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What a Difference a Decade Makes: Understanding Security Policy Reversals Between the Organisation of African Unity and the African Union

John J. Hogan

In 2002, the establishment of the African Union (AU) heralded the arrival of a new security architecture, designed to overcome the shortcomings of the Organisation of African Unity (OAU). The inadequacies of Africa's continental organisation had been laid bare by a series of catastrophic conflicts in the 1990s, which included genocides in Rwanda and Burundi, and devastating civil wars in Sierra Leone, Liberia and Somalia. A central pillar of the new organisation was the African Peace and Security Architecture (APSA)—a system of structures, objectives, principles and decision-making processes, relating to the prevention, management and resolution of crises and conflicts, post-conflict reconstruction and development on

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the continent.¹ Article 4(h) of the AU's Constitutive Act established the organisation's legal right to intervene in a member state under 'grave circumstances, namely war crimes, genocide and crimes against humanity.' The structure of the AU's security architecture contains a number of features, in addition to its intervention mandate, that are noteworthy for the departure from the past that they represent. Ten years prior to the inaugural ceremony of the AU, then OAU Secretary General Salim Ahmed Salim had unsuccessfully attempted to establish a permanent institution to deal with conflicts in Africa through active peacekeeping missions. His vision had included a reinterpretation of the organisation's norm of non-interference, a greater focus on the promotion of human rights and good governance, and the establishment of OAU peacekeeping and peacemaking missions. Salim's proposal, however, was roundly rejected by member states, who insisted that such duties should remain the responsibility of the United Nations (UN).

Given that rejection in 1992, why did African governments—many of which were still headed by the same leaders—agree to the establishment of a pro-active and human rights-focused security architecture within the AU at the turn of the millennium? The relatively scant literature that has addressed this question to date has tended to do so tangentially, as part of a bigger account dealing with the establishment of the AU more generally. The smaller field of research that has adopted a focus on the origins of the AU's security architecture generally emphasises causal factors stemming mainly from outside of Africa, such as globalisation, the end of the Cold War and the subsequent adoption of liberal democratic governance in many regions of the world.²

Without discounting any of the above-mentioned factors, this chapter aims to build an improved understanding of this significant policy reversal between the two organisations. It does so by highlighting influences from within the continent that have received less scholarly attention, specifically democratisation in pivotal African states in the 1990s, devastating conflicts

¹"The African Peace and Security Architecture," accessed September 9, 2019, <http://www.peaceau.org/en/topic/the-african-peace-and-security-architecture-apsa>.

²David J. Francis, *Uniting Africa: Building Regional Peace and Security Systems* (Hampshire: Ashgate Publishing, 2006); Peter M. Kagwanja, "Power and Peace: South Africa and the Refurbishing of Africa's Multilateral Capacity for Peacemaking," *Journal of Contemporary African Studies* 24, no. 2 (2006): 159–184; Samuel M. Makinda and F. Wafula Okumu, *The African Union: Challenges of Globalization, Security, and Governance* (London: Routledge, 2008).

on the continent during the same period and the rules of procedure employed in the Assemblies of the OAU and the AU. Unlike the vast majority of the literature on this topic, the arguments offered here are based, in part, upon interviews with government policymakers and OAU/AU officials.³ The chapter begins with some historical background on the OAU's activities as a security actor, highlighting the failings, which prompted Salim and others in his secretariat to propose its re-imagining. Next, the exact proposals made by Salim in 1992 are discussed, as well as an account of their rejection by member states. Following this is a description of the features of APSA that mirror Salim's rejected proposals from a few years earlier. With the constituent parts of the puzzle laid out, the analysis then outlines three categories of facilitative factors that laid the foundation for this *volte-face* by member states.

ESTABLISHMENT OF THE ORGANISATION OF AFRICAN UNITY (1963)

As detailed by Kathryn Nash in Chap. 11 of this collection, the 1963 establishment of the OAU, with an initial membership of 32 governments, was seen as a milestone for Pan-Africanism. Giants of the African independence movement, such as Ghana's Kwame Nkrumah and Julius Nyerere of Tanzania, spearheaded the organisation's creation and hoped that it could help unify the continent's diverse membership while also serving as a mechanism to rid the continent of the remaining vestiges of colonialism. Though they disagreed considerably on how it should be achieved, Nkrumah and Nyerere were among a minority of leaders at the time who proposed a 'United States of Africa' model that would have seen the continent become one federal state instead of an association of sovereign territories. Such a visio'n was rejected by a large majority of the continent's other leaders, however, who were not receptive to the idea of reducing any semblance of their recently acquired power, which many had won in bloody independence conflicts in the preceding years.⁴ Although the notion of a unified African state was raised from time to time by various

³In addition to interviews, analysis was conducted on an extensive selection of primary and secondary documents, drawn from state and Organisation of African Unity/African Union (OAU/AU) archives, media reporting and existing academic literature.

⁴Colin Legum, "The Organisation of African Unity-Success or Failure?" *International Affairs* 51, no. 2 (1975): 208-219.

leaders over the subsequent decades, it was never considered a serious possibility. After Nkrumah and Nyerere, the next most prominent proponent of the idea would be the Libyan leader Muammar Gaddafi at the time of the AU's establishment.

Despite having far fewer resources than any comparable international organisation, and a membership with diverse and sometimes competing loyalties and interests, the OAU endured for decades. The Organisation enjoyed success in several respects, including providing support to anti-colonial independence movements through the OAU Liberation Committee, assisting with the construction of telecommunications and roads infrastructure, and fostering economic, social and cultural cooperation. These achievements, however, were all too regularly overshadowed by failings in the realm of peace and security. From the outset, the Organisation eschewed an active military role in tackling conflict, with the exception of the Liberation Committee, which served as a fund and coordinator of military training for independence movements. In Chap. 11 of this collection, Nash details the negotiations in which the OAU's founding principles were agreed, but the first three from Article III of the Organisation's Charter are of particular relevance here, given the sacrosanct status they would come to acquire. The three principles committed members to respecting each other's sovereign equality; the notion of non-interference in each other's internal affairs; and the sovereignty, territorial integrity and the right to independent existence of each member.⁵ Such commitments are a normal element of treaties, establishing international institutions but were considered particularly important by African leaders at the time, many of whom feared subversion driven by neighbouring states. As indicated by Kate Skinner's chapter in this collection on the 1963 Togo coup, these fears were often well founded. However, the inflexible and all-encompassing way in which the principles of sovereignty, non-interference and territorial integrity were adhered to over the years would deprive the OAU of most of its ability to address instability on the continent.

The 1960s and 1970s saw devastating inter-state and internal conflicts in many states, such as Ethiopia, Uganda, Burundi, Kenya and Nigeria. Due to the reverence with which sovereignty and non-interference were treated, however, the OAU remained impartial, and on some occasions,

⁵ "OAU Charter," adopted May 25, 1963, *African Union Treaties*, https://au.int/sites/default/files/treaties/7759-file-oau_charter_1963.pdf

even discussion of certain conflicts at the level of the Assembly was ruled out. The extent to which the Organisation was willing to ignore major conflicts or human rights abuses was highlighted in 1975 with the election of Ugandan President Idi Amin to chairman of the OAU, at a time when his regime was engaged in brutal repression of opponents and major human rights abuses. The only opposition to his promotion came from Mozambique, Botswana, Tanzania and Zambia, the latter three of which had been targets of Amin's efforts to foster military coups.⁶ Trends in armed conflict continued to rise precipitously across the continent well into the 1990s. Only a very small proportion of these conflicts were between states, meaning they generally did not represent a threat to members' territorial integrity and therefore did not fall under the remit of the OAU.⁷

Despite its inertness as a security actor, the OAU did have, as part of its structure, certain organs that dealt with issues in the realm of peace and security. The Organisation's Charter established a Commission of Mediation, Conciliation and Arbitration for dispute resolution, but it was a purely advisory body without the power to enforce decisions or oblige states to take part in its proceedings. With moderate success, most notably in relation to boundary disputes, the OAU did act as a mediator in certain conflicts over the years but always on an ad hoc basis rather than through the institution set up for the task.⁸ In 1999, by which time African governments had started planning the replacement of the OAU, not a single member had submitted a dispute for adjudication to the Commission.⁹ Article XX of the Charter also allowed for the creation of a Specialised Defence Commission, the main purpose of which was to devise strategy for protecting states' sovereignty, territorial integrity and independence. On a number of occasions throughout its existence, usually following periods of significant regional instability, the Commission discussed the possibility of adopting a unified military structure to tackle conflicts. Attacks

⁶ Claude E. Welch Jr., "The O.A.U. and Human Rights: Towards a New Definition," *The Journal of Modern African Studies* 19, no. 3 (1981): 401–420.

⁷ Monty G. Marshall, *Conflict Trends in Africa, 1946–2004: A Macro-Comparative Perspective* (London: Centre for Systemic Peace, 2005), 6.

⁸ Haley Abrahams, et. al., *African Union Mediation Support Handbook* (Umhlanga Rocks: African Centre for the Constructive Resolution of Disputes, 2014), 11.

⁹ P. Mweti Munya, "The Organization of African Unity and its Role in Regional Conflict Resolution and Dispute Settlement: A critical Evaluation," *Boston College Third World Law Journal* 19 (1999): 551.

by the South African and Rhodesian governments on Frontline States in the late 1970s prompted particularly serious discussion about the possibility of a Pan-African defence force to support member states from aggression, stemming from white minority regimes on the continent. However, such discussions never moved beyond the proposal stage, as the efforts of leaders with ambitions for political and/or military unification were consistently rebuffed by the majority opinion that peacekeeping was not the job of the OAU.¹⁰ In 1998, almost at the end of his tenure as South African President, Nelson Mandela described to an audience of OAU leaders the damage he believed the long-adhered-to concept of sovereignty had wreaked on the continent:

I believe that we must all accept that we cannot abuse the concept of national sovereignty to deny the rest of the Continent the right and duty to intervene when, behind those sovereign boundaries, people are being slaughtered to protect tyranny.¹¹

Within a year of Mandela's speech, the decision was made to replace the OAU with a new organisation, which would go on to embrace significantly different notions of sovereignty and the collective role of the continent's governments in fostering peace and stability.

SALIM'S PROPOSALS (1990)

Eight years prior to Mandela's pleas for reform, the then Secretary General of the OAU implored the Assembly of Heads of State and Government to fundamentally change how the Organisation handled security affairs. The highly decorated Tanzanian diplomat Salim Ahmed Salim was elected the seventh Secretary General of the OAU in 1989, and he quickly set about pursuing an agenda with security reform at its core. The 1980s had seen a nominal move in the direction of increased human rights protection by the Organisation with the adoption of the African Charter on Human and People's Rights (ACHPR), which involved the establishment of the

¹⁰Benedikte Franke, *Security Cooperation in Africa: A Reappraisal* (Boulder: Lynne Rienner, 2009).

¹¹Nelson Mandela, "Address by President Nelson Mandela to the Summit Meeting of Heads of State and Government of the Organisation for African Unity" (speech, Ouagadougou, June 8, 1998), available: http://www.mandela.gov.za/mandela_speeches/1998/980608_oua.htm.

African Commission on Human and People's Rights to oversee its observance. However, the Commission remained entirely advisory, requiring the approval of the Assembly to even publish a report. Both the Charter and the Commission were viewed by critics as woefully deficient due to 'clawback' clauses, which qualified its protections so that they would not supersede national laws imposed by governments.

The Charter is incapable of providing even a scintilla of external restraint upon a government's power to create laws contrary to the spirit of the rights granted. Even the African Commission's ability to provide some external restraint in situations where a governmental activity contravenes a national law is highly questionable. Without precise legal guidelines, the Commission will be severely handicapped in dealing with such situations.¹²

Salim had more radical changes in mind than what had been attempted with the ACHPR or indeed in the OAU's history. He laid the foundations for this in 1990 with the publication of *The Report of the Secretary General on the Fundamental Changes Taking Place in the World and their Implications for Africa*. The document was the result of extensive consultations between Salim, African heads of state and civil society actors in 1989, and it is viewed by many at the AU Commission today as an important precursor to the later repurposing of the OAU.¹³ It championed the idea of Africa mapping out a strategy of sustainable development by fostering democracy and human rights, promoting regional economic integration, and deepening and expanding continental integration.¹⁴ Surprisingly, given the intransigence shown towards reform in the past, Salim's report was well received by the Assembly. Discussion of the report at the 1990 OAU Summit led to the *Declaration on the Political and Socio-Economic Situation in Africa and the Fundamental Changes Taking Place in the World*. Buoyed by the positive reception the report received from heads of state in 1990, Salim attempted to put meat on the bones of his reform

¹²Richard Gittleman, "The Banjul Charter on Human and People's Rights: A Legal Analysis," in *Human Rights and Development in Africa*, eds. Claude E. Welch Jr. and Ronald I. Meltzer (Albany: State University of New York Press, 1984), 159.

¹³Several senior officials, interviewed by the author, from the Defence and Security Division and the Peace and Security Department of the AU Commission cited the importance of this document in laying the groundwork for the transformation of the OAU.

¹⁴Salim, *Report of the Secretary General on the Fundamental Changes Taking Place in the World and their Implications for Africa* (Addis Ababa: Organisation of African Unity, 1990).

plan in 1992, with a follow-up proposal to the Assembly for a permanent institution to deal with conflicts in Africa. His proposal contained a variety of institutional options as well as some specific recommendations for the type of mechanism he argued the Assembly should create. Two core elements of the reform package, if adopted, would have amounted to a radical change in how the OAU responded to instability and conflict. Instead, they proved the rocks upon which Salim's recommendations were scuppered in 1992.

His first recommendation was that the OAU rethink the norm of non-interference and expand its institutional remit to consider internal, and not just inter-state, conflicts. Within the proposed new structure, specific roles would be accorded to the Secretary General and to member states, with the former empowered to respond 'with speed and decisiveness' to prevent or resolve conflict situations. The states, under the proposal, were expected to 'lend the necessary guidance, cooperation and support to the initiatives of the Secretary General, especially in the area of internal conflicts'.¹⁵ The report acknowledged that such reforms represented a change that would have been almost unthinkable in years past, but it highlighted that the necessity of such changes had been highlighted in the *Fundamental Changes* report, which the Assembly adopted in 1990. Re-imagining the non-interference principle, Salim argued, could see the OAU setting a new standard for the rest of the world:

Africa should take the lead in developing the notion that sovereignty can legally be transcended, by the 'intervention' of 'outside forces', by their will to facilitate prevention and/or resolution, particularly on humanitarian grounds. In other words, given that every African is his brother's keeper, and that our borders are at best artificial, we in Africa need to use our own cultural and social relationships to interpret the principle of non-interference in such a way that we are enabled to apply it to our advantage in conflict prevention and resolution.¹⁶

The second core feature of Salim's reforms that proved unpalatable to leaders in 1992 was the proposal that the OAU engage in peacekeeping missions, up to and including with military forces if necessary. In view of the proliferation of conflicts in Africa in recent years, the report argued, it had

¹⁵Salim, *Report of the Secretary General on Conflicts in Africa: Proposals for an OAU Mechanism for Conflict Prevention and Resolution* (Dakar: Organisation of African Unity, 1992), Art. 8.

¹⁶Salim, *Report of the Secretary General on Conflicts in Africa*, Art. 33.

become imperative for the Organisation to establish a permanent mechanism that would initiate and oversee such missions.¹⁷ Salim's preferred way of doing so was to establish a nine-member Bureau of the Summit, which he envisioned becoming the 'supreme organ responsible for peacemaking and peacekeeping operations.' The decision of the Bureau would be required before an observer or peacekeeping force could be deployed, and it would backstop the efforts of the Secretary General in conflict prevention.¹⁸ Whenever the question of a military operation arose, Bureau member states could consult with their own military personnel who together would form a Military Advisory Committee under the Bureau. The Defence Commission would also contribute to this proposed structure by ensuring the standardisation of training and harmonisation of components of an inter-African peacekeeping force. As part of this harmonisation effort, it was recommended that within the 'armed forces of each OAU member state there should be earmarked a unit or units which, in addition to performing their regular functions, will also be trained in peacekeeping.'¹⁹

Salim presented his proposals to African leaders at the 28th Ordinary Session of the OAU in Dakar, Senegal, in June 1992. Given the positive reception the *Fundamental Changes* report received in 1990, Salim went to the Summit optimistic that the heads of state would approve his reforms. The Secretary General took further encouragement from the undertaking of several OAU election observation missions in the preceding two years, something, he noted in his report, which would have been viewed as unacceptable interference in the past.²⁰ However, the reforms did not get the reception that Salim had optimistically anticipated when he presented it to the foreign ministers in attendance.

We had lots of expectations and thought of the Dakar meeting as a formality to approve the proposal. When I formally presented the proposal for the establishment of the mechanism and included the notion of peacekeeping operations, minister after minister bashed the idea and the secretariat, claiming that peacekeeping was not Africa's business. They said it was the UN's mandate and business.²¹

¹⁷ Salim, *Report of the Secretary General on Conflicts in Africa*, Art. 5.

¹⁸ Salim, *Report of the Secretary General on Conflicts in Africa*, Art. 42–43.

¹⁹ Salim, *Report of the Secretary General on Conflicts in Africa*, Art. 27–28.

²⁰ Salim, *Report of the Secretary General on Conflicts in Africa*, Art. 30.

²¹ Hallelujah Lulie and Jakkie Cilliers, "Salim at the Organisation of African Unity," in *Salim Ahmed Salim: Son of Africa*, ed. Jakkie Cilliers (Addis Ababa: Institute for Security Studies, 2015), 74–75.

Instead of adopting the reforms contained in the report, the leaders at the 28th Session agreed to the establishment, ‘in principle,’ of a mechanism for preventing, managing and resolving conflicts. The Assembly stipulated, however, that this would be preceded by an in-depth study, conducted by the Secretary General, ‘on all aspects relating to such a mechanism, including institutional and operational details as well as its financing.’ It was agreed that the study would be presented for the consideration of the Assembly at the following year’s session.²² Salim had been left with little doubt about which elements of his proposals would need to be amended or removed, in order to secure the agreement of leaders.

In 1993, the Assembly adopted a revised version of the proposal in the *Cairo Declaration*, which established a Mechanism tasked primarily with the anticipation and prevention of conflicts through diplomatic means, such as fact-finding missions or the use of special envoys. Where conflicts had already occurred, civilian and military observer missions ‘of limited scope and duration’ could be deployed, but there would be no peacekeeping role for the OAU. Article 15 of the amended proposal stated that the revised Mechanism’s “emphasis on anticipatory and preventive measures, and concerted action in peace-making and peace-building will obviate the need to resort to the complex and resource-demanding peacekeeping operations, which our countries will find difficult to finance”.²³ Unlike Salim’s proposed Bureau, which had privileged decision-making powers in relation to security, the Mechanism was merely another subordinate OAU commission.²⁴ Where peacekeeping was necessary, the services of the UN would be sought. Gone also was the notion of re-interpreting the norm of non-interference. Indeed, Article 14 stated that the new mechanism would be guided by the same objectives and principles as the OAU, ‘in particular the sovereign equality of Member States, non-interference in the internal affairs of States, the respect of the sovereignty and territorial integrity of Member States, their inalienable right to independent

²² “Decision on a Mechanism for Conflict Prevention, Management and Resolution [AHG/Decl. 1 (XXVIII)],” adopted July 1, 1992, Dakar, *Decisions & Declarations of the Assembly*, <https://au.int/decisions/assembly>

²³ “Cairo Declaration on the Establishment within the OAU of a Mechanism for Conflict Prevention, Management and Resolution [AHG/DECL. 3 (XXIX)],” adopted June 30, 1993, Cairo, *Decisions & Declarations of the Assembly*, <https://au.int/decisions/assembly>

²⁴ Christopher Clapham, *Africa and the International System: The Politics of State Survival* (Cambridge: Cambridge University Press, 1996), 117.

existence' and 'the inviolability of borders inherited from colonialism'. The same article stipulated that the mechanism would only operate on the basis of the cooperation and consent of parties to a conflict. The new proposal, minus the most substantial of the reforms Salim had hoped to implement in 1992, passed without an objection from the Assembly.

ESTABLISHMENT OF THE AFRICAN UNION (2002)

The remaining years of the OAU's operation proved some of the most tragic the African continent had ever seen. In particular, the genocide in Rwanda, which Salim described as a 'failure for Africa, the United Nations and humanity at large,'²⁵ laid bare the inadequacies of the Organisation's security mechanism and the seeming indifference of the international community. An OAU report into the Rwandan genocide, published in 2000, expressed the view that 'the members of the Security Council consciously chose to abdicate their responsibility for Rwanda' by refusing to equip the UN Mission in the country with sufficient resources in time to limit the worst atrocities of the genocide. The same report also criticised the OAU for failing to call 'genocide by its rightful name' when it was taking place, for issuing condemnations that were 'strangely impartial' and continuing to recognise the genocidaire regime at the Organisation's summit in June 1994.²⁶ Enormous bloodletting had also occurred during conflicts in Sierra Leone and Liberia in the 1990s. By the end of the decade, tenuous peace agreements in both countries started to crumble, despite the establishment of large UN missions in both Sierra Leone and Liberia. The first and second incarnations of the UN Operation in Somalia between 1992 and 1995, meanwhile, were also viewed as damaging to the UN's reputation, in particular, following the 1993 'Battle of Mogadishu' in which hundreds of Somalis and 18 US soldiers died.²⁷

It was within this context in 1999 that a conversation in the Assembly about how to make the OAU more effective turned into a discussion of

²⁵Salim A. Salim, "An Address By Salim Ahmed Salim, Secretary General of the Organization of African Unity, at the White House Conference on Africa," (speech, Washington D.C., June 26, 1994), available: http://africanactivist.msu.edu/document_metadata.php?objectid=32-130-1226.

²⁶ African Union, *Rwanda: The Preventable Genocide* (Addis Ababa: Organisation of African Unity, 2000), sections 13.1 and 15.86.

²⁷Ramesh Thakur, "From Peacekeeping to Peace Enforcement: The UN Operation in Somalia," *The Journal of Modern African Studies* 32, no. 3 (1994): 387-410.

replacing the OAU with an entirely new organisation. Col. Muammar Gaddafi offered to host an extraordinary summit in Sirte, Libya, and thus, a chain of events was set in motion that resulted in the establishment of the AU in 2002. One of the central pillars of the new Union was the African Peace and Security Architecture, a framework for guiding how the continent would prevent, manage and resolve conflict. Arguably, APSA represented the biggest departure from the OAU, particularly given the reception previous efforts at fundamental security reform had been given in the Assembly. The legal basis for the Architecture is contained in a variety of legal treaties, adopted by the Assembly over the course of a number of years, preceding and following the Union's establishment. However, the essential details of its functioning and core principles were discernible at the birth of the AU. Central amongst these were the re-interpretation of the norm of non-interference and the establishment of African peace-keeping missions.

In 2000, the Union's founding document, the Constitutive Act, was adopted by the OAU Assembly. It outlined the objectives, principles and organs of the AU, but undoubtedly the aspect of the Act which drew the most attention related to the organisation's right of intervention. Article 4 (h) established '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,' which would be defined according to the 'relevant international conventions and instruments.'²⁸ Unlike the OAU, the AU would not necessarily require the agreement of a member state in order to carry out an intervention. Recommendations to intervene would be made by the newly established, 15-member Peace and Security Council (PSC), with the ultimate decision made by the AU Assembly. Five of the PSC seats were to be held for three-year terms with the remaining ten held for two-year terms. Members were to be elected according to the principle of equitable regional representation and rotation, as agreed upon within the regional groupings. Even if they were members of the PSC at the time, parties to a conflict could not participate in the discussion or decision-making process regarding an intervention or any other aspect of that conflict.²⁹

²⁸The point regarding "international conventions and instruments" is drawn from Article 7(e) of the "Protocol Relating to the Establishment of the Peace and Security Council," adopted July 9, 2002, *OAU/AU Treaties, Conventions, Protocols & Charters*, <https://au.int/treaties>. The most relevant instruments in this instance are the 1948 UN Genocide Convention and the 1998 Rome Statute of the International Criminal Court.

²⁹"Protocol Relating to the Establishment of the Peace and Security Council," Art. 8(9).

In addition, the AU would no longer ignore unconstitutional changes in government, a matter that was previously considered to be ‘internal’ and not something against which the OAU would act. *The Lomé Declaration*, which was adopted by OAU leaders at the same Summit at which the Constitutive Act was passed, outlines principles of democratic governance, including the adoption of a democratic constitution, the separation of powers, holding of free and fair elections and guaranteeing freedom of the press.³⁰ It also defines an unconstitutional change of government and appropriate responses to such an occurrence, including condemnation by the OAU (as it was called at the time), non-recognition of the perpetrators’ new government, suspension from participating in the Organisation’s policy organs, and if constitutional order has not been restored within six months, a ‘range of limited and targeted sanctions,’ such as visa denials and trade restrictions. In 2004, the Common African Defence and Security Policy (CADSP) was adopted and provided a more detailed indication of the extent to which the norm of non-interference had been re-interpreted. The policy described how the AU needed to expand the old ‘state-centric’ notion of security that had previously been employed to also incorporate ‘people’s political, cultural, social and economic values and ways of life.’³¹ According to Badmus, by comparison to the highly restricted security role of its ‘feeble predecessor,’ the new security mandate of the AU reflected ‘enormous normative changes, especially in the areas of peace and security, human rights and democracy, respect for the sanctity of human life’ and in the ‘condemnation and rejection of unconstitutional governments and intervention.’³²

The Protocol establishing the PSC, which was adopted in 2002, also outlined the details of the AU’s first foray into peacekeeping and peace-making missions. In order to enable the PSC to function as intended, the African Standby Force (ASF) was established. It would consist of standby multidisciplinary contingents, with civilian and military components in their countries of origin and ready for rapid deployment at appropriate

³⁰ “Declaration on the Framework for an OAU Response to Unconstitutional Changes of Government [AHG/Decl. 5 (XXXVI)],” adopted July 12, 2000, Togo, *Decisions & Declarations of the Assembly*, <https://au.int/decisions/assembly>

³¹ “Solemn Declaration on a Common African Defence and Security Policy,” adopted on February 28, 2004, Sirte, *Decisions & Declarations of the Assembly*, <https://au.int/decisions/assembly>, Art. 5.

³² Isiaka A. Badmus, *The African Union’s Role in Peacekeeping: Building on Lessons Learned from Security Operations* (London: Palgrave Macmillan, 2015), 85.

notice. The functions of the ASF would include observation and monitoring missions, peace support missions, interventions, deployment to prevent conflict escalation or contagion, peace-building, humanitarian assistance and any other functions mandated by the PSC.³³ Initial projections from the AU anticipated having the continental peacekeeping force, with military, police and civilian components, fully operational by 2010.³⁴ However, it would be 2016 before the ASF reached that milestone.

Questions have rightfully been asked since the establishment of the AU about the disparity between the above-mentioned reforms, in principle, and how they have been embraced in practice, something which will be addressed in more detail later in the chapter. Nonetheless, the mere fact of their being agreed to represents a significant policy turnaround on the part of African leaders. Next, we discuss the answer to what prompted such a turnaround in a relatively short space of time.

EXPLAINING THE VOLTE-FACE

Of course, given the number of governments involved, the reasons behind this change in policy are manifold. However, through a combination of documentary analysis and interviews with policymakers and OAU/AU officials, it is possible to discern three categories of factors that help explain the reversal. The first relates to political developments within certain African states in the 1990s, the second is focused upon humanitarian tragedies across the continent in the same period, while the third is tied to the particularities of decision-making at the OAU/AU Assembly.

Democratisation in the 1990s

Although there are disputes regarding how to define democratic governance, few argue against there being a considerable move in the direction of democratisation across Africa in the 1990s.³⁵ Prior to that decade,

³³ “Protocol Relating to the Establishment of the Peace and Security Council,” Art. 13.

³⁴ Wolf Kinzel, “The African Standby Force of the African Union: Ambitious Plans, Wide Regional Disparities: An Intermediate Appraisal,” *Stiftung Wissenschaft und Politik Research Paper* 8, (2008): 5–6.

³⁵ Staffan I. Lindberg, “Opposition Parties and Democratisation in Sub-Saharan Africa,” *Journal of Contemporary African Studies* 24, no. 1 (2006): 123–138; Gabrielle Lynch and Gordon Crawford, “Democratization in Africa 1990–2010: an assessment,” *Democratization* 18, no. 2 (2011): 275–310.

Botswana and Mauritius were the only states in sub-Saharan Africa that held regular competitive multiparty elections. However, by June 2003, 44 of the region's 48 states had conducted 'founding' elections, 'typically marking a transition from a long period of authoritarian rule to fledgling democratic government.' Of this number, 33 had gone through a second set of elections, 20 had completed a third and 7 had held four or more consecutive elections.³⁶ Some International Relations scholars have argued that 'in the midst of a democratic transition, state leaders have trouble making credible commitments to sustain reforms, since they can benefit from impeding liberalisation'.³⁷ International organisations can offer a solution to such problems by publicising and enhancing the credibility of governments' commitments to democracy and tying them into reforms through international treaties.³⁸ During the 1990s, no other region of the world had as many young (and often frail) democracies as Africa. Creating an organisation with an emphasis on democracy and human rights (and the institutional capacity and mandate to promote them) signalled to domestic voters, as well as non-African governments and investors, that AU members were aiming to keep pace with the political, economic and social developments taking place within and outside the continent.³⁹

Of possibly even more importance than the rate of democratisation across Africa in the 1990s though is the particular states in which it occurred. Two of Africa's biggest powers, South Africa and Nigeria, had democratic transitions in 1994 and 1999, respectively. The leaders that came to power in the two nations shared highly similar continental security agendas and would go on to bear more influence than any of their peers in the transition from the OAU to the AU.⁴⁰ South Africa's Thabo Mbeki and Nigeria's Olusegun Obasanjo initially had plans only for substantial reform of the OAU. However, when Muammar Gaddafi—with

³⁶ Staffan I. Lindberg, "The Surprising Significance of African Elections," *Journal of Democracy* 17, no. 1 (2006): 140.

³⁷ Edward D. Mansfield and Jon C. Pevehouse, "Democratisation and the Varieties of International Organisations," *Journal of Conflict Resolution* 52, no. 2 (2008): 270.

³⁸ Andrew Moravcsik, "The Origins of Human Rights Regimes: Democratic Delegation in Postwar Europe," *International Organization* 54, no. 2 (2000): 217–252.

³⁹ "Sirte Declaration on the African Union [EAHG/Draft/Decl. (IV) Rev. 11999]," adopted September 9, 1999, Sirte, *Decisions & Declarations of the Assembly*, <https://au.int/decisions/assembly>

⁴⁰ Thomas Kwasi Tiekou, "African Union Promotion of Human Security in Africa," *African Security Studies* 16, no. 2 (2007): 26–37.

continental leadership ambitions of his own⁴¹—offered to host an extraordinary summit to plan a new organisation, the two leaders took advantage of the opportunity to initiate more ambitious changes without having to foot the enormous cost of hosting an extra meeting.⁴²

As the earlier quote from Mandela indicated, South African support for a re-interpretation of the norm of non-interference predated Thabo Mbeki's election as President in 1999. In 1997, the African National Congress (ANC) had adopted a policy document, which stated that the sections of the OAU Charter that protected the national sovereignty of African countries must not be used as a shield for states that violate human rights.⁴³ As President, Mbeki supported the party stance, telling an audience in 2003 we have to agree that we cannot be ruled by a doctrine of absolute sovereignty. We should not allow the fact of the independence of each one of our countries to turn us into spectators when crimes against the people are being committed.⁴⁴ In terms of how this revised interpretation should be employed in practice, Mbeki was one of the most vocal advocates among African leaders for the establishment of the ASF. Holding off challenges from the likes of Gaddafi and Kenya's Daniel arap Moi at the birth of the AU, the South African President successfully advocated for a Force that would be empowered to intervene in Africa's internal conflicts.⁴⁵ Like Mbeki, Olusegun Obasanjo was elected to power in 1999 (having previously served as the country's military ruler between 1976 and 1979) with an ambitious plan to reform continental security cooperation. The Nigerian leader's priorities are well captured in the Memorandum of Understanding on the Conference on Security, Stability, Development and Co-operation in Africa (CSSDCA), which was adopted by OAU leaders in 2000. Likened to Africa's version of the Helsinki Process, the

⁴¹In an interview with the author in Abeokuta in February 2017, President Obasanjo stated: "I think Libya came into the AU strongly when it was looking for a role for herself after it had found no role in the Arab League."

⁴²Thomas Kwasi Tiekou, "Explaining the Clash and Accommodation of Interests of Major Actors in the Creation of the African Union," *African Affairs* 103, no. 411 (2004): 249–267.

⁴³African National Congress, "Developing a Strategic Perspective on South African Foreign Policy," ANC discussion document released in July 1997 prior to their Annual Conference in December of the same year, <https://www.tandfonline.com/doi/abs/10.1080/10220469709545218>.

⁴⁴Thabo Mbeki, "Africa will emerge as the hope of all humanity," (speech, Lagos December 6, 2003), available: <http://www.waado.org/NigerDelta/Essays/Guardian-Mbeki.html>.

⁴⁵Kagwanja, "Power and peace," 173.

CSSDCA was created by the Africa Leadership Forum (ALF) during Obasanjo's tenure as its chairman.⁴⁶ It sought to redefine security at the continental level by setting standards of behaviour in relation to internal issues, such as democracy, governance practices and human rights. It also stated that there was 'an imperative need to build and enhance Africa's capacity for peace support operations,' reflecting Nigeria's support for a continental peacekeeping force.⁴⁷

Together with a cohort of like-minded allies, that included Algeria's Abdelaziz Bouteflika, Ethiopia's Meles Zenawi and Mali's Alpha Oumar Konaré, Obasanjo and Mbeki devoted considerable energy to achieving their vision of security in the new organisation. As the dominant force within the Economic Community of West African States (ECOWAS), Nigeria successfully harmonised the positions of other members of the regional economic community with its own in advance of negotiations with the rest other AU states.⁴⁸ In its efforts to foster support, the Mbeki government also drew upon the strong economic dependence of many member states on South Africa. One former South African diplomat highlighted that the government could also draw upon residual 'Mandela euphoria', recalling as an example an official from another member state called him to enquire about Pretoria's stance on a particular treaty.

So I tell him the position (of South Africa), and he said the reason he asked this was because when he raised this topic with his director general at home, he said 'Do not scratch your head, just discuss the position with South Africa and follow their position'. That took me aback. What it said is that we wielded a level of power. Here were people who were saying 'What South Africa is saying is probably correct'.⁴⁹

Resource imbalances between member states were also a factor in how negotiations progressed regarding the Architecture. Dr. Admore Kambudzi, at the time of writing, the Acting Director of the AU Peace

⁴⁶The Africa Leadership Forum (ALF) is a non-profit organisation founded by President Obasanjo in 1988, with a focus on leadership development, capacity building and economic empowerment. Amongst its activities are the provision of training to business and political leaders, and the carrying out of policy research (<http://www.africaleadership.org/>).

⁴⁷"CSSDCA Solemn Declaration [AHG/Decl. 4 (XXXVI)]," adopted on May 9, 2000, Togo, <https://au.int/decisions/assembly>.

⁴⁸Olufemi George, *From Rookie to Mandarin: The Memoirs of a Second Generation Diplomat* (Ibadan: BIP, 2012), 591.

⁴⁹Interview, South African Diplomat at the African Union (anonymized as a condition of participation, name known with author), via Skype, July 2017.

and Security Department, served as a UN-appointed consultant to assist the Union with the establishment of APSA and was present at many of the negotiations at which the Architecture's structure was agreed. In explaining the outcome of those negotiations, he highlights the influence that the larger states exerted on the framework by virtue of their greater resources.

When it comes to who leads more, it depends on the economic means to be able to bring lawyers, intellectuals, professors. South Africa can bring 30 people, Zimbabwe can probably only bring four. Zambia can bring two, Malawi can bring one.... South Africa will bring a division of thinkers, not just civil servants.⁵⁰

In negotiations, the Nigerian government also used its disproportionately large resources to exert influence. The then Director of African Affairs at the Nigerian Ministry of Foreign Affairs proposed that it would be 'appropriate to beef up the staff strength' of Secretary General Salim's office to assist with the legal drafting necessitated by the creation of the AU. The Deputy Director of Foreign Minister Sule Lamido's office was chosen for the task. Over the subsequent months, he worked in Salim's office, while continuing to cooperate with the Nigerian Embassy in Addis Ababa and receive guidance from Minister Lumido and Obasanjo. Through such efforts, Nigeria, along with its main ally in negotiations South Africa, was able to achieve considerable success in changing how the AU would approach security matters.⁵¹

Conflicts in the 1990s

In explaining changes in states' policies, interests and behaviours, scholars from the Constructivist tradition privilege factors such as identity, social relations and values. Actors' experiences with their social environment help create and reinforce their identities and lead to role-specific understandings of self, which in turn inform their interests.⁵² Collective shame or guilt, according to this perspective, can influence the preferences of

⁵⁰ Interview, Admore Kambudzi, Addis Ababa, April 2017.

⁵¹ George, *From Rookie to Mandarin*, 588–589.

⁵² Alexander Wendt, "Anarchy is what States Make of It: The Social Construction of Power Politics," *International Organization* 46, no. 2 (1992): 391–425; Ian Hurd, "Constructivism" in *The Oxford Handbook of International Relations*, eds. Christian Reus-Smit and Duncan Snidal (Oxford: Oxford University Press, 2008), 298–316.

different groups, including governments.⁵³ Such factors appear to have been significant for policymakers when crafting the AU, at the end of a decade that had seen a large number of major humanitarian tragedies across Africa. Most prominently, wars in Somalia, Sierra Leone, Liberia and the Democratic Republic of Congo, as well as genocides in Rwanda and Burundi, had resulted in enormous death tolls. This experience prompted a sense of shame amongst many African leaders and also a realisation that the willingness of the outside world to get involved in Africa's conflicts was fast declining. As a result, the Assembly became much more amenable to revising the norm of non-interference and introducing African peacekeeping missions at the birth of the AU than what they had been a decade earlier.

One of the most significant representations of the reinterpretation of the norm of non-interference is the AU's right of intervention. Scholars, such as Maluwa, draw a direct connection between African experiences of genocide and ethnic cleansing in the 1990s, and the introduction of the intervention mandate in the Constitutive Act.⁵⁴ 'Rwanda loomed large as a reminder of how horribly things could go,' according to Chris Landsberg, one of the drafters of the AU's Vision and Mission Statement, 'it is because of Rwanda in particular that genocide and crimes against humanity are a stated unequivocal pretext for intervention.'⁵⁵ From the start of his tenure as Secretary General, Salim had unsuccessfully attempted to reduce Africa's dependence on the outside world for fostering peace and stability. There had been some advocates for such a position in the past, though none were successful in effecting meaningful change. For example, in his first speech to the OAU Assembly in 1986, Ugandan President Museveni said his people 'felt a deep sense of betrayal that most of Africa kept silent' during the massacres perpetrated by the Amin regime.⁵⁶ However, in the months after the Rwandan genocide, Salim felt that OAU governments were finally 'prepared to get out of the limiting traditional political considerations, such as those of sovereignty and misplaced notions of

⁵³Nyla R. Branscombe and Bertjan Doosje, *Collective Guilt: International Perspectives* (Cambridge: Cambridge University Press, 2004).

⁵⁴Tiyanjana Maluwa, "Reimagining African Unity: Some Preliminary Reflections on the Constitutive Act of the African Union," *African Yearbook of International Law Online* 9, no. 1 (2001): 1–38.

⁵⁵Interview, Chris Landsberg, Johannesburg, May 2017.

⁵⁶Yoweri Museveni, "Address to the 22nd Ordinary Session of the OAU Assembly," (speech, Addis Ababa, 1986).

non-interference, and to embrace each other in a partnership to bring peace and stability on the continent.⁵⁷

Speaking with the benefit of several years' hindsight, one of Salim's closest colleagues from this period expresses a similar sentiment as the Secretary General regarding the impetus for change. Said Djinnit was *chef de cabinet* to Salim when his 1992 proposals were rejected, and went on to chair the task force that drafted the Constitutive Act before becoming the AU's first Commissioner for Peace and Security. He points to the experiences of African conflicts in the intervening years as critical to understanding policy reversals in relation to the principle of non-interference and AU peacekeeping missions.

Meanwhile, we have had the genocide in 1994, we had Somalia, we had Liberia, we had Sierra Leone. We realised that as an international community and African community, we had not been able to address the problem effectively. The UN left Rwanda, the UN left Somalia, the genocide happened without us doing anything about it, so the principle of moving to non-indifference grew over all these years.⁵⁸

By comparison to Salim's unsuccessful struggle in 1992 to garner approval for his proposals, the task of getting opponents on board proved relatively easy for advocates of security reform at the dawn of the AU.⁵⁹ It is important to note, however, that achieving these objectives did not mean having to secure agreement from every member state, which brings us to the third facilitative factor.

Decision-Making at the OAU/AU Assembly

Despite the policy-influencing effect of increasing democratisation and large-scale conflicts across Africa in the 1990s, the apparent ease with which proponents of change achieved their goals is still something of a puzzle. Of the 52 leaders that rejected Salim's proposals in 1992, 23 were still in power a decade later. Amongst that group were several figures that were vehemently opposed to the types of reforms envisioned by the likes

⁵⁷ Salim, "An Address By Salim Ahmed Salim."

⁵⁸ Interview, Said Djinnit, via Skype, May 2017.

⁵⁹ This sentiment was expressed by a number of interviewees who advocated for the security reforms, including Said Djinnit, Admore Kambudzi and the aforementioned senior South African diplomat at the OAU/AU.

of Salim, Mbeki and Obasanjo. Old-guard leaders, such as Libya's Gaddafi, Zimbabwe's Robert Mugabe and Kenya's Daniel arap Moi, were vocal opponents of the establishment of a military force for anything other than defending against aggressors from outside Africa.⁶⁰ Several other leaders, such as Charles Taylor in Liberia, Gnassingbé Eyadéma in Togo or Paul Biya in Cameroon, had little to gain and much to potentially lose from the establishment of an empowered, inward-looking security apparatus with a democracy and human rights-promoting mandate. It seems quite likely, then, that some proportion of the membership was not swayed by the two facilitative factors already discussed. Despite this, however, the founding treaties that make APSA legally enforceable were adopted by consensus. Of the two most significant of these, the Constitutive Act has been ratified by every member state, while the PSC Protocol has been ratified by all apart from three members at the time of writing.⁶¹ A better understanding of this seeming discrepancy can be achieved by examining the decision-making rules and practices of the AU.

Each of the legal treaties upon which APSA is based, including those that introduce the reinterpretation of the non-interference principle and the establishment of the ASF, had to be adopted by the Assembly of the OAU or the AU. Once the Assembly has adopted a legal instrument, a designated number of member states must ratify it in their home parliaments before it becomes enforceable in all member states. This process generally takes several years, and provisions related to ratification vary between different instruments. For example, the PSC Protocol entered into force once it was ratified by a simple majority of members, whereas the Charter on Democracy, Elections and Governance became enforceable 30 days after instruments of ratification had been deposited by 15 members. The Rules of Procedure of the Assembly state that all decisions shall be taken by consensus or, failing that, by a two-thirds majority of members.⁶² In the time period during which AU treaties were adopted that revised the norm of non-interference and established the ASF, this means that only 35 of the 53 members needed to support a decision in

⁶⁰ Kagwanja, "Power and peace," 173.

⁶¹ "OAU/AU Treaties, Conventions, Protocols & Charters Ratified by," African Union, <https://au.int/treaties/ratifiedby/>

⁶² "Rules of Procedure of the African Union," adopted on July 10, 2002, Durban, <https://au.int/en/documents/20190314/assembly-rules-procedure>, Rule 18.

order for it to be adopted.⁶³ Voting on substantive issues must be carried out by secret ballot and the AU Commission does not disclose whether or not a vote occurred on specific instruments during summits.⁶⁴ This creates something of a difficulty for researchers hoping to establish the positions of individual governments in relation to specific legal instruments.

In practice, however, voting rarely takes place in the Assembly. When it is apparent that a proposal has the support of a sufficient two-thirds majority, member states that oppose the motion will most likely remain silent and accept the decision rather than risk losing face or unsettling relations with an ally by raising a futile objection.⁶⁵ Officials from the AU Commission say that the biggest struggle is not in getting states to adopt decisions but rather getting them to implement them at a national level. According to one, ‘there are many normative frameworks, many decisions adopted, but implementation? That is where the lacuna is.’ Another colleague points to the Union’s lack of enforcement ability as a cause for states accepting treaties that may be at odds with their system of domestic governance.

There are member states who know there are no implications, it’s quite a cynical view, but they know there are no implications. It means nothing to sign a treaty, right?⁶⁶

The claim that states’ commitment to a treaty is influenced by whether they expect to comply with it once they have joined is commonly made by scholars that focus upon human rights instruments.⁶⁷ Hafner-Burton and Tsutsui, for example, argue that weak monitoring and enforcement mechanisms offer governments ‘strong incentives to ratify human rights treaties as a matter of window dressing.’⁶⁸

⁶³When seminal treaties, such as the Constitutive Act (2000) or the Peace and Security (PSC) Protocol (2002) were adopted, the AU had 53 members. This has since expanded to 55 with the admission of South Sudan in 2011 and the readmission of Morocco in 2017.

⁶⁴“Rules of Procedure,” Rule 30.

⁶⁵Interview, South African Diplomat at the African Union (anonymized as a condition of participation, name known with author), via Skype, July 2017.

⁶⁶Interview, Two Senior Officials from the AU Peace and Security Department (anonymized, as a condition of participation, name known with author), Addis Ababa, April 2017.

⁶⁷Oona A. Hathaway, “Why do Countries Commit to Human Rights Treaties?” *Journal of Conflict Resolution* 51, no. 4 (2007): 588–621; Wade M. Cole, “Hard and Soft Commitments to Human Rights Treaties, 1966–2000,” *Sociological Forum* 24, no. 3 (2009): 563–588.

⁶⁸Emile M. Hafner-Burton and Kiyoteru Tsutsui, “Human Rights in a Globalizing World: The Paradox of Empty Promises,” *American Journal of Sociology* 110, no. 5 (2005): 1378.

According to President Mbeki's long-time confidante and Deputy Foreign Minister Aziz Pahad, the AU's weak enforcement capability was most likely a factor in the relatively frictionless adoption of the legal treaties at the core of APSA. Speaking of the more authoritarian wing of the organisation's leaders in its initial years, he remarked:

Why did they allow this thing (security reforms that were at odds with their governance standards) to go? Maybe based upon the assumption of "These guys can take resolutions and we just won't implement them" [...] I suspect they probably thought, "Let them go and make their noises, we'll just ignore them."⁶⁹

A similar sentiment is shared by the lead drafter of the Common African Defence and Security Policy, who worked with experts and a wide variety of member state representatives in writing the document. In the context of states accepting reforms they did not necessarily accept at the birth of the AU, he remarked 'You see, in a multilateral organisation, you can just abstain or be silent on a matter, and people have pounded you with so many compelling, rational and logical arguments that they shut you up. But it does not necessarily mean that you agree.'⁷⁰

* * *

Much of the existing, scant research on the emergence of the AU's security architecture privileges influences, such as the Cold War, with roots outside of Africa. By contrast, this chapter highlights critical factors—specifically African democratisation processes and conflicts in the 1990s, as well as the decision-making procedures of the OAU/AU—that all stem from within the continent. This chapter's focus on the unsuccessful elements of Salim's 1992 proposal should not for a moment be understood as a criticism of the former Secretary General. After all, Salim remained in his position with the OAU until 2001, by which time the reforms being discussed in this chapter were well underway. It is agreed amongst commentators and former colleagues alike that his name should feature prominently in any conversation regarding the major security reforms that occurred between the OAU and the AU. In 2014, he was honoured for

⁶⁹ Interview, Aziz Pahad, Johannesburg, May 2017.

⁷⁰ Interview, Pal Martins, Johannesburg, May 2017.

his contribution by the AU at an event to celebrate his leadership. Lulie and Cilliers argue that the *Report on Fundamental Changes* and the *Cairo Declaration* (which is cited in the preamble to the PSC Protocol) laid the foundation for the creation of APSA.⁷¹ Said Djinnit describes his former Secretary General as the ‘mastermind’ behind the transformations that occurred between the two organisations and feels that not enough tribute has been paid to Salim for his input.⁷²

Rather than a commentary on the Secretary General’s contribution, this chapter’s focus has been on explaining how similar proposals, made a decade apart, had such contrasting fates in the same Assembly. Though there are several differences between what heads of state were asked to adopt in 1992 and at the birth of the AU, the two most comparable elements were the revision of the norm of non-interference and the establishment of African peacekeeping missions. Of course, the argument offered here is not exhaustive, and undoubtedly, a wide variety of unique incentives were at play for individual member states at the time. Nonetheless, the three categories of facilitative factors discussed in the preceding pages illustrate how the foundations were laid, in a broader sense, for this policy turnaround by African governments. Democratisation occurred at unprecedented rates across the continent in the 1990s, and it was followed by changes at the OAU that are consistent with much of the International Relations literature regarding how young democracies ‘use’ international organisations. More importantly, the democratic wave resulted in the forming of coalitions between new, powerful and reform-minded governments, with South Africa and Nigeria the most influential amongst them. Conflicts with dire humanitarian consequences in the 1990s also influenced the volte-face by African governments. The shame of not having done more to curb the impact of tragedies, such as the genocide in Rwanda, coupled with the dawning realisation that the outside world could not be relied upon to help, prompted a rethink by leaders regarding the security role of the OAU. Technically, only two-thirds of the membership had to support a decision in order for it to be adopted so the continued presence of an unsupportive cohort of leaders was not enough to stop the radical security reforms achieved. In addition to the futility of objecting to a position shared by a sufficient majority, the acquiescence of

⁷¹ Lulie and Cilliers, “Salim at the Organisation of African Unity,” 70–72.

⁷² Interview, Said Djinnit, via Skype, May 2017.

anti-reform members was also quite likely facilitated by the weak ability of the AU to enforce its own policies.

This latter point leads to one final observation, regarding whether it matters that the reforms, which faltered in 1992, were finally realised a decade later. If the AU's ability to enforce its members' decisions is so weak, do the reforms discussed here amount to little more than the 'window dressing' that Hafner-Burton and Tsutsui perceive in their analysis of human rights treaties? After all, the ASF is yet to be deployed, and the most symbolic representation of the reinterpretation of the non-interference principle, the AU's right of intervention, has never been triggered. To take such a dim view, however, is to ignore the progress that has occurred. Between 2003 and 2012, 12 coups d'état occurred on the continent, eight of which prompted the Union to suspend members, a venture into internal affairs that would have been considered unthinkable at the OAU.⁷³ Furthermore, the AU has been increasingly active in election observation and monitoring since its establishment.⁷⁴ Despite many false starts, the ASF was declared operational in 2016 and passed a further milestone in 2018 as its first continental logistics base was inaugurated in Douala, Cameroon. In October 2018, workshops were held to update the conceptual and legal foundations of the Force, as its original framework was 15 years old by then.⁷⁵

Progress has been slow, as has often been the case for an organisation that, like the OAU, has had to contend with resource shortfalls and members with diverse, and sometimes conflicting, interests. It is undeniable, however, that the contribution the AU makes in the realm of peace and security is significantly greater than that of its predecessor. A strong link can be drawn between this increased activism and the policy reversals that occurred between Salim's first attempt at reform in 1992 and the birth of the Union a decade later. Therefore, it is important to develop a comprehensive understanding of how such changes occurred, in order to facilitate a richer insight into the past and better-informed policy in the future.

⁷³Kathryn Sturman, "The Use of Sanctions by the African Union: Peaceful Means to Peaceful Ends?" in *South African Yearbook of International Affairs 2008/9*, ed. South African Institute of International Affairs (Johannesburg: South African Institute of International Affairs, 2009), 97–109.

⁷⁴"Support to the African Union", Electoral Institute for Sustainable Democracy in Africa, <https://www.eisa.org.za/epp-au.php>

⁷⁵Ndubuisi C. Ani, "Is the African Standby Force Any Closer to Being deployed?" Institute for Security Studies, November 2, 2018, <https://issafrica.org/iss-today/is-the-african-standby-force-any-closer-to-being-deployed>

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