaration (Africa: preparing for the 21<sup>st</sup> century)” *declarations, resolutions and decisions adopted by the 32<sup>nd</sup> ordinary session of the Assembly of Heads of State and Government*. African Union, Addis Ababa, Ethiopia, viewed 1<sup>st</sup> October, 2007 <http://www.africa-union.org/root/au/Documents/Decisions/hog/6HoGAssembly1996.pdf>

Organisation of African Unity, 1998a, *Protocol to the African Charter on Human and People’s rights on the establishment of an African Court on human and peoples’ rights*, African Union Addis Ababa, Ethiopia, viewed 2<sup>nd</sup> October 2007 <http://www.africa-union.org/root/au/Documents/Treaties/Text/africancourt-humanrights.pdf>

Organisation of African Unity, 1998b, *Protocol on relations between the African Economic Community and the regional economic communities*, African Union, Addis Ababa, Ethiopia, viewed 3<sup>rd</sup> October 2007, [www4.worldbank.org/afr/ssatp/Resources/HTML/legal\\_review/Annexes/Annexes%20III/Annex%20III-04.pdf](http://www4.worldbank.org/afr/ssatp/Resources/HTML/legal_review/Annexes/Annexes%20III/Annex%20III-04.pdf)

Organisation of African Unity, 1999a, “Algiers declaration”, *Declarations and decisions adopted by the thirty fifth assembly of Heads of State and Government Heads of Government Decision* African Union, Addis Ababa, Ethiopia, viewed 1<sup>st</sup> October 2007, <http://www.africa-union.org/root/au/Documents/Decisions/decisions.htm>.

Organisation of African Unity, 1999b, *Sirte declaration*, fourth extra-ordinary session of the Assembly of Heads of State and Government, African Union, Addis Ababa, Ethiopia viewed 1<sup>st</sup> October 2007, [http://www.africaunion.org/Docs\\_AUGovernment/decisions/Sirte\\_Declaration\\_1999.pdf](http://www.africaunion.org/Docs_AUGovernment/decisions/Sirte_Declaration_1999.pdf)

Organisation of African Unity, 2000a, *Constitutive Act of the African Union* African Union, Addis Ababa Ethiopia, viewed 28<sup>th</sup> September 2007, [http://www.africa-union.org/root/au/AboutAU/Constitutive\\_Act\\_en.htm](http://www.africa-union.org/root/au/AboutAU/Constitutive_Act_en.htm)





Organisation of African Unity, 2001a, *Protocol to the treaty establishing the African Economic Community Relating to the Pan African Parliament*. African Union, Addis Ababa, Ethiopia, viewed 27<sup>th</sup> September 2007, <http://www.africa-union.org/root/au/Documents/Treaties/Text/Protocol-panafrican-parliament.pdf>

Organization of African Unity, 1991, *Treaty establishing the African Economic Community*. OAU, African Union, Addis Ababa, Ethiopia, viewed 29<sup>th</sup> September 2007, [http://www.africa-union.org/root/au/Documents/Treaties/Text/AEC\\_Treaty\\_1991.pdf](http://www.africa-union.org/root/au/Documents/Treaties/Text/AEC_Treaty_1991.pdf)

Organization of African Unity, 2001b, “Decision on the implementation of the Sirte summit decision on the African Union, *Decisions and Declarations*, Thirty-seventh Ordinary Session, African Union, Addis Ababa, Ethiopia, viewed 1<sup>st</sup> October <http://www.africa-union.org/root/au/Documents/Decisions/decisions.htm>

Pan African News Agency (2000) Special Summit to chart new directions for OAU (1999) by Ghion Hagos. Viewed 1<sup>st</sup> October 2007 [http://62.210.150.98/Portal/oau-oua/eng\\_s\\_dec02.htm](http://62.210.150.98/Portal/oau-oua/eng_s_dec02.htm)

Pan African Parliament 2004a “Rules of Procedure adopted by the Pan African Parliament on 21<sup>st</sup> Sept 2004.” *Basic Documents of the Pan African Parliament*, Pan-African Parliament Midrand South Africa

Pan African Parliament 2004b, *Resolutions and Recommendations: Pan African Parliament Second Ordinary Session 16<sup>th</sup> September -1<sup>st</sup> October 2004* Midrand South Africa. Viewed 7<sup>th</sup> November 2007, <http://www.pan-african-parliament.org>.

Pan African Parliament, 2005d *Hansard* Documentation Department, Pan-African Parliament Midrand South Africa

Pan African Parliament, 2005e : *Draft agenda for the fourth ordinary session: 21<sup>st</sup> November-2<sup>nd</sup> December 2005*, Documentation Department, Pan-African Parliament Midrand South Africa

Pan African Parliament, 2005a *Strategic Plan 2006-2010; “one African, one voice”* Nov. 2005. viewed 10<sup>th</sup> October 2007, [http://www.pan-africanparliament.org/DocumentsResources\\_Publications.aspx](http://www.pan-africanparliament.org/DocumentsResources_Publications.aspx), Pan-African Parliament Midrand South Africa





- Pan African Parliament, 2005b *Draft Budget Proposal for 2006*, viewed 11<sup>th</sup> November 2007, [http://www.pan-africanparliament.org/DocumentsResources\\_Publications.aspx](http://www.pan-africanparliament.org/DocumentsResources_Publications.aspx), Pan-African, Parliament Midrand South Africa
- Pan African Parliament, 2005c *Annual Report: March 2004-March 2005*, viewed 10<sup>th</sup> October 2007, [http://www.pan-africanparliament.org/DocumentsResources\\_Publications.aspx](http://www.pan-africanparliament.org/DocumentsResources_Publications.aspx), Pan-African Parliament Midrand South Africa
- Pan African Parliament, 2005f: *Draft programme and agenda (as at 03.05.2006), Fifth Ordinary Session of the PAP; 2-12 May 2006*, Documentation Department, Pan-African Parliament Midrand South Africa
- Pan African Parliament, 2006a *Fourth Joint meeting of the Bureau of PAP and Bureaux of committees November 9 and 10 2006*, brief report, internal PAP document.
- Pan African Parliament, 2006b *Recommendations adopted during the 6<sup>th</sup> ordinary session : Midrand Johannesburg 23 November 2006*. viewed 7<sup>th</sup> November 2007, <http://www.pan-african-parliament.org>. Pan African Parliament Midrand, South Africa,
- Personal Communication 2007, Clerk of the Pan African Parliament, 28<sup>th</sup> September 2007.
- Personal Observation PAP 2007, *PAP work plans*, obtained from the technical adviser to PAP.
- United Nations Development Programme 2000, *Poverty Report: Overcoming human poverty*, UNDP, New York
- United Nations Economic Commission for Africa 1980 *Lagos Plan of Action for the economic development of Africa*, UNECA, reprinted by OAU, African Union, Addis Ababa, Ethiopia. Viewed 28<sup>th</sup> September 2007, [www.uneca.org/itca/ariportal/docs/lagos\\_plan.PDF](http://www.uneca.org/itca/ariportal/docs/lagos_plan.PDF)



United Nations Economic Commission for Africa 1990, African Charter for popular participation in development and transformation (16<sup>th</sup> February, Arusha 1990) Addis Ababa: UNECA

United Nations Economic Commission for Africa, 2004: "Accelerating Africa's Integration" in *Assessing Regional Integration in Africa (ARIA series)* Policy Research report UNECA, Addis Ababa Ethiopia, viewed 28<sup>th</sup> September 2007 [www.uneca.org/aria](http://www.uneca.org/aria)

United Nations, 1986, *United Nations Programme of Action for African Economic Recovery and Development 1986-1990*, United Nations Department of Economic and Social Affairs (DESA), United Nations, viewed 29<sup>th</sup> September 2007, <http://www.un.org/documents/ga/res/spec/aress13-2.htm>

## News articles

Bame P, 2007 'MPs relieved after finance Report', 24<sup>th</sup> October *PAP news room* viewed 11<sup>th</sup> November 2007, <http://www.pan-africanparliament.org/News.aspx?ID=273>

Hailu T, 2007 'PAP discusses report of Monetary and Financial Affairs Committee', 24<sup>th</sup> October 2007, *PAP news room* viewed 11<sup>th</sup> November 2007, <http://www.pan-africanparliament.org/News.aspx?ID=272>

Hawthorne P, 2002, 'The selling of Mbeki's New Deal.' *Time magazine* June 10,

Noble, K B 1990, "Nigeria reports it foiled a coup by army rebels". *New York Times*, April 23, viewed 20<sup>th</sup> July 2007, ([nytimes.com](http://nytimes.com)).

## Websites

Foreign Policy Magazine, 2007, *The Failed States Index 2007* by The Fund for Peace and Foreign policy magazine, July/August 2007, Carnegie Endowment for



International Peace Washington DC viewed 9<sup>th</sup> October 2007,  
[http://www.foreignpolicy.com/story/cms.php?story\\_id=3865](http://www.foreignpolicy.com/story/cms.php?story_id=3865)

Institute for Security Studies 2005 *African Union Profile* Institute for Strategic  
Studies, Viewed 28<sup>th</sup> September 2007,  
[http://www.issafrica.org/AF/RegOrg/unity\\_to\\_union/pdfs/oau/OAUProfile.pdf](http://www.issafrica.org/AF/RegOrg/unity_to_union/pdfs/oau/OAUProfile.pdf);

International Monetary Fund, 2000, *The logic of debt relief for the poorest countries*,  
by IMF staff, viewed 14<sup>th</sup> August 2007,  
<http://www.imf.org/external/np/exr/ib/2000/092300.htm#I>

Transparency International, 2007, *Corruption Perceptions Index 2007* Transparency  
International Berlin, Germany, viewed 27<sup>th</sup> September 2007,  
[http://www.transparency.org/policy\\_research/surveys\\_indices/cpi/2007](http://www.transparency.org/policy_research/surveys_indices/cpi/2007)

United Nations Economic Commission for Africa, 2007a, *Overview of the ECA*,  
viewed 1<sup>st</sup> October 2007, <http://www.uneca.org> UNECA, Addis Ababa, Ethiopia.

United Nations Economic Commission for Africa, 2007b *ECA in the APRM*, viewed  
14<sup>th</sup> October 2007, <http://www.uneca.org/aprm/CountriesStatus.asp> UNECA, Addis  
Ababa, Ethiopia.

World Bank 1989, *From crisis to sustainable growth - sub Saharan Africa : a long-  
term perspective study* External Affairs, Communications & UN Affairs unit, World  
Bank.

World Bank 1999, *Governance Matters*, by Kaufmann, D, Kraay A & Zoido-  
Lobaton, P, World Bank Policy Research Working Paper No. 2196, World Bank  
Group, Washington, D.C. viewed 27<sup>th</sup> September 2007.  
<http://wbln0018.worldbank.org/Research/workpapers.nsf/>

World Bank 2007 "Strengthening World Bank Group Engagement on Governance  
and Anticorruption"., World Bank Group, viewed 9<sup>th</sup> October 2007,  
[http://www.worldbank.org/html/extdr/comments/governancefeedback/gacpaper-  
03212007.pdf](http://www.worldbank.org/html/extdr/comments/governancefeedback/gacpaper-03212007.pdf)

World Bank, 2004, *Heavily Indebted Poor Countries (41 countries)*, the world bank,  
viewed 14<sup>th</sup> August 2007, <http://go.worldbank.org/4IMVXTQ090>.



## **ANNEXURE**



The Clerk of PAP  
Gallagher Estate  
Private Bag X 16  
Midrand 1685  
Gauteng Province  
Republic of South Africa

Dear Sir:

**Request for opportunity to do practical training in the Pan African Parliament**

I am a PHD student doing research on the role of the Pan African Parliament within the structure of the African Union and the implications of this role in terms of African regionalism. My research question is “to what extent can the definition role of the Pan African Parliament influence structures and decision making in the African Union, within the context of regionalism?” There seems to be a lot of world wide interest in African integration in recent times, particularly on the institutional approach to regionalism in Africa. With this interest and with the practical steps towards institution building in the African Union, there is also a need for a continuous probe or discourse as to the nature of these institutions and their significance in the integration process.





323

I will be honoured if I am given an opportunity to be part of this process of institution building (which I see as the backbone of the Pan African Parliament's success). With the dearth of literature on the an African approach to institutional integration, the practical experience and knowledge I can acquire from PAP will help me add value to research on the Pan African Parliament and African integration. I also posit that it will enable an enrichment of knowledge in terms of gaps in scholarship and at the same time, possibly produce practicable recommendations in the establishing of a uniquely African developmental and integrative institution. I have attached a copy of my resume for your perusal.

I will be grateful if my request is given favourable consideration.

Respectfully,

Ogochukwu Nzewi (Ms)

School of Public Management and Administration (SPMA),

University of Pretoria,

Pretoria 002