

**IS THE AFRICAN UNION AN EXACT REPLICATION OF THE OLD OAU?  
A COMPARATIVE STUDY OF OAU AND AU**

By

**GHEBREMEDHIN, Daniel**

**THESIS**

Submitted to

KDI School of Public Policy and Management

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Committee in charge:

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## **ABSTRACT**

### **IS THE AFRICAN UNION AN EXACT REPLICATION OF THE OLD OAU?**

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**By**

Daniel Ghebremedhin

As a continental Organization with almost half a century existence where its charters were molded to address the 1960's issues, The Organization of African Unity (OAU) was considered to be old enough to tackle Africa's twenty first century challenges. Consequently it was replaced with a new and restructured union, which is believed to be capable of addressing the pressing challenges facing Africa. Nevertheless this historical breakthrough raised an important question on the originality and effectiveness of the newly restructured African Union (AU).

With the above mentioned arguments in view, the thesis will provide a comparative analysis of the two organizations. In order to give a clear picture on the differences and achievements of the two organizations, the paper will emphasis on the differences in charters, Organs and the principles they are created for.

The three parameters which have been used by Ian Hurd as the bases for measuring the effectiveness of regional and international organization namely, Effectiveness, Membership and persistence are used in this study to measure the success and effectiveness of both organizations.

Moreover, major conflicts have also been discussed in this study to explore the contributions and roles played by the two organizations to settle major conflicts. It is believed to be an important parameter to measure effectiveness.

Generally speaking the progress and functioning of the African Union in general and the new organs of the African union in particular in the past decade is very gradual. Nevertheless, the overall structure and the union's mission is a real departure from the old OAU. In areas of crises and conflict resolution, the African Union still lacks the resources and enforcement mechanism as its predecessor.

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## INTRODUCTION/ ISSUE BACKGROUND

The new millennium had urged head of African states to create the African Union (AU) replacing a four decade old Organization, OAU, which was in existence since 1963. The founding of the OAU was as a result of a long struggle by the Pan- African movement, which goes back to the nineteenth century.

The pan Africanism was structured along a series of phases or conferences. The first conference was held in London in 1900. Up until the mid of 1940s, there were successive conferences of the pan African movement. In terms of achievement the most successful one was the fifth Pan-African Congress which was held in Manchester, England in 1945. One of the reasons behind its success was the attendance by a large number of activists from all over the world mainly US, Europe and Africa. Moreover for the first time in its history leading African nationalists such as Kenyatta and Nkrumah attended the conference. This pan African movement was planted in home land Africa when Ghana became the first black African country to gain independence. Soon after independence i.e. in 1959, Ghana organized the All-Africa Conference in the capital Accra. Since it was for the first time to be held in an independent African nation, it was celebrated with a lot of enthusiasm. As Abdalla Bujra stated in his article from OAU to AU, the late Abdul Rahman believed that the Accra meeting was instrumental in providing important psychological, political and practical boost to nationalist movements within the basis of pan-African unity.<sup>1</sup>

Though the leaders of the then newly independent African nations were enthusiastic in

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<sup>1</sup> Abdall , Bujra, “From the OAU to the African Union” (working paper based on a lecture delivered by Dr. Abdalla Bujra at the African Centre for Research and Training in Social Development, Tripoli, 2002).

forming a continental unity, they could not come in to an agreement in to the process of acquiring unity. Some leaders supported a loose and gradual unity which could be achieved first by attaining economic integration while others pursue a straight political unity with one Government and one common currency. As a result two blocks with a divergent view of approaching unity emerged, the Casablanca and the Monrovia group.

The Casablanca group under the leadership of Kwame Nkrumah, leader of the first independent African nation, introduced the concept of pan African unity to the continent. Nkrumah, Sekou Toure of Guinea, and Modibo Keita of Mali preferred immediate and complete unity, with a unified African military. Soon after, Egypt, the provisional government of Algeria, and Morocco joined the Ghana-Guinea-Mali Union to form the Casablanca Group.<sup>2</sup>

The other block, which advocated for a more gradual approach to African unity, was called the Monrovia Group. It was made up of 24 countries including Nigeria, Liberia, Senegal, Ivory Coast, Cameroon, and Togo. This group emphasizes in a more gradual approach to African unity, combining economies across borders as a first step. According to various political spectators of the time the difference in between the two blocks was a perpetual barrier for African unity.<sup>3</sup>

Despite the above mentioned differences on the means of unity, representative of the two groups came together in Addis Ababa on 25 of May 1963 and formed the Organization of the African Union. Generally, the need for a continental organization which would address a common challenge of the time was the core theme of the organization. The main objective behind the formation of the OAU was to promote the unity and solidarity of African countries, to

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<sup>2</sup> Kane, Ibrahima, and Mbelle, Nobuntu."Towards a People-driven African Union: Current Obstacles & New Opportunities" ( Harare, 2007)

<sup>3</sup> Badejo, Diedre, The African Union. ( New York: Chelsea House, 2008), 29

defend the sovereignty of member states, to eradicate all forms of colonialism and promote international cooperation while fighting colonialism and apartheid.<sup>4</sup> Moreover harmonization and coordination of Member States' economic, diplomatic, educational, health and welfare policies were part of the Organization broad objectives.<sup>5</sup>

Throughout its history, the OAU tried to fulfill its founding principles. Apart from fighting Colonialism and Addressing of South African Apartheid to the United Nations, the Organization failed to bring about any tangible result, Neither an economic nor political integration. Thus there came a new political movement, which calls for a new continental organization that could address the twenty first century global challenges and African unity.<sup>6</sup>

The prime mover behind the formation of African Union is the late president of Libya Muhamer al Gadhafi. On 9 September 1999, the Heads of State of the Organization of African Unity issued the Sirte Declaration and called for the formation of an African Union. A number of factors have also facilitated for this transition. Socio economic development around the world, slow pace of African economic integration and the need for a new way of doing things such as building partnerships can be outlined among others.<sup>7</sup>

In the meantime three summits have been held to promote the implementation of the African Union. These successive summits had their own unique significance. While the Lome Summit of 2000 adopted the Constitutive Act of the African Union, which specifies the objectives and organs of the Union, the Lusaka Summit of 2001 was instrumental in drawing the

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<sup>4</sup> Badejo, Diedre, *The African Union*. ( New York: Chelsea House, 2008), 27

<sup>5</sup> Yuna Han, "A More Perfect Union," *Harvard International Review* (2008)

<sup>6</sup> Rossi Gianluigi "The OAU: results of a decade," *International Journal of Politics*, Vol. 4, No. 4, *East African Politics* (Winter 1974-75) :15-34

<sup>7</sup> Sharkdam Wapmuk, "In Search of Greater Unity: African States and the Quest for an African Union Government", *Journal of Alternative Perspectives in the Social Sciences*, Vol 1, No 3 ( 2009)

road map for the implementation of the AU. Finally, Durban Summit of 2002 brought the AU in to reality and convened the First Assembly of Heads of States of the African Union.<sup>8</sup>

Nowadays there is a great skepticism about the effectiveness of the African Union. Some Scholars believe that the objective of the African union especially acquiring political integration is impractical and hard to achieve. Nonetheless, still some are optimist. Though the past ten years is too short to judge the effectiveness of the African Union, the prospect of the Union seems to be promising.

### **REASERCH QUESTION**

Almost fifteen years has elapsed since the OAU was restructured and replaced by a new organization with a mission of tackling the current challenges facing Africa. There still exists a debate on the originality and effectiveness of the new organization. Thus the study will embark on the following research question:

To what extent is the new African Union a new and different institution capable of tackling the challenges facing Africa in which the OAU was unable to address?

Although fifteen years might not seem enough to determine the effectiveness of an organization, it still is sufficient to give an overall picture of the organization's political and economic achievements. Therefore, the paper will try to explore initiatives and concrete development steps taken towards attaining the core goals and objectives of the union.

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<sup>8</sup> Tiyanjana maluwa, "Ratification of African union treaties by member states: Law, Policy and Practice," Melbourne Journal of International Law Vol. 13 (2012):637-655.

## **OBJECTIVES OF THE STUDY**

The overall objectives of the paper are to examine the general structure of the Organization of African Union (OAU) and African Union (AU) and make comparative analyses on the originality and effectiveness of the African Union. Moreover the paper also identifies the major structures, provisions and Organs incorporated in to the new Union and accesses their contributions towards the success of the AU in bringing economic and political integration.

## **SIGNIFICANCE OF THE STUDY**

The paper will give a clear picture of the two organizations, which existed at different point of times with differing purposes. As a result, it could be used as a reference for those who have faith on the prospects of the African union and for those who are skeptical on the practicality of the Union.

Having exploring the challenge facing the Union, the paper would also provide constructive recommendations on the approach that the union is following towards political and Economic integration.

## **METHODOLOGY**

Since the African Union and its predecessor, the Organization of African Union is in the category of regional Organizations, it is important to define a region. Generally speaking there is lack of agreement among scholars of regionalism on the definition of a region and there exist many definitions of regions, regional integration, and related concepts. One of the prominent regionalist Scholar is Josep Nye. He defined Region as limited number of states linked together

by geographical relationship and by the degree of mutual interdependence. Nonetheless many scholars still disagree on the importance of geography for defining a region.<sup>9</sup>

Delombaerde and Van langenhove have their own definition and defined region as follows; “a multi-dimensional process of social transformation whereby actors, associated with (sub-) national governance levels and belonging to a limited number of different states, intensify their interactions through the reduction of obstacles, the implementation of coordinated or common actions and policies, and/or the creation of regional institutions, thereby creating a new relevant (regional) space for many aspects of human behavior and activities.”<sup>10</sup>

The proposed study follows a qualitative research approach with a comparative study of the constitutive acts, provisions and organs of Organization of African Union (OAU) and the new African Union (AU). In general comparativists main interest is identifying the similarities and differences of the subjects of their studies. This Knowledge provides an understanding of diverse historical outcomes and processes and for current institutional arrangements.<sup>11</sup> Thus it is worth to use it as research methodology especially in comparing countries and institutions.

As Pennings has defined, there are several advantages and disadvantages to selecting countries as comparators (the units being compared). “One disadvantage is that sometimes within-country differences are obscured, since in some national units, e.g. post-unification

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<sup>9</sup> Joseph N. Nye, *Peace in parts: Integration and Conflict in International Organization*. ( Boston: Little brown and Company, 1971).

<sup>10</sup> Timothy M. Shaw, and Scarlett Cornelissen. *The International political economy of new regionalism series*. (Surrey: Ashgate publishing company, 2011), 32

<sup>11</sup> Ragin Charles, *The Comparative Method: Moving Beyond Qualitative and Quantitative* (Los Angeles: University of California Press, 1987),6

Germany, internal diversity may be greater than the diversity observed”.<sup>12</sup> However in the case of OAU and AU, the comparison is in between two organizations in the same region which existed at different times with almost the same member countries and almost same socio economic make up, as a result the comparison would not have such problem.

The two Organizations i.e. Organization of African Union and African Union are the observations in this study, also referred to as the units of observation. The Data to be analyzed is Constitutive act of OAU, AU and main organs of the organizations. Moreover Cases of conflicts and respective organizations contribution in solving the problem would be also part of the analyses. Major conflicts such as the Rwandan genocide during the OAU term and the conflict in Darfur with in the African Union would be part of the study.

Due to the multi-faceted nature and meaning of Success and effectiveness, it is difficult to determine the Success or failure of regional organizations; still we can formulate certain parameters that would help us at least examine the progress and status of an organization. Ian Hurd, in his Book International Organizations: politics, Law, practice, proposed and used three approaches that are useful in assessing the success of an International organization. These approaches can serve as a baseline for comparison. These indicators are:

1. Growth in Membership
2. Longevity or persistence
3. Effectiveness

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<sup>12</sup> Paul Pennings, Keman, Hans, & Kleinnijenhuis, Doing research in political science. (London: Sage Publications, 1999), 50

The above mentioned three approaches would be relevant in comparing the two organizations. As P. Karns and Karen A. Mingst argue, The Relative Success and failure of regionalism like governance in general, rests on the assessments of the degree to which objectives were achieved and problems managed or solved.<sup>13</sup> Thus the paper will concentrate much on the third approach. In this case Effectiveness is defined as; to what extent does the Organization attained the objectives in which it was created to accomplish or to what extent does the Organization managed or solved the problems that faced it.

## **LITERATURE REVIEW**

Several scholars contend on the prospect and effectiveness of the African Union. Sharkdam Wapmuk is one of them. In his paper titled, “In Search of Greater Unity”, Sahrkdam explored the notion of an African union government and tried to answer whether African states are ready to unify under a single government. Moreover he also examined African leader’s approach and response to the idea of union government. The paper also discusses the efforts at building a continental unity. He further concluded that, Africa has a lot of issues and problems to address like violent conflict, poverty, underdevelopment and bad governance. Thus before going for a political Unity, these challenges should serve as a reuniting point. He also favors to deepen integration at the national level to promote African Unity.<sup>14</sup>

Zeray yhdego specifically looked in areas especially related to the principles relating to democracy, the rule of law and human rights. He argues that the overall institutional seed

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<sup>13</sup> Karens Margaret and Mingst Karen , International Organization: The politics and process of Global Governance.( Colorado:Lynne Rienner publisher, 2010), 147

<sup>14</sup>Sharkdam Wapmuk, “In Search of Greater Unity: African States and the Quest for an African Union Government”, Journal of Alternative Perspectives in the Social Sciences, Vol 1, No 3 ( 2009)



introduced by the African Union is to some extent comprehensive and ambitious in comparison to Organization of African union. Moreover He concluded that with few exceptions, the African continent is lagging behind in building supranational and national institutions that are capable of implementing AU's values.<sup>15</sup>

On the contrary, Leila's argument towards the African union is positive especially when he compared the two organizations on the issue of sovereignty. He argues that that African Union view of Sovereignty is very different from OAU. Unlike the OAU, the AU adopted the notion that sovereignty is not a privilege that all states deserve, but rather it is a responsibility and when a government fails to meet these responsibilities, its right to sovereignty is lost. In his statement, it is this new outlook that enabled the AU to commit to the values of Pan Africanism. Furthermore he came to conclude that, AU has a greater capacity to acquire the ideal of Pan Africanism provided the notion of popular sovereignty is entrenched in its constitutions.<sup>16</sup>

Kane and Mbelle, (2007) study of the AU was to one dimension of the organization. Nowadays, it is clear that civil Societies are increasingly becoming influential actors in the decision making of regional and international organizations. Kane and Mbelle's study provides an extensive study of the Civil Society Organizations currently working with African Union to realize its vision. He claims that the advent of the African union in the beginning of the twenty first century gave a hope of a strong and united continent composed of democratic states with full civil society participation. However the current engagements of civil society did not reflect the supposed plan.<sup>17</sup>

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<sup>15</sup> Zeray Yihdego, "The African Union: Founding Principles, Frameworks and Prospects," *European Law Journal*, Vol. 17, No. 5 (2011): pp. 568–594.

<sup>16</sup> Leila J. Farmer, "sovereignty and the African Union," *The Journal of Pan African Studies*, vol.4, no.10, (2012):93-104.

<sup>17</sup> Ibrahima, Kane and Nobuntu, Mbelle, "Towards a People-driven African Union: Current Obstacles & New

Having the above mentioned weakness in place, the authors did not deny the fact that ever since the formation of the OAU, the civil Societies got recognition as an important player in developing the continent only with the AU formation. He strongly believes the fact that the inclusion of ECOSOCC as an organ with an advisory status was a great leap forward in giving civil society representatives a formal advisory role in AU institutions and decision-making processes.

The report concludes that, the promise of people driven African Union is still unfulfilled although a considerable space has been opened up for greater and more sustained participation by a diversity of interested groups.

According to Jonathan D. Rechner, the AU treaty is an ambitious project that reflects the global trend towards economic integration. Nonetheless when he compared the two organizations, he gave credit to the founders of the African Union. He described it as follows, “the successes and failures of the OAU were recognized by the founders of the AU, and many institutional changes were made to overcome the OAU's limitations.”<sup>18</sup> He further recommended that the AU, as envisioned, is a new institution with the capabilities to deal with twenty-first century African problems. Now is the time to put theory to practice. Finally he noted that, AU’s contribution to the peaceful settlement of disputes indicates the Union’s progress while it is too early to assess its contribution.

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Opportunities” (research report coordinated by Osfam GB and Africa network on dent and development, Harare, 2006).

<sup>18</sup> Rechner, Jonathan, “From the OAU to the AU: A Normative Shift with Implications for Peacekeeping and Conflict Management,” *Vanderbilt Journal of Transnational Law*, 39 *Vand. J. Transnat'l L.* 543 (2006) 6-8

Apart from Jonathan D. Rechner, all the above mentioned authors took specific and narrow issues related to the two organizations. Though taking specific issues is helpful to have a deep understanding of the issue and discuss it in details, it is not enough to compare and assess the credibility and efficiency of an organization. In order to compare and have a general and deep understanding of an organization, the study must be all inclusive that covers at least the major areas, which are at the top of the two organizations agenda. Especially when conducting a comparative analysis of two organizations, it is better to be inclusive at least the major pillars behind the formation of the two Organizations. Thus I will try to encompass at least the founding principles and try to fill the above mentioned gaps and draw backs.

## **THEORETICAL PERSPECTIVE TO REGIONAL INTEGRATION**

According to Haas, Ernst B, Regionalism is defined as “a process whereby political actors in several distinct national settings are persuaded to shift their loyalties, expectations and political activities toward a new center, whose institutions possess or demand jurisdiction over pre-existing national states. The end result of a process of political integration is a new political community, superimposed over the pre-existing ones.”<sup>19</sup>

Those who are involved in defining the concept of region are comfortable to encompass three important criteria together i.e. Physical, political, and economic criteria's in one, nonetheless prominent scholars of regionalism take one defining trait of a region as a single one to define a region. For instance Edward Mansfield and Helen Milner stress on geographical Proximity and specificity as the basic defining characters of a region. From the economist's point of view, the

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<sup>19</sup> Haas Ernst, *The Uniting of Europe: Political, Social and Economic forces 1950-1957*. (Notre Dame: University of Notre Dame Press, 2004), 16.

choice is obvious that a region is coextensive with a preferential trading agreement or a customs union.<sup>20</sup> Some scholars even give credit to military and political motives in initiating an organization like the Organization of African Union and the North Atlantic treaty organization during the cold war.<sup>21</sup>

From the very beginning African leader had a common consensus on the notion of a United States of Africa i.e. the Relocation of political power and authority, either partial or complete. However the real problem was on to how to achieve integration. Some leaders favored a loose and gradual unity, which could be achieved through gradual economic integration while others pursue a straight political unity with one Government and one common currency. Likewise this became a subject of serious debate among the federalists, realists, functionalists, and several other integration theorists. Wapmuck, in his paper titled In Search of Greater Unity clearly summarized the arguments laid down by these different groups:<sup>22</sup>

Neoliberal institutionalist argue that regionalism is a process whereby regional institutions, such as the European Union , help to minimize the costs associated with collective action and improve the capability and potential for states to get involved a in long-term reciprocal relationships. Similarly neo-functionalists argue that, regionalism involves the process of integration of nation-states toward regional institutions that possess the authority to provide functional needs.<sup>23</sup>

On the contrary neorealist view regionalism differently. They believe that states cooperate regionally in order to balance power against other states or regions in an anarchical world. This

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<sup>20</sup> Raimon Varynen, “Regionalism: Old and New,” *International Studies Review* Vol. 5, No. 1 (Mar., 2003): 25-51

<sup>21</sup> Raimon Varynen, “Regionalism: Old and New,” *International Studies Review* Vol. 5, No. 1 (Mar., 2003): 25-51

<sup>22</sup> Sharkdam Wapmuk, “In Search of Greater Unity: African States and the Quest for an African Union Government,” *Journal of Alternative Perspectives in the Social Sciences*, Vol 1, No 3 ( 2009):645-671

<sup>23</sup> *Ibid.* p 648

perspective could best describe the reason behind the formation of OAU. As it is explained in the introductory part, leaders of the newly independent African nations urged to form the OAU to counter balance colonialism and fight imperialist expansion.

According to Mitrany, the federalist approach to integration argue that different entities come together in order to create a central unit to which they surrender their sovereignty, thus leading to the creation of a supra-national entity. Besides they assume that through time establishment of political organization and the overall processes that can address political issues has a long run goal of endorsing greater unity and development. They too argue that this approach accelerates the process in addressing the most important political question of state sovereignty which is a serious problem for African integration. The most important puzzle that comes to mind and must be answered after reading mitrany approach to integrity is the question of African leaders and states reluctance to sacrifice their sovereignty and pursue federalism under a supra-national authority. The issue of having strong African government has been raised during different occasions. The most recent one was in Addis Ababa in 2009 by Muammar al-Gaddafi of Libya.<sup>24</sup>

Realists have expressed serious reservations on Africa's ability to withstand as one territorial regional power. This is due to the reluctance of African nations to sacrifice their sovereignty and Africa's lack of physical and institutional infrastructure to support this kind of arrangement. Moreover, they have also pointed out that the lack of political will on the part of leaders to surrender their exclusive claim to sovereignty is paramount too.<sup>25</sup>

As a theory of international relations, Functionalism gets prominence during the inter-War period mainly from the strong concern for a state being as an obsolete form of social

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<sup>24</sup> Sharkdam Wapmuk, "In Search of Greater Unity: African States and the Quest for an African Union Government," *Journal of Alternative Perspectives in the Social Sciences*, Vol 1, No 3 ( 2009):645-671

<sup>25</sup> *Ibid*, 645-671

organization. Apart from self-interest of nation-states that realists see as a motivating factor, functionalists concentrate more on common interests and needs shared by states and non-state actors in a process of global integration which is triggered by the wearing away of state sovereignty.<sup>26</sup>

Unlike the above mentioned theories of integrations, the functionalist approach favors for a gradual approach to integration i.e. 'gradual incrementalism'. According to David Mitrany, the leading proponent of functionalism, integration could be realized by the creation of transnational economic and social organization. These organizations would be involved in providing basic functional needs such as transportation, health, welfare related issues, cultural activities and trade. This process would not involve the surrender of national sovereignty. Thus it doesn't prioritize a direct political integration. Besides it promotes international peace and security. The state as a political entity exists to provide the basic needs such as welfare and security. The moment people are satisfied with what they get and ought to have, they keep peace.<sup>27</sup> The founding of OAU Summit in 1963 adopted a gradual approach of strengthening African states sovereignty, emerging from colonialism and at the same time retaining aspirations for continental unity as a driving ideology. Nonetheless they were deeply concerned about preserving their sovereignty. This theory of integration Somewhat Explains the OAU founding fathers approach to integration during the establishment of the OAU. This approach too explains African Union's determination in promoting economic integration as means of attaining a long run political integration.

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<sup>26</sup> Ben Rosamond, *Theories of European Integration*, The European Union Series. ( New York: St. Martyn's press, 2000

<sup>27</sup> Sharkdam Wapmuk, "In Search of Greater Unity: African States and the Quest for an African Union Government," *Journal of Alternative Perspectives in the Social Sciences*, Vol 1, No 3 ( 2009):645-671

Since the approach of Neo-functionalism is built on the work of Mitrany, the proponents are considered as descendants of functionalism. Their main argument emanates from the experience and success of the European Union, the then regional integration in the European Economic Community. They agree on the work of functional dynamics in the progress integration and are not that much concerned with the attainment of integration as a final end, rather they emphasize in the process of the understanding on why and how actual integration outcome occurs. Jacob and Teune argue that political integration infers identity and self-awareness. They too stated that integration relationship is generally considered as collective action to promote mutual interest.<sup>28</sup>

The above mentioned preliminary definitions and perspectives of regional theories towards regional organizations can provide a theoretical explanation and discussion on the approaches and perspective of theories of International relations towards regional integration in general, OAU and AU in particular. Moreover we can examine the deriving forces and factors that make such regional integration in to reality. After having discussing the different definitions of a region and the driving forces behind the formation regional integration, what is significant is the question of formation i.e. if regional integration is intentionally created and driven by deliberate political agreement or if regional integration arises out of economic interaction and private market actors.<sup>29</sup>

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<sup>28</sup> Adam Przeworski and Henry Teune, *The Logic of Comparative Social Inquiry*. (New York: Wiley – Interscience, 1994), 4-5

<sup>29</sup> Thanawat Pimoljinda, "Theoretical Discussion on Regional Integration: EU-ASEAN Perspective," *International Journal of Public and Private Management* 2 No 2 (2015):1-18.

## **MEASURING THE SUCCESS OF INTERNATIONAL AND REGIONAL ORGANIZATIONS**

The goals and capacities of an organization are different and the question of success is also multifaceted. Hence it is difficult to come up with a single measurement that would be inclusive and could aggregate all aspect of an organization in to a metric of success. However it is still important to examine the success and effectiveness of an organization.

Ian Hurd, in his book *International Organizations* has outlined three criteria's to measure the Success of an International or regional organization.

- Membership
- Effectiveness
- Longevity and persistence

Though the three above mentioned criteria's may not exactly suits to the both organizations which are compared, we will see the organization's performance and structure from these angles.

### **MEMBERSHIP**

As Ian Hurd has outlined, for a new organizations such as the International criminal Court, success can be measured by the growth in its membership. Especially the very fast increase in membership to ICC is considered as a sign that something about the organization has a great appeal for many states.<sup>30</sup> If we see it from the other side, had the ICC did not get that much

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<sup>30</sup> Hurd Ian, *International Organizations, Politics, Law, practice*. (New York: Cambridge University press, 2011) 272



members to join in to the organization, the opposite would have been true. It would have been considered as failure.

If we see the case of OAU, it was established on 25 May 1963 in Addis Ababa, on signature of the OAU Charter by representatives of 32 governments. At that time, there were 33 independent nations. Thus we can say that the membership was hundred percent and a further 21 states have joined gradually over the years. In all of its history, it had an almost hundred percent membership with the exception of South Africa, later joined the OAU after abolishing Apartheid in 1994 and withdrawal of Morocco in 1982 for a political reasons related to the accession of western Sahara to OAU. In this case the OAU seem to fulfill the first criteria for a successful organization.<sup>31</sup>

The African Union is often mentioned as having near- universal membership. Currently, it has 54 member states with in the African continent, with the exception of morocco. Besides, the membership of Madagascar, Central African Republic, Egypt and Guinea-Bissau has been suspended for violating article 3. Thus the African Union too fulfills the first approach to success. Nonetheless, this membership approach to success does not address certain key issues like why countries are joining or not, or what they are doing or not as the result of the membership, as a result it is a little bite debatable and it is also worth mentioning that more members may or may not indicate success, thus a deeper and extra information is needed to evaluate an organization.

A new development has been heralded after almost three decades; Morocco has officially submitted a request to rejoin the African Union. Morocco withdrew from the then OAU in 1984 over the admission of Western Sahara, which it claims as part of Morocco, as a full member of

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<sup>31</sup> Norman, Padelford, “ The Organization of African Unity,” *Journal of International Organizations* 18 Issue 3 (2009): 521-542

the OAU. It was the only African country that was not a member of the African Union. If Morocco's request for African union membership is accepted, it means African union has a full membership of all African states. As Ian Hurd has underlined growth of membership is a positive sign of an organization's success, thus it would be a big step forward for African union progress.<sup>32</sup>

## **LONGEVITY AND PERSISTENCE**

A second Approach to success proposes that the longevity or persistence of an international organization is a useful metric. According to Hurd, the United Nations existence for all these past years especially during the cold war was a sign of success of the organization.<sup>33</sup>

Oxford dictionary defines persistence as firm or obstinate continuance in a course of action in spite of difficulty or opposition or the continued or prolonged existence of something.<sup>34</sup> In this case the difficulty or oppositions that faced the two organizations during their existence is the most important factor. Moreover the environment in which an organization was striving would also be a critical condition in measuring the success.

Since its inception the OAU went through different phases and at times the very existence of the organization was challenged. The OAU had a life span of almost four decades. During these four decades, the OAU faced a series of tempting situations in which the ability OAU to stand as one was challenged. Especially during the cold war the interest of the super powers

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<sup>32</sup> "Morocco officially applies to rejoin AU after 32 years in isolation," accessed January 2017, <http://www.africanews.com/2016/09/23/morocco-officially-applies-to-rejoin-au-after-32-years-in-isolation/>

<sup>33</sup> Hurd Ian, *International Organizations, Politics, Law, practice*. (New York: Cambridge University press, 2011) 273

<sup>34</sup> Persistence-definition, Last modified February 20, 2017, <https://en.oxforddictionaries.com/definition/persistence>

divided the organization into two. The different phases the OAU underwent in its life span are as follows.

The first phase stretches from 1963 to 1980. Since this phase was the very beginning of the organization it emphasized more on strengthening the sovereignty of the new states while retaining aspiration for continental unity was in its place. During this initial period, economic development was not the priority of the OAU's agenda. The countries were mainly concerned in interstate conflicts, eradicating colonialism and apartheid from South Africa. Nonetheless in the 1970 the fierce cold war ideological struggle has also played its role and divided Africa ideologically. It was during this period the late president of Tanzania Julius Nyerere came described it as "a talking club of Heads of State." Thus The Cold War affected OAU's internal model of development and external relations. Though OAU was characterized as powerless and inactive in this first phase, it is highly credited for having survived as organizations in the midst of ideological difference and external interference.<sup>35</sup>

The second phase which is described as the "lost decade" was from 1980 to 1990. During this period Africa experienced serious political, economic crises and civil wars. The notion of "Afro-pessimism", where African people are incapable of running their states and their economies and will therefore remain in a permanent state of crises began to be propagated by people who have a vested interest in a weak and disorganized Africa. At the same time the credibility and the capability of OAU in securing peace and mitigating civil wars deteriorated.<sup>36</sup>

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<sup>35</sup> Abdalla Bujra, "Africa from the OAU to the AU: and from the Lagos Plan of Action (LPA) to NEPAD" (DPMF Occasional Paper, No.13) 3

<sup>36</sup> Abdalla Bujra, "Africa from the OAU to the AU: and from the Lagos Plan of Action (LPA) to NEPAD" (DPMF Occasional Paper, No.13) 4

Despite the above mentioned skepticism, OAU continued to endorse important economic and political plans in third and final phase of its existence. Furthermore, to cope with the new paradigm of 1990s i.e. the end of the cold war and the beginning of globalization, OAU was forced to incorporate a new direction.

To put it in a nutshell, the OAU survived for almost four decades. Forty years is significant as a life span for an organization with varied and changing challenges while on the other hand its replacement by AU is a sign of the organization's inflexibility to adapt to the fast paced globalization and economic integration.

Since we don't know how many years the AU would last, and there is not any fixed years to determine the persistence of an organization this category seems to be not sufficient enough to be used as an approach or measurement to determine persistence of an Organization especially the African union which is in its early stage of formation.

### **EFFECTIVENESS AS A MEASUREMENT (OAU)**

The third approach and perhaps the ideal measure of success could be effectiveness. This is to say that to what extent does the organization succeeded in fulfilling the goals for which it was established and managed to solve the problems that faced it. If we see the charters of the OAU, Article 2, specifies the goals of the organization as follows:

- a) To promote the unity and solidarity of the African states;
- b) To coordinate and intensify collaboration and efforts to improve the living standard of the African peoples;
- c) To defend their sovereignty, their territorial integrity, and their independence;

d) To eliminate every form of colonialism from Africa;

e) To promote international cooperation

The above goals and principles of the Charter are made to address essentially inter-African relations i.e. sovereignty, non-interference, condemnation of subversion, and peaceful solution of disputes, while total decolonization of the continent, struggle against racism, international cooperation, nonalignment are made to address relations between Africa and the rest of the world.<sup>37</sup> Thus in measuring the success of the OAU we will see it in accordance with above mentioned goals and principles.

The OAU, designed as a weak intergovernmental forum, did enjoy some notable successes especially in the decolonization of Africa and elimination of apartheid. Moreover the OAU was also instrumental in channeling material and military support to various liberation movements and also put diplomatic pressure on the United Nations to act. Representatives of the liberation movements were able to get a status of observers in the United Nations meetings.<sup>38</sup> Together with the International court of Justice, the OAU has also played its role in the case of Namibia. It initiated actions and declared that; South Africa has no right to stay in Namibia and addressed for quick evacuation from Namibian territory. Likewise, in the struggle against apartheid the OAU exposed the unjust oppression against the black South Africans in the United Nations. As a result South Africa was denied membership in common wealth and a number of United Nations

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<sup>37</sup> Rossi Gianluigi "The OAU: results of a decade," International Journal of Politics, Vol. 4, No. 4, East African Politics (Winter 1974-75) :18

<sup>38</sup> Mweti Munya " The Organization of African Unity and Its Role in Regional Conflict Resolution and Dispute Settlement: A Critical Evaluation," Third World Law Journal Volume 19 , Issue 2 Article 1

institutions. This was made possible by the successive OAU claims at the United Nations meeting.<sup>39</sup>

Mark Zacher described OAU's contribution towards resolving conflicts as follows, "In nine of the eleven territorial wars since 1963, the OAU has been a major influence in securing troop withdrawal from major conflict areas. The OAU members have exerted significant diplomatic pressure on aggressing States and they have influenced outside powers to back OAU positions against territorial aggressions."<sup>40</sup>

In the fields of social development, steps were also taken towards the unification of African trade union and youth organizations. OAU had also played a crucial role in promoting African Culture. For the first time in the history of Africa, the first all African cultural festival was held in Algeria in 1969. As a result, many scholars came to describe it as the triumph of African solidarity and sense of purpose for one Africa.<sup>41</sup>

As Mark Zacher has pointed out, the OAU has been effective in resolving inter-state conflict. Moreover it has also achieved a considerable success in overcoming decolonization and apartheid. Nevertheless, its performance in resolving intra-state conflicts happens to be inadequate. This is due to the practically and theoretically shaky contradiction the OAU Charter that it creates between intra-state and inter-state conflicts, placing intra-state conflicts beyond the outreach of the OAU.<sup>42</sup>

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<sup>39</sup> Mwet Munya "The Organization of African Unity and Its Role in Regional Conflict Resolution and Dispute Settlement: A Critical Evaluation," Third World Law Journal Volume 19 , Issue 2 Article 1

<sup>40</sup> Mark Zacher , "The Territorial Integrity Norm: International Boundaries and the Use of Force," International Organization 55, no 2, (Spring 2001):.231

<sup>41</sup> African Union. The Africa we want. The African commission Report. 2005  
<http://www.un.org/en/africa/osaa/pdf/au/agenda2063.pdf>

<sup>42</sup> Mwet Munya, "The Organization of African Unity and Its Role in Regional Conflict Resolution and Dispute Settlement: A Critical Evaluation," Third World Law Journal, Volume 19, Issue 2 Article 1.

The Organization of African Union, like the United Nations and European Union is in the category of an intergovernmental organization. Nonetheless unlike the United Nations in which decisive decisions are reached by the Consensus of Security Council members, which is dominated by its five permanent members, the OAU's decisions are taken by its Assembly of more than fifty Heads of States, based on recommendations by the Council of Ministers. This procedure is obviously a cumbersome to reach in to a consensus.

Article three of the OAU charter states that, Member States should affirm and declare their adherence to the principles of sovereignty and equality of all Member States and Non-interference in the internal affairs of State. We can say that OAU Charter is categorical about respecting the sovereignty of member states and restraining from interference in their internal affairs. Even though the OAU had a commission of mediation, conciliation which was founded in 1963 by the assembly, it was almost inactive. This was due to member states strong preference for political process of conflict resolution to judicial means of settlement.

As a means of conflict resolution, mediation and conciliation have their own drawbacks compared to other forms of conflict resolution such as military intervention or arbitration, because the process of mediation and reconciliation requires the agreement of both parties involved in the conflict and at times the process to get both parties to consensus is lengthy and complicated. This setback was clearly manifested in the 1994 Rwandan Genocide.

Even though Article three of the OAU charter had been instrumental in safeguarding and protecting African nation's sovereignty, it had also resulted in a severe human right violation in the history of the world. The OAU failed to address the Rwandan situation as genocide and refused to take sides. As a result the world witnessed a genocide which is believed to be the

worst crime against humanity after the Second World War. The non-interference part of the charter has played its role crippling the organization not to take any action.

Another controversial event which is worth mentioning regarding the non-interference charter of the OAU was the Nigerian civil war. Despite the fact that civil wars are purely internal affairs of the states concerned, the fourth OAU Assembly meeting in Kinshasa in September 1967 discussed the Biafra war. It legitimized its resolution as a matter of legitimate concern for Africa. To make matters worse considerable African nations such as Gabon, Ivory Coast, Tanzania and Zambia recognized Biafra as a sovereign state. Hence it created a problem in reaching a cohesive decision. The pressure between the desire to resolve the Conflict and go in accordance to the OAU Charter illustrates the Assembly's confused state of mind and absolute diplomatic mix-up.<sup>43</sup>

To sum up, Apart from playing important role in overcoming decolonization and apartheid, The OAU's contribution in areas of civil wars, human right, economic and political integration was minimal. It remained a highly conservative institution unresponsive to the changing circumstances. In this case we can say that, the OAU had a fundamental problem, i.e. the Organization is inconsistent to its own charter. This can be seen in the above mentioned cases of Ogaden and Nigerian civil war. Moreover the organization also lacked any provision which allow the organization to deal with conflicts especially civil wars and genocides. Conflicts were not seen as a major priority for the organization except interstate conflict for which a committee of mediation conciliation and arbitration was set up, but was short lived and was incompetent. To make matters worse, issues related to human rights were seen as internal affairs of member

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<sup>43</sup> Mweti Munya, "The Organization of African Unity and Its Role in Regional Conflict Resolution and Dispute Settlement: A Critical Evaluation," *Third World Law Journal*, Volume 19, Issue 2 Article 1.



states. This policy crippled the organization. As a result, thousands of civilians had been massacred under dictator regimes of Jean-Bedel Bokassa of Central African Republic and Idi Amin dada of Uganda.<sup>44</sup>

## **EFFECTIVENESS AS A MEASUREMENT (AU)**

The move for the creation of a new organization was inspired and influenced by a number of factors. It ranges from frustration with the slow pace of socio-economic integration on the African continent to the need to come up with a new and collective ways of effectively addressing the many critical problems of the continent such as poverty, armed conflicts, as well as building the capacity to responding the current challenges posed by a globalizing and fast integrating world.<sup>45</sup>

As we saw above, state sovereignty has been a major impediment to the organization of African Union to military intervene in conflicts in which war crimes against humanity was committed. Thus, member states moved to change the concept of state sovereignty in Africa by adding a “responsibility” dimension. Alpha Oumar Konare, The former chairperson of the AU Commission, came to label the African Union emergence as a shift from “noninterference” in armed conflicts to a new position of “non-indifference” to member states’ internal affairs. Having retaining the conception of state sovereignty as a right, the AU added the notion of the responsibility to intervene, if member states believe that crime is being committed against humanity.<sup>46</sup>

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<sup>44</sup> Mwetl Munya, “The Organization of African Unity and Its Role in Regional Conflict Resolution and Dispute Settlement: A Critical Evaluation,” *Third World Law Journal*, Volume 19, Issue 2 Article 1.pp 581

<sup>45</sup> Ben Kioko, “The right of intervention under the African Union’s Constitutive Act: From non-interference to non-intervention ,” *IRRC Vol. 85 No 852 (2003):810*

<sup>46</sup> Sylvia Uchenna Agu and Okeke Barr, “The African Union (Au) and the Challenges of Conflict Resolution in Africa,” *British Journal of Arts and Social Sciences*, Vol.14 No2 (2013):281

Although the AU still suffers from the same structural impediments as of OAU, like dependency on external funding, lack of standing forces, it still had conducted a significant number of peace operations and followed a much more active peacekeeping agenda. Peace operations that African union has involved ranges from small observer missions to missions involving over seven thousand troops, as in cases of Sudan and Somalia.<sup>47</sup> The below illustrated involvements are definitely a step forward and good signs of the organization's progressive performance.

Paul D. Williams has summarized African Union's peace operations from 2003 to July 2007 in the following table.

Table 1. African Union Peace Operations from 2003-2007

<b>Mission</b>	<b>Location</b>	<b>Duration</b>	<b>Size</b>	<b>Main troop contributors</b>	<b>Main Mission</b>
AU Mission in Burundi (AMIB)	Burundi	2003-2004	3250	South Africa	Peacebuilding
AU Military Observer Mission in the Comoros (MIOC)	Comoros	2004	41	South Africa	Observation
AU Mission in Sudan (AMIS)	Darfur	2004-2007	c. 7,700	Nigeria, Rwanda, South Africa, Senegal, Ghana	Peacekeeping/ Civilian Protection
Special Task Force Burundi	Burundi	2006-2009	C.750	South Africa	VIP Protection
AU Mission for Support to the Elections in the Comoros (AMISEC)	Comoros	2006	1,260	South Africa	Election Monitor
AU Mission in Somalia (AMISOM)	Mogadishu	2007-	c.9000	Uganda, Burundi	Regime Support

<sup>47</sup> Paul D. Williams, "The African Union's Conflict Management Capabilities," (working paper ,International institutions and Global Governance ,2011): 14

AU Electoral and Security Assistance Mission to the Comoros (MAES)	Comoros	2007-2008	350	South Africa	Election Support
Democracy in Comoros	Comoros	2008	1,350 (+450 Comoros)	Tanzania, Sudan	Enforcement
AU-UN Hybrid Operation in Darfur (UNAMID) (UN pays)	Darfur	2008-	c. 23,000	Nigeria, Rwanda, Egypt, Ethiopia	Peacebuilding/ Civilian Protection

Source: Paul D. Williams, *The African Union's Conflict Management Capabilities*, International institutions and Global Governance, 2011.

As we can see from the above table, we can deduct that, in less than ten years, the African Union has been involved almost six countries for the purpose of preserving peace and stability. This is a clear departure from the OAU, in which it was mainly blamed for.

Another major break from the old OAU tradition is the AU's approach to the illegitimate or unconstitutional changes of government. In its three decade of existence, the OAU was indifferent on how African regimes came to power. It was only in the middle of 1990s that the organization outwardly condemned coups.<sup>48</sup>

African Union delegitimizes governments who came to power with unconstitutional means and even imposed sanctions. The economic and travel sanction that the AU imposed on member states has been summarized by Paul D. Williams in the following table.

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<sup>48</sup> Paul D. Williams, "The African Union's Conflict Management Capabilities," ( working paper ,International institutions and Global Governance ,2011): 4

Table 2. Economic and Travel sanction imposed by African Union on member states

<b>Target State</b>	<b>Suspension</b>	<b>Sanctions (economic, Travel, etc.)</b>	<b>Summary</b>
Central African Republic	March 2003– June 2005		Military coup. Sanctions lifted in 2005 yet junta head retained power
Togo	February–May 2005		President dies in office and his son assumes office. Son retains power after fraudulent elections. Son wins new elections in March 2010.
Mauritania	August 2005– March 2007		Military coup. Regime suspended but led to elections and new leader in 2007 (who was overthrown in a Military coup in 2008).
Mauritania	September 2008–June 2009	February–July 2009	Military coup. Sanctions lifted after a transitional government was formed. But coup leader won subsequent elections.
Comoros	October 2007–March 2008	October 2007–March 2008	Political coup on island of Anjouan. AU restores order by force in March 2008.
Guinea	December 2008–November 2010	October 2009–November 2010	Military coup (after incumbent president dies) followed by massacres of protesters. Coup leader flees. Presidential elections held November 2010 and coup leaders banned from participating
Madagascar	March 2009–	March 2010–	Forced resignation of incumbent president. Presidential elections will be held September 2011.
Niger	February 2010–March 2011		Political coup (August 2009) followed by a military coup

			(February 2010). Presidential elections March 2011 and coup leaders do not participate
Eritrea	April 2009– January 2011 (Eritrea’s decision)	December 2009– (as part of UN sanctions)	AU calls for sanctions against Eritrea for its support to insurgents in Somalia.
Ivory Coast	December 2010–April 2011	March 2011–April 2011 (as part of UN sanctions)	Incumbent regime refused to relinquish power after electoral defeat. UN-France-AU force incumbent regime to step down and de jure government assumes office

Source: Paul D. Williams, *The African Union’s Conflict Management Capabilities*, International institutions and Global Governance, 2011.

Generally speaking the AU was initiated with the overall mission of building a mechanism of integration in the continent in order to empower Africa people and nations to play their deserved role in the global economy while at the same time addressing economic, political and social problems currently plaguing its member states.

Over the past ten years, The AU has had some reasonable impact in overcoming some conflicts in some regions like the Darfur in Sudan, resolving post-election violent conflicts in Cote d’Ivoire and Kenya, and restoring peace by forcing those regimes that come to power by a military coup to hand back power to civilian regimes. Nonetheless it had also manifested some weaknesses in handling crises. This was made evident during the Arab spring especially in the crises of Libya. The African Union could not play any significant role in overcoming these crises; to the contrary the European nations took the initiative to call United Nations to take an action on

Libya. As a result the UN passed resolution 1973. The same thing happened for the crisis in Cairo. An EU delegation went to Cairo, not in Addis Ababa where the AU headquarters is located to talk about the crisis.<sup>49</sup> The same is also true to the civil war in Mali where French forces entered the country to pacify the situation.

## **COMPARISON OF OAU CHARTER AND AU CONSTITUTIVE ACT**

Admission to membership in the AU is open to any African state that accepts its founding treaty and expresses the desire to become a member. However the union can refuse to give a Membership to governments that come to power through military coups, overthrowing of civilian governments, or corrupt elections.<sup>50</sup> Under the OAU, no such provision existed; at times the OAU has even given chairmanship of the OAU to military dictators like Edamin dada of Uganda.

Unlike the OAU, the AU can also suspend or expel illegitimate governments who come to power through unconstitutional means. Article 30 of the Constitutive Act of the African Union states that, “government which shall come to power through unconstitutional means shall not be allowed to participate in the activities of the union.”<sup>51</sup> In this case, the African Union took a clear and brave stand and suspended membership of some African nations like Madagascar Central African Republic for not following the above mentioned principles.

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<sup>49</sup> Mfuni Theodore, “50 years after: is the AU, formerly the OAU, a success or failure Pan African voices for freedom and justice,” accessed January 2007, <https://www.pambazuka.org/governance/50-years-after-au-formerly-oau-success-or-failure>.

<sup>50</sup> Siaroff Alan, “Following in Europe's Footsteps? The African Union and Integration in Africa” (Paper presented at the Biannual Congress of the European Union Studies Association, Montreal, 2007).

<sup>51</sup> Karens Margaret and Mingst Karen, *The politics and process of Global Governance, International Organization*, 3rd edition. ( Colorado:Lynne Rienner publisher, Inc.,2010), 205

Ever since the decolonization of Africa, the continent was ravaged with conflicts and unrests and the Organization of African Union was unable to make a difference. Article 4 of the founding Act of the African Union was initiated for this cause and emphasizes “the right of the Union to intervene in a Member State following a decision of the Assembly in respect of grave circumstances, like war crimes, genocide, and crimes against humanity.”<sup>52</sup> This is to say that, African countries have to come to a common agreement to pool their sovereignty to empower the AU to act as the continental guarantor so as to protect the security, rights, and well-being of the African people.

This provision allows the African Union to provide leadership in certain crisis where human rights are violated. With the adoption of the above mentioned article, the AU for the first time in the history of Africa has the authority to intervene in internal affairs of member states that may lead to atrocities being committed against minority groups or communities at risk within states. This provision is a radical move from the old organization and it could be considered as a real departure from the old organization. The union’s intervention in Darfur is a living example.

To strengthen the above mentioned article, the African Union is also striving hard towards the formation of an African Standby Force. This is to be done in cooperation with the UN and sub-regional African organizations in conducting peace operations. In its ten years of existence, the AU has had some achievements in conflict resolution. In 2003, it deployed peacekeeping troops in Burundi and later successfully handed over the mission to the UN. The AU had also observed the cease-fire talks in Chad and contributed in nation building process in Somalia and in conflict resolution in Ivory Coast.<sup>53</sup>

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<sup>52</sup> Diedre Badejo, *Global Organizations Series*. (New York : Chelsea House,2008)

<sup>53</sup> Margaret, *The politics and process of Global Governance*,26

The AU's involvement in the crisis in Darfur also highlights its commitment to conflict resolution and AU's dedication in maintaining a working relationship with the UN. The Darfur mission was a lesson for the AU. It tested the AU's capability whether it could handle issues by itself or not.

The African Union has also added additional organs like New Economic Partnership for Africa's Development and the African Peer Review Mechanism. These organs are shaped to review African states' compliance with continental treaties and other standards, and this is a new move and dedication by member states to respect for good governance, human rights and the rule of law.<sup>54</sup> Though new organs and principles are added to the new structure of AU, Some of the overriding principles of the AU are also those of the OAU's, such as respect for the Existing colonial boundaries and sovereign and equality of states.

Apart from the above mentioned new principles and organs which are made part of the new AU the organization has also modified some organs for a certain purpose. Though, the principal decision-making body is still the Assembly of Heads of State, the OAU Secretariat was transformed into the AU Commission, headed by a chairperson, appointed by member states, and substantially re-organized into new departments and the Pan-African Parliament and the Economic, Social and Cultural Council were particularly designed to promote the participation of the common African people in the decision making process of the African Union. Yet Other institutions are also already designed and named but not yet functioning like the Court of Justice,

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<sup>54</sup> Stef Vandeginste, "The African Union, Constitutionalism and Power Sharing," *Journal of African Law* 57, no.1 (2013): 1- 28



financial institutions, and specialized technical committees responsible to the Executive Council.<sup>55</sup>

The above mentioned comparative analysis can be summarized in the following table.

Table 3. Major difference of OAU and AU

Major differences	OAU	Under AU
Admission to Membership	Under the OAU there was not any provision that question the membership of a country's government who come to power through a military coup.	Article 4 of the act “(p) condemnation and rejection of unconstitutional changes of governments” As a result the union even frizzed membership of countries when leaders came through unconstitutional means.
The right of intervention	OAU charter under principles in article III states as follows “2. Noninterference in internal affairs of member states.”	Article 4 of the Act “(h) the right of the Union to intervene in a Member State pursuant to a decision of the Assembly in respect of grave circumstances, namely: war crimes, genocide and crimes against humanity”; and “(j) The right of Member States to request intervention from the Union in order to restore peace and security”.
Addition of organs/ institutions		Special organs have been incorporated in to African union such as NEPAD, Peace and Security Council, African Bank, a court of justice and an African Standby Force.

<sup>55</sup> Badejo, Global Organizations Series,41

## CONCLUSION

The formation behind the Organization of African Union was to defend the sovereignty, territorial integrity and independence of African states and to eliminate all forms of colonialism including apartheid from Africa, while the African Union, by contrast, has the goal of uniting and integrating Africa both economically and politically. Thus we can say that both organizations were initiated to tackle different challenges at different stages, which were prominent during their formation.

Generally speaking the principles that form the AU are much broader than those of the former OAU and emphasizes on economic integration as the route to political unity. New organs and Additional principles are also incorporated to the African union hoping to accomplish its new mission and objectives. Among the new organs which were initiated to empower the AU are the pan African Parliament and the Peace and Security Council of AU. Moreover a considerable modification has also been made to the constitutive act of the Union. The non-interference in internal affairs of nation's clause, which had crippled the OAU's capability in solving conflicts and civil wars, has been superseded to allow intervention in the internal affairs of a country under certain circumstances. Another modification which is worth mentioning in its outcome is the suspension of member state's membership status for leaders who came to power with an unconstitutional means.

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