

STRENGTHENING EXECUTIVE LEADERSHIP IN THE AFRICAN UNION (AU): Challenges and Opportunities

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EXECUTIVE SUMMARY

This paper explores the dynamics surrounding the executive leadership of the African Union (AU) with a specific focus on the role of the African Union Commission (AUC) and its Chairperson. It addresses the challenges and opportunities the leadership of the Commission are faced with. Among other things, the paper concludes that the African integration agenda would not be easily realised if the role, mandate and leadership of the Commission are not reconfigured. In other words, there are both structural and normative changes that are required in order to position the AUC as the nerve-centre of the continental integration agenda.

In addition to the normative and structural/institutional challenges identified in the paper, the leadership of the AUC is also hamstrung by the failure of member states to fund its activities and programs. The heavy reliance on donor support undermines the principle of ownership and the ability of the leadership of the Commission to execute their mandate, even in its limited form, without hindrance.

The paper concludes with a number of concrete recommendations to resolve the problems and challenges that frustrate the AUC. The recommendations also highlight a number of opportunities that could be maximised for the Commission to effectively achieve some of the core objectives and key priorities of the Union.

TABLE OF CONTENTS

	Page No.
<i>List of Acronyms</i>	5
CHAPTER 1 Introduction and Background to the Study	7
1.1 Introduction	7
1.2 Literature Overview	8
1.2.1 International Organisations and Leadership	8
1.2.2 Leadership in Africa	13
1.2.3 Problem Statement	19
1.2.4 Structure and Methodology	21
CHAPTER 2 Overview of the Development of the African Union	24
2.1 The Birth of the African Union	24
2.2 The Institutional and Legal Framework of Leadership in the AU	26
CHAPTER 3 Policy Problems and Implications	29
3.1 Composition and Structure of the AU Commission	29
3.1.1 Policy Problems	29
3.1.2 Policy Challenges	31
3.1.3 Policy Recommendations	33
3.2 Transforming the AUC into the AUA	34
3.2.1 Policy Problems	34
3.2.2 Policy Challenges	35
3.2.3 Policy Recommendations	39
3.3 Vagueness of the Constitutive Act	40
3.3.1 Policy Problems	40
3.3.2 Policy Challenges	41
3.3.3 Policy Recommendations	41
3.4 Overlapping Membership in RECs	42

3.4.1	Policy Problems	42
3.4.2	Policy Challenges	44
3.4.3	Policy Recommendations	44
3.5	Language, Cultural and Ideological Divide	45
3.5.1	Policy Problems	45
3.5.2	Policy Challenges	48
3.5.3	Policy Recommendations	50
3.6	Lack of Centres of Gravity	50
3.6.1	Policy Problems	50
3.6.2	Policy Challenges	51
3.6.3	Policy Recommendations	52
3.7	Funding for the AU	54
3.7.1	Policy Problems	54
3.7.2	Policy Challenges	56
3.7.3	Policy Recommendations	57
	CONCLUSION	59
	BIBLIOGRAPHY	61

List of Acronyms

AEC	African Economic Community
AMU	Arab Maghreb Union
APSA	African Peace and Security Architecture
AU	African Union
AUA	African Union Authority
AUC	African Union Commission
AUPSC	African Union Peace and Security Council
CA	Constitutive Act
CCR	Centre for Conflict Resolution
CEMAC	Central African Economic and Monetary Union
CEN-SAD	Community of Sahel-Sahara States
CEPGL	Economic Community of the Great Lakes Countries
CFTA	Continental Free Trade Area
CoJ	Court of Justice
COMESA	Common Market for Eastern and Southern Africa
EAC	East African Community
ECCAS	Economic Community of Central African States
ECOSOC	Economic, Social and Cultural Council
ECOWAS	Economic Community of West African States
ECSC	European Coal and Steel Community
EPE	Ethical Power Europe
EU	European Union
IGAD	Inter-governmental Authority on Development
ILO	International Labour Organisation
IO	International Organisations
IOC	Indian Ocean Commission

ISS	Institute for Security Studies
LoN	League of Nations
MRU	Manu River Union
OAS	Organisation of American States
OAU	Organisation of African Unity
OSCE	Organisation for Security and Cooperation in Europe
PAP	Pan-African Parliament
PRC	Permanent Representative Committee
REC	Regional Economic Communities
SACU	Southern African Customs Union
SADC	Southern African Development Community
SG	Secretary General
STC	Specialised Technical Committee
UEMOA	West African Economic and Monetary Union
UN	United Nations
UNSC	United Nations Security Council
US/USA	United States/ United States of America
WTO	World Trade Organisation

CHAPTER 1: Introduction and Background to the Study

1.1 Introduction

This position paper outlines the many challenges that those tasked with providing strong and focussed executive leadership to the foremost continental inter-governmental body, the African Union (AU), are to overcome, as well as a number of realistic opportunities that they would have to pursue if the Union is to achieve its key objectives. The results of the study, including some of the recommendations that are provided, seek to feed into a variety of strategic and on-going discussions within the AU organs and institutions.

The real problem I identified during this research is that the founding documents establishing the African Union, mainly the Constitutive Act, as well as the whole raft of legal instruments, remain deliberately ambiguous and vague in conferring powers and clearly defined key areas of responsibility and empowering functions to the executive leadership of the Union, more especially to the Chairperson of the African Union Commission (AUC).

This ambiguity and the absence of any semblance of autonomy for the AUC impact negatively on this important organ and presumed nerve centre of the Union's operations. The AUC is mandated with the mammoth task of turning the AU into an independent and internationally respected major player in the global political and economic space, over and above having to drive the continental integration project and the ambitious "Agenda 2063" programme.

The intellectual agenda of the research topic was influenced by the fact that as things stand, the position of the AUC Chair has no enforcement powers. This seriously curbs the incumbent's ability to implement key decisions of the organisation and declarations of the other organs of the Union. The Chair has no power or clearly defined authority over the commissioners that serve under him or her due to the fact that like the Chair, the commissioners are equally elected in their

positions and the Chair has no say on their appointments or removal from their positions and has no apparent right to discipline or even call them to order.

The AUC Chair and the commissioners do not have powers to exercise discretion in responding to crises not anticipated by instruments and policies of the AU. In reality, this indicates that the Chair of the AUC lacks significant and decisive control over the rest of the commission (ISS Africa: 2012). If we consider that the entire population of the African continent is either directly or indirectly affected or impacted upon by this problem, this study and its findings can be regarded as important and relevant to contributing to the resolution of the problem. The contents of this position paper will contribute to best practices in the management of the African Union in pursuit of its key objectives and the implementation of its programmes and projects.

The research space for this study was largely due to knowledge gaps encountered in perusing existing literature on this subject. I struggled to find books that are written specifically on leadership in African international or inter-governmental organisations. Due to this limitation, I had to rely on information mainly in the form of technical reports written by private consultants, commissioned scholars, and academic journal articles, as well as AU documents and papers written by representatives of interest groups focussing on specific problem areas related to leadership in the African context.

1.2 Literature Overview

1.2.1 International Organisations and Leadership

There is no shortage of books and other material written about international organisations in general, mainly the United Nations (UN), the Bretton Woods institutions, the Organisation of American States (OAS) and more recently, the European Union (EU). However, there is very little available and hardly any books written specifically about African intergovernmental organisations like the AU and the role played by leaders of such African organisations in the international arena.

Kent J. Kille (2013:218) concludes that an over-emphasis on the UN significantly limits our understanding of secretaries-general leadership as office-holders of other international organisations, which has been largely ignored or understudied. He decries the paucity of information on leadership of international organisations across different organisational contexts: “The research that is in place most often focuses on one organisation, which does not provide for cross-organisational comparison or consideration of cross-office collaboration.” Kille is also of the view that the existing literature on international organisation leadership is largely descriptive, thereby lacking strong analytical frameworks or theoretical grounding.

Spyros Blavoukos and Dimitris Bourantonis (2013:312) highlight this point succinctly in pointing out that the bulk of research on the chairmanship and general leadership of international organisations focuses basically on two organisations, the United Nations and the European Union, with only a handful of scholarly works looking at other international organisations such as the World Trade Organisation (WTO) and the Organisation for Security and Cooperation in Europe (OSCE). Very little is written on the African Union in particular.

In the literature that discusses leadership in intergovernmental organisations, the most contrasted leadership styles are those of Sir Eric Drummond, the first Secretary-General of the League of Nations (LoN) and that of Albert Thomas, who was the Director of the International Labour Organisation (ILO) at the same time Drummond was at the helm of the League. In an essay on leadership in international organisations, Robert W. Cox (1969:205) posits that the origin of the comparative study of executive heads of international organisations was the observation that Thomas was a very different kind of a man from Drummond and had very different ideas of how to carry out his job.

The study of these two leaders sought to establish whether it was the nature of the job of a leader that determined the success or failure of the organisation or whether it was the quality of the leadership and the approach of the leader. The interest of the comparison was largely based on the abject failure of the LoN under Drummond, contrasted with spectacular success of the ILO under Thomas. From this observation stemmed a number of speculations, Cox observed.

In a nutshell, the conclusion reached on this study is that Thomas was more willing than Drummond to challenge constraints, or to seek to work around them, in order to try to build a more substantial role for the ILO in international affairs: “The contrast between the two leaders was that while Drummond acted as a quiet, behind-the-scenes administrator, Thomas pursued a much more outgoing, dynamic role despite facing considerable resistance from some member states” (Barros, 1979).

Most studies on the role of the executive head in terms of leadership in intergovernmental and in international organisations, are anchored on three approaches which tend to reflect traditional scholastic analysis of political leadership (Cox, 1969:212). The three characteristics emphasised are;

- Legal-institutional
- Idiosyncratic (personality or leadership style)
- Ethical-normative.

Legal-institutional studies tend to stress the formal constitutional powers of the executive head and how these had been contained or enlarged. On the second approach, idiosyncrasy, that is, studies of the personality of the executive head of the organisation, Cox (1969:209) points out that its weakness is the “implicit assumption” that it is the leader who makes the institution, which Cox wryly calls the “great-man theory of international organisations”.

Cox fails to shed more light on the third traditional approach; ethical-normative in his essay. However, his connection to the concept can be traced to a much wider discussion currently taking place, especially in Europe. The issue of ethical-normative has opened a wider policy debate about the scope for ethical considerations in international politics and in leadership in general. The question is whether such ethical ambitions represent progress or simply a “dangerous Utopianism” (Aggestam, 2008:1-11). In a way, it appears that Aggestam is cynically questioning the reality of expecting ethics to play a central role in the power-driven leadership role in international politics.

Europe is at the centre of this broad discussion around the aptly named Ethical Power Europe (EPE), a movement that seeks to position the European Union (EU) as a credible force for good and ethical power – “doing well in the world”. Lisbeth Aggestam (2008:5) has this to say: “bringing ethics into the international politics equation is an intrinsically normative undertaking”. Ian Manners, (2008:45-60) identifies virtue ethics as one of three major approaches in normative ethics and recognises it as one that emphasises the moral character in terms of character trait or disposition, also of organisational leaders.

It is Lisbeth Aggestam who makes an interesting and telling observation on the concept of (1) ethics, (2) power and (3) interest. She points out that taken at face value the trio seem to be very strange bedfellows; “a basic premise in ethical account is that it draws on empathy, to include others and doing least harm, while on the other hand, power and interests tend to be associated with self-centredness” (Aggestam, 2008:9).

I am of the view that the ethical-normative approach is likely to play an important role in international politics and a possible central role in the reshaping of the world order and it would be wise for both theorists and practitioners in international relations and the diplomatic field to take a far closer look at this concept.

Other studies on this subject tend to go beyond the three traditional approaches mentioned above. In his study of the actual extent and limitations of the influence of the political executive in decision-making, Richard Neustadt contributes immensely in the analysis of “the classic problem of the man on top in any political system: how to be on top in fact as well as in name” (Neustadt, 1960).

However, the study of international organisations that has gone furthest beyond the three traditional approaches to the study of executive leadership was by Ernst B. Haas and its findings are recorded in his book *Beyond the Nation-States: Functionalism and International Organisation* (1964:119). Cox concludes that Haas’s concern with executive leadership is as a politically adaptive function and not about its legal basis, personal styles or ethical principles (Cox, 1969:213).

Cox is of the view that the Haas model of executive leadership is a big advance over earlier thinking. He (Cox, 1969:213) goes on to complement the Haas model by trying to specify and to begin to analyse the key relationships in executive leadership. The three Haas relationships analysed by Cox are those of the executive head with the following constituencies;

- The international bureaucracy (within the international organisation)
- The member states (especially the most powerful among them) and
- The international system.

According to Cox, (1969:213), Haas distinguishes three critical variables in the executive head's strategy for maximizing opportunities, especially for task expansion, in that the executive head has to define an ideology which gives clear goals to the organisation and then prescribe a method for attaining these goals. Second, the executive must build a bureaucracy committed to this ideology with a sense of its own independent international role. Third, the executive head must make coalitions and alliances to ensure support from a sufficient proportion of the constituents.

Most studies that have used the "at-a-distance content analysis method" to examine leaders' personal characteristics focus primarily on the study of national-level leaders. Leaders of other forms of political organisations such as intergovernmental and other international organisations have never been seriously studied in this way. "Scholars of foreign policy have engaged in extensive theoretical and empirical research on the concept of leadership style but studies have exclusively focussed on presidents in the United States", (Kaarbo,1997:554), thereby ignoring the challenging environments of international civil servants who occupy positions at the core of what is meant by "diplomacy".

I have identified Margaret Hermann (1999) as a person who has done extensive research using an at-a-distance personality measurement technique. In the study of executive heads of intergovernmental organisations, Hermann seems to have succeeded in connecting leadership style and behaviour. Hermann's "at-a-distance content analysis" was also effectively used in a ground-breaking study by Kent J. Kille and Roger M. Scully (2003) that sought to establish expansionist leadership

styles of six past Secretaries-General of the United Nations and four past Commission-Presidents of the European Union. The results suggested that particular personal traits exhibited by these executive heads were connected with important aspects of their behaviour (Kille and Scully, 2003:189).

The results of this study also indicated that techniques which primarily focus on leaders of states could be applied to other contexts, “and thus help the comparative study of leadership in general”. However, as interesting as Hermann’s work is, in this study I had no intention of focussing on individual chairpersons – both past and present – of the AUC and therefore did not place much emphasis on styles and behaviour. This therefore is as far as I take Margaret Hermann’s personality measurement technique.

Literature on leadership in international governmental organisations often alludes to the problems of leadership experienced by the executive of the organisation. Bennet & Oliver (2002) discuss some of these problems in their book on the principles and issues of international organisations. Clive Archer implicitly views the problems of leadership in international governmental organisations as tied up with the struggle of these organisations to play a role independent of its member states (Archer, 1992: 147-156). There has not yet been any study explaining the nature of the role of an AUC Chairperson in particular.

1.2.2 Leadership in Africa

In reviewing literature for this part of the study, I seriously struggled to find adequate material that is researched and written about executive leadership in African international and intergovernmental organisations. Due to this limitation I had to rely largely on information and data in the form of technical reports and governments’ documents, academic journal articles and papers.

Both the OAU and the AU as the foremost intergovernmental continental organisations were founded by heads of member states, who happen to be national political leaders. As was the case with the OAU, the supreme organ of the AU, the Assembly, is composed of the African Heads of State and Government. The second

tier of leadership of the Union is the Council of Ministers, also composed of national politicians at ministerial level. The AUC is almost always headed by a highly-regarded and very senior national politician of a member state, at one stage it was even a former head of state.

Due to the lack of relevant reference material on the subject, what follows in this section of the paper may appear vague or detached and having no direct bearing or relevance to the topic of the leadership in the AUC. In the absence of the relevant literature, I decided to delve deeper into African leadership in general, as one cannot really divorce the political leadership of the African Union and other related intergovernmental and international organisations from the political leadership of the continent in general. In fact, the AU as an organisation is led at different levels by national political leaders.

While the review of African leadership at different periods that the continent had traversed may not on its own contextualise the problems and challenges confronting the leadership of the AUC, it is designed at least to provide a wider perspective. It is possible to link some of the challenges facing the current leadership crop in the African Union to the infusion of Pan-Africanist and integration agenda into a national liberation project at the time, as well as the important doctrines and ideological schools of thought that have had great influence on African leaders.

Governance and leadership in Africa can be parcelled into three different historical periods, which is (1) the pre-colonial period, (2) the colonial period as well as (3) the post-colonial period that leads to the present. Nanjira (2010: 64) traces the evolution of structured pre-colonial leadership in Africa after the birth of the city states in Egypt in 3100 B.C, which he points out happened long before the Greek concept of a city state was born. This was followed by the natural creation of the great Sahara Desert which subsequently divided the continent into the Arab North and sub-Saharan Africa

African leadership during this era was dominated by kings and queens in kingdoms and empires, and a system of leadership trickling down to paramount chiefs, sub-chiefs and village headmen. Leaders of these city-states in Africa created political units that in turn divided their countries into provinces and other smaller units,

leadership of this period relied heavily on dictates of tradition and custom for efficient administration.

Nanjira (2010:72) interestingly identifies the evolution of pre-colonial African leadership as having operated from the bottom up, thus the power and authority first belonged to the head of the family and where families grouped, the authority moved to the head of the clan and thereafter it was exercised by the leader or ruler of the tribe. As the tribe grew bigger and more powerful, the leader of the tribe would thereafter be referred to as king and the tribe transformed into a kingdom, once the king took charge of more kingdoms he would become the emperor. This established political organisation in Africa was systematically destroyed during the second historical period when colonisation took over in the 19th century, especially after the Berlin Conference of 1884, which carved up the continent.

Two important doctrines that predated African Unity and had great influence on African leaders regarded as “founding fathers”, were Pan Africanism and Negritude. Pan Africanism as an ideology was first propounded by African Americans in the United States and the Caribbean at the turn of the 20th century, including W.E.B. Du Bois leader of the “Back to Africa Movement” in the USA and Marcus Garvey of Jamaica. Negritude was the French-Africa version of Pan Africanism, propounded by Aimé Lésaire of Martinique and made popular by former President of Senegal, Leopold Sédhor (Nanjira, 2010:242).

The calls for decolonisation and independence in Africa grew louder after the Second World War and the Pan African Congress of 1945 in Manchester, England was a turning point. This meeting saw the consolidation of the process of infusion of Pan Africanist unity and an integration agenda into a national liberation project. (Olukoshi, 2010:37). However, it was only in 1957 that the first sub-Saharan African country, Ghana, attained its independence and had Kwame Nkrumah as its first president.

The founding of the OAU in 1963 during the third historical period, inherited ideological schools of thought that were deeply divided on a variety of issues, chief among them the issue of African integration. There were serious attempts to weld

the three schools of thought into a single cohesive unit. The three schools were made up of (1) the radicals known as the Casablanca Group, (2) the more moderate group also known as gradualists or minimalists that was made up of the Monrovia Group and (3) the Brazzaville Group, mainly former French colonies. It was the influence of Ethiopia that led to the three disparate groupings finally coming together, putting their differences aside - at least for a while - and jointly forming the Organisation of African Unity.

Immediate post-colonial leaders in Africa are widely regarded as the first generation leaders of the continent as we now know it and this section of the paper focuses largely on this crop of African leadership. The reason is that they became the first rulers of their respective independent countries that enjoyed statehood, with clearly defined and demarcated borders and populations. This first generation leaders that Nanjira affectionately refers to as “the old guard” and at times calls “the old guns” of African independence (Nanjira, 2010:281), is largely made up of those who were part of the founding of the Organisation of African Unity (OAU) in 1963, and also signed its Charter.

This first generation was a mixture of leaders who had won general elections and those who had been co-opted and supported by the outgoing colonial rulers, who had deliberately prepared only a very small African elite to toe the line of colonial administrators and in this way perpetuated colonial heritage and legacy (Nanjira, 2010:264). Nanjira parcels this crop of leadership as stretching from 1951 to 1977, which he regards as the last year of effective colonisation of the African continent when Djibouti became the last French colony to gain independence.

Although some may find Nanjira’s assertion debatable, considering that during this period Zimbabwe, Namibia and South Africa were engaged in liberation wars and not free, my own view is that Nanjira saw the three remaining countries outside the frame of colonisation. At the time Zimbabwe had unilaterally declared its controversial independence and South Africa had declared itself a republic and both were no longer under British colonial rule. Namibia was ruled by South Africa and no longer under the colonial rule of Germany. In a sense, according to Nanjira, no African country was under colonial rule as of 1977.

Some of the more prominent African leaders of this generation include Julius Nyerere of Tanzania, Emperor Haile Selassie of Ethiopia, Kwame Nkrumah of Ghana, Jomo Kenyatta of Kenya, Patrice Lumumba of the Congo, Ahmed Ben Bella of Algeria, Kenneth Kaunda of Zambia, Felix Houphouët Boigny of the Côte d'Ivoire, Gamal Abdel Nasser of Egypt and Hastings Banda of Malawi.

The second layer or generation of post-colonial leaders that dominated the African leadership scene between 1977 and the very early 1990s, turned out to be a mix of civilian, military, hereditary monarchies and others. It was also from this generation of leaders that the culture of coup d'états, bloody civil wars, ethnocentrism and wide scale corruption and looting of state resources took root. It was a period dominated by the deeply flawed African "Strong Men", but there were also very capable, good leaders among them.

This second generation African leadership was dominated by people like Milton Obote and Idi Amin Dada both of Uganda, Mobutu Sese-Seko of Zaire, "Emperor" Jean-Bedel Bokassa of the Central African Republic, Anwar el-Sadat of Egypt, Omar Bongo of Gabon, Antonio Augusto Neto of Angola, Colonel Muammar al-Gaddafi of Libya, Samora Machel of Mozambique and Luiz Cabral (who became the first President of an independent Guinea Bissau, replacing his more famous brother, Amílcar Cabral, who was assassinated a few months before independence).

Nanjira (2010:257) observes that although the third generation made up of current and immediate past African leaders, still includes a curious mix of civilian, hereditary, dynastic and military leaders, there are currently fewer military coups: "There has been a clear trend towards generational changes from old to young rulers and a general trend towards less dogmatism in African politics. However, tendencies to stay in power as long as possible are still strong in some parts of the continent".

The fact that there is noticeable overlap between the second and current generation of African leadership could also be confirmation of the tendency to stay longer in power by some leaders as stated above. The present generation of leaders is parcelled by Nanjira as of the period between 1991 and the present.

Leaders who have played a prominent role in shaping the present political and socio-economic path that the continent is presently struggling to follow, include leaders like Nelson Rholihlahla Mandela and Thabo Mbeki both of South Africa, Olusegun Obasanjo of Nigeria, Omar al Bashir of Sudan, Robert Mugabe of Zimbabwe, Sam Nujoma of Namibia, Meles Zanawi of Ethiopia and Yoweri Museveni of Uganda just to mention a few.

Female leadership in Africa was always a widely accepted phenomenon and long before colonisation of the continent; there were powerful queens, empresses and political leaders who were rulers of Ancient Africa. Many great women in positions of leadership in Africa were not in those positions formally, but by virtue of being wives of kings or empresses of emperors or through matrilineal inheritance, though some among them were freedom fighters who had led modern liberation movements. This trend of leadership by women in the continent is starting to re-emerge once again, albeit at a far slower pace than would be broadly acceptable. Ellen Sirleaf-Johnson of Liberia made history by becoming the first democratically elected woman head of state in Africa. Others have followed, including Joyce Banda, though she failed her first electoral test in the 2014 general election in Malawi. Nkosazana Dlamini-Zuma made history as well by becoming the first female Chairperson of the foremost organ of the continental organisation, the African Union Commission (AUC) in 2012.

1.2.3 Problem Statement

A number of problems and challenges, which at times appear insurmountable, seriously limit the effectiveness of the AUC executive leadership, more especially its Chairperson, from successfully promoting and executing the core aims and objectives of the AU. One of such key objectives is to drive the process of economic and political integration of the African continent, at least by 2028, as envisaged in the Abuja Treaty.

Several commissioned studies focusing on the problems, constraints and challenges facing the AUC published over the past several years, including the African Union Audit (2007: 42-46), the AU Strategic Plan 2009-2012, as well as studies by the organisation's international partners have repeatedly pointed to the fact that for the AU to achieve any measure of success, especially on the integration project, it needs to empower the AUC and its Chair.

Studies by a variety of organisations and cooperating partners focusing on this problem, include one commissioned by the Open Society Institute for Southern Africa looking at current obstacles and new opportunities in the AU (Kane & Mbelle: 2007), as well as an international colloquium report compiled by the Centre for Conflict Resolution (CCR) in Cape Town, (Adebajo & Paterson: 2012). Other interesting observations are made by Mehari Taddele Maru (2012:74) on the issue in a journal article on reforming the AUC elections.

The 2010 assessment study "Moving Africa Forward: African Peace and Security Architecture (APSA)" decries the serious challenges of administration, capacity, human resources and planning that plague the AUC. The study further points out the issue of institutional duplication within the organs of the continental organisation that need to be urgently addressed with a view to streamline.

The main source of such challenges - and opportunities - one might add, that confront the executive leadership of the AUC arises largely as a result of the vagueness of the Constitutive Act (CA) of the Union. The Act fails to spell out clearly the key areas of responsibility that it confers to the AUC Chair and his or her team,

not only to run the affairs of the organisation effectively and efficiently, but to ensure that the Union succeeds in its work and realises its mandate. As things stand, the AUC Chair has no special right of enforcement, given that all the AU's organs have the same status. That surely calls for institutional innovation and internal reforms

In the 52 years of its existence, first as the Organisation of African Unity (OAU) and as the AU since 2002, the continental organisation has achieved much in terms of liberating the continent from colonialism and apartheid, laying a firm foundation for economic and political integration, and providing a framework for collective action for the continent in its relations with the rest of the world, yet the Union remains comparatively ineffective, with very little influence in global affairs.

The primary research question that this study will answer is: What are the challenges and opportunities that the leadership at the helm of the foremost continental body, the African Union Commission, face in promoting the core aims and objectives of the organisation? In order to answer this question, two sub-questions needed to be explored: First, why do these challenges arise? And second, what recommendations can be made with a view to strengthen the executive leadership of the organisation?

The problems and constraints identified in this study include the actual composition of the structure of the commission. Secondly, the overlapping membership in the regional economic communities are bound to have a crippling effect on efforts to integrate the continent both economically and politically. The continued dependency of the organisation on the funding of its critical programmes and projects by international cooperating partners is undesirable and unsustainable both in the medium and the long term.

However, the silver lining of the AU cloud is the fact that there are a number of opportunities that a determined person at the helm of the AUC could pursue without having to wait until the commission is ultimately transformed and the position of the Chair of the AUC is adequately empowered. Opportunities do exist for the Chair of the AUC to find creative ways to deal with the considerable constraints to constitutional powers of the position without having to operate outside the legal authority and structural determinants.

1.2.4 Structure and Methodology

The first chapter of this policy paper introduced the topic, giving background and general overview to the study; this was followed by a scholarly literature review that focussed on international organisations and executive leadership in them as well as in broad political leadership in the African continent, covering periods from the pre-colonial to the present. The study also answered the primary research question, exploring the challenges and key recommendations that are likely to strengthen the executive leadership of the AU

Chapter two presents an overview of the development of the African Union with the emphasis on the institutional and legal framework of leadership in the organisation as well as the generic challenges and opportunities facing the leadership of international governmental organisations based on an in-depth literature review. This allowed for the development of an analytical framework that is used in chapter three to identify and discuss the specific challenges and opportunities facing the AU Commission leadership, especially in their pursuit of Agenda 2063. The study concludes with recommendations for strengthening the AU Commission leadership.

The research follows a qualitative approach to evaluate and assess the challenges and opportunities faced by the head of the AUC in order to realise the goals and objectives of the Union. I used the qualitative method mainly on what I had read on the roles and functions of executive leadership in international organisations. The study also utilised literature reviews to gather in-depth understanding of human behaviour, in this case of the executive head, including those that he or she has to work closely with in the other organs, as well as the heads of member states, with the aim to establish the reasons that govern such behaviour.

Cynthia Roberson (2011) defined “qualitative” as relating to measuring or measured by the quality rather than its quantity. This is what contrasts qualitative from quantitative research, the latter being usually limited to measuring results numerically. Of the two main and different methodological approaches to designing research, I chose to utilise the inductive as opposed to the deductive approach. I am of the view that the inductive research approach assisted me in understanding

the underlying issues that contribute to challenges and opportunities in the work of the executive head, which under normal circumstances would be non-obvious and regarded as latent within member states.

According to Pumela Msweli (2011:58-59), in the inductive approach the researcher could use the core questions to generate data that provide well-grounded, rich descriptions and explanations of processes in identifiable contexts. In contrast, the deductive approach generates standardised quantifiable data from a small number of variables devoid of contextual issues. Both approaches tend to ask similar core questions of “why”, “how” and “what”, though the inductive approach tends to ask them completely differently from the way the deductive approach asks them.

Out of the four main types of qualitative research, which are (1) interviews, (2) observation, (3) literature and (4) focus groups, my own research relied predominantly on literature. Qualitative data provided a deeper and more complex understanding of the topic as it took into account things like context, quality and meaning (Voroskovic, 2011). Methods of gathering information included analysis of documents and materials though I also undertook external literature reviews.

In my research I tilted more towards comparative methodology which is widely preferred in contemporary political science (Burnham, *et al*: 2008). I did not just compare to illustrate an argument or to be persuasive, but employed comparative methods to systematically test the proposition. I compared similar situations in the leadership of international organisations in order to clarify and understand the AUC situation and attempted to draw lessons from the former for the latter.

A study of this nature nearly always relies on secondary literature, although it is perfectly possible to integrate the comments of experts or specialists through the use of interviews (Hofstee 2006:121). Analysis of documents did help thread together the complex chain of past events (Burnham *et al*: 2008). Content analysis was the preferred approach in this study as it allowed me to examine the contents of preserved records, especially records of attempts by previous executive heads of the AUC to attain the core objectives of the organisation, as well as all the aspects that inhibit the efforts of such leaders.

Content analysis tends to help a researcher to discover the non-obvious meaning contained and at times embedded in the record. Over and above books, journals, articles, speeches, reports and archival analysis just to name a few, I used secondary data analysis, as my study was also guided by information largely generated by previous researchers and scholars, even though Erik Hofstee (2006) insists that such “cannot produce anything substantially new, all they can produce is new perspective on what has gone on before”.

CHAPTER 2: Overview of the Development of the African Union

2.1 The Birth of the African Union

The African Union (AU) was established in Durban, South Africa on 9 July 2002 as the primary continental organisation tasked with accelerating the process of implementing Africa's development and integration agenda, as well as other outstanding key decisions of its predecessor, the Organisation of African Unity (OAU). The AU also committed to focus its energies on the achievement of greater unity and solidarity between African countries and the peoples of the continent.

Some of the core objectives for the establishment of the AU as clearly stipulated in Article 3 of its Constitutive Act, include the coordination and harmonisation of policies of existing as well as future Regional Economic Communities (RECs) for the gradual attainment of the objectives of the Union, mainly the political and socio-economic integration of the continent in conformity with the Charter of the OAU and the Treaty establishing the African Economic Community (AEC), known as the Abuja Treaty which was signed in Nigeria on 3 June 1991.

The main challenge facing the AU in obtaining its objectives is for the organisation to carve out an independent role, especially for its key organ, the AU Commission (AUC) and the Chair of this Commission. The executive heads of international organisations notoriously battle to exercise independent leadership in organisations constituted by sovereign states (Cox, 1969). More than a decade after the establishment of the AU, it is becoming apparent that for the organisation to address the many, multifaceted socio-economic and political problems facing the continent, as well as effectively dealing with the negative aspects of globalisation; it needs strong and focussed leadership at the helm the AUC.

Though the Constitutive Act of the African Union formally establishes the AUC as the key and permanent organ of the Union, that is best suited to the challenges of the 21st century, the Act remains rather vague on the AUC's autonomous role; its powers and the distribution of responsibilities among various AU organs (see Chapter 3). It

is this limitation that I regard as a major weakness, which I also contend has contributed immensely to delaying the continental integration project from moving as rapidly as was initially envisaged. One can assume that this vagueness is a limitation which places severe constraints on the AUC and its Chair in realising the objectives of the Union.

Article 20 of the Constitutive Act, under the headline “The Commission”, states that:

1. There shall be established a Commission of the Union, which shall be the Secretariat of the Union.
2. The Commission shall be composed of the Chairman, his or her deputy or deputies and the Commissioners. They shall be assisted by the necessary staff for the smooth functioning of the Commission.
3. The structure, functions and regulations of the Commission shall be determined by the Assembly.

In the Statutes of the Commission of the African Union the focus is more on responsibilities, the AUC Chair is listed as the ultimate accounting officer and legal representative of the AU. The position entails following up on the decisions of policy organs of the AU and the AUC is mandated to carry out a number of essential functions, such as overall responsibility for the finances and administration of the commission. The Chair is expected to represent the Union and defend its interests. The Chair must ensure preparation of strategic plans and studies and also promote, coordinate and harmonize the programmes and policies of the Union with those of its Regional Economic Communities (RECs).

In a nutshell, the AUC is an administrative wing of the AU, accountable to the Assembly and the Executive Council. The primary purpose of this position paper is to comprehensively explore the many challenges and opportunities faced by the Chairperson of the African Union Commission in the execution of the Union’s mandate, as well as to analyse the power and limitations of the position.

2.2 The Institutional and Legal Framework of Leadership in the AU

The AU as the successor organisation to the OAU was officially established on 9 July 2002 when 53 Heads of State and Government ratified its Constitutive Act. The Act is a constituting instrument of the AU, setting out the rights and obligations, as well as outlining the organisation's subsequent relationships and programmes.

The Constitutive Act is a multilateral treaty establishing the pattern of agreements and obligations, as such is an important addition to international law (Bennett, and Oliver, 2002:59). The Act does that in the same way that the Charter does for the United Nations. As a written constitution, the Act provides the AU's organisational structure, principles, powers and functions. The Act also broadly establishes the principal organs of the Union.

As with most similarly structured intergovernmental organisations, the AU adopted sovereign equality and interdependence among member states as its most fundamental principle. This tops a long list of principles under Article 4 of the AU Constitutive Act. This stated equality among member states of the AU fits in with the assertion that equality in effect refers to legal status rather than to size, power or wealth (Bennett, & Oliver, 2002:62). Just like the UN Charter, the Act on this score does perpetuate and reinforce the well-established principle of international law of the legal equality of states and generally accords voting rights on the basis of one state, one vote.

The Act in fact provides the legal basis for an organisation like the AU which is devoted to common purpose of its membership, as well as to position the continent to find its significant role in a rapidly changing world, influenced by globalisation. The Act remains the principal agreement and a constitution for all its member states that establishes the basic rules of conduct upon which the organisation is founded and expected to operate.

The Constitutive Act establishes the Assembly as the supreme organ of the Union. The Assembly made up of Heads of State and Government, takes its decisions by consensus or if that fails, by two thirds majority of the member states within a

quorum. The Assembly is empowered to adopt its own rules and procedures with its main function being to determine the common policies of the Union. It is also a key function of the Assembly to appoint the Chairperson of the AUC and his or her deputy, including the commissioners as well as determining their functions and terms of office.

The second layer of the leadership of the AU, the Executive Council, is made up predominantly of Ministers of Foreign Affairs or other ministers as designated by the national governments of the member states. The Executive Council is also structured in a similar way as the Assembly. The Council is responsible to the Assembly and its main function is to monitor the implementation of policies formulated by the Assembly. The Council is supported by Specialised Technical Committees (STCs) and its work duly prepared by the Permanent Representatives Committee (PRC) which is composed of permanent representatives to the Union and other Plenipotentiaries of member states.

The Constitutive Act of the AU designates nine agencies as the key organs of the Union:

- The Assembly
- Executive Council
- Pan African Parliament (PAP)
- Court of Justice (CoJ)
- The Commission
- Permanent Representative Committee (PRC)
- Specialised Technical Committees (STC)
- The Economic, Social and Cultural Council (ECOSOC)
- Financial Institutions.

The Act provided for the establishment of PAP and ECOSOC as means to ensure people's participation in the AU as the main difference between AU and OAU. The OAU was always touted as the "union of leaders of Africa" whilst the AU was conceived as the Union of Africa's people. The Act was widely seen as a major

improvement on the OAU Charter in terms of its objectives and institutional framework.

The AU Commission is arguably the foremost organ of the African Union after both the Assembly and the Executive Council. The AUC is more than just the secretariat or a mere administrative wing of the Union, the institution was always meant to be the primary interlocutor on African matters with the key objective as a tool for accelerating political and economic integration of the continent.

The AUC is charged with among other things, initiating proposals for consideration by other organs of the AU as well as overseeing implementation of decisions taken by other organs. Over and above the responsibility to strengthen the overall architecture of the Union, the AUC was given an important role notably in peace and security. This fundamental shift in principles happened when the organisation was formally transformed from the OAU into the AU in 2002.

CHAPTER 3: Policy Problems and Implications

3.1 Composition and structure of the AU Commission

3.1.1 Policy Problems

The main problem facing the Chair of the AU Commission in this regard is due to the fact that members of the AUC - the Chair, the deputy and the eight commissioners are all elected to their positions. Members of the Commission therefore tend to view their Chair as merely a first among equals instead of an executive leader of the key and permanent organ of the organisation, with the powers to exercise full authority within the Commission.

This untenable relationship between the AUC Chair and fellow commissioners was described in the 2007 Audit of the AU as one of *primus inter pares*. In effect, the Chair is given the difficult task of being the captain of this massive ship which is the AU. The captain is mandated to steer the ship in uncharted and stormy seas, yet he or she has no power of control over the key members of the crew of this ship. That is the problem that confronts the AUC Chair.

Though the AUC Chair and the deputy are both elected by the Assembly which is made up of Heads of States and Governments and the rest of the commissioners elected by the Executive Council made up mainly of Foreign Ministers of member states and thereafter appointed by the Assembly, the voting procedure for the election of all Commission members is almost identical. The election of the members of the Commission is governed by the Rules of Procedure of the Assembly, the Rules of Procedure of the Executive Council and the Statutes of the Commission, in fact by Article 16 of the Statutes and Rules 39 and 42.

The High Level Panel (AU Audit, 2007:44) seriously questioned the lack of operational clarity. The lines of authority within the Commission, which in turn feed into the misconception that the commissioners, by virtue of being nominated by their national governments and regions and thereafter elected to their positions, have no direct

accountability to the Chair, in his/her capacity as the Chief Executive Officer of the African Union Commission.

A report compiled by the Conflict Prevention and Risk Analysis Unit of the Pretoria-based Institute for Security Studies in October 2012, identified three problems that confront the office of the Chair of the AUC. Firstly, the Chair does not have enforcement power and this curbs the incumbent's ability to transform key decisions of the organisation and declarations of some of its important organs into reality, including the African Union Peace and Security Commission (UNPSC). Secondly, that the Chair does not have power to exercise discretion in responding to crises not anticipated by instruments and policies of the AU and lastly, that the Chair lacks significant control over the rest of the commission.

The problem causing confusion in the operational clarity of roles between the AU Chair and the Deputy Chair is compounded by the ambiguity of the Statutes of the Commission of the AU, especially Articles 8 and 9 on the Functions of the Chair and the Deputy Chair. Article 8 states clearly that the Chairperson shall "assume overall responsibility for the administration and finances of the Commission. The article also allocates power to the Chairperson to appoint the staff of the Commission in accordance with the provisions of Article 18 of the Statutes.

On the other hand, Article 9 stipulates that the Deputy Chairperson shall be in charge of the administration and the finances of the Commission. In the official organogram of the AU Commission both the Departments of Programming, Budgeting, Finance and Accounting and that of Administration and Human Resources Development fall directly under supervision and the control of the Bureau of the Deputy Chairperson.

This depiction of the relationship between the bureaus of the AUC Chair and that of the deputy in the founding documents is problematic. Not only does it create the impression of autonomy in the control and authority over vital components of the administrative operations of the Commission, but also sends out confusing messages. It is this confusion that has been identified as a long-standing major source of tension between these two top positions within the leadership of the Commission.

The AUC as currently structured finds it extremely difficult to function optimally, the last audit of the AU in general and of the AUC in particular found that the relationships within the Commission could at best be described as dysfunctional with overlapping portfolios, unclear authority and responsibility lines as well as expectations due to inadequate comprehension on the part of the commissioners (AU Audit, 2007). The audit further found that there had been a failure to articulate the chain of command, especially in the Statutes of the Commission which resulted in the failure by commissioners to fully accept the authority of the Chair of the AUC.

3.1.2 Policy Challenges

The most challenging aspect of the structure of the AUC is largely due to the fact that the AUC Chair does not play a role in the nomination and appointment of the Deputy Chair and the rest of the Commissioners and this does not allow for proper oversight of the Commissioners by the Chair. Importantly, the commissioners are often subject to the political whims of the member states that nominate and lobby for them to be elected to these positions in the first place.

The underlying challenge posed by the selection and election process of commissioners currently exercised as codified in the AU Rules of Procedure, is that this form of politically-expedient compromise in choosing those expected to serve at the highest level in such a key organ of the Union, hardly deliver a truly legitimate leadership collective, loyal to a broader cause and effectively performing their leadership roles at the AUC.

The process of nominating, selecting and finally electing candidates for the AUC is so regionally-biased and so entrenched that the loyalties of those who finally become commissioners are compromised from the start. The first step in the election process for leadership of the AU Commission starts with member states of the AU forwarding names of their candidates in response to calls by the Legal Counsel of the Commission (Maru, 2012:65).

The selected regional candidates are thereafter screened for suitability to ensure that they fulfil the required criteria; this is done by a team of consultants made up of two

“independent experts” from each of the AU regions. The report of the team of consultants on the candidates is then passed on for central pre-selection process by a team of a ministerial panel composed of two ministers from each region. The ministerial panel then passes on the list of candidates for the commissioners to the Executive Council and the Assembly where further regional horse-trading takes place before the final selection is concluded.

In an article on “Rethinking and Reforming the AUC Elections”, Mehari Taddele Maru (2012:66) decries the noticeably sharp decline in the submission of nominations for the positions in the commission. He points out that teams involved in selection and the election process have noted with concern that “the limited number of candidatures could be an impediment to the potential of selecting the most competent candidates for the portfolios”. The most logical implication is that the AUC is missing out on the best brains, skills and competence that the continent can produce.

One other challenge faced by the Chair of the AUC who is mandated to oversee and enforce the implementation of decisions, is the lack of an effective mechanism to monitor and ensure implementation of the decisions taken at summits, as well as by the Executive Council of ministers and by the other organs of the Union. Kane and Mbelle (2007) point out that this vacuum threatens to undermine the entire purpose of the African Union.

Rule 33 on the categorisation of decisions in the Rules of Procedure of the Assembly of the AU compounds the challenge of enforcement facing the AUC Chair in that; recommendations, declarations, and resolutions in the AU are not binding and only intended to guide and harmonise viewpoints of member states. Non-compliance does not attract appropriate sanction; it is only regulations and directives that are binding and enforceable and can lead to sanctions.

Kane and Mbelle (2007:3) further point out the related challenge that the AUC and its Chair are confronted with in that many decisions taken at the AU require other meetings to be organised to develop policies and implementation strategies leading to a situation where the entire time of the commission, especially of the AUC Chair,

is taken up in the organisation and taking part in such meetings. This challenge is not assisted by the sheer proliferation of AU sectorial ministerial meetings, meetings of the Executive Council, ordinary and extra-ordinary summits taking its toll on both the commission and the Chairperson.

3.1.3 Policy Recommendations

In order to deal with the crucial challenge of the Chair being *primus inter pares* with the Deputy Chair and the Commissioners, the AU should amend its rules and regulations relating to the appointment of these officials. The AUC Chair should be mandated to nominate individuals for these positions; the nominees should be subsequently confirmed by the Executive Council. In approving the list of nominees, the Executive Council would serve as a check on the Chair to avoid any potential abuse of his/her new mandate.

Regional, gender and other considerations to be defined in the amended rules and regulations should guide the Chair in the nomination process. This would not only empower the Chair, it would ensure that programs and initiatives of the Commission are implemented in a coordinated and coherent manner. In other words, the Chair and the Commissioners will function in a more collective manner than they are under the current configuration.

Related to the above, the amended rules should focus on merit and de-emphasize the high premium that is placed on political accommodation under the current system. As stated above, there is recognition that the caliber of nominees for these positions has been eroded and needs to be scaled up to ensure that these positions are filled by competent and capable individuals. As with most inter-governmental organizations, this would have to be handled with a great deal of tact so that the essence of the required reforms is not derailed by political wrangling.

The AU should ensure that its Summits cut down on the number of non-enforceable declarations, resolutions and recommendations; instead emphasis should be placed on decisions that are enforceable. The large number of non-enforceable outcomes of the bi-annual Summits creates confusion and is an undesired distraction from the

pressing challenges facing the AU. The AU should therefore focus on enforceable decisions that are backed by a sanctions regime. The Chair should lobby member states to ensure that this is accepted as best practice.

The amended rules and regulations should clarify the roles and responsibilities of the Chair and the Deputy Chair specifically relating to the oversight and management of the Departments of Programming, Budgeting, Finance and Accounting, and that of Administration and Human Resources Management. These are two critical departments in the Commission and any lack of clarity in their reporting lines could disrupt the smooth functioning of the institution with serious implications for the broader AU system.

3.2 Transforming the AUC into the AUA

3.2.1 Policy Problem

The continued delay in deciding whether to finally transform the AUC into the African Union Authority (AUA) presents a problem for the commission and its Chairperson as it prolongs rectifying the anomaly created by the vagueness of the Constitutive Act in clearly defining the powers and authority of the position of the Chair of the commission.

In the Statutes of the Commission of the African Union the focus is more on responsibilities. The AUC Chair is listed as the ultimate accounting officer and legal representative of the AU. The position entails following up on the decisions of policy organs of the AU and the AUC is mandated to carry out a number of essential functions, such as overall responsibility for the finances and administration of the commission.

When the African Union replaced the Organisation of African Unity in 2002, there was hope that the new organisation would have a powerful organ at the centre to drive the envisaged continental integration process. There was anticipation that the newly formed African Union Commission, with stronger executive powers and an unambiguous mandate, would signal an irreversible journey towards the creation of a Union Government in Africa.

As Mwesiga Baregu (2005:55) points out, the main decision to establish the AU - “immediately” - was a deliberate attempt to circumvent the slow, incremental process envisaged by the OAU in Article 6 of the Abuja Treaty, which was scheduled to cover a transitional period of up to 34 years before the attainment of continental integration. The challenge for the founders of the AU was to determine the logic of this now accelerated process of integration “in order to sequence the institutional structure appropriately”.

There seemed to be broad agreement within member states and to keen observers of the African Union that the failure of the AU Commission to deliver on its mandate was largely due to its design, mandate and function. It came as no surprise therefore in 2009 when the Assembly took the decision to start the process of transforming the AUC into the African Union Authority. Unfortunately; there was no admission at that time that the weakness of the AUC was symptomatic of the weakness of the AU itself. The question that would have been logical to ask was whether it would have been practical to change the AUC into some supranational structure while leaving the AU itself to remain an intergovernmental organisation.

3.2.2 Policy Challenges

What on the surface appears as minor bickering over a non-issue – renaming of the AUC – which has clearly stalled the whole debate on the creation of the African Union Authority, hides a number of strategic and operational challenges that need to be confronted earnestly by the Assembly, including the sharing of competences between the different levels of the African Union governance and a host of other critical outstanding institutional issues that need to be addressed upfront ahead of reforming the AU’s current governance structure.

The main challenge facing the AU in obtaining its objectives is for the organisation to carve out an independent role, especially for its key organ the AUC and that of the Chairperson of this Commission. The executive heads of international organisations worldwide, notoriously battle to exercise independent leadership in organisations constituted by sovereign states (Cox, 1969). More than a decade after the

establishment of the AU, it is becoming apparent that for the organisation to address the many, multifaceted socio-economic and political challenges facing the continent, as well as effectively dealing with the negative aspects of globalisation; it needs strong and focussed leadership at the helm the AUC.

The decision to transform the AUC into the AUA was taken at an AU Summit in Addis Ababa, Ethiopia in February 2009. The move was seen at the time as serious effort to strengthen the institutional building process of the AU and the acceleration of the economic and political integration of the continent. At a follow up summit in Sirte, Libya, four months later in July 2009, heads of states instructed the AUC to urgently prepare a raft of legal instruments, chief among them, the Amendments to the Constitutive Act, the Rules of Procedure of the Assembly and the Statutes of the Commission, related to the creation of the AUA.

In April 2010 the first government experts' meeting on transformation of the AUC into the AUA was held to consider a number of legal instruments on the transformation. The meeting was able to consider and adopt the draft Protocol on Amendments of the AU on transformation of the AUC into the AUA. After the necessary legal instruments were ratified by the Ministers of Justice and Attorneys General of member states, the progress report on the transformation was adopted by the Sixteenth Ordinary Session of the Assembly held in Addis Ababa in January 2011.

The Executive Council of the AU recommended that in order to transform the AUC to AUA the Constitutive Act should also be amended in accordance with the provisions of Article 32 of the Act and called on member states to expedite the ratification of the amendments at their ordinary session that was due in January 2012. When that time came, they once again deferred its ratification to their next summit in July 2012; the report was duly submitted to Assembly for consideration and this time round they did not even consider it and no decision was taken. This clearly signalled that African leaders had lost the appetite for transforming the AUC.

The seeds of transforming the AUC into the AUA were planted way back in 2005 when the Assembly of the Union set up a Committee of Heads of States and Government, known as the "Museveni Committee", chaired by the President of

Uganda, Yoweri Museveni, to propose and recommend to the Assembly the shape that a new Authority would take. When this committee presented its proposals to the Assembly instead of taking a decision, the leaders decided to set up another committee known as the Obasanjo Committee, chaired by the then President of Nigeria, Olusegun Obasanjo, to make further proposals on how to strengthen the commission to enable it to fulfil its mandate effectively (Decision Assembly/AU/Dec.90(V)).

On receipt of the Obasanjo Committee report and recommendations at the Sixth Ordinary Session held in Khartoum, Sudan, in January 2006, the Assembly tasked the AUC to consolidate all the contributions on the matter and present a comprehensive base document at the next session of the Assembly in Banjul, Gambia in July 2006. (Decision Assembly/AU/Dec.99 (V1)) This consolidated document led to the **“Grand Debate on the Union Government”** at an ordinary session held in Accra, Ghana in July 2007. When after all these efforts there still was no agreement on the matter, the “Kikwete Committee”, a new committee of 12 Heads of States, chaired by Tanzanian President, Jakaya Kikwete, was set up by the Assembly, among other things, to try and bring the matter to finality (Decision Assembly/AU/Dec.185(X)).

Thereafter, there appeared to be a serious attempt to bring the issue of transformation of the AUC into the AUA to some conclusion when the leaders took a decision to devote a whole day discussing this issue at length (Decision Assembly/AU/Dec.205 (X1)) after receiving the report of the Kikwete Committee, at the Eleventh Ordinary Session of the Assembly held in Sharm El-Sheikh, Egypt in July 2008. The Assembly of the AU has subsequently repeatedly deferred consideration of the item on transformation of the AU Commission into the AU Authority. The matter was last considered at the Eighteenth Ordinary Session in Addis Ababa, Ethiopia, in January 2012, where the last decision to further defer the matter was taken (Decision Assembly/AU/Dec. 415 (XV111)).

Although on the surface there seems to be consensus within the AU to reform and refine the existing governance structure of the Union, the fact that the process of transforming the AUC remains unresolved ten years after it was first mooted in 2005,

is indicative of deeper ideological divide which animates the integration debate in Africa, between the proponents of gradualist and maximalist approaches. (Ayangafac & Mpyisi, 2009:2). All the events catalogued above indicate the challenges and frustrations endured by those who have tirelessly worked towards the transformation and empowerment of the AUC

What increasingly appears to have given transformation of the AUC to the AUA a bad image, could be the fact that the idea itself was conceived and championed within the broader AU structures by the advocates of the maximalist approach to continental integration, who saw an empowered Authority as an institutional motor to fast-track the continent to its final destination – a United States of Africa. This maximalist position was unwaveringly led by the late Libyan leader, Muammar Gaddafi and enjoyed the support of those seen to be “in his pocket”. The gradualists, who consistently opposed this position, always viewed it as Gaddafi’s brainchild and after his death it was no surprise that it lost traction.

This ideological divide in the AU that could be responsible for non-action on the AUC/AUA issue can be traced way back, even before the founding of the OAU and still resonates today and continues to obstruct progress towards both meaningful unity in the continent and the transformation of the commission, on three distinct factions that existed at the beginning of the OAU:

1. T
The Monrovia Group – which advocated a gradual and largely incremental process towards continental integration, now known as gradualists.
2. T
The Casablanca Group – that upheld a rapid and comprehensive process leading to the United States of Africa, known as maximalists.
3. T
The Brazzaville Group – which stressed integration by colonial heritage. This group was dominated by the then recently independent former French colonies in Africa.

It was actually Kwame Nkrumah of Ghana who first pushed for a political union, a kind of United States of Africa that would have created one continental government by 1963. This position was flatly rejected by both the Monrovia and Brazzaville groups.

Baregu (2005:22) says as long as African leaders cling to narrow national self-interest, divergent ideologies and parochial instead of pooled sovereignty, the Commission will never be empowered and transformed which means the continental integration dream, will remain just that – a dream. Baregu adds that meaningful economic cooperation is unlikely unless the political elites demonstrate a new willingness to enter into serious negotiation on the question of sharing sovereignty.

3.2.3 Policy Recommendations

The Chairperson of the Commission needs to initiate discussion and deliberation among member states and African civil society on how to tackle the gaps in the design, mandate and functions of the AUC. The deliberations should explore the option of addressing the aforementioned gaps without necessarily transforming the Commission to an Authority; the Commission can perform the same functions as the Authority without any name changes. Undertaking the required reforms without a name change would attract less political attention and suspicion from member states. Tackling these gaps would enhance the Commission by giving it the necessary political clout, capacities and resources to drive the continental integration process.

To accomplish the above, the Chairperson should engage like-minded and influential member states to drive the reform process. This should however be done in an inclusive manner so as to avoid or minimize perceptions of hegemonic agendas by the bigger and more powerful member states. The process of developing the proposed coalition for the reform process should factor in regional, linguistic and other considerations that characterize the continent's political landscape. It is only through a genuinely inclusive process that the Commission can be empowered through a thorough reform process.

The AUC needs to engage member states to start thinking creatively about how to strike a balance between their preserved areas of competence that they regard as sacrosanct and those in which powers would devolve to a reformed Commission. This also means that for the Commission to win this battle, it will depend largely on how it balances inter-governmentalism and supra-nationalism. In addition to member states, the AUC needs to also engage the Regional Economic Communities (RECs) in the discussions on how to narrow the gap on this crucial question.

3.3 Vagueness of the Constitutive Act

3.3.1 Policy Problems

While the Charter of the United Nations (UN) is relatively specific in spelling out the powers and functions of the Secretary General (SG), the Constitutive Act of the African Union remains decidedly vague in shedding light on the expected roles and functions of the (AUC) Chair. Over and above the UN Charter assigning a central role to the SG as chief administrator and leader of the organisation, the expansion of the UN SG's role into the political realm is based primarily on a broad interpretation of the provision of Article 98 of the Charter which says that "*the Secretary-General shall perform such other functions entrusted by the General Assembly and the Security Council*".

It is problematic that a clear role and functions of the Chair of the AUC are not specified in the Constitutive Act and largely devolve from the functions of the Commission as stipulated in Article 3 of the Statutes of the Commission of the AU, which assigned functions the Commission is enjoined to carry out under the Constitutive Act as well as those specified in the Protocols. In reality, there is no single document that comprehensively elaborates on the powers and functions governing the position of Chair of the AUC. Instead, there are several documents from which one can tease out the different rules.

Six public as well as unrestricted non-public documents can be identified to that effect. The public ones include the AU Constitutive Act, the Protocol establishing the Peace and Security Council (PSC), the statutes of the Commission and rules of procedure of the Assembly. The non-public documents include AUC Staff Rules and Regulations and the AUC Financial Rules and Regulations. The Chair is expected to represent the Union and defend its interests. The Chair must ensure preparation of strategic plans and studies and also promote, coordinate and harmonize the programmes and policies of the Union with those of its Regional Economic Communities (RECs). In a nutshell, as already pointed out, the AUC is largely an administrative wing of the AU, accountable to the Assembly and the Executive Council.

3.3.2 Policy Challenges

This vagueness of the Constitutive Act in clearly spelling out the roles and powers presents a serious challenge to the AUC Chair in representing the Union and defending its interests as mandated by the decision making bodies of the Union, which is the Assembly and the Executive Council. It is also the main function of the Chair to oversee the implementation of the decisions taken by other organs of the Union.

The AUC Chair is expected to act as the custodian of the Constitutive Act, its protocols, the treaties, legal instruments, decisions adopted by the Union and those inherited from the Organisation of African Unity (OAU). The Chair is also mandated to lead the charge in elaborating, promoting, coordinating and harmonising the programmes and policies of the Union with those of the Regional Economic Communities (RECs), widely viewed as the building blocks of continental integration.

The Chair is also mandated to lead the process of capacity building for scientific research and development for enhancing socio-economic development in the Member States as well as in undertaking research on building the Union and on the integration process. The Chair is further responsible for the preparation of strategic plans and studies for the consideration of the Executive Council.

3.3.3 Policy Recommendations

The functions that seem to offer a glimmer of hope and present the AUC Chair with the opportunity to exploit and bypass the considerable constraints that leaders of intergovernmental organisations often face, without having to operate outside the legal authority and structural determinants, is the function of working out draft common positions of the Union and the coordination of the actions of member states in international negotiations.

Bennett and Oliver (2002:425) point out that the evolution of the role of the Secretary-General in the United Nations, in the area of executive leadership has resulted more from other factors than from deliberate grants of power in the Charter: “The role of the UN-SG has expanded way beyond the intentions of the architects of the Charter in response to demands that could not have been foreseen in 1945”.

The Assembly also has exclusively delegated the AUC under the leadership of the Chairperson, varied domains of responsibility that on the surface may look mundane and administrative, which in capable hands can easily assist an innovative leader either “to challenge existing constraints or seek to work around them, in order to try to build a more substantial role for the organisation in international affairs” (Kille and Scully, 2003:178).

Some of such delegated domains include negotiation relating to external trade, socio-economic integration, environmental and disaster management, international crime and terrorism to mention just a few. A strong and focussed leader at the helm of the AUC can skilfully use these domains to establish bold new initiatives to enhance the capabilities of the AU whilst expanding the role and functions of the Commission.

3.4 Overlapping Membership in RECs

3.4.1 Policy Problems

The overlapping membership in regional integration groupings stands out as one of the major problems confronting the African Union Commission (AUC) and hinders the work of the Chair of the Commission; this situation warrants the serious and immediate

attention of the executive leadership of the Union. At the last count it emerged that 27 out of 54 member states of the AU, exactly 50%, belong to two or more Regional Economic Communities (RECs), leading to this unsustainable multiplicity of memberships.

If the RECs are the building blocks of the continental integration project and the Chair of the African Union Commission as the executive head of the union's key organ has been mandated with the task of elaborating, promoting, coordinating and harmonizing the programmes and policies of the Union with those of the RECs, it stands to reason therefore that the Chair has a responsibility to ensure that the RECs operate optimally and in unison. To achieve this, the Chair has to be in charge of the cooperation mechanism between the RECs and the Union.

The Lagos Plan of Action and the Final Act agreed upon by the Organisation of African Unity in 1980 recognised five geographic regions, covering the east, west, north, south and the centre of the continent, which were to be the representative building blocks leading to the establishment of the African Economic Community. Currently the AU recognises eight regional integration groupings:

- ECOWAS - Economic Community of West African States.
- EAC - East African Community.
- COMESA - Common Market for Eastern and Southern Africa.
- IGAD - Inter-governmental Authority on Development.
- SADC - Southern African Development Community.
- ECCAS - Economic Community of Central African States.
- AMU - Arab Maghreb Union, and the;
- CEN-SAD - Community of the Sahel-Sahara States.

The multiplicity of memberships in the RECs has further been compounded by the emergence of the sub-sets of some of these major regional integration schemes. These sub-sets are also engaged in economic integration agenda in the continent, they include the:

- CEMAC - Central African Economic and Monetary Union

- UEMOA - West African Economic and Monetary Union
- CEPGL - Economic Community of the Great Lakes Countries
- IOC - Indian Ocean Commission
- MRU - Mano River Union
- SACU - Southern African Customs Union.

The identified problem is that all in all, this pushes up to 13 the recognisable total number of entities actively involved in the regional economic integration agenda of the AU, in what appears to be a totally uncoordinated fashion.

3.4.2 Policy Challenges

On the surface the complications created by the overlapping membership in the RECs appear to be a challenge facing the AU as an organisation. However, on closer scrutiny it becomes clear that it also impacts negatively on the work of the Commission in general and that of the AUC Chair in particular. In guiding the organisation into its ultimate destination, the AUC Chair is mandated to fulfil the unenviable task of harmonising and facilitating the relationships between the AU and RECs.

The assembly of the AU at its ordinary summit in Addis Ababa in January 2015 took a firm decision calling for the commencement of negotiations on the establishment of the Continental Free Trade Area (CTFA) in line with the agreed upon roadmap leading to the political and economic integration of the African continent.

3.4.3 Policy Recommendations

In furtherance of the continental integration agenda, the AU through the Chairperson of Commission should spearhead and support where it exists intra-REC collaboration. It is only by encouraging and proactively supporting intra-REC collaboration that the challenges posed by the overlapping memberships can be addressed and optimized to foster integration. This should be done by encouraging greater coordination, collaboration and eventual harmonization of the policies and programs of the RECs.

To bolster its leadership position, the establishment and operationalization of the proposed partnership coordination unit in the Bureau of the Chairperson should be treated as matter of high priority. This unit would provide the required leadership in the Commissions engagement with the RECs. It would serve as the nerve centre of the AU's relations with the RECs as it would be mandated to oversee the activities of the AU Liaison Offices to the RECs and other representational offices dealing with RECs. The model of intra-REC partnership reflected in the tripartite arrangement between COMESA, EAC and SADC should be encouraged and emulated in other regions.

3.5 Language, Cultural and Ideological Divide

3.5.1 Policy Problems

The language, and to a lesser extent, the attendant cultural divide, within the AU may not in itself be regarded as a major problem that faces the AUC. The AU member states are divided into five language categories, the Anglophone, Francophone, Arabic and Lusophone with only two of the 54 countries in Africa having adopted Spanish as an official language, - Equatorial Guinea and the small island state of Sao Tome and Principe.

One of the key problems confronting the success of the work of the Chair of the AUC in uniting and focusing the attention of member states of the AU towards the common goal of political and economic integration of the continent, is how to deal as firmly yet as sensitively as possible, with what is widely known as the “Policy of *Françafrique*”. It is one of the least publicly spoken about problems that confront the current leadership of the AUC in general and the AUC Chair in particular, yet it remains one of the most divisive in the Union.

The term “*Françafrique*” itself refers to France’s symbiotic relationship with its former colonies in the continent. The main source of this problem is the powerful grip and influence, real or perceived, that France is assumed to exert over supposedly independent African countries and members of the AU, who happen to be former colonies, and the way that influence impacts on the relationship between such countries, the other member states, and the AUC as well as its Chair.

This first key problem for the AUC executive leadership, especially considering that both the current Chair of the Commission and her Deputy are from Anglophone countries, leads to the second problem that Ogunmola (2009:233) terms the French hegemonic role as regards Francophone states. The leadership in the AUC have to devise creative strategies to counter the problematic outcomes related to the synchronisation of France's foreign and defence policies that have been effectively used to sustain France's hegemonic role in the domestic affairs of its former dominions.

This is exacerbated by the existence of the remnants of the old boys' network known in French as "*pré carré*" which refers to very close personal links and strong bonds that had been forged over time between members of the French governing elites and African political leaders of former French colonies in Africa.

The existence also of what Chafer (2002:346) refers to as the "Paris-African Complex", a shadowy loose structure that operates in the continent through both official and unofficial channels and is widely known as the networks or "*réseaux*" in French, adds to the problem. The intentions and aims of such proxies do not often coincide with those of the AU and that creates a problem for the leadership of the AUC which has stated that it needs all hands on deck from all member states, pulling in the same direction for the Agenda 2063 and other key continental projects.

According to Chafer (2002:362) the *réseaux* continue to operate with the connivance of France's secret service agencies and the President's "Africa Cell" and have been able to mobilise substantial financial, diplomatic and military resources in support of their objectives from key French companies operating in the African continent. Many of such companies are directly linked to the Paris-African Complex and effectively used to maintain French influence in Africa and also thwart all efforts to interfere with what is regarded as France's interests in the continent.

It is an open secret in most African political circles that France invested heavily, at least behind the scenes, and fought hard to retain some influence in the leadership and the actual management of the key organ of the AU institutional architecture, the

AUC. The fingerprints of the French involvement in what became a bruising battle for the leadership of the AUC in 2012 were apparent, despite protestations to the contrary and all the public denials. This has created a dilemma if not a problem for the AUC Chair that is not often talked about.

It may not necessarily have been due to malevolent intentions that France desperately wanted a candidate from a friendly Francophone country to retain the crucial position of the AUC chairperson. However, they clearly took sides in the high-profile, nine-month long race for the position of Chair of the Commission, between the then incumbent, Dr Jean Ping of Gabon and his challenger, Dr Nkosazana Dlamini-Zuma of South Africa. Most leaders of French-speaking African countries shared information with the SADC lobby teams at the time, of relentless and unprecedented pressure on them to vote against Dlamini-Zuma. This was all despite the fact that since the founding of the AU in 2002, the AUC has always had AUC chairpersons only from Francophone countries, and this was not coincidental. Dlamini-Zuma became the very first leader from an Anglophone country to be elected to the position, after one of the fiercest fights for a leadership position in the history of the organisation.

Amara Essy, former foreign minister of Côte d'Ivoire, was the inaugural Chair of the AUC. He was followed by the former President of Mali, Alpha Oumar Konare, who in turn was succeeded by the former foreign minister of Gabon, Dr Jean Ping. Of the seven elected Secretaries-General of the Organisation of African Union (OAU), from its founding in 1963 to its transformation in 2002, all were from Francophone countries. The only exception was Salim Ahmed Salim of Tanzania. Throughout this, France was always perceived to exert undue influence on executive leadership of continental bodies, at least behind the scenes.

The Chair of the AUC will also have to contend with the problem of navigating the ideological divide within the Union in her stated mandate of accelerating the integration process as well as setting in motion the implementation of the overarching framework, Agenda 2063. This ideological divide is between the maximalists' position which calls for the creation of the United States of Africa and the gradualists' position that favours a Unity Government as a preferred vehicle for

ultimate continental integration. The ideological divide in the AU on the issue of the continental integration process is rooted in three distinct factions that preceded the founding of the OAU in 1963 and still loom large in most current AU debates. The three factions are discussed at length in this paper under the heading, “Transforming the AUC to the AUA”.

3.5.2 Policy Challenges

One of the challenging tasks that the AUC Chair will have to deal with is that of finding a way to encourage Francophone Africa to be full and willing active participants in the Agenda 2063 roadmap and activities while not losing sight of the political, economic, cultural and highly effective networks that France maintains in Africa. The difference is that Anglophone countries have always acted more independently of their colonial history than the Francophone countries.

This challenge would largely be due to the relatively lopsided nature of France-Francophone African relations and it would be significant to note that such relations are in fact neo-colonialism coated in the mantle of cooperation (Ogunmola, 2009:234) and the glaring imbalance in this relationship has created a deep-rooted dependency according to Deutsch (1989). Tony Chafer (2001:167) strongly argues that in the case of France and her colonies in Africa, decolonisation did not mark an end, but rather a restructuring of the imperial relationship.

If what is suggested above is true, it is likely to pose a serious challenge for the executive leadership of the AUC in securing the buy-in of heads of states especially of former French colonies, in integrating their national economies into the broader economic integration agenda of the continent whilst acknowledging the reality of the existence of the bilateral treaties that got to be known as “cooperation accords”, that are in effect the umbilical cords that keeps the economies of the former colonies perpetually tied to that of France.

According to Douglas A Yates (2012:319), these cooperation accords not only include a full range of defence, economic, monetary, financial, commercial and technical assistance, they actually establish among other things, permanent bases

for French military forces in five of the former colonies: Côte d'Ivoire, Djibouti, Gabon, Senegal and Chad.

Yates (2012:319) reveals also that France signed these military accords in secret with former colonies and quotes a Gabonese scholar, Grégoire Biyogo, who lamented this secrecy by saying, "These cooperation accords remain something of a taboo subject. One finds very little university-level work or an essay on the matter, doubtless because of the extreme confidentiality in this particular sensitive domain". The retention of these accords, poses a long term challenge to the effective integrative work of the PSC of which the AUC Chair has some form of overall oversight.

Yates goes on to catalogue some of the more than 40 military interventions in Africa which he says have become a French speciality, facilitated by the cooperation accords. Yates (2012:333) appears to have not lost sight that nowadays, France uses its prominent membership in the European Union to "Europeanise" its military presence in Sub-Sahara Africa, while preserving its traditional sphere of influence in the region: "An examination of Gallic military intervention in Africa suggests that France uses the EU when it serves French interests, but when it does not, will go it alone". Yates (2012:320) describes this move as symbolising the increasing shift from unilateral to a multilateral approach in promoting France's security interest in Africa. These are some of the realities that the AUC Chair will be challenged to confront, in the role she plays reflecting the changing regional dynamics impacting on EU-Africa relations.

The issue of the French interest in maintaining some form of indirect control in the leadership of the key organ of the AU, presents the Chairperson of the AUC with the challenge of striking a fine balance between extending an olive branch to most Francophone member states who might at present feel disempowered by the recent developments¹ within the AU, without being seen as acting in a manner that seeks to perpetuate the language and cultural divide that could impact negatively on the

¹ Both the current chairperson and the deputy chairperson of the AUC are from Anglophone countries.

Chairperson's attempts to achieve core objectives of the organisation that the executive leadership of the Union is mandated to pursue.

Tied to the above, the other aspect of the challenge that confronts the Chair of the AUC is how best to tackle this emotive issue of *Françafrique* without alienating France considering the important role that France plays in the relationship between the European Union and the African Union. The AUC Chair might be unhappy about the possible meddling role that she might believe that France and its proxy networks plays in some conflict situations in the continent which at times appear designed to undermine the role of the Commission and the AU, yet has to remain conscious of the fact that it is the EU that provides the AU with funding lifeline and the crucial role that France plays in that mix.

It remains challenging for the Commission to deal openly and effectively with this aspect of French diplomacy, considering that over and above an extensive consular network in Africa, "*Françafrique*" is largely conducted via an elaborate underground diplomacy by concealed networks and unofficial emissaries that utilise a maze of power brokers to safeguard French interests in the continent, consisting of political leaders, businessmen, intelligence agents and military corps that includes mercenaries.

3.5.3 Policy Recommendations

The Chairperson of the AU should proactively engage former French colonies so as to progressively minimize if not totally eradicate their continued allegiance to France. This should be done through a well thought out strategy that addresses the gaps that will result from breaking the socio-economic and political bonds that has underpinned *Françafrique* for several decades. A central pillar of such a strategy would be to demonstrate in tangible terms the benefits of meaningful continental integration to AU member states and their citizens. While this is by no means an easy proposition, it is critical to tackle the "linguistic" divide if the African integration agenda is to be realized. To date, French policy in Africa has run parallel to continental and sub-regional integration efforts; this has to be remedied.

3.6 Lack of Centres of Gravity

3.6.1 Policy Problems

Another problem that is a crippling limitation for the AUC Chair is the apparent absence of crucial centres of gravity for the continent. Powerful member states within the AU are shy to stand up and be counted as anchor states that would at times of need be ready to take the lead and assist the AUC in fulfilling its mandate. Countries tend to shy away from being viewed as dominating hegemon or “Big Brothers”, and thus deprive the AU the leadership support that countries like France and Germany often provide the European Union.

In the past, the AU had to largely rely on sub-regional hegemon such as Nigeria and South Africa to implement some of its decisions on peace and security, within a clear legal framework. In line with this principle of subsidiarity, sub-regional bodies such as ECOWAS under the guiding hand of Nigeria and SADC under South Africa have taken effective action to promote peace and security, although the role of sub-regional hegemon in such arrangements can generate a sense of insecurity and resentment among the smaller participating states (International Colloquium Report, 2012).

What Africa desperately needs at the moment is a solid centre of gravity or centres of gravity that could help the continent overcome the obstacles to regional integration that at the moment look insurmountable. These centres of gravity would be when determined and highly capable leaders in society, as well as national leaders of strong and important countries that are sub-regional hegemon in their spheres of influence step up and take responsibility that stand to benefit not only their countries and regions, but their continents and at times beyond.

3.6.2 Policy Challenges

Capable African Heads of State, not only necessarily from powerful countries, should be appointed as continental focal points and spokespersons on global issues, and the AU should seek to appoint a foreign policy tsar on a biannual basis (Centre for Conflict Resolutions). An important recommendation out of the Berlin Colloquium in

2012 was that consideration should be given to creating a mechanism to formalise how the AU selects African non-permanent representatives to the UN Security Council. The proposal was that for instance, one of the three non-permanent seats could be rotated between Africa's major powers, another one between the continents middle powers and the third between the smaller African states.

There was suggestion as well during the Colloquium that this call should also be extended to senior African diplomats, especially from the more influential African countries that are based in strategic multilateral-fora worldwide, to coordinate their positions more effectively as well as for the common good of the continent in the same way as diplomats from key EU countries seem to be doing. An unlinked yet related proposal out of the Berlin meeting was that African countries that have the capacity and means should lead the way in fostering cross-fertilisation among national think tanks, institutes of higher education and policy makers using their own centres of knowledge production to promote policy development and implementation in support of the continent's integration efforts.

The main challenge that faces the AUC Chair on this particular issue is that she cannot count on the undivided and solid collective supporter on key AU priorities from countries that are regarded as the continent's powerhouses, especially South Africa and Nigeria, the two economically and militarily powerful states of Africa. With the serious problems that face the other three major African countries, Algeria, Libya and Egypt, due mainly to the aftermath of the Arab revolt of 2010 and 2011, Nigeria and South Africa, should have assumed the role of the centre of gravity to assist the AUC to drive the agenda and direction in much the same way the biggest European states – Germany, France and Britain – dominate the European Union (Tieku, 2012).

3.6.3 Policy Recommendations

In a comprehensive presentation on the "African Union at Ten", in 2012, prominent scholars Adekeye Adebajo and Mark Paterson, suggested that this centre of gravity could be made up of visionaries and hegemons in the continent and they cited examples of how this had happened to great effect in the past, both in Europe and in Africa.

The two scholars (Adebajo & Paterson, 2012:14) give examples of how such visionaries and regional hegemony took full responsibility for the establishment and the success of the European and African integration processes. They cite the case of a leading French technocrat, Jean Monnet, who is credited with overseeing the creation of the European Coal and Steel Community (ECSC) in 1951, and who was instrumental in bringing the six countries that led to the establishment of the European Union, which were Germany, France, Italy, Belgium, Luxembourg and the Netherlands.

Monnet was succeeded by another French visionary, Jacques Delors, who took up the European integration project started by Monnet. Delors is credited with overseeing the birth of the single market, the single currency and the European Union itself in 1993.

On the African side Adebajo and Paterson cite the visionary leadership of the Nigerian scholar and diplomat, Adebayo Adedeji who played a key role in the establishment of the Economic Community of 'West African States (ECOWAS). Adedeji was also instrumental in the establishment of the other two RECs, Comesa and ECCAS. The two scholars also mention the visionary role played by the former AUC Chair, Alpha Konare, the former President of Mali, in overseeing the creation and adoption of the AU Peace and Security Architecture.

At the national level, these authors identify the role played by visionary leaders of regional hegemony in both continents. In Europe it was the national partnership between German Chancellor, Helmut Kohl, and the French President, François Mitterrand which led to the creation of the EU and in Africa, it was the timely intervention of powerful leaders of two hegemony of the continent, South African President, Thabo Mbeki and his Nigerian counterpart, Olusegun Obasanjo that led to the creation of the AU, in the early 2000s.

The scholars point out an interesting observation of magnanimity of great leaders. In the case of Europe where Germany was in a stronger position, Kohl allowed Mitterrand to lead in the creation of the EU process; so also did Mbeki, who at the time was in a stronger position of the two, allowed Obasanjo to take the helm of the

new African integration process. This is the type of centre of gravity that the African continent is crying out for.

There are a variety of reasons this is not happening at this juncture. One of the key reasons that strong countries that have the means and capacity to lead seem to shy away from their crucial responsibility is that the role of the sub regional hegemony in such arrangements tend to generate a sense of insecurity and resentment among smaller participating states. The other is that instead of cooperation between potential anchor states in Africa, there is competition and debilitating rivalry. Major powers in the continent are side-tracked and diverted from that duty to represent the interest of the continent by squabbles about permanent seats on the UN Security Council (UNSC) that are not even on offer currently.

In a hypothetical and futuristic missive dated 24 January 2063, addressed to “her friend”, Kwame Nkrumah, that she refers to as “e-mail to the future”, the current AUC Chairperson Nkosazana Dlamini-Zuma, raises this anomaly when lamenting disunity in the leadership of the continent: “In 2006, if Africa was one country we would have been the 10th largest economy in the world. However, Instead of acting as one, with virtually every resource in the world, land, oceans, minerals, and energy with over a billion people, we acted as fifty-five small and fragmented individual countries. The bigger countries that should have been locomotives of African integration, failed to play their role at that time, and that is part of the reasons it took us so long. We did not realize our power, but instead relied on donors, that were euphemistically called partners”

3.7 Funding for the AU

3.7.1 Policy Problems

The major problem that faces the Chairperson of the AUC as the accounting officer of the African Union responsible for drawing up of the organisation’s budget, is the over reliance on funding and grants from external “partners”. The AU has three main sources of revenue to fund its operating costs as well as capital expenditure and programmes, namely contributions by member states according to a scale of assessment. Secondly, additional voluntary contribution to the Solidarity Fund by a

handful member states who can afford. However, the bulk of the funds to the AU budget – more than two thirds to be exact – are made available by external partners.

The Assembly, the highest decision-making body of the AU, at its 23rd Ordinary Session in June 2014 in Malabo, Equatorial Guinea, adopted a total budget of slightly more than US\$522 million for the African Union for the financial year 2015. This budget is 32 per cent higher than the 2014 which totalled US\$278, 2 million. Of the US\$522 million, the 54 AU member states are expected to contribute a mere US\$131, 4 million.

The Union has already secured US\$225, 5 million from international partners, which is almost double of what the member states themselves would be contributing. These figures leave a budget shortfall of almost US\$150 million. Instead of looking for and finding means to raise the funds from their own resources to cover this shortfall, the Assembly took a decision in Malabo to urge the AUC to solicit funds “from international partners” to close the funding gap on the Programme Budget, with the proviso that if not enough funds have been secured by the end of 2014 to cover this funding gap, all the AU activities without funding from the budget should be scrapped. (Assembly/AU/Dec. 544 (XX111), P2).

In reality this means that AU member states would collectively contribute only 28 per cent to their own budget while the international partners are responsible for the 72 per cent. The formula on which AU budgeting is structured is at the root of this unsustainable dependency problem. The contributions assessed to member states are arrived at based on the total budget estimates, minus the projected contributions to be received from external partners. In a nutshell, this means that AU member states only have to top up what is the shortfall from the contributions of partners, instead of the other way round.

Another problem facing the AUC and its Chairperson in raising adequate funds for operations and programmes of the Union is the political and economic instability recently experienced by some among five key member states of the AU that were all along responsible for literally keeping the organisation afloat by jointly contributing 75

per cent of the portion of the budget expected to be paid by the member states. The five key contributing countries are South Africa, Nigeria, Algeria, Libya and Egypt.

The 2011 crisis in North Africa has seen a dramatic reduction of funding from countries directly and indirectly affected by the “Arab Spring”. The other aspect of this problem is failure of a significant number of the member states of the AU to meet their financial obligations to the Union and with even those who can afford failing to disburse their dues on time.

The former Libyan leader, Muammar Gaddafi, was an important contributor to AU coffers and a benevolent financial supporter of a number of smaller and poorer member states who could hardly afford to meet their obligations to the Union. Egypt under former president Hosni Mubarak was also a major funder of the AU, as was Algeria under President Abdelaziz Bouteflika. Both Gaddafi and Mubarak are gone and the administrations that replaced them don't seem to be in any position to carry on where they left off.

Algeria is also undergoing its own serious internal problems; Bouteflika remains in power, but only just. He is ill and virtually secluded and plays no active role in the affairs of the AU as he used to. South Africa and Nigeria also face their own internal problems and would find it extremely difficult to carry the extra load as some expect them to do.

3.7.2 Policy Challenges

The heavy preponderance of donor funding of the operations and programmes of the African Union, more especially the African Peace and Security Architecture, poses serious challenges for the AU and raise questions of legitimacy and ownership. This became more clearer and extremely embarrassing for the leaders of the AU when the EU effectively used their funding of the operations of the AUPSC to block whatever attempt by the AU to intervene in Libya, when the “international partners” had taken a decision to invade Libya, kill Gaddafi and effect a regime change, whilst bypassing and isolating the African Union.

If the AU allows the cooperating partners to underwrite their security architecture, the AUC Commission and its Chairperson would be hamstrung in implementing the African agenda in an unhindered manner. Over-reliance on donor funding has allowed plenty of room for continuation of neo-colonial manipulation by extra-continental powers. Adebayo Olukoshi (2009:46) believes that these donors mostly do this with an objective interest in controlling the pace and content of the investments which Africans were making into the construction of unity and integration of the continent.

3.7.3 Policy Recommendations

The administration, capacity, funding, human resources and other planning challenges faced by the African Union can only be properly addressed if AU member states commit to funding the organization. The continued reliance on partner support for its programs and activities undercuts the *raison d'être* of establishing the AU, which is to foster to “collective self-reliance.”

The Chairperson of the Commission should engage member states and convince them to adopt and implement crucial decisions relating to the issue of funding including the Audit of the African Union of 2007 and the Assessment Study of 2010 titled; “Moving Africa Forward: Africa Peace and Security Architecture,” and Report of the High-Level Panel led by former President of Nigeria, H.E. Olusegun Obasanjo on “alternative sources of funding”. It would also be important to consider a variety of studies that have been commissioned in the past as well as recommendations that emerged from an August 2012 Berlin Colloquium, on “The African Union at Ten: Aspirations and Reality”.

The AU could also draw valuable lessons from some the RECs, as well as the United Nations which has also explored additional sources of revenue, including from some of the following sources:

- Surcharge on international mail and communications
- Fee for use of international waterways
- Licensing fees or other charges for use of outer space
- Taxes on international travel and passport fees

- Taxes earmarked for UN use but collected by member states.

Conclusion

This paper explored the challenges and opportunities relating to the executive leadership of the AU with a specific focus on the role of the Commission and its Chairperson. Among other things, the paper concludes that the African integration agenda would not be easily realised if the role, mandate and leadership of the Commission is not reconfigured. In other words, there are both structural and normative changes that are required in order to position the AUC as the nerve-centre of the continental integration agenda.

In its current form, the Chairperson of the AUC is severely limited in initiating and even implementing approved programs due to a structural gap which translates to the Chairperson being *primus inter pares* with the Deputy Chair and Commissioners since all of them are elected officials. In practical terms, this means, Commissioners are not under any obligation to follow the directives of the Chairperson thereby undermining “unity of efforts.” Thus, the AU would find it difficult if not impossible to “deliver as one” with serious consequences for the integration agenda.

In addition to the normative and structural/institutional challenges identified in the paper, the leadership of the AUC is also hamstrung by the failure of member states to fund its activities and programs. The heavy reliance on donor support undermines the principle of ownership and the ability of the leadership of the Commission to execute their mandate, even in its limited form, without hindrance.

Questions relating to the large number of RECs and RMs and overlapping membership, the meddling of external powers especially France through its former colonies and other associated issues continue to challenge the leadership of the AUC.

Limited or waning political will/commitment of member states is perhaps the most pronounced challenge confronting the leadership of the AUC. For instance, the failure to decidedly implement crucial recommendations made by the High Level Panel of the 2007 Audit of the African Union, stands out as a demonstration of the

absence of political commitment by AU Assembly, the highest decision making body of the organization. When the setting up of the Audit was announced, it was widely touted as an historic initiative that demonstrated the vision, the courage and foresight of African leaders.

The writers of the foreword for the Audit (2007:iii) even declared that by taking this historic step to undertake a systematic examination and self-assessment of the performance of the African Union, African leaders have reasserted their collective self-reliance and have, once again, concretized the claim of Africa to own the twenty-first century. However, since 2007 the Assembly has failed to support implementation of the crucial recommendations of the Audit.

While the findings of the Report may not provide the silver bullet for all the organisation's ills, it nonetheless provides the basis for a good start.

In order to address the challenges and leverage the opportunities at the disposal of the leadership of the AUC, the Assembly needs to support the necessary normative, legal and institutional reforms that are required for the attainment of the continental integration agenda. As a starting point, the AU should deal with the issue of the Chairperson being *primus inter pares* with the Deputy Chairperson and the Commissioners.

It should amend its rules and regulations relating to the appointment of these officials. The Chairperson should be mandated to nominate individuals for these positions; the nominees should be subsequently confirmed by the Executive Council. In approving the list of nominees, the Executive Council would serve as a check on the Chairperson to avoid any potential abuse of his/her new mandate. Doing so would be an important first step in the long journey of reforming the AU Commission so that it can deliver on its mandate.

Bibliography

- Adebajo, A & Paterson, M (eds.), (2012). *Africa Union at Ten: Problems, Progress and Prospects*. (International Colloquium Report). Centre for Conflict Resolution, Cape Town. SA and Friedrich Ebert Stiftung, Berlin, Germany.
- Adebajo, A. & Whiteman, K. (eds.), (2012). *The EU and Africa: From the Eurafrique to Afro-Europa*. South Africa, Wits University Press.
- African Union, (1991). *Treaty establishing the African Economic Community (AEC)*, adopted at Abuja, Nigeria on 3rd June.
- African Union, (2000). *Constitutive Act*, adopted by the 36th ordinary session of the Assembly of Heads of State and Government, Lome, Togo, in July.
- African Union, (2002). 'Rules of Procedure of Assembly of the Union' adopted in July by the 1st ordinary session of the Assembly in Durban, South Africa and amended by the 8th ordinary session of the Assembly in Addis Ababa, Ethiopia, in January 2007.
- African Union, (2002). *Statute of the Commission of the African Union*, adopted at the First Ordinary Session, South Africa, 9-10th July.
- African Union, (2007). *Audit Report of the African Union*, Addis Ababa, Ethiopia.
- African Union, (2009). *General Assembly, Transformation of the African Commission into the African Union Authority*, Addis Ababa, in January. (Assembly/AU/Dec.233 (X111)).
- African Union, (2009). *Strategic Plan of the AU, 2009 – 2012*. Doc. Assembly/AU/3 (X111), adopted in Sirte, Libya on 3rd July.
- Aggestam, L. (2008). 'Ethical Power Europe'. *International Affairs*. Volume 84, Issue 1: 1-11.
- Archer, C. (1992). *International Organisations*. 2nd Ed. Routledge, London.
- Archer, C. (2001). *International Organisations*. (3rd Ed.). Routledge, New York.
- Ayangafac, C. & Mpyisi, K (2009). 'Situation Report of the Institute for Security Studies' dated 18 June 2009. Pretoria, South Africa.
- Baregu, M. (2005). "The African Economic Community and EAC: Any lessons from the EU", in *The Making of a Region*, (Ed.) Rok Ajulu. Institute for Global Dialogue, Midrand. South Africa.
- Barros, J. (1979). *Office without power: Secretary-General Sir Eric Drummond, 1919-1933*. Oxford: Clarendon.
- Benett, AL. & Oliver, JK, (2002). *International Organisations: Principles and Issues*. 7th Ed. Prentice Hall, Upper Saddle River, New Jersey.
- Blavoukos, S. & Bourantonis, D. (2013). 'The role and power of the chairs in international organisations'. *Routledge Handbook of International Organisations*. (Ed.) Bob Reinalda, Routledge.
- Chafer, T. (2002). 'Franco-African Relations: No Longer So Exceptional'. *African Affairs* 101, 343-363. Royal African Society.

- Chapman, J. (1989). *French Power in Africa*. Basil Blackwell, Oxford, London.
- Charbonneau, B (2008). 'Dreams of an Empire: France, Europe and the New Interventionism in Africa'. *Modern and Contemporary France*, Routledge 16:3, 279 – 295, DOI.
- Clapham, C. (1996). *Africa and the International System*. Cambridge, Cambridge University Press, London.
- Cox, RW. (1969). 'The Executive Head: An essay on leadership in international Organisations'. *International Organisations*, 23, 205 – 230.
- Deutsch, KW. (1989). *The analysis of International Relations*. New Delhi: Prentice – Hall of India Private Limited.
- Haas, EB. (1964). *Beyond the Nation-States: Functionalism and International Organisation*. Stanford University Press, California, USA.
- Hermann, MG. (1999). *Assessing Leadership Style: A Trait Analysis*. Hilliard, OH: Social Science Automation Inc.
- Kaarbo, J. (1997). 'Prime Minister leadership styles in foreign policy decision-making: A framework for research'. *Political Psychology*, 18, 553-581.
- Kane, I. & Mbelle, N. (2007). *Towards a People-Driven African Union: Current obstacles and opportunities*. Open Society Institute for Southern Africa and Oxfam, Great Britain.
- Kille, KJ. & Scully, RM. (2003). 'Executive Heads and the Role of Intergovernmental Organisations: Expansionist Leadership in the United Nations and European Union', *Political Psychology*, Vol. 24, No.1 Blackwell Publishing, MA. USA.
- Kille, KJ. (2013). 'Secretaries-General of International Organisations: Leadership Capacity and Qualities'. *Routledge Handbook of International Organisations*. (eds.) Bob Reinalda. Routledge.
- Laporte, G. & MaCkie, J. (eds.) (2010). *Building the African Union: An assessment of past progress and future prospects for the African Union's Institutional Architecture*.
- Manners, I. (2008). 'The Normative Ethics of the European Union'. *International Affairs*, Volume 84, Issue 1: 45-60
- Maru, TM. (2012). 'Rethinking and Reforming the African Union Commission Elections'. *African Security Review*, 21: P 4, 67 – 78, DOI.
- Nanjira, DD. (2010). *African Foreign Policy and Diplomacy from Antiquity to the 21st Century*. Praeger, Oxford, England.
- Neustadt, R. (1960). *Presidential Power: The Politics of Leadership*. John Wiley and Sons. New York.
- Ogunmola, D. (2009). 'Redesigning Cooperation: The Eschatology of Franco-African Relations'. *Journal of Social Sciences*, 19 (3): 233 – 242.
- Olukoshi, A. (2010). "The African Union and African Integration: Retrospect and Prospect", in *Building the African Union: an assessment of the past progress and future prospects for the African Union's institutional architecture*. (eds.) Geert Laporte and James MaCkie. (ECDPM Policy and Management Report 18). Maastricht: ECDPM www.ecdpm.org/pmr18.

- Pentland, C. (2005). 'The European Union and civil conflict in Africa'. *International Journal*, vol. 60, no 4, 919 – 936.
- Yates, D. (2002). 'France, the EU and Africa', in *From Eurafrique to Afro-Europa*. Adekeye Adebajo and Kaye Whiteman. (eds.) South Africa, Wits University Press.