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THE AFRICAN UNION AS SECURITY ACTOR : AFRICAN SOLUTIONS TO AFRICAN PROBLEMS ?

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The African Union as a Security Actor: African Solutions to African Problems?

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Introduction

A Google search for the phrase ‘African Solutions to African Problems’ in April 2009 yielded almost 10,000 hits, indicating that it has indeed struck a cord, probably both in Africa and in the rest of the world. In Africa it seems to connote pride and a ‘can do attitude’. This marks a break with the not so distant past when all the continent’s problems were blamed – with considerable justification, to be sure – on the European colonialists and their neo-colonialist successors, a blame-passing that was usually accompanied by demands that the affluent and powerful West should solve Africa’s problems.

The phrase thus signals a new and more constructive attitude, but it is not clear whether to understand it as a moral admonition, a political rallying cry or an empirical statement. Does it mean that all African countries have a special responsibility to help in solving problems anywhere on the continent simply as a function of their location? Or is the phrase simply intended as a ‘Come on, Africa!’ cheer as when spectators are cheering their favourite football team? Or should it be taken to mean that African solutions to problems in Africa are simply more likely to succeed than those promoted by extra-continental actors and often imposed on African nations.

In this paper, the main emphasis will be placed on the problem-solving capacity of the African Union (AU) and its predecessor, the Organisation of African Unity (OAU). As the AU is in the process of outsourcing responsibility to the subregional organisations on the continent, quite a lot will depend on the ability of the latter to form a ‘seamless web’ of organisations, collectively able to deal with Africa’s conflicts and other problems. This question has, however, been addressed in a companion report on the subregional organisations (Møller 2009). For both the continental and the subregional analysis, the theoretically based hypothesis is that quite a lot will depend on whether the organisation is based on shared values and ambitions and on whether it contains at least one power able to take the lead – often referred to as a hegemon.

This paper therefore commences with a brief account of the concept of hegemony followed by an analysis of the empirical question whether there are any potential hegemons in Africa. This is followed by a rather brief analysis of the OAU’s rather dismal record with regard to conflicts; and then an account of the genesis of the AU, its ambitions, organisational setup and actual activities and accomplishments in the field of peace and security.

To Have what it Takes, Walk the Walk and Talk the Talk

The so-called ‘hegemonic stability theory’ (Keohane 1996) is inspired by Antonio Gramsci who was puzzled by the apparent ability of the capitalist class to co-opt (at least a strata of) the working class into a ‘grand coalition’ under its own leadership by convincing them that its own interests coincided with those of society as a whole (Gramsci 1971: 323-77; Salamani 1981: 17, 79-80, 126-53). The concept has subsequently been applied to international

relations by kindred spirits from ‘critical IR theory’ such as Robert Cox, who defined international hegemony as ‘the formation of a coalition of top-down forces activated by a common consciousness in which those at the bottom are able to participate’ (Cox 1986; 2001). The term has also been used by mainstream authors belonging to the international political economy tradition, such as Charles Kindleberger (Kindleberger 1981; 1986) as well as by international relations theorists such as Robert Keohane (Keohand 1984).

One might see hegemonic stability theory as a variant of international relations realism, in which case the emphasis is placed on the role of power (Guzzini 1998: 142-60). Preponderant power allows those possessing it to coerce those who do not, but it is becoming less and less clear wherein power resides (Holsti 1977: 164-82; Barnett and Duvall 2005). Military power used to be the ultimate means of coercion, but with the gradual outlawing of war and other usages of military force it will have to be reserved for exceptional circumstances. Other forms of power tend to be more ‘fungible’, but how to weigh the different elements of power against each other is not at all clear. Kenneth Waltz, for instance, mentions ‘size of population and territory, resource endowment, economic capability, military strength, political stability and competence,’ referring to their totality as ‘aggregate capabilities’, yet without clarifying the formula for aggregation (Waltz 1979: 131; Morgenthau 1960: 110-48).

Table 1: Distribution of Capabilities in Africa

Source: CIA 2008; IISS 2009. See also Clapham et al. 2006. GDP: Gross Domestic Product, US\$ billion purchasing power parity; MIL: Military Expenditures, US\$ million; AF: Armed Forces, i.e. regular soldiers in thousands

State	Territory (sq km)	Population	GDP	MIL	AF	State	Territory (sq km)	Population	GDP	MIL	AF
Algeria	2,381,740	34,178,188	240.20	4,270	147	Madag.	587,040	20,653,556	21.62	82	14
Angola	1,246,700	12,799,293	114.60	2,264	107	Malawi	118,480	14,268,711	11.82	42	5
Benin	112,620	8,791,832	13.15	55	5	Mali	1,240,000	12,666,987	14.98	157	7
Botswana	600,370	1,990,876	29.17	317	9	Maurit.	1,030,700	3,129,486	6.31	19	16
Burk. F.	274,200	15,746,232	19.34	95	11	Mauritius	2,040	1,284,264	15.75	27	0
Burundi	27,830	8,988,091	3.22	78	20	Morocco	446,550	34,859,364	137.40	2,409	196
Cameroon	475,440	18,879,301	44.03	297	14	Mozamb.	801,590	21,669,278	19.68	57	11
Cape V.	4,033	429,474	1.81	8	1	Namibia	825,418	2,108,665	11.59	239	9
CAR	622,984	4,511,488	3.26	18	3	Niger	1,267,000	15,306,252	9.66	46	5
Chad	1,284,000	10,329,208	16.26	70	25	Nigeria	923,768	149,229,090	328.10	980	80
Comoros	2,170	752,438	0.74	-	-	Rwanda	26,338	10,473,282	9.06	62	33
Cote d'Iv.	322,460	20,617,068	33.78	290	17	R. Congo	342,000	4,012,809	14.79	94	10
Djibouti	23,000	516,055	1.93	17	10	Sahrawi	266,000	405,210	0.90	-	-
DR Congo	2,345,410	68,692,542	21.08	166	151	Sao T./P	1,001	212,679	0.28	na	na
Egypt	1,001,450	83,082,869	442.60	4640	469	Senegal	196,190	13,711,597	22.98	193	14
Eq. Guin.	28,051	633,441	18.62	8	1	Seychelles	455	87,476	1.47	-	-
Eritrea	121,320	5,647,168	3.97	na	202	Sierra L.	71,740	6,440,053	4.42	29	11
Ethiopia	1,127,127	85,237,338	63.44	336	138	Somalia	637,657	9,832,017	5.76	na	2
Gabon	267,667	1,514,993	22.16	123	5	S.Africa	1,219,912	49,052,489	505.10	3,753	62
Gambia	11,300	1,782,893	2.04	4	1	Sudan	2,505,810	41,087,825	88.95	na	109
Ghana	239,460	23,832,495	34.52	104	14	Swazil.	17,363	1,123,913	5.71	na	na
Guinea	245,857	10,057,975	11.07	52	12	Tanzania	945,087	41,048,532	56.22	162	27
Guin-Bis.	36,120	1,533,964	0.90	15	6	Togo	56,785	6,019,877	5.43	42	9
Kenya	582,650	39,002,772	66.48	681	24	Tunisia	163,610	10,486,339	83.40	470	36
Lesotho	30,355	2,130,819	3.38	40	2	Uganda	236,040	32,369,558	34.23	232	45
Liberia	111,370	3,441,790	1.74	na	na	Zambia	752,614	11,862,740	17.83	247	15
Libya	1,759,540	6,310,430	92.01	656	76	Zimb.	390,580	11,392,629	2.29	na	29

Moreover, what matters is surely not so much absolute as relative power, but at the regional level there will always be holders of power beyond the region who may bring their power to bear within it. Any regional balance of power may thus be tipped by an external actor, implying that regional hegemony can never be absolute. With this caveat in mind it still seems to make sense to seek to identify possible candidates for hegemony in Africa, as is done on Table 1, providing data for some of Waltz's parameters.

In Table 2, potential candidates for hegemony are identified as belonging to Africa's 'top ten' in at least one relevant dimension. Excluding those excelling in only one dimension leaves us with twelve possible candidates. Giving the highest score to number one and calculating a total score for each country gives us a group of potential hegemonies comprising, in that order, Egypt, Algeria, South Africa, Nigeria, Morocco, the DRC, Sudan, Angola, Ethiopia and Libya, from which we may safely omit Morocco as a non-member of the AU.

Table 2: Africa's 'Top Ten'

Parameter State	Territory		Population		GDP		MILEX		Troops		Total Score
	Rank	Pct.	Rank	Pct.	Rank	Pct.	Rank	Pct.	Rank	Pct.	
Algeria	2	7.8	10	3.4	4	8.8	2	17.8	5	6.6	32
Angola	7	4.1	-	-	6	4.2	5	9.5	8	4.8	18
Chad	5	4.2	-	-	-	-	-	-	-	-	-
DR Congo	3	7.7	4	6.9	-	-	-	-	4	6.8	22
Egypt	-	-	3	8.3	2	16.1	1	19.4	1	21.2	37
Eritrea	-	-	-	-	-	-	-	-	2	9.1	-
Ethiopia	10	3.7	2	8.6	-	-	10	1.4	6	6.2	16
Kenya	-	-	8	3.9	10	2.4	7	2.8	-	-	8
Libya	4	5.8	-	-	7	3.4	8	2.7	10	3.4	15
Mali	8	4.1	-	-	-	-	-	-	-	-	-
Morocco	-	-	9	3.5	5	5.0	4	10.1	3	8.8	-
Niger	6	4.2	-	-	-	-	-	-	-	-	-
Nigeria	-	-	1	15.0	3	12.0	6	4.1	9	3.6	25
South Africa	9	4.0	5	4.9	1	18.4	3	15.7	-	-	26
Sudan	1	8.3	6	4.1	8	3.2	-	-	7	4.9	22
Tanzania	-	-	7	4.1	-	-	-	-	-	-	-
Tunisia	-	-	-	-	9	3.0	9	2.0	-	-	4

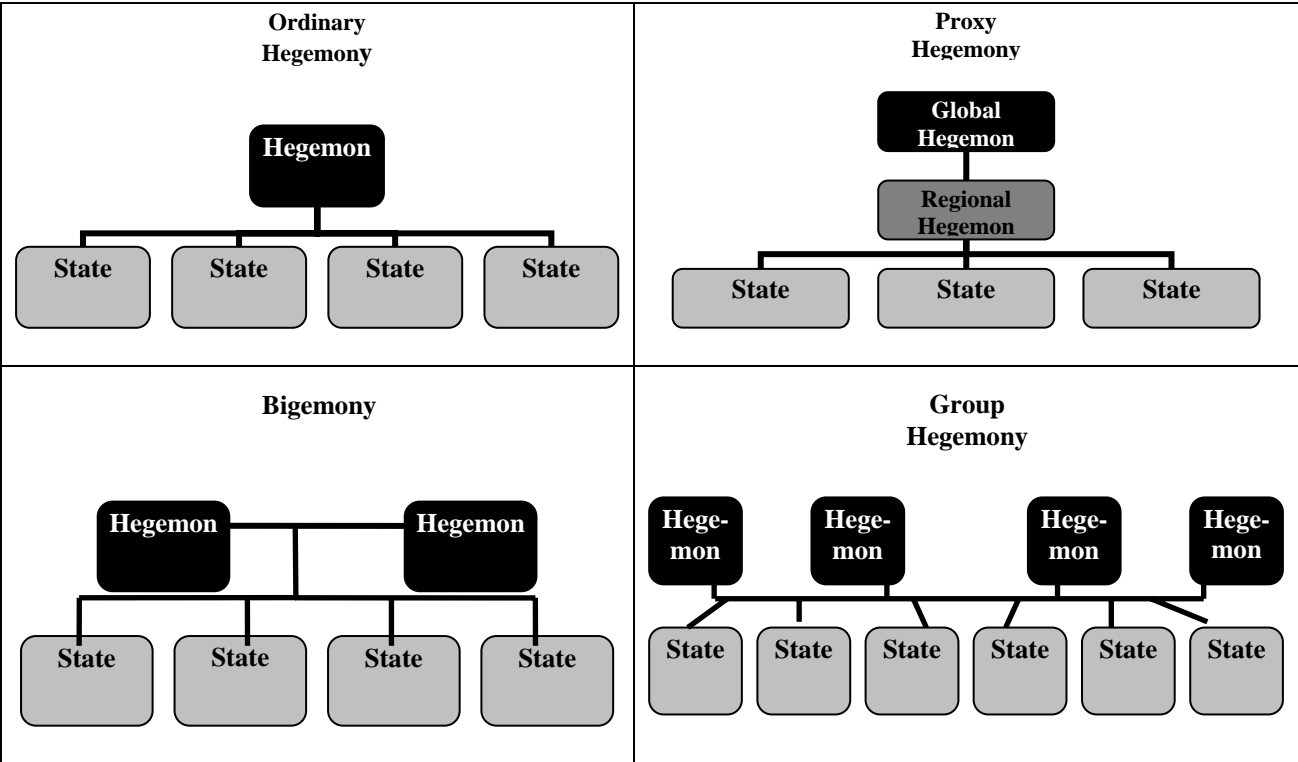
However, as already pointed out by the 'grand old man' of international relations realism, Hans Morgenthau, and alluded to by Waltz with the terms 'political stability and competence', there are also less easily quantifiable dimensions of power (Waltz 1979: 131; Morgenthau 1960: 110-48). Countries torn apart by civil war such as Sudan and (at least until quite recently) Angola and the DRC, cannot easily exert power over others. Others such as Egypt may be able to play a hegemonic role, but are not particularly eager to do so as their main interests lie elsewhere. We are thus left with a shortlist of candidates including Algeria, Nigeria and South Africa followed by Ethiopia and Libya. Neither of them excels in all dimensions, just as none of them stands for more (usually much less) than twenty percent of the continental total in any dimension.

In such an absence of an obvious hegemon, states may form coalitions to make up for their shortcomings in certain respects, implying that hegemony may be shared (Gill 1993). Single-state hegemony is thus merely one species of the genus 'hegemony' alongside others, as illustrated in Figure 1.

What we might call ‘proxy hegemony’ would be a delegated hegemony linking the global with a regional level in a semi-hierarchical way – the global hegemon delegating the exercise of its hegemony to a regional great power. The so-called ‘Nixon Doctrine’ thus envisioned outsourcing interventionary tasks around the world regions to regional great powers such as Iran, Nicaragua, Zaïre and (discretely) South Africa (Litwak 1984; Pauker et al. 1973). In the unipolar post-Cold War international system there may be similar roles to play for would-be regional great powers that would benefit from ‘drawing rights’ on US power in return for their services (Hurrell 2006).

‘Bigemony’ (or condominium) rests on a partnership between two great powers of more or less equal standing. In the global economy there has thus been talk of US-German, US-Japanese and US-EU bigemonies (Bergsten 1975; Sperling 2001; Inoguchi 1988), the latter of which might even be called an ‘embedded’ hegemony as the EU also has its own hegemonial structure. It has even been suggested that the relationship between the two superpowers in the final stages of the Cold War may have constituted a partial bigemony (Kanet and Kolodziej 1991).

Figure 1: Forms of Hegemony



‘Trigemony’ would involve three parties, e.g. a US-Japan-EU collaborative venture as personified in the Trilateral Commission (Itah 1992; Sklar 1980). It might be seen as just one form of multilateral or group hegemony (Miller 1992; Jervis 1985), which may take the form of a concert system such as the post-Napoleonic ‘Concert of Europe’, where the great powers of the time established a modicum of order through institutionalised consultation and coordination (Richardson 1999). Indeed, one might view the United Nations with its five permanent Security Council members as an attempt at establishing such a multilateral hegemony (Kupchan and Kupchan 1991). Another contemporary example of multilateral hegemony might be the G8, bringing together the economic great powers of the West around ‘responsibilities’ *vis-à-vis* the rest of the world (Pentillä 2003; Bailin 2005).

As we shall see below, it is possible to view the genesis of the AU as the result of a bigemony (or perhaps trigemony) (Adebajo and Landsberg 2003; Landsberg 2008) and the actual workings of the AU as based on an ephemeral group hegemony. Such a reading may well offend those who uphold the norm of the 'sovereign equality of all members', which is also codified in the AU's formal structure. However, just as in George Orwell's *Animal Farm*, the reality may well be that 'all [states] are equal, but some [states] are more equal than others' (Orwell 1946: 133; Donnelly 2006).

Hegemony is not merely a matter of 'having what it takes' in terms of power, but also of 'walking the walk' and 'talking the talk', as the popular saying goes. It differs from simple domination by being based on consent and legitimacy and thus presupposes a certain commonality of values. A prospective hegemon needs to behave in a manner deemed acceptable by those actors whom it wishes to lead, and it has to present its own objectives and strategies as furthering the public good. Such an ability to persuade is not so much an antithesis of power, but rather an integral element in power, as argued by Michel Foucault, according to whom knowledge and the ability to determine what is true constitutes the very essence of power (Foucault 1980).

This also helps explain the relationship between international regimes and hegemony (Keeley 1990), as hegemons may be understood as 'regime drivers' (Young 1991; Snidal 1985), bringing into being regimes by codifying their own interests in the form of principles, norms, rules and decision-making procedures (Krasner 1982: 186; Keohane 1982). One of the building blocks of a regime to which a prospective hegemon will need to pay attention is the formation of an 'epistemic community' in the sense of a network of actors sharing the same basic outlook and understanding (Haas 1992). This may require the hegemon to 'talk the talk' that will resonate throughout the community which it aspires to lead, and to continue to comply with its discursive rules.

In Africa, the ideology of pan-Africanism has established itself as a Foucauldian 'regime of truth', according to which 'Africa' should unite. This forces leaders into a symbolic competition with each other, each trying to surpass the others in terms of pan-African credentials and necessitating a framing of political objectives – even such as evidently point in the opposite direction – as incremental steps towards the pan-African ideal (Barnett 1998). Even though in the run-up to the creation of the OAU Kwama Nkrumah and his 'Casablanca Group' (Nkrumah 1963) with their call for immediate unity were defeated by the 'Monrovia Group' (Nyerere 1963) with its gradualist approach, emphasising the building of African states within the boundaries of the colonial territories, its legacy has lived on as evidenced by the front page of the African Union's website, showing how the disparate pieces of an African puzzle come together.

Not only is any aspiring hegemon compelled to talk this talk, but there is also a need to 'walk the walk' in the sense of abiding by the general rules and meeting the expectations of the 'junior' members of the community. A hegemon that consistently neglects the obligations flowing from leadership – e.g. with regard to regime maintenance and enforcement or other contributions to the collective goods of the community (Kaul et al. 1999) – will soon find itself forced to lead through coercion rather than consent, which is simply much more demanding.

The OAU: A Step Towards or Away from Unity?

When the OAU was established in 1963 it reflected a rather fragile compromise between the Monrovia and Casablanca positions (Padelfort 1964). Notwithstanding the commitment in the preamble of the OAU Charter to ‘a larger unity transcending ethnic and national differences’, the basic principles listed were all state rights such as ‘the sovereign equality of all member states’ and ‘non-interference in the internal affairs of states’ (Umozurike 1979). Not only did the OAU thus become a guardian of incumbent regimes (sometimes against their own peoples), but the implicit privileging of existing states within their pre-determined borders also made it impossible to deal constructively with secessionist struggles such as those of Biafra, Eritrea or Somaliland (Kamanu 1974; An-Na'im 1988).

That states enjoyed the same rights regardless of their form of government gave dictatorships few incentives to democratise. In 1999, however, the OAU took a modest step away from the general norm of recognising whichever regime was in power by banning leaders installed by coups from attending its meetings (Kufour 2001), but it refrained from applying this norm retroactively against those incumbent heads of state or government, quite a few of whom were former illegitimate usurpers of state power. The OAU also failed in promoting human rights, notwithstanding its adoption in 1981 of an ‘African Charter on Human and People’s Rights’, which listed all the civil rights as well as numerous ‘second generation human rights’ (Mathews 1987; Welch 1994). Even though it was in 1998 decided to strengthen this human rights regime with the establishment of an ‘African Court on Human and Peoples’ Rights’ (G. Bekker 2007), this did not enter into force until 2004, after the OAU had been replaced by the AU.

The record of the OAU was not much more impressive in the field of directly security-related activities. The organisation was mainly involved in setting norms and standards, but it was never effective in enforcing them. The most fundamental norm, codified in the OAU Charter, was that of the ‘respect for the sovereignty and territorial integrity of each state’. It is, however, doubtful whether the significant absence of wars between African states is due to this norm (Touval 1967), and in the few cases of international wars (Somalia versus Ethiopia 1977-78 and Eritrea versus Ethiopia 1998-2000) the OAU played virtually no role. The OAU was also committed to the principle of non-alignment, but the fact that no member state ever joined any formal alliance with outside powers is probably mainly due to the fact that no alliance memberships were ever on offer, and the OAU certainly failed in preventing the actual involvement of the great powers in conflicts on the continent (LeMelle 1988).

Reflecting the bad experience with mercenaries – e.g. in the Congo and in Nigeria in the 1960s (Mockler 1985) – the OAU also took steps to outlaw the use of these ‘dogs of war’, for example with a ‘Convention for the Elimination of Mercenarism’, which has been in force since 1985, although this has not prevented the actual use of mercenaries and private military companies by states such as Sierra Leone or Angola (Musah and Fayemi 2000: 265.74; O’Brien 2000).

Another example of OAU norm setting was the proclamation in 1996 of Africa as a nuclear-weapons-free zone in the Pelindaba Treaty, which had by 2009 not yet entered into force. The fact that Africa is now free of nuclear weapons has probably much less to do with this treaty than with the unilateral decision by South Africa to abandon its clandestine nuclear weapons status, combined with the fact that no other African state (with the possible exception of Libya) seems to have ever so much as contemplated going nuclear (Cawthra and Moeller

2008). Besides this treaty, the OAU did not really venture far into the field of arms control, except for a rather ineffectual ‘Bamako Common African Position on Small Arms’, signed in 2000, but with no apparent consequences (Stemmet 2001). In 1999, the OAU further adopted a ‘Convention on the Prevention and Combating of Terrorism’, which entered into force in October 2002, committing member states to prevent their territories from being used for terrorist acts and to collaborate with each other in various respects (Le Sage 2007: 151-64; Kanu 2006: 171-6). However, the fact that Africa has not – contrary to some allegations – been particularly terror-ridden (Møller 2006) is not necessarily due to this convention, but might just as well be a consequence of the absence of worth-while targets for international terrorism.

Besides the setting of standards, the OAU also took institutional steps to upgrade its conflict-prevention and management capacity, such as through the creation of a ‘Mechanism for Conflict Prevention, Management and Resolution’, yet without any noteworthy consequences (Berman and Sams 2000: 61-8; Mwagiru 1996). The OAU on a couple of occasions also ventured into the field of peace support operations, as summarised in Table 3.

First came the deployment of an ‘OAU Neutral Force’ in Chad in 1981-82, which was singularly ineffective according to most accounts (May and Massey 1998). Next came the deployment of two small missions to Rwanda, neither of which did anything to prevent the 1994 genocide (Panel of Eminent Personalities 1999). After the Rwanda debacle the OAU fielded Observer Missions in Burundi (1993-96) and in Comoros (1997-99) as well as an OAU Liaison Mission in Ethiopia-Eritrea, none of which seem to have made much of a difference (Khadiagala 2003). Its lofty ambitions notwithstanding, the OAU thus did just as little with regard to the security of its members as it did in terms of forging any real unity among them. The best explanation may be that nobody really tried, which in turn may be explained by the absence of any hegemon able and willing to play a leading role.

Table 3: OAU Peacekeeping Missions

Source: Berman and Sams 2000: 47-74; Cleaver and May 1998.

MOT: Military Observer Team; NMOG: Neutral Military Observer group ; OMIB: Observer Mission in Burundi; OMIC: Observer Mission in the Comoros

Country	Name	Time	Contributors	
			Troops	Observers
Chad	Neutral Force	1981-82	Nigeria, Senegal	Algeria, Guinea-Bissau, Kenya, Zambia
Rwanda	MOT	1990-91		Burkina Faso, Uganda, Zaïre
	NMOG-I	1991-92		Mali, Nigeria, Senegal, Zimbabwe
	NMOG-II	1992-93	Tunisia	Cameroon, Rep. of Congo, Nigeria, Senegal, Tunisia
Burundi	OMIB	1993-96		Burkina Faso, Cameroon, Guinea, Mali, Niger, Tunisia
Comoros	OMIC	1997-99		Egypt, Niger, Senegal, Tunisia

From OAU to AU: Meeting of Minds or Quids and Quos?

The years from 1999 to 2002 saw a gradual transformation of the OAU into what is now the African Union (AU) (Mwanasali 2003), a process which might best be understood as a convergence or fusion of three projects, namely a Libyan quest for pan-African unity, a Nigerian project for a Conference on Security, Stability, Development and Cooperation in Africa (CSSDCA), and a South African project for an African Renaissance (Tieku 2004).

First, and apparently driving the transformation, was a grandiose and utterly unrealistic pan-African scheme of the Libyan dictator Gaddafi, who ensured the decision in 1999 to create ‘a larger community of peoples transcending cultural, ideological, ethnic and national differences’ (see Ronen 2002). However, the flamboyant Libyan leader could not have made his plans fly without the support of Nigeria and South Africa, each of which had their ‘pet projects’ for which they wanted an all-African stamp of approval, in return for which they gave their support for the new union.

The Nigeria idea of a CSSDCA came out of the so-called ‘Kampala Movement’ (Deng and Zartman 2002), and was envisioned as a counterpart of the Conference on Security and Cooperation in Europe (CSCE) (Møller 2008). The vision was formulated in the 1991 ‘Kampala Document’, which, *inter alia*, envisioned a modification of the principle of sovereignty in favour of a shared African responsibility to protect human rights (Deng and Zartman 2002: 117-9). However, the initiative then remained dormant until 1999 when it was resurrected from near oblivion by President Obasanjo and formally endorsed by the OAU in 2000. The CSSDCA was based on a very broad concept of security, including human security, and acknowledged good governance as a pre-requisite of stable peace. As a means to realise these values, it envisaged ‘a collective continental architecture for promoting security and inter-African relations’, and recommended the signing of non-aggression pacts, a common defence policy for Africa, stand-by arrangement for peace support operations, police collaboration, the establishment of an early warning mechanism as well as a strengthening of confidence-building measures. Most of these recommendations were formally confirmed at the inaugural AU summit in Durban in 2002.

South Africa’s pet project was what has now become known as NEPAD (New Economic Partnership for Africa’s Development). Based on the vision of an African Renaissance, it was first called the ‘New Africa Initiative’, dating back to the OAU summit in 1999, at which president Mbeki of South Africa and Algerian president Bouteflika were mandated to negotiate debt cancellation for Africa. This duo was subsequently expanded to a troika with president Obasanjo of Nigeria, and what was now called the ‘Millennium Partnership for the African Recovery Programme’ (MAP) was endorsed by the OAU in 2001. MAP was subsequently merged with the so-called OMEGA Plan, launched by Senegalese President Wade, to become NEPAD (Kouassi 2007; Breytenbach 2002; Bunwaree 2008). The main objectives are poverty eradication and sustainable development, but as a precondition for such development it also featured a ‘Peace, Security, Democracy and Political Governance Initiative’. Since then, however, NEPAD has not really focused much on conflicts or security, but its security agenda has been ‘mainstreamed’ within the AU by being subsumed under the prerogatives of the Peace and Security Council to which we shall soon turn.

A grand bargain had thus been struck between the ‘neo-Casablancans’, personified by the grandiose and populist Gaddafi, and the pragmatic ‘neo-Monroviaans’, personified by Obasanjo and Mbeki: that is, three of the continent’s potential hegemonies. This cleared the path to the launch of a new organisation. Following a hectic drafting process the Constitutive Act of the African Union (CAAU) was signed by 53 African heads of state in July 2000 (Maluwa 2003). This allowed for the solemn proclamation of the AU at an extraordinary Summit of the OAU in March 2001, and its solemn inauguration at a summit in Durban, 9-10 July 2002 (Cilliers 2002a; 2002b). Marking a break with the OAU past, this summit refused recognition to the regime in Madagascar because of its unconstitutional basis, in conformity with decisions taken in Lomé in 2000.

The AU: Departures from Sacrosanct Sovereignty

The preamble of the CAAU paid tribute to pan-Africanism with the claim that it was ‘guided by our common vision of a united and strong Africa’. More importantly it made a significant departure from the past by establishing the right of the Union to intervene in domestic affairs of member states in cases of ‘war crimes, genocide and crimes against humanity’, based merely on a decision taken by the Assembly with a two-thirds majority (Murithi 2007; Mwanasali 2008; Williams 2007). The list of triggering events was subsequently expanded to include ‘serious threats to legitimate order’, probably referring to military coups or other attempts at overthrowing a legitimate government (Baimu and Sturman 2003; Kuwali 2008).

Even with the original formulation, the AU was way ahead of the rest of the international community, where there has for some years been a debate on the responsibility to protect, often referred to as ‘R2P’ (ICISS 2001). Since no binding decisions have, however, been taken in this respect the UN Charter’s article 2.7 remains in force, according to which not even the UN Security Council (much less anybody else) is allowed to interfere in internal affairs except in cases of threats to international peace and security. Moreover, the UN Charter explicitly confines the role of regional organisations to ‘the pacific settlement of local disputes’ as well as ‘enforcement action’ under Security Council authorisation. Should the AU decide to take action under CAAU in the form of a humanitarian intervention without a UN Security Council mandate, it would thus be illegal under international law, no matter how legitimate it would be.

The CAAU further underlined the need to ‘defend the sovereignty, territorial integrity and independence of its Member States’, as a means to which end it ambitiously envisaged ‘the establishment of a common defence policy for the African continent’. While the former, at first glance, seems tantamount to a collective security provision, it may in fact have been intended as a collective defence clause – the distinction between the two being that the latter is merely intended for defence against external aggression, whereas the former should also protect each member against attack from other members (Wallander and Keohand 1999; Touray 2005).

Greater clarity was achieved with the ‘Solemn Declaration on a Common African Defence and Security Policy’ (CADSP) adopted in 2004, and the ‘African Union Non-Aggression and Common Defence Pact’ (AUNACDP) of 2005. The latter committed members to assist each other in cases of ‘aggression’, which seems quite in line with the UN Charter’s endorsement of the ‘inherent right of individual and collective self-defence’, albeit only ‘until the Security Council has taken measures necessary to maintain international peace and security’. However, not only is the AUNACDP mute about the UN’s supreme authority, but it also has a more permissive definition of the ‘triggering events’. Whereas the UN Charter only mentions ‘attack’, the AU Pact refers to ‘acts of aggression’, to which category it counts ‘provision of any support to armed groups, mercenaries and other organized trans-national criminal groups which may carry out hostile acts against a member state’. For the AU to take action according to this definition of attack may thus represent a legal problem, unless the UN explicitly endorses its interpretation. Of course, the AU is not alone in wanting a more expansive and flexible definition of attack or aggression, and if the meanings of attack and self-defence are already under revision it makes perfect sense for the AU to expand the former to include ‘attacks by proxy’, as this is clearly a major threat to several African states (Prunier 2004).

Whereas the AU may be treading on rather thin legal ice with regard to its collective defence ambitions, it is obviously entitled to engage in all those ‘soft’ and non-military tasks related to

conflict prevention and peace making that are explicitly mentioned in the UN Charter. Nor are there any legal problems with regard to its deployment of peacekeeping operations, which is also quite in line with the ‘spirit’ of Chapter VIII, even though they are not mentioned, simply because these ‘chapter six-and-a-half operations’ had not yet been invented in 1945 (Gomes 2008; Adebajo 2008; . Murithi 2008; De Waal 2009). To date the AU has fielded three such operations.

Both NEPAD and the CSSDCA were based on quite a comprehensive concept of security including ‘human security’ – i.e. the security of individuals. Indeed the aforementioned ‘R2P’ clause in the CAAU was mainly intended for furthering human security. While it is hard to find explicit commitments by the AU to human security, the theme is quite pervasive (Tieku 2007; Dersso 2008), and the organisation has clearly addressed a number of issues usually referred to as elements of human security. In the field of human rights it has both implemented decisions taken by the OAU (e.g. with regard to the Protocol on Human and Peoples’ Rights) (O. Bekker 2007) and taken new initiatives – partly under the auspices of NEPAD – *inter alia* with regard to the rights of women and children, the plight of refugees and internally displaced persons, the HIV/AIDS pandemic, etcetera (Lloyd and Murray 2004; Okafor 2004). Among the most significant ambitions is that of promoting democracy, which, according to the fashionable theories about the ‘democratic peace,’ holds the promise of providing reliable safeguards against war. The main problem with this theory or strategy is, however, that states in a transition from authoritarian rule to democracy seem to be at least as war-prone as unreformed non-democracies (Mansfield and Snyder 2005). Moreover, it is not obvious that there is much the AU (or any other external actor) can do to promote democracy. If there was it would certainly be worthwhile doing even if it does not really ensure international peace, as democracy has many other attractive qualities, probably including that of making intra-state armed conflicts less likely.

The AU has indeed taken several steps with regard to democracy promotion, including the adoption in 2007 of an ‘African Charter on Democracy, Elections and Governance’, which explicitly referred to the causal link between unconstitutional changes of government and ‘insecurity, instability and violent conflict in Africa’. Not only did the charter confirm the general norms of multi-party democracy, separation of powers and the rule of law etcetera, but it also made it mandatory to invite observers to elections. With regard to ‘unconstitutional changes of government’, it specified mandatory penalties for illegitimate usurpers of power, including immediate suspension from AU activities. The usurpers would furthermore be banned from running in future elections and from holding ‘any position of responsibility in political institutions of their State’, and they could be tried before ‘the competent court of the Union’. Other states were not only prohibited from supporting unconstitutional changes of government, but also from offering asylum to the usurpers (Kane 2008).

There is little doubt that the above significant departures of the AU from the OAU’s guardianship of the existing states with their incumbent regimes were promoted by the continent’s great powers, mainly South Africa and Nigeria – skilfully managing to rhetorically outmanoeuvre the obstinate defenders of the former principles of sovereignty and non-interference such as Libya and its allies. One explanation for the success of the two ‘neo-Monroviens’ may have been their ability to frame their favoured policies in the discursive garments of pan-Africanism, thus ‘out-casablancking the neo-Casablancans’.

Organisational Setup: Work in Progress

In order to realise the lofty goals set out above an effective organisation is surely required, and the CAAU did indeed envisage quite an elaborate organisational setup, to which subsequent summit meetings have added new institutions. One should, however, not place too much emphasis on the organisational setup, as what matters is the political will to do what is needed. If the will is there, states will find a way around organisational obstacles, but if it is lacking, even the best organisational setup with the most binding commitments will be of little help. Moreover, organigrams such as that in Figure 2 are often misleading, both because they give no real indication of what matters and what does not, and because they are inevitably snapshots of a moving target.

It is immediately apparent that the AU features an embryonic sub-division into a legislature, an executive and a judiciary. The legislature is represented by the Assembly and to some extent the Pan-African Parliament, whereas the closest approximation to an executive is the Commission, most recently renamed ‘Authority’. As far as the judiciary is concerned, this is represented by two courts, now about to be merged into one with two separate chambers: the African Court of Justice and the African Court of Human and Peoples’ Rights.

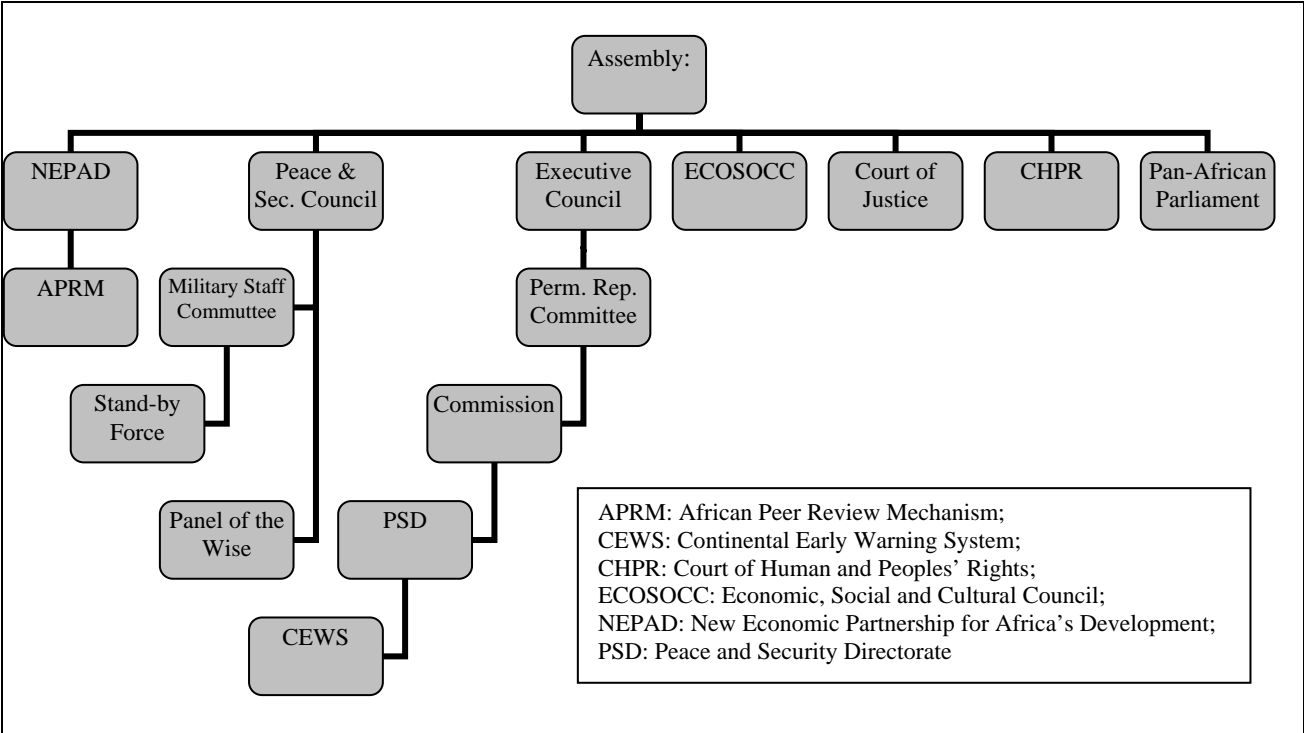


Figure 2: Organigram of the African Union (simplified)

Source: http://www.iss.co.za/AF/RegOrg/unity_to_union/pdfs/oau/

The supreme authority within the AU is the Assembly: the summits of heads of state and government of all member states. These were initially held annually, but are now more frequent, in addition to which several extraordinary summits have taken place. The Executive Council comprises the foreign ministers of member states and is in charge of preparing the summits, while the Permanent Representatives Committee deals with day-to-day matters. In the Assembly, there is a quorum requirement of two-thirds of the member states. According to the Rules of Procedure adopted in 2002 all decisions are taken by consensus, which is

immediately qualified by the clause ‘or, failing which, by a two-thirds majority of the member states eligible to vote’.

The Assembly appoints the Commission for a four-year term, which is only renewable once, and it may sack any member of the Commission with a two-thirds majority. Even though there are rules about the distribution of commissionerships among member states, the members of the Commission are supposed to serve only the AU rather than their home states. Even though these arrangements seem to mirror those of the EU, there may be less to this resemblance than meets the eye. Whereas in the EU the Commission is actually the embodiment of supranationality and holds considerable power, the AU’s Commission is a lot weaker. In a certain sense the Pan-African Parliament (PAP) is also supposed to represent the community, holding the Commission democratically accountable. However, whereas the European Parliament is directly elected, its African counterpart is not (Magliveras and Naldi 2003), and it is only envisioned to have ‘consultancy and advisory powers’. The formula for representation in the PAP was also a far cry from an equitable representation of the peoples of the continent, assigning five seats to each member state, large or small. Within these constraints, the PAP seems to have been working quite well since its inauguration. Perhaps fortunately, Midrand, South Africa, has been designated as its permanent seat, and the host country has taken it quite seriously and devoted considerable resources to it (Mbetse 2008). Among other activities, the PAP has dispatched election observers to several elections in member states. Another envisaged vehicle for popular participation in the AU is the Economic, Social and Cultural Council (ECOSOCC), the 150 members of which are appointed by civil society groups (Sturman and Cilliers 2003; Assogbavi 2008; Mutasa 2008). It has merely advisory and consultative functions, the significance of which seems rather dubious.

Besides the envisioned contributions of both PAP and ECOSOCC to human rights in Africa, the AU has also established both a commission and a court devoted to these rights. Both refer to ‘human and peoples’ rights’, echoing the long-standing dispute in the international community over individual and collective human rights. Whereas the West has focused exclusively on individual and civil rights, African and other Third World states have consistently argued for an inclusion of both individual economic and social rights and collective human rights (Jones 1999; Kiwanuka 1988). The African Commission on Human and Peoples’ Rights (ACHPR) is mandated to collect data and offer advice for how to implement the general principles in the national legislation of member states. The African Court for Human and Peoples’ Rights has now been inaugurated and judges have been appointed, but no actual court cases had yet been conducted by the end of 2008 (Bekker 2007a; Lloyd and Murray 2004; Motala 2008).

Besides these general institutions, the AU also features institutions specifically devoted to dealing with armed conflict and security issues (Franke 2008; Klingenbiehl 2005; Bogland et al. 2008), but quite a lot of this remains ‘work in progress’. At a 2002 summit it was agreed to establish a Peace and Security Council (PSC) to deal with ‘conflict prevention, peace-making, peace support operations and intervention, as well as peace-building and post-conflict reconstruction’ (AU 2002). The PSC is the highest authority within the AU on peace and security-related matters (Cilliers and Sturman 2004). Even though its structure is clearly inspired by the UN Security Council (the supreme authority of which is explicitly acknowledged) it has neither permanent members nor veto rights, but all its fifteen members are elected, ten of them for a two-year term and five for a three-year term. Even though election should take into account geographical representativity and rotation, membership of

the Council should also entail obligations in terms of payment of dues and contributions to the operations and the Peace Fund set up to fund them.

While this seems more democratic and fair than the UN arrangement, it does not automatically ensure the potential hegemony an influence commensurate with their capacities, which may bode ill for the future. If states such as Nigeria or South Africa should happen not to be elected members of the PSC, they just might retaliate by keeping their substantial contributions to, for instance, peacekeeping operations to the prescribed minimum, which would have severe detrimental consequences for such missions that tend to depend very much on their 'excess contributions'.

Besides functions taken over from the OAU's 'Mechanism', the PSC is charged with developing the aforementioned common defence policy for the Union (Touray 2005). A 'Draft Framework for a Common African Defence and Security Policy' was formulated and at an extraordinary AU Assembly in 2004 a 'Solemn Declaration' on the same topic was announced in which the states acknowledged the need for:

'a definition of defence which encompasses both the traditional, military and state-centric notion of the use of the armed forces of the state to protect its national sovereignty and territorial integrity, as well as the less traditional, non-military aspects which relate to the protection of the people's political, cultural, social and economic values and ways of life.'

The main emphasis was placed on internal threats such as intra-state war and genocide, and the intention was articulated to enhance Africa's capacity for peacekeeping and similar missions. There seems to be a certain inspiration from the European Union, where such tasks are usually referred to as 'Petersberg Tasks' (Western European Union 2002), but the AU is more ambitious than its European counterpart by also envisaging humanitarian interventions in which the PSC could also play a pro-active role by making proposals to the Assembly. The PSC is further responsible for the collaboration with the subregional organisations (Møller 2009). In its various activities the PSC is supported by a 'Panel of the Wise', appointed by the AU Assembly, consisting of 'five highly respected African personalities' who are not merely expected to advise the PSC, but also to undertake fact-finding missions, conduct shuttle diplomacy and mediate in formal and informal negotiations (Nathan 2004).

The AU Commission is also involved in conflict and security-related activities, with a special department devoted to this, the Peace and Security Directorate. For its structure see the organigram in Figure 3, showing also how both the PSC and the Commission operate under the overall authority of the Assembly and how the Secretariat of the department is responsible for servicing the PSC.

Under the auspices of the department a Continental Early Warning System is being established (Cilliers 2005). Even though it was not yet, by the time of writing, operational, a major study on the topic had been prepared, which certainly testifies to the sincerity of the commitment (Conflict Management Division 2008; Wulf and Debiel 2009). The department is also in charge of the preparations for the African Stand-by Force (ASF), which is scheduled to be operational by 2010. It is to be 'composed of standby multidisciplinary contingents, with civilian and military components in their countries of origin and ready for rapid deployment at appropriate notice'. As a step towards this, a Military Staff Committee is to be established and a certain standardisation of equipment as well as doctrines is to be undertaken (Kent and Mala 2003; Malan 2004; Motuni 2004; Neetling 2005; Marshall 2009).

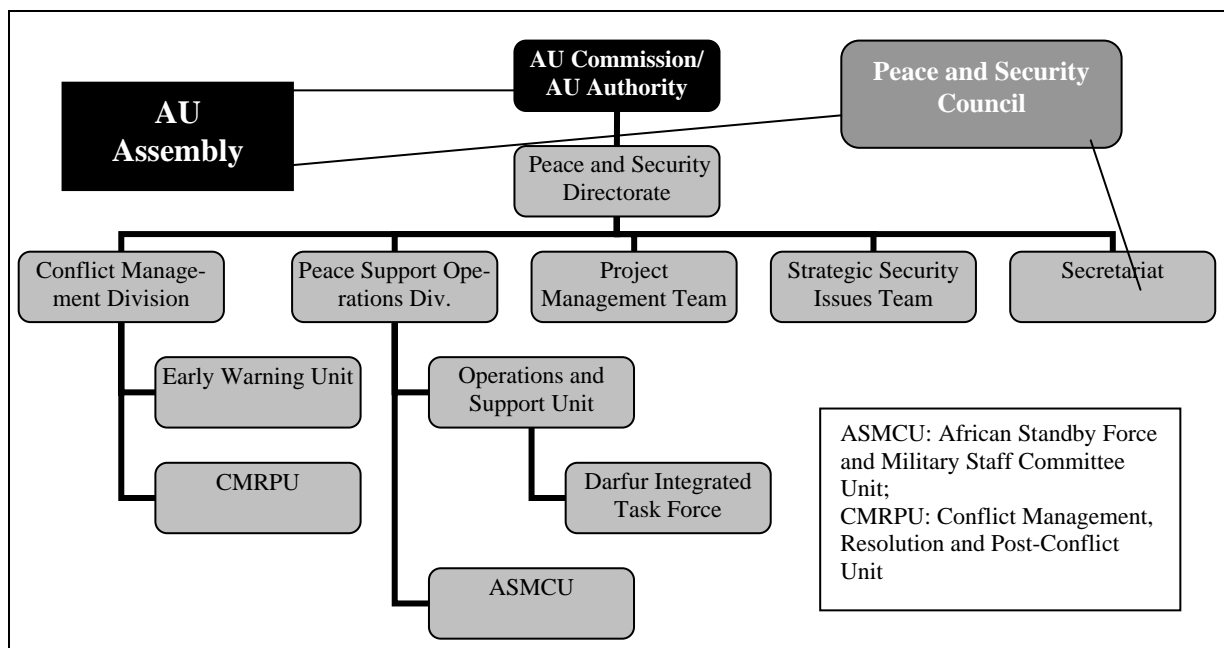


Figure 3: AU Commission Structure for Peace and Security
 Source: based on Langinvainio and Reyes 2006; 10-11; Bogland et al. 2008.

Peacekeeping Missions

Rather than being able to wait until all of the above forces, mechanisms, etcetera were in place, the AU had the task of sending peacekeeping missions thrust upon it unprepared (see Table 4).

Table 4: African Union Peacekeeping Missions

Source: Feldrman 2008

AMIB: African Union Mission in Burundi; AMIS: African Union Mission in Sudan; AMISOM: African Union Mission in Somalia; UNAMID: UN-African Union Hybrid Operation in Darfur

Location	Acronym	Period	Contributors	
			Main	Others
Burundi	AMIB	April 2003-June 2004	South Africa, Ethiopia, Mozambique,	Burkina Faso, Gabon, Mali, Togo, Tunisia
Sudan (Darfur)	AMIS	June 2004-Dec. 2007	Nigeria, Rwanda, Egypt, South Africa, Senegal, Ghana, Gambia, Kenya	Mauritania, Niger, Mali, Burkina-Faso, Zambia, Lesotho, Uganda, Madagascar, Burundi, Cameroon, Mauritius,
	UNAMID	Jan 2008-present	Nigeria, Rwanda, Ethiopia, Egypt, South Africa, Senegal, Ghana, Gambia, Kenya	Bangladesh, China, Indonesia, Nepal, Pakistan and others
Somalia	AMISOM	Jan. 2007-present	Uganda, Burundi	None

Following in the footsteps of the OAU, the AU assumed responsibility for overseeing the peace process in Burundi (Bentley and Southhall 2005). Following the signing of a peace agreement, in April 2003 the AU dispatched a peacekeeping mission, AMIB, tasked with VIP protection and disarmament, demobilisation and re-integration of combatants. These tasks

seem to have been implemented successfully by the three countries contributing more than 3,000 troops (South Africa, Ethiopia and Mozambique) and a number of other countries providing civilian staff (Svensson 2008). By June 2004 the mission was replaced by a UN mission.

When a civil war broke out in 2003 in Darfur, the AU quickly became involved, initially in the role as mediator (Toga 2007; Nathan 2007). Following the signature in 2004 of a very fragile and contested ‘humanitarian ceasefire’ between the government and some of the Darfurian rebel groups the AU dispatched observers and a small troop contingent (‘AMIS-1’) to monitor the agreement, which was later the same year expanded to a full-fledged peacekeeping mission, AMIS-2, which was gradually expanded to 596 military observers, 5,210 troops and 1,425 police officers. Whereas they were unable to stop the killings or the forced displacement of civilians, the AMIS probably did as well as anybody else would have – and with a casualty toll of almost sixty troops killed (Williams 2006). By the end of 2007 it was folded into an unprecedented hybrid mission, UNAMID (United Nations Hybrid Operation in Darfur), which by February 2009 numbered 12,421 troops and 2,510 police officers plus civilian staff, of which (as was perhaps to be expected) the overwhelming majority were Africans. The largest contributors are listed in Table 5.

Table 5: Contributors to UNAMID (as of February 2009)

Source: Kreps 2007; Othieno and Samasuwo 2007.

Country	Troops	Police	Mil Obs	Total	Country	Troops	Police	Mil. Obs	Total
Nigeria	3,337	547	11	3,895	Top 5 Other				
Rwanda	3,236	37	7	3,280	Bangladesh	378	227	5	610
Ethiopia	1,469	9	12	1,490	China	324	0	0	324
Egypt	1,390	3	12	1,405	Indonesia	4	143	2	149
South Africa	625	157	13	795	Nepal	26	252	12	290
Senegal	667	35	17	719	Pakistan	508	96	2	606
Ghana	10	489	3	502	Total	1,240	718	21	1,979
Gambia	201	15	2	218	Others	63	134	13	210
Zambia	13	101	10	124	Grand Total	12,408	2,476	186	15,070
Kenya	85	0	0	85					
Other Africa	72	231	65	368	Africa's Share	89%	66%	82%	85%
Total Africa	11,105	1,624	152	12,881					

The third AU deployment was to Somalia (African Union Mission to Somalia, AMISOM) in 2007 following the Ethiopian invasion of this country, and was intended to replace the Ethiopian troops by protecting the Transitional Federal Government (TFG). By early 2009, when the Ethiopian forces were withdrawn, only Uganda and Burundi had deployed a total of 3,750 troops. The casualty numbers were quite high, the accomplishments minuscule and the future of the mission very uncertain (Baker 2007).

Both the AU as such and its membership have thus acquired considerable experience, for good and bad, from peacekeeping missions. One of the lessons to be drawn from the above missions seems to be that African missions rely quite heavily on the commitment of ‘lead nations’ such as South Africa or Nigeria (Kagwanja 2006), and that foreign assistance, not least with regard to transport capacity, remains urgently needed.

Conclusion: African Solutions to African Problems?

No matter how popular the phrase ‘African Solutions to African Problems’ may be, it is neither obvious that ‘Africa’ could nor should solve all the continent’s problems.

The ambitions of the African Union, the various sub-regional organisations on the continent and the national leaders are obvious and the determination to strive for their realisation seems sincere, at least in most cases. However, that there is a wide gap between these ambitions, plans, organisational setups etcetera and the actual accomplishments should come as no great surprise. It would be surprising if the world’s poorest continent were able to solve the world’s most frequent and widespread as well as most deadly conflicts. However, this neither means that the endeavour is completely futile nor that it should not be undertaken. Both the AU and the subregional organisations have actually succeeded in bringing at least relative peace to countries such as Burundi, Liberia, Sierra Leone and Sudan (with the significant exception of Darfur) in situations where the rest of the ‘global community’ procrastinated.

It does not seem ethically justifiable to vest all African countries with special responsibilities for helping solve conflicts anywhere on the continent – usually conflicts for which the rest of the continent’s 53 states cannot possibly be blamed – but that the Africans accept this responsibility can only be applauded as heroic. The main problem with the phrase may thus be that it all too conveniently lets the West ‘off the hook’.

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