12

Pan-Africanism and the Crises of Postcoloniality: From the Organization of African Unity to the African Union

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Introduction

This chapter assesses how Pan-Africanism relates to the crises of postcoloniality. At the outset the chapter attempts to develop a working definition of postcoloniality. In particular, it identifies the reality of the postcolony as being defined by superstitions, narratives and fictions. The chapter then ventures to assess how postcoloniality manifests itself in the relationships among African states. In particular, it engages with the fictional character of international relations within Africa. The reproduction of the discourse and narrative of statehood are highlighted as a key constraint towards the fulfilment of political stability and socio-economic development. As a remedy to the crises of postcoloniality, the chapter discusses how Pan-Africanism can begin to address the persistence of the superstitions, narratives and fictions that militate against the improvement of the livelihood of the continent's citizens. In particular, the chapter highlights how the institutionalization of Pan-Africanism in the form of the Organization of African Unity (OAU) and its successor, the African Union (AU), can help lay the foundation for addressing the crises of postcoloniality.

Contextualizing Postcoloniality

Achille Mbembe (2001) defines the postcolony as a timespace characterized by proliferation and multiplicity. The reality of the postcolony becomes defined by superstitions, narratives and fictions. Furthermore, the postcolony refers to a timescape which is simultaneously in the process of being formed and, of being

dissolved through a movement that brings both the 'being formed' and the 'being dissolved' into collision. When the notion of postcoloniality is applied to Africa then we can recognise that Africa is evolving in multiple and overlapping directions simultaneously. Africa is first and foremost a geographical accident which has subsequently become invested with a multitude of significations, diverse imaginary contents, or even fantasies, which, by force of repetition, end up becoming authoritative narratives (Mbembe 2001). By utilizing the term 'geographical accident', Mbembe is challenging the idea that even though Africa is a contiguous geographical land mass, this does not mean that there is a unifying sense of what it means to be African. Mbembe's provocation questions whether this vast island called Africa imbues its citizens and societies with a degree of exceptionalism, or whether being African is in fact simply an accident of geography. This is a caution to those who would ascribe and derive certain narratives on or about the African continent. In essence, Mbembe's warning is for us not to over-romanticize the African continent.

Manifest Postcoloniality in Africa

The crises of postcoloniality in Africa manifest as the internal issues of social and political exclusion, authoritarianism, economic mismanagement and the misappropriation of state resources. Manifest postcoloniality is also evident in the banality of power and the cult of the 'big-man' in African politics and the persistent and recurring acts of looting, brutality and predatory practices of the local elites. Power, and its centralization, is all pervasive in the reality of the African postcolony. These power formations are still alive in varying degrees and qualities in those countries where the limits of democratization are the most evident: Cameroon, Côte d'Ivoire, Gabon, Guinea-Bissau, and Nigeria where 'grotesque and ugly forms of violation' still persist (Mbembe 2001). Some regions of the continent remain engulfed in bloody processes of destruction of human bodies and populations including Burundi, Chad, Guinea, the Democratic Republic of the Congo (DRC), Sudan, and Zimbabwe.

The pervasive and disruptive forces in the African postcolony are manifesting as a new form of sovereign power, which can be defined as 'necropower' (Mbembe 2001). Necropower is wielded both by states and 'war machines'. In wielding this necropower the ultimate site of deployment of this new form of sovereignty is no longer the body as such, but the dead body of the African civilian. The war machines that continue to afflict the African continent operate through capture, looting and predation.

The contemporary nature of postcoloniality in Africa is more precisely accentuated by neo-patrimonial governance and prebendal corruption, state failure, warlord insurgency, low and high intensity communal violence, ethnic hostilities, civil war, lawlessness and culture of impunity, food deficits, and HIV/AIDS

pandemic and other dimensions of human insecurity. In addition, these challenges are transnational in nature and create regional zones of instability. Therefore, the crises of postcoloniality in Africa have profound regional ramifications.

Externally, the African postcolony is also afflicted by another configuration of terror and violence is embodied in a set of economic policies fostered by international financial institutions such as the World Bank and the International Monetary Fund (IMF). Millions of African citizens have been deprived of jobs, food and shelter and are now reduced to struggling for daily survival (Mbembe 2010). 'Instead of curbing the corruption of local elites, the brutality of the international system has increased their greed and carelessness. Under the pretext of privatization, looting has become a norm as well as a cultural practice. Partial democratization under conditions of structural adjustment has opened the way for the privatization of violence' (Mbembe 2010).

Situating Pan-Africanism

It is often assumed that the process of continental integration begun with an Extra-ordinary Summit of the Organization of African Unity (OAU) convened in Sirte, Libya, in 1999. In fact, the process begun with the Pan-African movement and its demand for greater solidarity among the peoples of Africa as a means to addressing some of the manifestations of postcoloniality described above. To understand the emergence of the African Union we need to understand the evolution of the Pan-African movement. A review of the objectives and aspirations of Pan-Africanism provides a foundation to critically assess the creation of the AU and its prospects for promoting the principles and norms of peace and development.

Historically Pan-Africanism, the perception by Africans in the diaspora and on the continent that they share common goals, has been expressed in different forms by various actors. There is no single definition of Pan-Africanism and in fact we can say that there are as many ideas about Pan-Africanism as there are thinkers of Pan-Africanism. Rather than being a unified school of thought, Pan-Africanism is more a movement which has as its common underlying theme the struggle for social and political equality and the freedom from economic exploitation and racial discrimination.

It is interesting to note that it is the global dispersal of peoples of African descent that is partly responsible for the emergence of the Pan-African movement. As Hakim Adi and Marika Sherwood, observe in their book *Pan-African History: Political Figures from African and the Diaspora Since 1787*, 'Pan-Africanism has taken on different forms at different historical moments and geographical locations' (Adi & Sherwood 2003:vii). Adi and Sherwood note that, what underpins these different perspectives on Pan-Africanism is 'the belief in some form of unity or of common purpose among the peoples of Africa and the African Diaspora'.

One can also detect an emphasis on celebrating 'Africaness', resisting the exploitation and oppression of Africans and their kin in the Diaspora as well as a staunch opposition to the ideology of racial superiority in all its overt and covert guises.

Pan-Africanism is an invented notion (Murithi 2005). Pan-Africanism however is an invented notion with a purpose. We should therefore pose the question what is the *purpose* of Pan-Africanism? Essentially, Pan-Africanism is a recognition of the fragmented nature of the existence of Africans, their marginalization and alienation whether in their own continent or in the Diaspora. Pan-Africanism seeks to respond to Africa's contemporary crises of postcoloniality illustrated most starkly by underdevelopment. As noted above, Africa has been exploited and a culture of dependency on external assistance unfortunately still prevails on the continent. If people become too reliant on getting their support, their nourishment, their safety, from outside sources, then they do not find the power within themselves to rely on their own capacities. Pan-Africanism calls upon Africans to draw from their own strength and capacities and become self-reliant.

Pan-Africanism is, in a sense, a recognition that Africans have been divided among themselves and subject to the pervasiveness of necropower. They are constantly in competition among themselves, deprived of the true ownership of their own resources and inundated by paternalistic external actors with ideas about what it 'good'. Modern day paternalism is more sophisticated and dresses itself up as a kind and gentle helping hand with benign and benevolent intentions. In reality it seeks to maintain a 'master-servant' relationship and does not really want to see the genuine empowerment and independence of thought in Africa. The net effect of this is to disempower Africans from deciding for themselves the best way to deal with the problems and issues they are facing. Pan-Africanism is a recognition that the only way out of this existential, social, political postcolonial crises is by promoting greater solidarity amongst Africans. Genuine dialogue and debate in Africa will not always generate consensus, but at least it will be dialogue among Africans about how they might resolve their problems. If ideas are not designed by the African's, then rarely can they be in the interests of Africans (Akokpari, Ndinga-Muvumba & Murithi 2008).

Pan-Africanism as Redress for Postcoloniality

Pan-Africanism possesses the transformative potential to begin to redress the crises of postcoloniality in Africa. In particular, Pan-Africanism will not be an antidote, but it can contribute towards addressing the challenges of political governance, state-building and development in Africa. The successful transition of the postcolonial crises can only be effected under conditions of sustained economic growth and cultural revival. This would involve erasing the internal illusory borders that continue to puncture the African political landscape. This rapture of the African frontier mentality, based on continental integration, would lay the foundations for the

necessary Pan-African investments which are urgently needed in the fields of infrastructure, education and health. It would also stand the African continent in good-stead when it comes to harnessing trans-national and global partnerships (Akokpari, Ndinga-Muvumba & Murithi 2008).

The institutionalization of Pan-Africanism could therefore represent the entry into another configuration of human experience for the continent's citizens. Pan-Africanism could provide the torchlight required to lead the continent out of the debilitating crises of postcoloniality and it would remain a promise to come embodied with the hopes and aspirations of African people.

From Pan-Africanism to the Organization of African Unity

In the twentieth century, the idea of Pan-Africanism took an institutional form. Initially, there were the Pan-African Congress' which convened in the United Kingdom and the United States of America, under the leadership of activists like the African-American writer and thinker W.E.B. du Bois; the Trinidadian Henry Sylvester Williams; and inspired often by the ideas of people like the Jamaican-American Marcus Garvey. These ideas were adopted and reformed by continental African leaders in the middle of the twentieth century. Kwame Nkrumah who later became the first president of Ghana, Sekou Toure of Guinea, Leopold Senghor of Senegal, Gamar Abdel Nasser of Egypt, and Ahmed Ben Bella of Algeria took the idea of Pan-Africanism to another level on 25 May 1963 when they co-created the Organization of African Unity (OAU 1963). The principles of the OAU kept the spirit of Pan-Africanism alive. The primary objective of this principle was to continue the tradition of solidarity and cooperation among Africans.

During the era of the OAU the key challenge was colonialism. Since 1885, in what was then known as the 'Scramble for Africa' European colonial powers had colonized African peoples and communities across the entire continent. The Belgians were in the Congo, the British in east, south, west and north Africa, the French in west Africa, Somalia, Algeria and other parts of north Africa, and the Italians in Somalia. The Germans, who later lost their colonies following their defeat in the Second World War, had to relinquish Namibia and modern day Tanzania. Africans had successfully fought on the side of the allies in the Second World War and after its conclusion they brought their struggle for independence back home to Africa.

The OAU embraced the principle of Pan-Africanism and undertook the challenge of liberating all African countries from the grip of settler colonialism. The main principle that it was trying to promote was to end racial discrimination upon which colonialism with its doctrine of racial superiority was based. In addition, the OAU sought to assert the right of Africans to control their social, economic and political affairs and achieve the freedom necessary to consolidate peace and development. The OAU succeeded in its primary mission, with the help of international actors, in liberating the continent on 27 April 1994, when a new government based on a one-person-one-vote came into being in South

Africa under the leadership of Nelson Mandela. The OAU however was not as effective in monitoring the worst excesses of postcoloniality and policing the affairs of its own member states when it came to the issues of violent conflict; political corruption; economic mismanagement; poor governance; lack of human rights; lack of gender equality; and poverty eradication.

The preamble of the OAU Charter of 1963 outlined a commitment by member states to collectively establish, maintain and sustain the 'human conditions for peace and security' (Gomes 2005). However, in parallel, the same OAU Charter contained the provision to 'defend the sovereignty, territorial integrity and independence of the member states' (Organization of African Unity 1963). This was later translated into the norm of non-intervention. The key organs of the OAU – the council of ministers and the Assembly of heads of state and government – could only intervene in a conflict situation if they were invited by the parties to a dispute. Many intra-state disputes were viewed, at the time, as internal matters and the exclusive preserve of governments concerned.

The OAU created a Mechanism for Conflict Prevention, Management and Resolution in Cairo, in June 1993. This instrument was ineffective in resolving disputes on the continent. Tragically, the Rwandan genocide which was initiated in April 1994 happened while this mechanism was operational. It was also during this last decade of the twentieth-century that the conflict in Somalia led to the collapse of the state and the violence in Sierra Leone, Liberia, Angola, the Democratic Republic of the Congo (DRC) and Sudan led to the death of millions of Africans. These devastating events illustrated the limitations of the OAU as an institution that could implement the norms and principles that it articulated. Despite the existence of the OAU's Mechanisms for Conflict Prevention and Management, the Rwandan tragedy demonstrated the virtual impotence of the OAU in the face of violent conflict within its member states. The United Nations (UN) did not fare any better as all of its troops, except the Ghanaian contingent, pulled out of the country leaving its people to the fate. Subsequently, both the OAU and the UN issued reports acknowledging their failures (Organization of African Unityh 2000; United Nations 1999). The impetus for the adoption of a new paradigm in the promotion of peace and security in the African continent emerged following the Rwandan tragedy. In addition, the OAU had learned from the intervention experiences of ECOWAS and ECOMOG in west Africa.

Regrettably due to the doctrine of non-intervention, the OAU became a silent observer to the atrocities being committed by some of its member states and their war machines. Eventually, a culture of impunity and indifference became entrenched in the international relations of African countries during the era of the 'proxy' wars of the Cold War. So in effect the OAU was a toothless talking shop incapable of making a dent on the negative consequences of the postcolonial crises. The OAU was perceived as a club of African Heads of States, most of whom were not legitimately elected representatives of their own citizens but self-appointed

dictators and oligarchs. They wielded necropower and did not hesitate to target their own civilians. In this context, necropower represents authority that is illegitimately acquired and brutally wielded to impose dominion and control through coercion. This negative perception informed people's attitude towards the OAU. It was viewed as an organization that existed without having a genuine impact on the daily lives of Africans.

The Emergence of the African Union

The African Union came into existence in July 2002, in Durban, South Africa (Akokpari, Ndinga-Muvumba & Murithi 2008). It was supposed to usher Africa into a new era of continental integration leading to a deeper unity and a resolution of its postcolonial problems. The evolution of the AU from the Organisation of African Unity was visionary and timely. The OAU had failed to live up to all of its norms and principles. Africa at the time of the demise of the OAU was a continent that was virtually imploding from within due to the postcolonial crises evident in the consequences of conflict, poverty and underdevelopment and public health crisis like malaria, tuberculosis and HIV/AIDS. The OAU effectively died of a cancer of inefficiency because it basically had not lived up to its original ideals of promoting peace, security and development in Africa. The African Union emerged as an initiative to effectively take the destiny of the continent into the hands of the African people. However, there is a long way to go before the AU's vision and mission is realized.

   The AU is composed of 54 member states. It is run by the AU Commission based in Addis Ababa, Ethiopia. The current Chairperson of the AU Commission is Nkosozana Dlamini-Zuma, the former Foreign Minister of South Africa. Its top decision making organ is the Assembly of Heads of State and Government, its executive decision-making organ is the Executive Council of Ministers, who work closely with the Permanent Representatives Committee of Ambassadors in Addis Ababa, Ethiopia. The AU has also established a range of institutions which are designed with the intention of addressing the crises of postcoloniality on the continent.

The African Union as the Institutionalization of Pan-Africanism

If we know the purpose of Pan-Africanism as an attempt to redress postcoloniality then the steps to achieve its goals become clearer to understand. It is in this context that we can begin to understand the emergence of the African Union. It would be a mistake to view the African Union as an aberration that just emerged in the last few years. It would be more appropriate to view the AU as only the latest incarnation of the idea of Pan-Africanism. The first phase of the institutionalization of the Pan-Africanism was the Pan-African Congress' that were held from the end of the nineteenth-century and into the beginning of the twentieth-century. The second phase of the institutionalization of Pan-Africanism was the

inauguration of the Organization of African Unity. The third phase of the institutionalization of Pan-Africanism is in effect the creation of the African Union. It will not be the last phase. Subsequent phases and organizations will bring about ever closer political, economic, and social ties among African peoples. African unity is an idea that can be traced back to the nineteenth-century. The African Union is a twenty-first century expression of a nineteenth-century idea. As such it is an imperfect expression, but nevertheless the best expression of Pan-Africanism that can be brought forth at this time.

The Transformative Potential of Pan-Africanism to Address the Crises of Postcoloniality

The underlying agenda of the creation of the African Union is to promote solidarity, cooperation and support among African countries and peoples in order to address the catalogue of problems that they face. The ultimate utility of the AU will depend on whether it has the transformative potential to address the crises of postcoloniality through the implementation of the extensive range of principles, norms and values that it has adopted into practical policies which can be implemented. Some of these principles are discussed below.

The Principles of Peace: The AU Protocol on Peace and Security

As discussed above, the existence of the AU is an expression of Pan-Africanism. One of the ways in which this solidarity is now being put to the test is in how the AU is addressing the crises of postcoloniality which are decimating African societies. The true expression of Pan-Africanism will be achieved only when member states and societies in Africa regard the post-conflict security and well-being of their neighbours as fundamentally related to theirs (Centre for Conflict Resolution, 2005). The necessary political will is then required to undertake humanitarian interventions in crisis situations. To reinforce this point, the AU Commission issued the *Strategic Plan and Vision 2004-2007*, which also reiterates the importance of achieving peace and security as a necessary pre-requisite for post-conflict reconstruction, development and the consolidation of democratic governance.

As indicated earlier the African Union has the primary responsibility for establishing and operationalizing the continent's peace and security architecture (Mwanasali 2004). The 2002 AU Constitutive Act has enshrined the right to intervene. In terms of policy this means that African countries have agreed to pool their sovereignty to enable the AU to act as the ultimate guarantor and protector of the rights and well-being of the African people. The Peace and Security Council was established as a legal institution of the AU through the *Protocol Relating to the Peace and Security Council* in 2002 (African Union 2002). It is the key institution charged with conducting peace operations on the continent but

it is complemented by the Panel of the Wise, the Continental Early Warning System, the African Standby Force to be operationalized by the end of 2010 and the Military Staff Committee. An AU Peace Fund has been established to ensure that there will be enough resources to conduct post-conflict reconstruction efforts.

Implementing the Principles of Post-Conflict Reconstruction

AU has developed an African Post-Conflict Reconstruction Policy Framework through a broad consultative process with civil society and key stakeholders (NEPAD 2005). This framework stresses the link between the peace, security, humanitarian and development dimensions of post-conflict reconstruction and peacebuilding. The AU Post-Conflict Reconstruction Policy Framework aims to coordinate and guide the efforts of the AU Commission, the AU secretariat, the RECs, civil society, the private sector and other internal and external partners in the process of rebuilding war-affected communities. This plan is based on the premise that each country should adopt a post-conflict reconstruction strategy that responds to its own particular needs (Bond 2002). In most countries, there is a need to develop a post-conflict reconstruction process that addresses the needs of vulnerable groups such as women and children who are increasingly the targets of violence in conflict situations. AU's peacebuilding policy stresses the importance of factoring the needs of these groups into planning and programming in order to have an effective overall post-conflict strategy. The disabled, ex-combatants, child soldiers and victims of sexual violence also need to be provided with appropriate care and attention since an inadequate post-conflict programme can actually increase the vulnerability of these groups.

The Principles of Development: The New Partnership for Africa's Development

The AU has to implement its development principles in order for Africa to regain control of its economic policies from the necropower of international financial institutions. The external control of the economic policies of African countries is a situation that has to be addressed. The Structural Adjustment Programmes (SAPS) and so-called Poverty Reduction Strategy Papers (PRSPs) promoted and enforced by the IMF and the World Bank have had a negative impact on Africa's growth and development. By the IMF and World Bank's own admission, these programmes did not achieve what they planned to. The United Nations Conference on Trade and Development (UNCTAD) estimates that IMF/World Bank policies dictated since 1980 have led to 10 percent decline in economic growth in Africa (UNCTAD 2004).

There is therefore a need for Africa and the African Union to re-declare its economic independence and identify programmes that will bring genuine development to the people who need it most. It is in this context that we hear

much talk about the New Partnership for Africa's Development (NEPAD) which the Group of Eight (G8) countries pledged to support at their meeting in Kananaskis, Canada, in June 2002. NEPAD is a programme of the African Union. It is not a separate institution. It was designed by African leaders and adopted in Abuja, Nigeria in October 2001. One of the criticisms of NEPAD is that it did not include the views of African civil society and since then the African Union has made efforts to consult with civil society. NEPAD proposes ways to advance and accelerate Africa's peace and security by building a strong foundation for development and economic growth. NEPAD proposes to do this through improved access to education and training, access to healthcare, the building of the infrastructure necessary to make Africa an equal partner in global trade and economic development (Nkulu 2005).

Some critics of NEPAD argue that the programme cannot succeed because it tries to integrate Africa into a global framework of neo-liberal laissez-faire economic principles which is part of the reason why Africa is in the situation it is in the first place. To an extent these critics have a point, given the fact that unrestricted de-regulation in Africa has not contributed towards the net development of Africa in terms of human development indicators. This would be to try to attempt to address the crises of postcoloniality by utilising the same type of thinking that generated these crises in the first place. More specifically, critics argue that Africa is in its current situation precisely because of the neo-liberal economic framework in which richer countries preach free trade but protect their own industries and put pressure on developing countries to open up their markets. Liberalized African markets give the green light to predatory global corporations to extract primary commodities at low prices and buy up industries and production in Africa and repatriate profit out of Africa back to their global shareholders, thereby denying Africans the benefit of these profits which are vital for building schools and hospitals. As an illustration, in agriculture alone developed Organization for Economic Cooperation and Development (OECD) countries spend US$ 320 billion a year on subsidies. This situation is currently undercutting cotton production in Mali and Burkina Faso and restricting their competitiveness in global markets. Critics argue that at the very least African governments should be allowed to strengthen and protect their local industries. In addition, profits need to remain on the continent to support development. The basic argument is that adopting a neo-liberal framework for development is like adopting a violent strategy for promoting peace.

On the issue of debt cancellation, many African countries are spending more money in servicing multilateral debt than the combined amount they spend on providing healthcare and education to their people. More money is going out of Africa and back to the foreign bankers than is spent on school children and sick people. If we are talking about genuine development to consolidate peace then clearly this situation has to change. There are additional institutions that are yet to

be established by the AU to promote development and trade including an African Central Bank, an African Monetary Fund, and an African Investment Bank.

The Principles of Governance: The African Peer-Review Mechanism

As the multiple dimensions of the postcolonial crises have demonstrated, unprincipled forms of governance have gripped the African continent. Elections are regularly held even though the people's right to freely participate and chose their leaders is often subverted. A phenomenon has led to a situation in which people vote, without choosing their leaders. As far as governance is concerned, electoralism by itself is not sufficient to bring about democracy. However, small steps have been taken on the African continent given that in the late 1980s the majority of African countries were led by dictators who did not bother to pretend to seek the votes of their people to remain in power. Today the majority of African governments except a handful seek their legitimation through universal suffrage. Even though a number of these processes are not always as transparent as they should be, they at least demonstrate the principle and norm of ruling with the consent of the governed.

The NEPAD framework has launched an African Peer Review Mechanism (APRM) which will monitor and assess the compliance of African governments with the norms of governance and human rights (APRM 2005). This innovative mechanism of voluntary, self-imposed assessment seeks to raise the standards of governance and economic management in Africa so as to improve the livelihood of African people by promoting a climate that will encourage investment and development. A number of countries volunteered for the APRM audit including Ghana, Mauritius, Rwanda, South Africa and Kenya. These countries were assessed in four key areas: democracy and political governance, corporate governance, microeconomic governance and socio-economic development. The APRM team also consulted with civil society and the private sector. This APRM reporting process has faltered with governments demonstrating a refusal to be monitored by external actors, which has exposed the commitment of the AU to monitor and police its own members (Kajee 2004). Critics argue that the APRM has 'failed' in its analysis and criticisms of the lack of democratic governance among its members.

The Unprincipled and Unconstitutional Change of Government

Once peace and democracy has been consolidated then it is vital to ensure that the constitutions that have been developed through consultation with citizens are maintained and not undermined. The problem of course is that there are still a significant number of African governments that initially came to power through unconstitutional means. It is also important to note that some African rulers unscrupulously changed constitutions to give themselves further terms of office beyond the approved constitutional limit. In spite of this, Article 30 of the AU's

Constitutive Act of 2002 rejects any future 'unconstitutional change' of government. The recent coup d'état in Mauritania was a test of the AU's commitment to this principle. The AU rose to the challenge, and summarily suspended Mauritania from the activities of the Union. In an act of defiance AU ministers flew to Nouakchott, the Mauritanian capital, to inform the new military junta in Nouakchott that the AU would not accept unconstitutional changes of government. With this act the AU was effectively putting on notice those leaders who harbour intentions to overthrow existing governments. However, the situation in Mauritania was allowed to prevail given the promise of the ruling junta that it would proceed to elections. Subsequently, elections were held in 2007. Evidently, the AU has had mixed results in terms of its efforts to prevent coups and re-establishing constitutional order. The recent examples of Guinea and Madagascar are cases in point. The prevention of coups should go beyond the rhetoric of condemnation to the imposition of even tougher sanctions which will compel the perpetrators to restore constitutional order.

The Principles of Participation: The AU's Interface with Civil Society

In 2004, Africa established its first ever Pan-African Parliament, based in Midrand, South Africa. The then spokesperson of the AU, Desmond Orjiako, has observed that, 'this is an extremely important step for us; it will enable all persons to have a forum where they can air their views' (Murithi 2005:71). According to Orjiako, the AU would remain committed to enabling African citizens to input into how they are governed'. The Pan-African Parliament works in close cooperation with the parliaments of the regional economic communities and the national parliaments of Member States. The Pan-African Parliament convenes annual consultative forums with these economic communities and national parliaments to discuss matters of common interest. The intention is to ultimately endow the body with the ability to make laws and coordinate laws for the whole continent. The objective is to ensure grassroots involvement by ordinary Africans in the laws that affect their future. The AU has also established the Economic, Cultural and Social Council (ECOSOC) which sits occasionally at the AU headquarters in Addis Ababa, Ethiopia and includes civil society representatives from across Africa. To monitor its efforts on civil society initiatives the African Union has established an African Citizens Directorate (CIDO) Unit within the Office of the Chairperson of the Commission.

Promoting the Principle of Gender Equity

As of November 2010, the Assembly of Heads of State and Government which is the highest decision making body of the AU, has 52 men and only one woman. There is clearly a gender imbalance in the composition of the AU, and it is important to redress this issue. The AU has adopted the principle of gender equity through its *Solemn Declaration on Gender Equity*, which was approved by the AU Assembly in 2004. The AU Commission has also instituted a programme of affirmative

action and has designated that five of the ten Commissioners will be women. In order, to advocate for, and monitor, its gender policies the AU has established a Directorate for Gender, within the Office of the Chairperson.

Article 4 (l) of the Constitutive Act of the African Union which formally established the organization, in 2002, adopted as one of its principles 'the promotion of gender equality' (African Union 2000). However, it was only two years later in 2004 that the AU held its first debate on gender issues at its Annual Assembly of Heads of State and Government which took place on 6 July, in Addis Ababa, Ethiopia. In the Summit, the Assembly of Heads of State and Government adopted the *AU Solemn Declaration on Gender Equality* (African Union 2004). This Declaration acknowledged the precedent set by the UN Conventions and Resolutions discussed above and noted that 'while women and children bear the brunt of conflicts and internal displacement, including rapes and killings, they are largely excluded from conflict prevention, peace negotiations and peacebuilding process in spite of African women's experience in peacebuilding' (African Union 2000). The Declaration states that the AU will actively work to accelerate the implementation of gender equality in all of its activities. Specifically, the Declaration emphasised that the AU would 'ensure the full and effective participation and representation of women in peace processes including the prevention, resolution, management of conflicts and post-conflict reconstruction in Africa as stipulated in UN Resolution 1325' (African Union 2000:2). In addition, it committed the Member States of the Union to 'initiate, launch and engage within two years (of the signing of the Declaration) sustained public campaigns against gender-based violence' (African Union 2000:4). The Declaration committed the organization to also implement legislation to enable women to own land and inherit property, improve literacy among women and generally mainstream gender parity in all spheres of its social, economic and political activities.

The African Union has also recognized the importance of upholding the rights of women's through its *Protocol to the African Charter of Human and People's Rights Relating to the Rights of Women in Africa*, which was adopted on 11 July 2003, at the Union's Summit in Maputo, Mozambique. Specifically, the Protocol states that 'women have a right to peaceful existence and the right to participate in the promotion and maintenance of peace' (African Union 2003: Article 10). The Protocol also calls upon the Member States of the AU to 'take all appropriate measures to ensure the increased participation of women … in programmes of education for peace and a culture of peace' (African Union 2003: Article 10, 2a). The Protocol calls upon 'state parties to undertake to respect and ensure respect for rules of international humanitarian law applicable in armed conflict situations which affect the population, particularly women' (African Union 2003:Article 10). It further obligates 'state parties to undertake to protect asylum seeking women, refugees, returnees and internally displaced persons, against all forms of violence, rape and other forms of sexual exploitation, and to ensure that such acts are

considered war crimes, genocide and/or crimes against humanity and that their perpetrators are brought to justice before a competent criminal jurisdiction' (African Union 2003: Article 11). The Protocol also legislates for equal pay for equal work and establishes affirmative action to foster the equal participation of women in public office. The Protocol also legislates against female genital mutilation and promotes medical abortions in specific instances.

The Limits of Pan-Africanism as a means to address Postcoloniality

In view of these principled initiatives, the question can be raised as to whether we are in fact witnessing the institutionalization of Pan-Africanism and whether it can in fact address the crises of postcoloniality. The African Union exists but African unity does not. In other words, while the edifice of continental unity is evident in the establishment of the Chinese-built substantial AU headquarters in Addis Ababa, and the existence of a number of regional institutions and offices. The real experience across the continent is not one of a unified Pan-African society, in which the challenges of one part of the continent, say in Senegal, in West Africa, are understood and empathized by fellow Africans, in Maputo, in South Africa. The African Union project is therefore still very much at the stage of inception, and the vision of promoting genuine African unity lies at a point in the future.

Most of Africa's problems can be resolved if the political will is mobilized to genuinely address the internal postcolonial issues of social and political exclusion, authoritarianism, economic mismanagement and the misappropriation of state resources. Some observers and commentators question whether the African Union is a valid project to be undertaking at this time, or just another ambitious campaign by self-seeking leaders, intoxicated by necropower, to distract attention from other more pressing problems on the continent. The critical challenge facing the African Union will be whether it can transform the extensive range of principles, norms and values that it has adopted into practical policies which can be implemented. The institutionalization of Pan-Africanism will only be achieved when the ideals that inform this movement begin to manifest as progressive policy prescriptions. In turn these policy prescriptions have to lead to the implementation of programmes that will genuinely affect and improve the lives of Africans across the continent.

The notion of Pan-Africanism has historically been used to defend the rights of nation-states against external interference. At the dawn of the twenty-first century the majority of African Heads of State and Government have to a large extent held onto this norm. This is despite the fact that they have signed up to the Constitutive Act of the African Union which is a blueprint Charter for greater intervention in the affairs of Member States particularly on issues to do with peace and security. However, a series of interventions in Burundi (2003), Darfur (2004), Somalia (2007) and Comoros (2008) suggest that we might be witnessing

the beginning of a more interventionist stance by the AU which augurs well for attempts to address the manifest ailments generated by the crises of postcoloniality.

Somewhere along the line, the idea of non-intervention became a license for oppressive postcolonial states to kill their own peoples through internecine conflicts. Therefore, there is a need to return to the principles that animated and inspired the Pan-Africanists who begun the movement and implement these principles in practice. The opportunity provided by the renewed sense of Pan-Africanism can be utilized by African citizens to organize themselves to hold governments and their institutions accountable for their actions and responsible for the well-being of their people. The renewed sense of unity and solidarity should serve as a foundation of Pan-African standards of accountability and respect for the rights of human beings rather than permitting the excesses and misuse of state power.

Critics of Pan-Africanism argue that in the past this movement or ideology has not brought about any significant transformation other than enabling 'a trade union of dictators' in the form of the OAU Heads of State and Government to rule unjustly and harshly. Even today words of intention and platitudes from current African leaders need to be followed with concrete action. The question is how can Africa go about protecting and guarding against exploitation? If the response is through greater solidarity and unity then this implies Pan-Africanism. African countries being left to their own devices and their own 'deviousness' is precisely what led to the theatres of violence and slaughter from Kigali, to Freetown, Monrovia, Bukavu, Mogadishu and the latest tragedies in Darfur in western Sudan and Zimbabwe. How does Africa prevent future theatres of massacres if not through working together as one African collective? Perhaps we should not be so quick to throw the proverbial ideological baby, of Pan-Africanism, out with the bath water of the politics of non-intervention, collusion and in-action which African leaders are currently practicing.

Pan-Africanism is a tool and in the right hands it is one key to Africa's emancipation. It was Kwame Nkrumah, the first President of Ghana, who argued that, 'African states must unite or sell themselves out to imperialist and colonialist exploiters or sell themselves for a mess of portage, or disintegrate individually'. Nkrumah was offering future African generations some options. Africans have not united, not in the genuine sense, as illustrated by on going disputes between Ethiopia and Eritrea, fluctuating tensions between Rwanda, Uganda and the Democratic Republic of Congo, tensions between Nigeria and Cameroon on the Bakassi Peninsula issue, existing tensions between Morocco and neighbouring states on the Western Sahara/Sarhawi Arab Republic issue and so on. Africa has, or rather its leaders have, colluded with unscrupulous agents of globalization, illegal traders, sanction busters, mercenaries and transnational corporations and sold out the continent to the exploiters for the illusions of power and private bank accounts in foreign lands and off-shore islands. As a consequence the continent has in fact been 'disintegrating individually'.

As an antidote to this critical situation, perhaps the emphasis should be for the African peoples and their leaders to go back to square one and re-unite. They need to borrow from the principles that animated their struggle for independence and freedom. Today there is another battle for freedom being waged on the continent - the battle for freedom from conflict, poverty, disease and exploitation.

Towards a Postcolonial Politics of Principle: Institutionalizing the AU's Norms

However, the situation is not entirely negative. The AU is at least making an effort to make a difference. It has involved itself in all of Africa's on going peace efforts. It has been making efforts in Côte d'Ivoire; it was involved in back-stopping the Inter-governmental Authority for Developments' peace process in Sudan, which led to the signing of the Comprehensive Peace Agreement. The AU was involved initially through the Chair of the Heads of State in escorting Charles Taylor out of Liberia, to the Special Court for Sierra Leone. It does have some major challenges ahead. Zimbabwe for example is not necessarily one country's problem. It is the African Union's and all member states collectively. Zimbabwe has signed the Constitutive Act of the African Union, Article 4, which pledges it members to 'respect democratic principles, human rights, the rule of law and good governance'. It is up to the AU to find a way to ensure that one of its wayward members comes back into the fold. As a five year old institution this is easier said than done. The old habit inherited from the defunct OAU of allowing member states to do their will, within their borders has not yet gone away.

As Eddie Maloka observes in his edited volume *A United States of Africa?*, African leaders must be commended for taking advantage of the changed environment to advance the cause of the African continent (Maloka 2001:5). The transition from the OAU to the AU is a visionary step towards greater integration, democratic governance and the rule of law in African countries. African Union leaders met for their annual Summit in Addis Ababa, on 6 July 2004 to discuss an ambitious road map in an effort to herald a new era, end years of conflict, reduce poverty and combat the scourge of HIV/AIDS on the continent (IRIN 2004). However, if these aspirations are to become a reality the continent must be seen picking up the bill for its own problems before turning to rich nations and expecting greater support. If African governments do not make the pledge to fund the Union then key institutions or strategies for addressing the crises of postcoloniality and building a new Africa would be undermined. A substantial amount of funds can be re-directed from the draining military budgets of the war machines which deplete the economies of all African countries. If the countries pool their security mechanisms by having an integrated military mechanism and even establish a Pan-African armed forces then the continent could have more finances and resources for education, healthcare and development. The self-

imposed obstacle of course is that in the era egotistical state-centric attitudes, this would be a proposition that most of the leaders on the African continent at this point in time would reject and undermine. If such attitudes prevail the crises of postcoloniality will remain a pervasive reality on the continent.

Conclusion

The crises of postcoloniality on the African continent call for innovative strategies and an appeal to the transformative power of Pan-Africanism. The underlying agenda of the creation of the African Union was to promote solidarity, cooperation and support among African countries and peoples in order to address these crises of postcoloniality. Some observers and commentators question whether the African Union is a valid project to be undertaken at this time, or just another ambitious campaign by self-seeking predatory leaders to distract attention from other more pressing problems on the continent. The African Union exists but African unity does not. The ability of the African Union to address the crises of postcoloniality will largely depend on the extent to which it can transform the extensive range of principles, norms and values that it has adopted over the years into practical implementable policies. Such a transformation requires a change in attitude among Africa's leaders, which can be achieved through the mobilization of the wider society to trigger the necessary political will to internalize these principles and to implement the required norms. The institutionalization of Pan-Africanism will only be achieved when the ideals that inform this movement begin to manifest as progressive policy prescriptions. In turn, these policy prescriptions have to lead to the implementation of programmes that will genuinely address the crises of postcoloniality in order to improve the lives of Africans across the continent.

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