African Peace, Security and Conflict Management: An African international society approach

By

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Dalhousie University is located in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq. We are all Treaty people.

DEDICATION

For my wife, Alero- my biggest cheerleader – your never-ending love and support has been an immense source of inspiration throughout the process of writing. Our conversations over Efo riro and pounded yam have thought me more about resilience than you would ever know. This is for you and our unborn children.
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For Dad, for imparting the virtues of hard work and persistence since childhood. It really is true, that 'hard work breaks no bones'…as you'd often say.
***

For Uncle Martin, you remain one of my biggest sources of inspiration. Thank you for showing the way and being an all-round great role model and human. I wouldn't have come this far without all of your support.

Yours,
Elikem

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Abstract

Premised on the assumption that addressing security challenges in Africa is central to engendering resilient and peaceful communities, as well as tackling mal-development and endemic poverty, this dissertation explores the evolving foundations and condition of regional international society in Africa since the transition from the OAU to the AU in 2001, and how the ideas that constitute it have been translated to address conflict and security challenges on the continent. The dissertation argues that the International Society perspective of the English School in International Relations provides a useful lens for understanding the increased assertiveness of Africans, particularly through the African Union (AU), to own, control and find solutions to governance, security and development problems on the continent. Accordingly, the study traces and explores, holistically, emerging conceptions and ideas of an African international society by examining the development and propagation of four 'cardinal' normative practices- African democratic normative practices; normative practices around African sanctions; normative practices around security governance and peace operations; and finally, normative practices around post-conflict criminal justice- each of which is vital in efforts to advance peace and security on the continent. These four key normative practices are manifestations of a distinct African regional international society. The study therefore traces and demonstrates the ontological journey of the continent as pursuing a distinctive variant of international society (separate from the larger global international society), complementing but differing from the Eurocentric framework that has characterised ideas, discourses and practices concerning international society more broadly. The core research questions the study answers therefore, revolve around understanding the conceptual underpinnings and connections amongst emerging norms of peace and security governance in Africa and how this reflects a distinct regional society of states within the larger, global international society. This dissertation seeks to enrich the understanding of these trends, and their application to addressing not only existing security challenges in Africa, but also emerging ones through an international society perspective.

ACKNOWLEDGEMENTS

Chapter I

1.0: Introduction

African development has long been plagued and held back by prolonged conflict, security and governance challenges.[1] The continent is host to some of the bloodiest conflicts with major human security costs, including fatalities with devastating effects on communities across the continent. Internal conflicts in Ethiopia's Tigray region, the Democratic Republic of the Congo, Central African Republic (CAR), Mali and South Sudan are but a few of the more prominent current examples. Additionally, emerging threats of climate change, health pandemics, human & drug trafficking and terrorism present serious challenges to security and a stable livelihood. These conditions of instability have heightened the need for tools and capacities to effectively combat such security challenges. Rather than leave things to external actors, the African Union is increasingly assertive in efforts to find solutions to these security challenges. This is manifested in several new norms, institutions, and practices, and the deepening of existing ones regarding the management of conflict and security issues in Africa.

This dissertation argues that the increased assertiveness of Africans, particularly through the African Union (AU), to own, control and find solutions to governance, security and development problems on the continent can be understood through the International Society (IS) perspective of the English School (ES) of International Relations. The English School's approach is particularly useful because:

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[1] The argument here is that security (or lack thereof) is central to Africa's developmental crisis and by extension endemic poverty on the continent. It is only by addressing these security challenges and threats that one can begin seriously tackling poverty and lack of economic growth on the continent.

- It allows us to trace and understand the unique history of the emergence of the African regional international society and its strong advocacy for African ownership of African problems. This approach also helps explain and account for behaviour on the continent that would otherwise appear contradictory;
- It helps elucidate the continuous tension between the idea of solidarism and pluralism, which accounts for the prevalence of a great deal of ambivalence and ambiguity within this regional international society; and finally,
- It helps with understanding the persistent tension between acquiescence and resistance as related to external actors on the continent.

The ES' international society lens, with its 'middle-ground' qualities as a theory, offers a useful perspective to understanding this on-going phenomenon on the continent. As an IR theory, the ES is able to comfortably combine the cooperative aspects of international relations with the conflictual ones, and so presents a more holistic picture of international relations[2]. With an ever-more assertive role for regional mechanisms in international relations, it is evident that to fully grasp the complexities of international relations, one must incorporate regional dimensions and narratives into explanations for international phenomena (Acharya, 2007). Although the next chapter expatiates on these assertions, the point here is that the ES' international society approach is a useful theoretical tool for explaining and understanding how African states and their leaders have come to perceive and identify themselves as a distinct group (a separate society) of states within the larger (global) international society of states, requiring (oftentimes) distinct approaches to dealing with issues that affect them.[3]

It is important to note from the outset that this dissertation does not attempt to provide in-depth discussions and analysis of the entire international society concept of the ES. These

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[2] Find more on these discussions in Chapter Two.

[3] I argue throughout this dissertation and in the conclusion that this helps bring useful perspective to the decisions, policies and actions of African states and their leaders (at least at the continental (AU) level) which may seem paradoxical or out of step with their lofty goals regarding security, good governance and development.

debates have not been resolved by any means in the literature. However, by focusing on important or core properties and concepts from this tradition, the dissertation aims to expand our understanding of these processes and how they have evolved, specifically in Africa. What is the evidence for, and history of, a distinct African international society? How has it been imagined, and what can we understand about its origins and distinctiveness as a regional international society within the larger international society? These are core questions the research is concerned with.

Africa has no doubt been vulnerable to economic challenges, ecological strains, population growth stresses and, most crucially[4], violent conflict and political instability (Alao, 2007; Brookings Institute, 2014; Williams, 2009; Suleiman, Onapajo, & Maiangwa, 2017*.)* The continent has been home to some of the bloodiest conflicts the world has ever seen; Angola, Central African Republic (CAR), Liberia, Sierra Leone, Mali, Ivory Coast, Democratic Republic of the Congo, Uganda and Rwanda are just a few examples of countries that have experienced violent conflicts in the recent past or are still experiencing them. In the 2011 World Development Report, the World Bank stated that conflicts have become increasingly cyclical and intractable events (World Bank, 2011; Suleiman, Onapajo, & Maiangwa, 2017). Over 90 percent of the civil wars that occurred in the 2000s were fought within countries that had experienced a violent civil conflict in the previous 30 years (World Bank, 2011). Suleiman et al (2017) also contend that these cyclical conflicts continue to take new forms through a 'cross-pollination of local and global

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[4] I argue here that violent conflicts remain the most crucial security challenge in Africa. Despite the fact that only 12 percent of the global population was living in Africa by 1989, the continent has experienced significantly more violent conflicts than any other continent. In the same period (by 1989), Africa experienced 39 per cent of all armed conflict incidents. African civil wars are also known to last longer than those in other regions. On average, African wars last about eight years while the global average is about six and a half years, with the continent losing about $18 billion per year due to violent conflicts. See (Uppsala/PRIO Armed Conflict Dataset, 2011)

forces' (Suleiman, Onapajo, & Maiangwa, 2017, p. 269). This is a telling observation and promises a bleak future for most countries on the continent that have experienced some form of violent conflict in their not too distant past.[5] Expected to be home to more than two billion people by 2050, of whom more than half will be younger than 30, Africa is even more susceptible to violent conflicts if viable solutions are not found to curb or manage them.

Moreover, new and emerging threats including climate change, health pandemics, human and drug trafficking, and international terrorism pose serious safety challenges to communities across Africa. The growing recognition of violence and conditions of insecurity as impediments to real growth and development[6] (Igwe, 2011; Berman, Couttenier, Rohner , & Thoenig, 2017) has led to the development of important initiatives and normative practices with regards to security governance and management on the continent, instigated by Africans. Four of these stand out and provide the focus of this dissertation.[7] They are: African democratic normative practices; normative practices around African sanctions; normative practices around security governance and peace operations; and finally, normative practices around post-conflict criminal justice. These four 'cardinal' normative practices are manifestations (and symptomatic) of a distinct African regional international society.

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[5] It is important to note that over 65% of AU member states have experienced some form of violent conflict since independence (Vines, 2013), with most still battling 'newer' forms of conflicts and instability (Wig & Kromrey, 2018; Suleiman, Onapajo, & Maiangwa, 2017).

[6] See also (United Nations Non-Governmental Liason Service, 1991; Collier , 2007; Collier & Hoeffler, 2002; Ezeoha & Ugwu, 2015; Solomon, et al., 2018)

[7] Although several others exist on the continent, these four were chosen due to their intimate link to the most objectively important aspiration of the African continent- peace, security and political stability. In reference to footnote four above, I argue that the achievement of peace and security on the continent remains the most important goal simply because without security and political stability, no other continental goal - including economic development and continental integration, amongst others - can be achieved.

Numerous scholars have explored aspects of each of these normative practices. However, a gap exists in terms of a holistic analysis of these trends, which not only signify a strong quest by Africans to "own" the management of their own security and governance challenges, but also represent a distinct understanding of the foundations of order that increasingly characterises an African international society.[8] Consequently, this dissertation traces and explores, holistically, emerging conceptions and ideas of African international society by examining the development and propagation of these four key normative practices, each of which is vital in efforts to advance security. The core research questions the study aims to answer therefore, revolve around understanding the conceptual underpinnings and connections amongst emerging norms of peace and security governance in Africa and how this reflects a distinct regional society of states. This research is therefore important in understanding these trends and their application to addressing not only existing security challenges in Africa, but also emerging ones via an international society perspective. This dissertation is based on the premise that addressing the security challenges outlined above is central to engendering resilient communities, tackling mal-development and endemic poverty in Africa.

2.0: Research Question(s)

This research project is guided by a core question and a related cluster of questions as stated below:

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[8] Again, it is important to highlight the distinctness of this understanding Africans have of their world, and the one(s) beyond it. Increasingly, Africans have begun to regain their confidence, lost since the 16th Century when slavery and colonialism inflicted a deep-seated hit on the African psyche. Today, Africans have come to believe strongly that the future of the continent is in their own hands, and no one else's (more on these discussions in the following chapters.)

Core Question: How useful is the English School's international society perspective to understanding the increasing assertiveness of the African Union in efforts to own and address Africa's numerous security and stability issues as an attempt at carving out a distinct regional society of states?

Secondary Questions:

- What are the constitutive elements and depth of a distinct African regional international society?

- What are the conceptual connections amongst the emergent normative practices identified in this study?

- What do they tell us about the normative and historical foundations, as well as the viability[9] of an African international society?

- To what degree does this distinct international society provide a firm foundation for combatting conditions of violence, insecurity, and related challenges in Africa?

- Finally, what is the relationship between this African regional society of states and the larger global international society?

3.0: Research Description & Objective

This dissertation aims to understand the evolving foundations and condition of regional international society in Africa since the transition from the OAU to the AU in 2001, and how the ideas that constitute it have been translated to address conflict and security challenges on the

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[9] Although it is difficult to pinpoint exactly what makes an international society viable, 'viability' here refers to the workability of this distinct international society vis a vis the global level, as well as other regional societies. Important in this regard would be how much 'buy-in' and acceptance of principles, norms, and guidelines the society receives from member-states.

continent. It aims to do this through a holistic exploration of norm[10] development and institutional practices (which together have been characterized as normative practices throughout this dissertation and should not be confused with norms as defined in the literature)[11] in the realm of peace and security. These are manifested in four main, 'cardinal' ways: normative practices regarding African sanctions, democratic governance, peace and security governance, and post-conflict criminal justice. To be sure, other related norms and practices can be identified on the continent. For instance, one can speak of the norm of African diplomacy; economic frameworks such as the 'Single African Air-transport Market Initiative', 'the African Continental Free Trade Area,' and the recent protocol on the 'Free Movement of Persons, Residence and Establishment'. However, I consider the four (4) normative practices noted above to be cardinal in Africa because (as stressed earlier) these norms and practices represent a radical shift in Africa's approach to managing security and governance challenges on the continent over the years. Moreover, they directly relate to issues that are most crucial to and form the most central concerns with regard to the security and development challenges the continent faces. Thus, it is the premise of the thesis that, these four normative practices are fundamental (indeed,

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[10] Norms here are defined as standards of appropriate behavior for actors/states with a given/common identity, which culminates into an institution(s). Thus, throughout this dissertation, norms and institutions are sometimes used interchangeably. Although several types of norms exist in the literature, no real distinction is made within this dissertation. Hence the use of 'norms' throughout is an encompassing one. It refers simultaneously to; regulatory norms (what behaviors states can or cannot do); Constitutive norms (that set up new actors, behaviors, or interests); and Prescriptive norms (prescribing actions or non-actions that are to be taken in certain situations). Where appropriate/needed, exact descriptions are provided. For more on this, see (Wiener, 2007(a),2009 & 2014; Acharya, 2004).

[11] Normative practices because the cardinal manifestations examined here cannot be considered as norms in the strict sense. These tendencies are a combination of norms, institutional mechanisms and practices that together characterise what I define as an African international society. Consequently, its use in this dissertation refers to all activities from the ground level everyday interface of these four normative practices, to more structural and institutional mechanisms that shape political interaction within the domain of political collaboration in Africa. To be clear, this classification is based on the effect on behaviour of member-states of the combination of norms, institutions and practices in each specific issue area discussed.

indispensable) to the goals, aspirations and expectations of this distinct regional international society. These four interdependent normative practices are therefore cardinal simply because they directly attempt to tackle Africa's most fundamental and critical challenges. What exactly are these four cardinal manifestations?

3.1: Normative Practices regarding African democracy[12]

Evident in the use of sanctions (discussed below) is an increasingly accepted democratic norm, exhibited in a general disapproval of the overthrow of democratically elected governments, particularly though not only by military means. Thus, virtually every regime that overthrows an incumbent government is sanctioned (Tieku, 2009; Eriksson, 2010; Engel, 2010; Tull & Simons, 2017; Khadiagala, 2018; Oluwaseun & Bonnie, 2016), although certain powerful, well-endowed states almost always 'get away'[13] with transgressions for which smaller, less powerful states are punished.[14] Additionally, two major initiatives on the continent affirm the

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[12] It is important to note here that although the evidence shows that sanctions are currently heavily used in the African context to promote democratic norms and so may appear one and the same, I consider them separate normative practices simply because of the potential utility of sanctions in other pertinent issue areas such as to address conflicts, natural resource management, and enforcement of AU directives and policies, amongst others. These other uses (beyond promoting democracy) have remained contentious and not as widely used in the African context, and so it makes for a persuasive case to treat both independently in this dissertation. See further discussion in chapter four.

[13] By this, I mean that most times sanctions are not imposed. Even in situations where sanction resolutions are imposed, implementation is either non-existent or too weak to be effective in changing target state behaviour.

[14] Egypt's re-admission into the AU after the election of Abdel Fatah El Sisi easily comes to mind here. Since 2010, as part of the democratic norm, perpetrators of unconstitutional changes of government are prevented or barred from participating in elections held to restore a constitutional order – seeking to close the door that enables an individual/group to legitimize the unconstitutional seizure of power through elections. However, this norm was broken after El Sisi, a former army chief who was part of the Morsi ouster, legitimised his ascension to power through an election. The AU welcomed Egypt back into their fold a year later, even with El Sisi as president. Similarly, in 2017, Zimbabwe's military overthrew president Robert Mugabe and replaced him with Emmerson Mnangagwa. Although the AU initially threatened to impose sanctions on Zimbabwe, the organization later called it off amid the country's military coming up with a plan to transition to a new democratic leadership, underlying the less than uniform application of this democratic ideal.

democratic norm that has been evolving and deepening. The first is the African Peer Review Mechanism (APRM); and the second is the African Charter on Democracy, Elections and Governance (ACDEG) (African Peer Review Mechanism (APRM, 2017; African Union, 2007).

The APRM is an instrument through which countries willingly undergo a process of self-assessment in the following areas: democracy and political governance; economic governance and management; corporate governance; and socio-economic development. The ACDEG was adopted by the AU in 2007 with the aim of deepening democratic principles, elections, rule of law and the respect for human rights within member countries.[15] Given the repercussions from popular uprisings that occurred in North Africa (dubbed the 'Arab Spring') as well as other apparent deviations from democratic norms (e.g., the growing trend towards the dismantling of presidential term limits), it becomes even more crucial to investigate the linkages between democratic deficits and political instability/violent conflicts. It is increasingly apparent from these events that the discrepancies and contestations regarding democratic accountability and human rights are sources of political instability and crisis on the continent (Engel, 2010 & 2019; Dersso, 2012). Consequently, the need to pay attention to the quality and progress of AU member states' democratic, human rights and good governance records is being recognised as crucial for the continent's peace, security and political stability. Interestingly, the literature portrays the AU as most effective in the imposition of sanctions to promote democratic norms on the continent as

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[15] Although used by some countries such as Mauritania as a road map during difficult periods of transition, others have found it difficult to follow the document.

compared with their utility in other areas, such as peace and security operations (Eriksson, 2010; Hellquist, 2020).[16]

3.2: Normative practices regarding African sanctions

There has been a notable increase in 'African regional sanctions', separate from those mandated by the UN Security Council (UNSC). African sanctions here refer to sanctions imposed by the African Union (sometimes in conjunction with other Regional Economic Communities [RECs] to deal with security and other threats within the continent. Examples include the AU's sanctions against Egypt and the Central African Republic (CAR) in 2003 and 2013 respectively, Comoros in 2007, Cote D'Ivoire in 2010, Egypt in 2011, Guinea Bissau in 2008-2009 and again in 2012, and Mali in 2012, amongst others (Charron & Portela, 2015; Hellquist E. , 2020). This trend is very significant for several reasons. The increasing tendency to resort to intra-African sanctions by the AU is a significant normative shift. This is especially so as African governments have hitherto made the argument that sanctions are tools for imposing Western political agendas on them.[17] The increased use of sanctions by Africans therefore serves as a legitimising mechanism for their use as a key foreign policy and governance measure on the continent (Charron & Portela, 2015). The normative acceptance and regular application of sanctions thus serves to underpin the common African belief in their potential ability to help maintain security and stability on the continent, rather than wait for the UNSC to react. The trend also reflects a shifting practice with regards to ownership of security and governance issues by Africans and the portrayal of a shift in the understanding of international society on the continent.

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[16] See discussion in Chapter Four.
[17] Of course, this is considered a violation of the heretofore cardinal international norm of sovereignty as well.

3.3: Normative Practices regarding Security Governance & Peacekeeping

In recognising the importance of peace and stability to development, governments in Africa have formally adopted the norm of non-indifference towards crisis and insecurity. To that effect, African states have devised peace and conflict resolution mechanisms aimed at addressing conflict situations on the continent, captured in the African Peace and Security Architecture (APSA) (Aning, 2004; de Coning, 2007; Tieku, 2007 & 2012; Solomon, 2015). Since the transition from the OAU to the AU, several changes have been made to the normative and policy framework for managing peace and security issues on the continent. Besides the recognition of development, human rights and democracy as being crucial to peace and stability, the continent has seen increased efforts toward the promotion of the 'culture of peace' and improvements to peacekeeping, peace-building and post-conflict rehabilitation/reconstruction mechanisms (Tieku, 2007 & 2012; Dersso, 2012). This normative framework includes mechanisms for conflict prevention, early warning, the promotion of peace and security, management and resolution of conflict, deployment of observers and peacekeeping missions and, most crucially, an acceptance of the deployment of humanitarian intervention forces in cases of grave circumstances of violent insecurity (Dersso, 2012; Mays T., 2003; Tieku, 2007 & 2012; Solomon, 2015). These normative trends and institutional mechanisms are increasingly invasive in their approaches, with an increasing recognition on the continent of the need for cooperative attitudes toward the resolution of persistent security concerns. Unlike in the past, African states and their leaders are beginning to be prepared to override the previously cardinal principle of the traditional concept of sovereignty that for so long represented an impediment to concrete action regarding peace and security on the continent. Most importantly, these norms represent ways by which Africans

are trying to engender peaceful communities on their continent - reflecting an emerging and evolving African international society.

3.4: Normative Practices regarding Post-conflict (International) Criminal Justice

An important criterion for peaceful and safe communities (especially post-conflict ones) remains ensuring accountability for crimes of the past, while promoting a sense of security, law and order for the present and future[18] (O'Connor, Rausch, Albretch, & Klemencic, 2007). Consequently, promoting the rule of law and justice in a post-conflict context is widely seen as a necessary condition for sustaining the fragile (often hard-won) peace, and preventing a relapse into violence. Three notable actors can be identified in Africa with regards to post-conflict justice and accountability: independent national/domestic judicial systems, the International Criminal Court (ICC-based in The Hague) and the African Union (Frahm, 2015). None of these three has succeeded in developing a consistently effective method of dealing with post-conflict justice.

In several instances, fraught with multiple challenges, national or domestic systems have found it convenient to out-source these issues to the ICC (since its inception, the ICC has been the main actor in promoting post-conflict criminal justice in Africa). On the other hand, although most African states have signed up to the Rome statute that established the ICC, attitudes toward the court among African states/leaders and some intellectuals have become increasingly hostile, especially since the turn of this millennium. The AU has taken a collective decision to disregard the Court's indictment of African heads of state such as the former Sudanese President Omar Al Bashir (Mutton, 2015), and also passed a resolution endorsing a document titled 'the ICC

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[18] This becomes helpful in promoting values of tolerance, fairness, transparency and adherence to international human rights standards necessary for nurturing peaceful communities.

withdrawal strategy' in Addis Ababa (African Union, 2017). This stand-off with the main agent of international criminal justice brings to the fore a larger implication of the current structural arrangements at the international level, with African states demanding a level playing field on international legal matters and identifying a systemic bias in the treatment of African leaders, while leaving other world leaders untouched for alleged crimes against humanity. Increasingly, such arrangements have come to be perceived as illegitimate and unacceptable to most African leaders and states. For instance, in relation to the indictment of Al Bashir by the ICC and following accusations of war crimes and crimes against humanity, African states, through the AU, requested the United Nations Security Council (UNSC) mandate a deferral of Bashir's indictment in order to allow for peace processes in Sudan to go ahead. With the request ignored by the UNSC, the AU asked all African states to refuse to cooperate with the ICC on the matter. Furthermore, the AU decided to approach the UN General Assembly (UNGA) in 2018 to seek an advisory opinion from the International Court of Justice in relation to immunities of sitting heads of states before the ICC (Pillai, 2018).

This impasse becomes even more salient when one considers the fact that most individuals indicted by the court thus far are Africans accused of gross violations pertaining to security, with the tacit endorsement of powerful countries in the UNSC - USA, China and Russia - which are not signatories to the statute and yet, are sure to veto any such indictments of their own citizens.[19]

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[19] It is important to note, however, that some of the cases brought before the ICC were initiated by African states themselves in addition to the Prosecutor's initiative (Pillai, 2018).

This developing anti-ICC stance (which has culminated in specific normative practices discussed later in the dissertation) has significant implications for the culture of impunity on the continent. Although it is refreshing to see the assertiveness of Africans in this area, this norm is not a particularly positive one, as it has the potential to become a stumbling block to post-conflict criminal justice, unless viable alternatives and/or acceptable reforms to the ICC are found. Accordingly, this trend has serious implications for the administration and future of post-conflict criminal justice on the continent. With most post-conflict societies in Africa unable to deal adequately with past atrocities due to inadequate judicial systems that effectively address wide scale prosecutions in accordance with international standards of due process (Rwanda's Gacaca courts, and Sierra Leone and South Africa's Truth & Reconciliation Commissions readily come to mind here),[20] most post-conflict states in Africa end up giving culprits of such crimes impunity, impeding real reconciliation. In other cases (South Africa for instance) little or no compensation has been given to victims of past crimes, making them feel that real justice has not been achieved.

Post-conflict justice therefore becomes crucial with regards to establishing safe and secure communities. Although no definite causal claims can be made as to why violent conflicts in Africa occur, many of these conflicts are strongly associated with perceptions of injustice and discrimination.[21] Crimes against humanity, war crimes and genocide should not go unpunished, and their prosecution should be ensured. On the other hand, judicial proceedings are set up to declare one side guilty and another innocent, which can render the courts inadequate to settle

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[20] This is not meant as a sweeping indictment of these domestic processes, as they have been very valuable to localised processes of post-conflict reconciliation and justice in these countries (their flaws not-withstanding). The point here is that these processes have not been as successful as they could have been, and so demand either an improvement or an entirely new approach.
[21] See (Alao, 2007; Bannon & Collier, 2003; Adebajo, 2002; Dzinesa, 2007)

questions linked to internal armed conflicts where neither side is wholly innocent, nor wholly guilty, as is the case in most African conflicts. Hence, aspirations regarding the development of norms that seek to address political, social, economic and cultural undertones/causes of conflicts become critically important.

In December 2013, as part of its response to the crisis in South Sudan, the AU established the (first) Commission of Inquiry (the Commission of Inquiry on South Sudan (AUCISS) to look into atrocities by rebel and government forces after renewed violence broke out in the country. On the continental level, this signifies an important step toward post-conflict accountability and is a welcome development for post-conflict justice, since a continental approach is clearly needed to complement efforts of the ICC and domestic systems. Additionally, these emerging practices, and the norms underlying them have the potential of affecting positively and expanding the mandates of the African Court on Human's and People's Rights (ACHPR) based in Tanzania, which for a long time following its establishment did not have jurisdiction over mass atrocity crimes including genocide, war crimes and crimes against humanity (Frahm, 2015). Currently, the court has jurisdiction over all cases and disputes concerning the interpretation and application of the African Charter on Human and Peoples' Rights, as well as any other relevant human rights instruments ratified by states concerned. Only nine states out of the thirty signatories have so far recognized the competence to the ACHPR, however (African Court, 2019).

4.0: Problem Statement & Justification of Research

With the current global international society facing multiple crises of legitimacy, it is increasingly important to focus attention on and incorporate ideas and theories of international society from the perspective of regional arrangements and sub-regional societies in various parts

of the world, including Africa. This is especially crucial as we continue to witness the increasingly important role regional blocs and arrangements have come to play in the search for global political governance and legitimacy ((Buzan & Waever, 2003; Hurrell, 2007). The notion that the current distribution of global decision-making power can be defended in terms of the values propounded under the presently (but increasingly tenuous) dominant western hegemonic order has become unacceptable to many if not most actors on the "periphery". This has resulted in sustained criticism of the Eurocentric nature of traditional notions of international relations, which does not reflect a normative consensus on the rules of engagement at the global level (Der Derian, 1987; Buzan & Waever, 2003; Jonsson & Hall, 2005; Hurrell, 2007). This is a natural consequence of the fact that the majority of the world's countries are not western; hence contestations on the ideal structural order and right conduct in international affairs is bound to be an issue. Africa is no exception to this trend. The evidence suggests that a nascent international society has materialized on the continent, based on some of the common global international society foundations manifested in Europe (Buzan, 2001 & 2004), but with a distinctness that is unique to the African context (Knight & Oriola, 2021). This distinct African international society, it appears, has also become increasingly assertive when it comes to efforts to own and solve the numerous, multi-dimensional security problems on the continent.

Consequently, with nation-states in Africa continuously struggling with multi-dimensional problems manifested in crises of efficiency, legitimacy, identity and equity, which clearly cannot be addressed unilaterally,[22] the cardinal normative practices regarding sanctions, democracy, security governance and post-conflict criminal justice on the continent (as interesting as they are

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[22]See (Lamy, Masker , Baylis, Smith, & Owens, 2017)

as autonomous ideas) are best considered together, using the lens of international society theories. The argument here is that, taken together, these developments signify attempts or aspirations to establish a common social order (society), which is culturally coherent and politically legitimate, to help deal with common problems on the continent. They also underpin the aspirations of Africans to become more firmly established elements of the architecture of world politics (Hurrell, 2007).

As a result, inquiries into the organization of an 'African international society of states', its capacity to generate and promote ideas concerning African regional order, and its aspirational claims to become a mechanism for tackling entrenched security, governance and development problems on the continent more efficiently and equitably than international society writ large necessitates asking questions about the value and utility of these emerging normative practices and ideas, and assessing how effectively they can be deployed holistically, as tools for ensuring safer and more secure communities on the continent. Additionally, these normative practices could potentially lead to a move away from (pluralist) notions of traditional security (which places focus on the state and its security needs-especially protecting its sovereignty), to (solidarist) ideas and notions of human security (emphasising the security needs of individual Africans and their communities) which prioritise the protection of the vital core of all human lives in ways that enhance freedom and human fulfillment in Africa.

By assessing these normative practices and institutional mechanisms through an international society perspective, this study aims to establish and trace the existence of a distinctive international society at the regional level in Africa, what that regional society looks like, and how it relates to and differentiates itself from the larger global international society.

Crucially, this dissertation aims to assess how far the ideas and normative practices within this distinct regional international society can potentially translate into sustained moral and political action on substantive, yet complex security challenges the continent continues to face. To be clear, this is not an attempt to 'test' the ES theory in Africa. The main objective here is to show that the application of the ES ideas in Africa can be a useful lens in explaining the behaviour of African states, and by extension, their distinct understanding of inter-state relations both on the continent and outside of it.[23] Consequently, the prioritization of normative practices and institutional mechanisms in the international society approach is crucial in this study as it helps determine the degree to which the above four cardinal normative practices (and others like them but not discussed here) can be refined and deepened in the African context, to deal with the continent's numerous and complex security and development challenges. This theoretical approach is therefore a useful way of unpacking the normative structure, practices and paradoxes of this process of regional international society in Africa.

5.0: Contribution to the Advancement of Knowledge

A lot has been written about the increasing assertiveness and importance of ideas that together constitute key foundations of African international society. As mentioned earlier, the manifestation of Africa's international society is also seen in the increasing autonomy and activity of Africans with regards to governance and security issues within their spheres of activity through the continental organization, the AU (Tieku, 2007 & 2012; Knight & Oriola, 2021; Charron, 2011;

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[23] As discussed later in the text, several paradoxes exist in African states' behaviours regarding both African and international norms and practices. There exist gaps between the principled position of the AU and member states' behaviour in several issue areas. This situation has long confounded both African and international scholars alike. By applying the ES lens to these issues, I argue that we can gain a much better appreciation and understanding of these paradoxes, instead of sometimes the simplistic condemnation of the continental body as 'dysfunctional'.

Charron & Portella, 2015; Dersso, 2012; Franke & Ganzle, 2012; Franke & Esmenjaud, 2008; Mays, 2003; Mutton,2015; Solomon, 2015; Vines, 2013; Williams & Haacke, 2008; Frahm, 2015; Eriksson, 2010). This study is therefore particularly important in refining the conceptualization of the shifting trend of increased assertiveness of the AU[24] on the continent and its application to solving interlinked security and governance challenges. Through a holistic exploration of the cardinal normative practices noted above via an international society perspective/lens, this study provides a different outlook to understanding the ongoing assertiveness of African states and institutions with regard to the management of conflict, security and governance challenges in their own backyard. It traces and demonstrates the ontological journey of the continent as pursuing a distinctive variant of international society (separate from the larger global international society), complementing but differing from the Eurocentric framework that has characterised ideas and discourses concerning international society more broadly.

The argument in this regard is that the application of the international society perspective is particularly advantageous to exploring the reasoning and motivations behind the pursuance of such distinct normative practices and values, aimed at making progress towards stable and peaceful African communities. Additionally, crucial questions regarding the interrelationship (or lack thereof) between the AU and UN in security governance[25] issues have remained under-

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[24] Throughout this study, the AU is used synonymously with the 'African international society'. This is not to suggest that international societies generally, and specifically in Africa do not and cannot exist in the absence of an inter-state organization. In Africa however, due to the unique and peculiar history of colonization and state formation, the distinct features and manifestations of international society have been helped significantly by translating ideals, goals, and aspirations in an organization form, first seen in the formation of the OAU and then the AU. This has resulted in a specific type of international association that has been predominantly top-down. More attention will be given to these discussions in later parts of this dissertation.

[25] This question is crucial to understanding the link between global level international society and regional level inter-state relations in the broader ES literature.

explored – What accounts for the normative shifts in Africa's approach to security governance? What forms do these African initiatives take? What are their motivations or inspirations? To what purpose and intent are they instituted? How do these relate with normative practices from the larger global international society? This is a crucial gap in the literature that this study aims to fill. By exploring the normative trends in the four cardinal normative expressions outlined above, this study will be particularly important in providing a holistic picture of the normative forces driving the changes taking place on the continent regarding the management of security, governance and development challenges, their prospects for bringing about more secure and safe communities, and a clearer conceptualization of the normative foundations of international society on the continent.

Finally, in regard to the above discussions, this study complements understandings, ideas, and processes of international society from a non-European perspective such as those from the Association of East Asian Nations (ASEAN) and others (e.g., Zhang, 2015). Accordingly, the study lends credence to the important role of ideas emanating from non-Western forms of international society in global governance either on their own, or via a fusion between Western and non-Western forms of international society, in the massive task of confronting critical global security and governance issues.

6.0: Research Methodology

In tracing these normative foundations of international society in Africa, the study focuses on efforts at the continental level. Thus, a historical process tracing (and interpretation) of the evolution of the idea of what we can describe as an African international society since the beginning of the Pan-African movement in the diaspora, through to the formation of the OAU, to

its transition to the AU in the early 2000s has been carried out. To this end, a close engagement with the history and politics of Africa's inter-state relations (with focus on relevant themes) has been undertaken.

For the conclusions drawn in this study however, heavy focus has been placed on the period since the transition to the AU. Again, it is crucial to stress here the treatment of the AU as the principal manifestation of the African international society. Although international societies can exist absent of international organizations, the processes discussed on the continent have been organizationally driven at the continental level (through first the OAU and then the AU). As I argue later, this represents another feature of the African international society- a society driven and sustained primarily from top to bottom, instead of the other way around. Ideas, normative practices and institutional mechanisms of the African international society have been driven chiefly via a continental organization (although this is also partly attributable to the historically tenuous and diverse nature of African states). Consequently, this design permitted a careful description and analysis of the evolution of the ideas that have become touchstones of an African international society. With historical process tracing, I was able to analyze the trajectories of change and interconnection of these normative practices, while paying close attention to sequences of independent, dependent and intervening events and issues that enabled the propagation and manifestation of this distinct society of states on the continent.

This method offered several other unique advantages for my study. Drawing on discussions from Bennet, (2008 & 2010); Collier, Brady, & Seawright, (2010 (b); and Waldner, (2011), tracing the process in this manner allowed for a close engagement with and knowledge of Africa's inter-state politics (as it mostly allows for within-case analysis). This methodology

allowed for identifying and highlighting key political and social phenomena, as well as their trajectories by systematically describing events within and beyond the continent that led to change and evolving concepts, ideas and normative practices amongst and within African actors (including states and inter-state organizations). The method also allowed for the evaluation of existing premises about these developments in Africa, while identifying new contributory assertions; and, importantly, underlining crucial insights into fundamental mechanisms driving the formation and promotion of what is reasonably described as a distinct African regional international society, separate from the global international society.

Additionally, this methodology helped in addressing challenging problems such as reciprocal causation, spuriousness, and selection bias (Collier, 2011) that could crop up when it came to the selection of the normative practices to focus on in this dissertation. To this effect, I relied heavily on my understanding of the African context based on previous research- what is referred to as 'prior knowledge' in the literature, to draw descriptive inferences. Thus, close attention was given to describing sequences of independent, dependent and intervening issues and factors. Focus of analysis was placed on identifying and describing those political and social phenomena that played important roles toward the formation of this society. The concept of an African regional international society remains the key independent variable in this study and is evaluated with other applicable theoretical explanations in the literature in mind.

Accordingly, this method enabled the recreation and tracing of the historical, political and social processes through which these normative practices and their resultant institutions were created and nurtured, while helping us understand their effects on member-states of this society, and the sorts of obligations these changes have engendered for member-states, as well as the

overall relationship between this society and the outside. Historical process tracing has therefore been instrumental to the description of the unfolding of events and situations that have over time, constituted the African regional society of states. I was therefore able to characterize key steps in the process, permitting analysis of change and sequence in the coming into being and evolution of the African society of states. A key point must be underscored here. Instead of focusing on a singular sequence of events, the analysis in the dissertation relies on snapshots of a series of specific moments considered central to the evolution of Africa's regional international society.[26] Recognizing the fact that this regional international society is a culmination of multiple historical events and processes that have evolved into normative mandates embraced by decision makers at both the continental organization level and individual state levels, the following ground rules were observed in my analysis:

i. Establishing the fact that historical events traced and discussed actually did occur and have garnered specific reactions, beliefs, and attitudes from African states and their leadership toward this idea of an African society of states.

ii. That these reactions, beliefs and attitudes have been pervasive and widespread across the continent, and

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[26] Using historical process tracing as a method can be problematic, as it sometimes focuses on single nuggets of information. However, it is important to note that these single nuggets of information can involve several counts and not only single actions or occurrences. For instance, in exploring the history of an African international society, the continuous 'struggle' by African states for equality and fair treatment from the rest of the world has taken multiple different shapes and forms. Focus can only be placed on a few single nuggets of these 'struggles' in the dissertation to draw conclusions. Hence, most of the conclusions drawn in this study will only survive what is described as the 'straw-in-the-wind test' (see Collier, (2011) for more on this discussion) due to the fact that several causal mechanisms can be deduced. Additionally, other theories (as discussed in Chapter Two) can be used in unpacking this story of an African society of states-although, importantly, the conclusions drawn in this study, weaken these other explanations in the literature (but do not entirely eliminate their relevance). This comes as no surprise, as it is harder to address probabilistic relationships in qualitative studies such as this one. Thus, this study (as mentioned later) serves an important foundation for further studies on this subject.

iii.   That these reactions, beliefs and attitudes have been instrumental to the conception of a

distinct African international society with exclusive characteristics that distinguish Africa's

society of states from the international society at the global level.

To that effect, there was an extensive exploration of secondary and primary source

documents, including official documents and memoirs. Thus, the OAU and AU Charters as well as

declarations, the AU Handbook, and annual reports of the Chairperson of the AU Commission

(including reports of other pertinent AU organs) were comprehensively used. Aspirational

documents such as 'Agenda 2063' (which spells out values, aspirations and objectives of the

continent while learning from the past and building on the future to exploit opportunities for

socio-economic development in the next 50 years), were also explored. I have also relied heavily

on news reports, expert opinion and analysis of these and similar issues, as well as other

pertinent documentary sources with relevant data, information and analysis regarding specific

activities of the AU, its institutions as well as member states. In order to ensure accuracy and

consistency in interpretation of actors' behavior vis-a-vis the selected normative practices,

targeted interviews were conducted with experts and scholars within the field. These interviews

were mostly composed of unstructured questions about the topics and normative practices

covered in this dissertation. For instance, I had the opportunity to talk with high ranking officials

within the Directorate of Regional Peace & Security and the Political Affairs & International

Cooperation (PAIC), both at the Economic Community of West African States (ECOWAS). These

discussions were important for enabling a deeper appreciation of ECOWAS' and other Regional

Economic Communities' (REC's) roles in the search for peace and security governance in Africa.

Discussions with a senior researcher at the Institute of Security Studies (ISS) in Addis Ababa and

a Child Protection Advisor with the African Mission in Somalia (AMISOM) were also very enlightening.

I also benefitted from close observation of and interaction with peace and security experts, practitioners and stakeholders at the Kofi Annan International Peacekeeping Training Centre (KAIPTC) in Accra, Ghana during my time as a Visiting Scholar at the Faculty of Academic Affairs and Research in the fall of 2017 to the spring of 2018. The KAIPTC is an institution designated by ECOWAS as a regional centre of excellence for the delivery of training and research in conflict prevention management and peacebuilding. With the mandate of training individual civilians, military and police personnel in several courses in peace support operations and security governance in Africa, the centre served as an ideal base for my research. Besides having access to a large collection of documentary sources and materials through KAIPTC's library, I also got the opportunity to discuss the normative practices studied in this thesis with research experts at the Centre. Accordingly, beyond the use of the Centre's facilities, I was also able to work alongside highly knowledgeable analysts and practitioners on the continent in the areas of peace and security governance, with context-specific expertise in my subject matter. In addition, I was able to sit in on some of the centre's training courses which have been designed in a way that creates a platform for all levels of knowledge- academic, professional and practitioner. Consequently, my stay at the KAIPTC was immensely valuable to the conceptualisation of several of the issues and themes my research examined.

7.0: Usefulness of Research

This research has the potential to be beneficial to policy experts, practitioners, scholars, think tanks and indeed any individual who is interested in African security and governance issues.

It has the potential to inform policy and decision making both on the continent and outside of it regarding peace and security management in Africa. Aimed at shedding new light on emerging normative trends through an international society perspective that is distinctively African, this research seeks not only to improve our understanding of these issues and trends, but to provide conceptual clarity on them. With a better conceptual understanding of these issues, policy and decision-making analysis of African states and their behavior could potentially be more holistic, contributing to better appreciation of the interplay of processes aimed at peace and security in Africa.

Consequently, with an elaboration and enhanced understanding of these normative trends, the groundwork for more effective responses to persistent situations of violent instability and other emerging security challenges can be laid. In that regard, analysis within this dissertation could potentially interest African governments, officials of the AU and practitioners and analysts in the UN system. Additionally, this study serves as a potential foundation for future empirical and conceptual research studies on the subject matter, with in-depth exploration of the normative practices discussed in this study.

In addressing the research questions above, this study helps improve our conceptual understanding of the connections amongst the four normative practices discussed. It also helps illuminate our understanding of these trends through an international society perspective, exposing the ontological and agential structures that enable and constrain behavior regarding peace, conflict and security governance in Africa. Furthermore, it explores the prospects and feasibility for an 'African' approach to effective and responsive conflict resolution and peacekeeping, as well as post-conflict justice regimes that cater to vulnerable populations and

are outside the current international arrangements centred on the Rome Statute. The discussions in this thesis therefore explore the possibility that an efficient combination of 'African' and international normative practices could be a viable option for peace and stability needs of the continent.

With the increased assertiveness of Africans in the management of security challenges on the continent, this study is thus useful in illuminating the viability of the evolving norms and institutions of an African international society as a means to provide concrete solutions for managing violent conflicts and other pertinent security risks on the continent. It aims to reveal both inadequacies and successes of this process, providing a clearer understanding of critical requirements for the consolidation of these distinctly 'African' mechanisms. Most importantly, exploring the above concepts and issues brings some conceptual clarity on these normative practices/frameworks that are symptomatic of an African international society.[27]

8.0 Breakdown of Chapters

This dissertation is comprised of six chapters, divided into two main parts. Part I includes Chapter One (the introduction, context, methodology & general description of research) and Chapter Two (literature review and theoretical discussion). Part II deals with the break-down and analysis of the normative practices identified, drawing connections between them, and the conclusion. This part is divided into Chapter Three (the history of Africa's international society), Chapter Four (two of the cardinal normative practices -African Democratization and African sanctions), Chapter Five (the other two normative practices of Security governance and peace

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[27] It is my position that understanding these processes conceptually is crucial to achieving the ultimate aim of this international society- promoting peaceful communities, ensuring stability and advancing good governance practices in Africa.

operations and International Criminal Justice). Finally, chapter Six provides a Conclusion concerning findings, implications of the study & Recommendations for future research. A detailed breakdown of all the chapters is as follows:

Chapter One-Introduction and Context: This chapter sets the context and background for the rest of the study. As outlined above, it provides a description of the research problem and questions, laying out core reasoning behind the study. It also justifies the study, outlining its significance and usefulness, and discusses the design and methodology applied in the dissertation. Finally, it discusses the challenges and limitations of my methodology.

Chapter Two-Literature Review and Theoretical Approach: Chapter two reviews the literature on the subject matter of the study. Beyond looking at the literature on African international society (which includes historical exploration of Africa's attempt at forging an international society since the formation of the OAU), the chapter also sets the conceptual and theoretical foundation for the rest of the study. It explores and discusses the theoretical framework of the research, tracing and linking the theory and concepts of international society, as developed in the ES tradition, to the overriding theme of the study. The chapter also discusses the limitations, weaknesses and controversies pertaining to the choice of this theoretical framework.

Chapter Three- Brief History of Africa's International Society: This chapter discusses the history of the emergence of Africa's international society. It traces this history to important concepts such as Pan-Africanism and contends that any attempt to trace the genesis of Africa's international society cannot be told without understanding the crucial role this concept has played on the continent. The chapter traces how this concept has rallied Africans and individuals

of African descent to push for solidarity amongst the black race in the face of perceived racial injustices meted out both on the continent (through slavery and colonialism), and through racial discrimination in Europe and North America. The chapter connects the promotion of such concepts and notions of African solidarity to the continent's independence struggles, the formation of the OAU and subsequently the AU (both considered institutional manifestations of this idea of pan-Africanism and thus international society in Africa). The chapter therefore provides an important historical account of the journey and process of the emergence of this distinct African international society, touching on important trajectories that help us understand and appreciate some of the apparently ambiguous and paradoxical normative underpinnings of the contemporary African regional society of states later on.

Chapter Four- Normative practices of Democratisation & African Sanctions: This chapter analyses and discusses the evolving normative practices around sanctions and democratization on the continent. It explores the various efforts to promote and consolidate democracy and good governance on the continent, and the rationale behind such initiatives. It also discusses Africa's unique application of sanctions as well as the normative underpinnings and motivations of their use by African states.

Chapter Five-Normative Practices regarding Security governance and peace operations & International Criminal Justice: This chapter explores the normative practices of peace and security governance, as well as international criminal justice in Africa. Again, discussions here are based on explorations and interpretations of normative initiatives around these issues in Africa, with a focus on underlying motivations behind their promotion, while identifying distinguishing characteristics of the African regional society of states.

Chapter Six-Conclusion & Recommendations: This chapter provides a summary of the discussions and analysis, including answers to the cluster of research questions posed above. It also discusses the implications of the analysis, integrates the discussions with the general theoretical context of the study, and draws out the (in)consistencies with the general literature and specifically the concept of international society. The chapter also draws a conceptual connection amongst the aforementioned norms and their implications for an African international society. It identifies the various limitations and ambiguities that exist within the notion of a regional society of states in Africa. Finally, it provides some recommendations for future research based on the analysis within this study and concluding reflections. The nature and approach of this study meant that this particular chapter is a long one, with the need to reiterate some of the assertions made throughout this study. These discussions may appear repetitive, but must be considered important, so that the connections and conclusions drawn are stronger.

9.0: Limitation and delimitation of study

Several limitations were encountered during this study. A few of these are detailed below.

The scope of this research was a key limitation. Due to the broad structural nature of the normative practices considered herein, it would have enriched the study to conduct field research by interviewing officials of the AU and key member states of the Union, in order to get their views and assessments concerning these normative practices. Doing so would have required a significant amount of resources, especially for a study of this magnitude. With the limited time, material and financial resources at my disposal, I have had to focus the majority of my research on primary and secondary documentary sources (as mentioned earlier). Thus, most of the

historical process tracing has been based on such key documentary and historical sources. Doing so has obviously limited the depth of insight I have been able to gain.

However, since the purpose of this study was to outline and establish the broad contours of a distinct African international society, as reflected in the cardinal normative practices examined (and which helps us make sense of the approach taken by African states and governments to addressing the peace and security challenges confronting the continent), a reliance on primary and secondary documents was sufficient to achieve this purpose. Moreover, I have tried to overcome this limitation by an expansive use of primary and secondary materials, including AU documents, country specific policies, media reportage, expert and scholarly analysis, and other related departmental reports and communiques. I also supplemented these sources with targeted, unstructured interviews with scholars, practitioners and experts in African security studies and international relations.

Additionally, my theoretical framework poses some challenges. First, the use of the ES' international society approach in this study does not represent a complete and comprehensive analysis of this school and its theoretical foundations. Focus was placed on key elements of the theory and approach for the purposes of this study. Thus, some questions outside of the scope of this study (for instance, questions regarding the 'feeling' of individual states toward the idea of a regional international society, whether and why countries on the continent pick and choose which normative practices to adhere to and how ordinary citizens feel and think about the African international society)[28], remain unanswered. Questions specifically relating to other aspects of

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[28] These are fruitful areas for future research, to be sure.

the ES' approach (including debates around world society, etc.) have not been taken up in this study.[29]

It is especially important to note that there is some lack of clarity and specification regarding the conceptualization of the solidarist approach within the international society perspective[30] (for more on this, see Buzan, 2001 & 2004; Bull & Watson, 1984; Bull, 1977 & 1984), and that this may sometimes be reflected in the discussions in this dissertation. The rest of the study confirms that there are concurrent solidarist and pluralist tendencies or norms within the conception of Africa's international society. Clearly identifying and specifying these norms in this research was a significant challenge as they sometimes blend into each other. However, it was necessary, indeed crucial, to untangle and distinguish such normative practices for a better comprehension of the distinct ideas that form the foundations of international society in Africa, as discussed in the rest of this dissertation.

Furthermore, although I have tried as much as possible to be objective in my analysis, my use of an interpretive methodology (a key feature of the ES) in analysing data made this problematic. To counter excessive subjectivism, I have tried to confirm my understanding of these issues with some key experts in the field and sought second opinions on documentation when necessary. Triangulating both the sources and methods of data collection in this manner helped significantly reduce the risks of inconsistencies and bias within my analysis. In relation to

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[29] Although these are very important questions regarding the salience of these regional norms and institutional practices, due to their scope and depth, they cannot be adequately addressed in this study. Further studies are needed to unpack and adequately address these significant questions.
[30] This is discussed further in Chapter Two

this, I have tried as much as possible to focus on exploring the history and trajectories of an African international society without necessarily passing value judgements.

Nevertheless, although the aim of this dissertation was to trace the historical trajectory of such processes on the continent, the nature of the analysis is such that normative judgements (regarding effectiveness or otherwise of the process), were sometimes made. This became necessary as some assessment of the effectiveness of some of these mechanisms on the continent is crucial to enhancing our conception of the ideas of a distinct international society of African states. In recognising that the effectiveness (or otherwise) of normative practices lies with a variety of intertwining and complex factors that are sometimes distinctive and specific to member states, making such value judgements can sometimes come off as conclusive. Importantly however, value judgements made in this dissertation are mostly to convey the deepening or otherwise of these normative practices and processes that are symptomatic of a distinct international society in Africa.

Chapter II

Literature Review & Theoretical Context

1.0: The idea of International Society within the English School (ES)

Introduction

The English School (ES), in spite of achieving increased prominence in the field of International Relations (IR) in recent times, continues to be an under-utilized theory and research resource. Scholars within the tradition continue to outline several fruitful areas of application of the ES, especially because of its methodologically pluralist approach to analyzing the subject matter of IR. Buzan for instance, goes as far as touting the tradition's ability of returning us to grand theory, exactly because it offers a foundation for synthesizing in IR which is concurrently wide and deep enough for such a purpose (Buzan, 2001). The ES as a theory, it is argued, is able to deal effectively with the normative as well as rational aspects of international phenomena through its identification of the tripartite theoretical concepts of international system, international society and world society, corresponding to Hobbesian realism, Groatian rationalism and Kantian revolutionism in international relations, respectively[31] (Devlen, James, & Ozdamar, 2005).

In short, the international system/ Hobbesian notion is much closer to the realist view of international relations and recognises that states dwell in an anarchic international system. The structure and process of anarchy is thus placed at the centre of world politics. Power politics

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[31] This is therefore a particularly pertinent lens to bring to bear on the discussions and experiences of Africa, which sometimes requires these multiple lenses to understand the apparent ambiguities and contradictions within the African International Relations landscape.

amongst states is the norm underpinning this notion. It consequently recognizes states and their

relationships as dominated by conflict. The international system/Hobbesian notion is perhaps

the most well developed in the literature, as it is parallel to mainstream realist and neo-realist

arguments within International Relations, with a mainly positivist methodology.

The Grotian/international society notion understands states as existing in a society of

states, connected by a set of mutually accepted interests, norms, values, identities and

institutions. The institutionalization of norms, shared interests and identities is key here.

Consequently, the creation and maintenance of shared norms, rules and institutions is placed at

the heart of international relations theory within this tradition (Buzan, 2001). Importantly,

although paralleling regime theory,[32] the international society notion goes deeper, with real

constitutive elements to it, beyond mere instrumental objectives. Its main methodological

approach is hermeneutics and interpretivism (Buzan, 2004).

Lastly, the Kantian (World society) view sees different groups of people bound together

by ideas, similar interests, and ideologies, amongst others, across state boundaries (Devlen,

James, & Ozdamar, 2005). This perspective considers individuals, global populations and other

non-state actors as its focus and calls for the transcendence of the state system. Accordingly,

individuals, non-state actors/ organizations and ultimately the global population as a whole,

remain pivotal to global identities and arrangements under the Kantian notion of a world society

(Buzan, 2001). Additionally, the Kantian/world society notion appeals to concepts of universal

cosmopolitanism, which in some ways, is parallel to transnationalism (Devlen, James, & Ozdamar,

2005). There is an assumption of a common good and common set of values belonging to all

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[32] This is expanded upon in subsequent sections of this chapter.

humankind. However, the Kantian notion goes beyond transnationalism to include much more foundational values and norms, with its main methodological approach being critical theory (Buzan, 2001). Notably, the world society notion within the ES is not as systematically developed and articulated as the previous two discussed above (Buzan, 2001).

The ES accepts the simultaneous existence of the International System, International Society and World Society, arguing that all three are interlinked and sometimes blur into one another. Thus, per scholars within the tradition, including Buzan (2001); Wight (1991); Linklater (1990); Hurrell (2007); Bull & Watson (1984); and Bull (1977), all three elements are in continuous co-existence and inter-play, although important questions remain on how exactly they relate with one another. The ES particularly situates most of its arguments and discussions directly within the Groatian/international society tradition[33] albeit with major influences from the other two notions/traditions.

Accordingly, although the ES is ontologically statist[34], the ES does not subscribe to the realist notion of perpetual conflict amongst states. Similarly, the ES endorses the Kantian notion of revolutionism as important to international relations but does not believe in the "complete agreement [or convergence] of [states'] interests" (Buzan, 2001, pp. 474-476) as integral to outcomes. Consequently, ES arguments perceive states as cohabitating in an international society with the goal of maintaining order and stability, reflected in common norms, values, institutions and interests. States in such a society mostly resort to more 'peaceful' tools such as diplomacy, commerce, international law, and mutually created institutions, amongst others, in

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[33] The majority of scholarly works within the ES identify most closely with this notion. Consequently, throughout this chapter, 'international society' and ES are used interchangeably.
[34] That is, accepts states as the most basic actors in international relations (in agreement with realism).

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dealing with one another.[35] The focus of the ES is therefore devoted to understanding how the international system leads to an international society of states, with a strong affinity to a societal account of international relations. Discussions in this dissertation also fall within this notion of the ES.

The idea of International society in the literature has been an evolving one. Bull's (1977) influential work in this area served to set the stage for an increasingly expansive discussion on the subject. Do states truly have an awareness of a common bond (in the form of common values, norms, institutions, etc.,) that informs and regulates their behaviours, instead of cold, hard power and self-interest considerations? In other words, can we make a case for the existence of a society of states through the presence of common goals, interests and mutually created rules and institutions? Per Bull (1977), states certainly exist in an international society where they recognize and accept common interests, values, and consider themselves bound by mutual sets of rules governing relations with one another while sharing in the working of common institutions.[36] Thus, the question of order and how it is pursued and maintained takes centre stage in the societal approach of the ES.

Bull's arguments remain one of the most convincing understandings of state behaviour, transcending realpolitik and Wilsonian idealism (Wheeler & Dunne, 1996). States co-exist within an international order, with a structured institutional, cultural, normative and legal framework – that is, an international society of states. International society therefore describes a group of independent political communities deciding to establish, by dialogue and consent,

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[35] (Buzan, 2001)
[36] Curled from (Devlen, James, & Ozdamar, 2005)

common rules and institutions for their inter-relationship and agreeing to abide by and maintain these arrangements as a result of common interests, including but not limited to order (Buzan, 2004; Hurrell, 2007; Hurrel, 2014; Linklater & Suganami, 2006). The notion of 'international society' therefore neatly combines the realist notion of international system with the rationalist (Groatian) ideas of a socially constructed order. Here, independent political communities form a system that requires each actor to consider the behaviours/actions of others in their calculations. There is also a constitutive aspect or dimension to this. States within this system consider themselves beholden to others within the society (Bull & Watson, 1984). Wight, in the same vein, argues that international politics need to be understood in terms of both power and the workings of legal and moral norms (principles of prudence and moral obligations which have held and continue to hold the international society together throughout history) (Wheeler & Dunne, 1996).

The ES therefore gives due recognition to the material logic of international system theories while making a case that the social system cannot be understood in the same way as physical ones. The implication in essence is that the modern state system as we have it, would never have been possible without a degree of cultural unity or a semblance of it amongst its unit members. The idea of international society therefore is deeply embedded and can be understood in terms of historical and sociological dimensions (Hurrell, 2007). International systems become societies because members realize they have a common culture, or attempt to develop them,

including mutual interests as per Devlen, James , & Ozdamar (2005), making their social world a sentient[37] one (Buzan, 2001).

Integral to this idea is the creation of the consciousness amongst states (or their representatives) of their inter-connectedness- what affects one, affects all. States do not merely interact in this regard. They share common institutions, including diplomacy, customs and conventions around war, sovereignty, trade, peace and other such important core norms and values (Bull, 1977). States therefore essentially factor into their calculations the behaviour of other states through the established modes of dialogue, institutions and norms. Accordingly, there is a notion of a combined realist element with a rationalist, socially constructed system of interaction (Bull & Watson, 1984), creating a social system that cannot be understood in the same way as a physical one. The perceptions of a state about other states become crucial determinants of behaviour. As shown later in this dissertation, this consciousness has been developed amongst African states, driving them toward common institutions, normative practices and interests around pertinent issues as security and development, amongst others.

Although there is no universal agreement amongst ES scholars on this, some have suggested that without the presence of a high degree of commonality (culture) amongst states, there cannot be an existence of an international society (Linklater & Suganami, 2006; Hurrel, 2014; Bull, 1977; Wight, 1977 & 199). The absence of a common culture, the argument goes, will hinder the development of a viable international society (Devlen, James, & Ozdamar, 2005; Wight, 1977 & 1991; Butterfield, 1953). Consequently, for such scholars, a common culture

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[37] When states are sentient, how they perceive one another becomes a major determinant of their interaction. Thus, accepted norms, values, institutions, around which expectations and behaviour revolve also help define the boundaries of that social world or system.

precedes the creation of an international society, making it a fundamental property of any society. A common culture becomes crucial to the survival and maintenance of that society (Devlen, James, & Ozdamar, 2005). In the case of the African international society, as discussed later on, several historical factors, including the perception of injustice culminated into a Pan-Africanist idea (read culture) which serves as a binding element for this nascent society. Others, including Bull and to some extent Watson (Bull, 1977; Bull & Watson, 1984) do not necessarily consider a common culture as crucial for the development and maintenance of an international society. For Bull in particular, the existence of common interests may be enough to encourage states to adopt common norms, values and institutions aimed at creating and/or maintaining an international society.

Regardless of their positions on the above, Bull, Manning, and Watson, amongst other ES scholars,[38] argue that despite the absence of a world government, the international system is not one of perpetual, never ending conflicts. There exists an international society of states; and its existence significantly increases the likelihood of cooperation and ultimately, order amongst states. Per these conceptions of international society, there exists a real sense of social order amongst states and in their relations with one another. This order is explained (as mentioned above) by the existence of common norms, rules, and institutions (written and unwritten), which guide and mould state behaviour. Such norms, rules and institutions not only form the foundations of an international society and make it possible to establish governance mechanisms that inform, shape and define action and behaviour of actors within the society; they also help define the boundaries of an international society. The norms, institutions and rules also help

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[38] See *(Bull, 1977; Bull and Watson, 1984; Linklater and Suganami, 2006; Buzan, 2001*; Butterfield, 1953)

achieve objectives and goals of the society as a whole, which may include engendering peace and stability even in the absence of a sovereign authority. The discussions in subsequent chapters therefore outline some specific norms, interests and institutions that emanate from this process in the African context, highlighting the various objectives being pursued on the continent, which of course sometimes comes with its ambiguities in this context.

Empirically, how far can the ideas and principles of international society reflect and shape the behaviours of statespersons? ES theorists contend that the ideas of a 'society' have always been present in our international system and significantly influence state action. The evidence is seen in the fact that states remain conscious of certain common interests and values, believing themselves bound by a common set of rules, norms and institutions (Bull, 1977; Buzan, 2001 & 2004; Wight, 1977). Thus, 'common rules' such as the idea of sovereignty, rules around warfare, human rights, diplomacy, etc., strongly influence what states deem acceptable behaviour or otherwise. States will typically adhere to these common rules, norms and values even in situations where their direct interests are not served. Accordingly, states develop an awareness of the existence of a 'society' and become cognizant of what is required of them as members of this society. This helps mitigate the various challenges the society faces, including the logics of anarchy. A modern manifestation of such ideas is embodied in, among other things, the spirit of the Charter and operations of the United Nations. States are expected to act in ways that promote and strengthen the normative principles of this international society. Its demonstration is the development of a level of confidence in the motivations and intentions amongst states of one another's actions because of a habitual intercourse in the context of the society of states. It is thus (as mentioned earlier), a 'sentient' social world of states. The accepted norms, values,

institutions and rules form the basis around which expectations and conduct revolves, with a

conditioning effect on behaviour, while defining societal boundaries and institutionalizing shared

interests and identity amongst states (Buzan, 2004). Thus, the argument is that states in an

international society possess a degree of consciousness amongst themselves, with a belief that

what affects one affects the others (as demonstrated later on in the potent idea of Pan-

Africanism in the African context). Just as humans as individuals live in societies which they both

shape and are shaped by, so also do states live in an international society which they shape and

are shaped by. It is essential to put the social element of an international society alongside the

raw logic of anarchy in order to create a meaningful picture of how international societies

operate. The English school's major work and concentration therefore has been an attempt to

uncover the nature and function of international societies, while tracing their history and

development (Buzan, 2001 & 2004; Hurrel, 1995, 2007 & 2014)*.

Dimensions of International Societies

There are generally two main (contested) dimensions to the notion of international

society in the literature. These are the pluralist and solidarist international society approaches.[39]

According to Buzan, this distinction also represents a key frame for discussing the unresolved

question of the relationship between international and world society within the ES literature.[40]

There are variations on this debate. At the centre of these discussions is the contention between

order (pluralism) and justice (solidarism). The key question in this regard revolves around if we

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[39] This dissertation does not aim to provide a thorough description and analysis of all aspects of the international society theory. Rather, the analysis throughout is aimed at applying some important concepts of this approach to understanding the history, processes and the development of international society in Africa.
[40] These discussions are out of the frame of this dissertation and therefore have not been given much attention here.

should prioritize the pursuit of order over justice within international society? In other words, should focus be placed on the 'pluralist good' of order and toleration or should attention be given to the solidarist concern of justice (as seen for instance in the defence of humanitarian interventions), so as to rectify the moral failings of pluralism?[41] This debate invariably centres on the pull and push between the ideal and the real.[42] Consequently, pluralists are presented in the literature as conservative in their approach and thought, while solidarists are characterised as progressive or even revolutionary due to their pursuit of justice and other notions of morality within the society of states (Wilson , et al., 2016).

In some accounts, the Pluralist-Solidarist division is presented as if both concepts are mutually exclusive, with a strict division between them ((Jackson, 1990 & 1992; Hurrel, 2014). Other accounts see this debate not so much as a division but as being situated on a continuum. Thus, Buzan for instance does not frame his arguments in terms of 'Pluralism vs. Solidarism,' but rather as 'Pluralism and Solidarism' (Buzan, 2001& 2004; Wilson , et al., 2016). Per this view, pluralism and solidarism are not mutually exclusive, separate, zero-sum positions. They are seen as interlinked sides in an on-going debate (Wilson , et al., 2016). The dissertation adopts this latter approach as well, especially in relation to African normative practices and institutions that continuously straddle the pluralist-solidarist divide.

Pluralists within the ES believe states can make arrangements or agreements only for certain nominal purposes, usually in the reciprocal recognition of the notion of sovereignty and

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[41] In addition, on the premise that no sustainable order can be achieved in the absence of justice.

[42] Ultimately, one strand (solidarism) believes in the propagation of ideas that have moral implications; and therefore, such ideas are considered idealistic to a large extent. They seek to address injustices within an unjust order. Pluralists on the other hand do not see the pursuit of moral goals as necessary and are therefore focused on the goal of order and stability. States' internal differences would therefore not be of great concern, but rather tolerated.

norms of non-interference in the domestic affairs of one another (Wheeler & Dunne, 1996). Wheeler and Dunne (Ibid) assert that states within a pluralist society are bound only by a procedural conception of common values. In the same vein, Linklater contends that within a pluralist international society, states more easily come to agreements on such issues as the need for order, even when they have competing conceptions of deeper and more substantive issues such as justice or human rights. Despite differences on substantive values, pluralists believe that states within an international society nonetheless recognise they are bound both morally and legally by a common code of existence (Linklater, 1990). Within a pluralist international society therefore, states' inward diversity is tolerated, and states are considered as valuable in themselves (Wheeler & Dunne, 1996). The above leads to the conclusion that pluralists prefer to place order and stability of the state system ahead of 'mushy' ideas such as justice. Thus, pluralism in international society would rather see such values as survival and coexistence of states, respect for their sovereignty, and the practice of 'good old' diplomacy and international law placed above any concerns for justice. Pluralism therefore seeks order in a multiplicity of cultures- states are considered the sole repository of culture in this regard- with their internal conditions not being of significant importance (Buzan, 2001). Consequently, the pluralist conception of international society permits for the creation of frameworks that allow states to cooperate for mutual advantage or benefit. It is regarded by some as the optimal solution to the persistent problem of how to effectively accommodate a multiplicity of values within an international system, by creating common norms and procedures that provide inclusion of diverse and plural cultural units within it (Buzan, 2004). Several evolving pluralist norms have guided international society over the years. Some fundamental ones include the preservation of

states against the building of a world empire; maintenance of the independence and formal equality of states under international law; and preservation of peace, except in circumstances where military action may be required to enforce peace and the aforementioned norms (Pietrzyk, 2001).

Solidarists on the other hand believe that international society possesses a more purposive agenda, with the need to institute and enforce more substantive norms and rules of state action. The potential of this notion of international society remains one of the most interesting and unresolved issues in the literature. This is mainly because it remains fuzzy and under-specified in its conceptions.[43] However, the general idea of solidarism reflects an assumption of 'one humanity' (a world community), in the form of a shared culture that transcends states to encompass individuals within them (Buzan, 2001). Thus, while pluralists emphasise the rights of sovereign states, solidarists view individuals as the ultimate members of international society. For Solidarists therefore, the scope of international society can be much wider and deeper, extending well beyond pluralist goals of order and stability. Solidarism will therefore advocate the acceptance and implementation of norms that go beyond the notion of sovereignty to embrace individuals (and peoples). Accordingly, solidarism will pay attention to "shared moral norms underpinning a more expansive, and almost inevitably interventionist, understanding of order", (Buzan, 2001, pp. 478) with heavy emphasis on universal human rights for all people, for instance.

The distinction above underscores the debate over whether pluralism and solidarism in international society are mutually exclusive. To Buzan (2004), rather than see them as mutually

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[43] (Linklater & Suganami, 2006; Buzan, 2001)

exclusive, these two ideas should be considered as opposite ends of a spectrum. Pluralism would consequently encompass limited norms and institutional bonds, with enforcement either incomplete or non-existent (thin international society), while solidarism consists of deeply shared norms with readily available and accepted enforcement mechanisms (thick international society) (Buzan, 2004). This debate, therefore, is also primarily a concern with the direction of global community, epitomised in the 'stability versus justice debate'; and the choice between international society and world society *(*Wilson , et al. 2016, pp 94-136).

Accordingly, a solidarist conception of international society is considered threatening to "internal, or empirical sovereignty by restricting the rights of the state against its citizens",[44] as solidarism would facilitate grounds for intervention in the domestic affairs of states by external forces (Buzan, 2001; Linklater & Suganami, 2006; Linklater, 1990)*.* Whether a solidarist international society is attainable remains an issue for debate. What is clear, however, is that any serious attempts at establishing a solidarist international society could undermine the historic understanding of states that remain the foundation of current international society (Buzan, 2001).[45] This is crucial especially in the face of numerous forces undermining (and eroding) the centrality of sovereign states.

In the same vein, Linklater (2011) maintains that the continued push for solidarism in our current international society, especially in the area of human rights, for instance, may endanger the pluralist order that has been attained/achieved so far, and which has underpinned the relative international stability we have enjoyed over the past few decades. An apt example here

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[44] (Linklater & Suganami, 2006; Buzan, 2001)
[45] See (Wight, 1991) for further discussion on Wight's take on these concepts.

would be the obvious refusal of three powerful members of the UNSC (Russia, the United States, and China) to ascribe to, or recognize the International Criminal Court, as they consider such arrangements an affront to their sovereignties. However, it is also evident that both concepts are interlinked in some important ways. For instance, Buzan argues that pluralism has to rest on some solidarist values or elements (an assertion that gives credence to Wight's argument of the necessity of some degree of cultural unity for an international society), while solidarist values would depend on the structure and order of pluralist political arrangements (Buzan, 2001). Going by this, we can comfortably argue that both concepts could be considered as being on a continuum rather than two opposing views. The pluralist-solidarist contention in the African international society is demonstrated clearly in chapters four, five and six. It is apparent in those discussions that African states heavily lean on the pluralist dimension, albeit with persistent and strengthening solidarist tendencies - generating obvious tensions and ambiguities that have become symptomatic within the African international society.

Consequently, one cannot deny the tension that the pluralist/solidarist division brings to the idea of international society. Being a limited framework within which the independence and distinctiveness of states is preserved, pluralism obviously operates within limited normative structures and rules. Solidarism on the other hand as (mentioned earlier) proposes increasing harmonization of values, norms and rules amongst individuals that transcend state boundaries. When or how exactly this starts to happen is not specified in the literature. Arguably, empirical investigations around these issues could help illuminate our understanding. At exactly what point does the idea of solidarism threaten the state system? What format is this likely to take? These questions remain under-explored and unanswered in the literature (Buzan, 2001). With the

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proliferation of several regional governance mechanisms in today's world architecture of politics, a useful place to start exploring the above questions is at regional levels, including the African context. The next section discusses these issues.

2.0: Regional International Societies

The idea of international society has been thought about both at the global level and at regional or sub-global levels. At the global level, there is the globalizing power of "capitalism ... global security dynamics ... a global political system" with international institutions and governance mechanisms driving the international system toward identical goals (Hurrell, 2007, pp. 128). There has also been an increasing proliferation of regionalization and regional associations since the end of the Cold War (Buzan, 2001; Zhang, 2015). At the regional level therefore is a picture of increasingly assertive regions, with practices and norms that have become "important [governance] elements of the architecture of world politics" (Hurrell, 2007, pp. 128).

For a long time however, international relations has been defined and characterised by the Westphalian state system on the one hand and global multilateral institutions on the other (Hurrell, 2007; Dunne, 2001). This is epitomised by the United Nations and the Bretton Wood institutions, tasked with providing a stable, peaceful and prosperous international system for states. These institutions, together with powerful states have since (at least) 1945, been able to establish a successful global structure that revolved around their dominance. Although regions are not completely left out of the picture[46], they arguably long played less important or

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[46]The UN Charter explicitly endorses regional security arrangements in this multilateral global governance structure. Chapter VIII of the UN Charter authorizes regional organizations to attempt to resolve disputes through their regionally specific efforts, prior to the intervention of the UNSC.

subordinate roles to the global governance structure, both empirically and prescriptively (Hurrell, 2007). Thus, international society in this regard reflected norms, values, rules and practices at the global level.[47] Security and insecurity were also defined in terms that portray a globalised international society. For instance, issues such as terrorism, environmental degradation, international crime and weapons of mass destruction have been discussed and described in modes that impose powerful global (and mostly Western) perspectives and thus solutions and policies on them (Hurrell, 2007). We see this clearly in the treatment of the global fight against terrorism, for instance, as a global security issue (Skinkman, 2013), without deconstructing what security means to different regions or parts of the world.

However, since the end of the Cold War especially, 'regionalist exceptions' in this Westphalian and multilateral structure of global politics have become increasingly important. Crucial in these discussions is the European Union (EU), which to date has been the most successful attempt at regional international society, despite the current uncertainty about the EU's future direction (Staab, 2008). This European success at regionalism has led to several similar attempts in other parts of the world (Zhang, 2015). Additionally, it became increasingly apparent that problems of international society have close connections to, and usually originate from particular regions and so must be analysed and assessed through these local lenses. Hurrell similarly argues that the end of the Cold War especially had 'set regions free,' which led to an increasingly assertive role by different regions in the management and governance of their own issues, including security and insecurity. Regional logics therefore have become progressively

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[47] Often co-terminus with euro-centric norms, values, and practices.

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more prevalent in the understanding and shaping of issues in international relations, with increased incentives for regions to take charge of their own affairs (Hurrell, 2007, pp. 127-146).

These increasing attempts have brought attention to the role and importance of regional arrangements in global politics. Do these regional arrangements as per Hurrell (2007) signify a move towards a multi-level governance of world affairs, where regions have become important players, complementing the global international society in the process, or are they aiming to replace international society at the global level? In short, the narratives of international societies that are not global (nor Eurocentric) remain both vital and critically under-explored in the ES literature. There is accordingly plenty of room for investigations of these sub-global developments (notably in the African context), using an international society framework to help understand the on-going processes within these different international societies and their effects on the larger global international society (Buzan, 2001)

3.0: ES and other related IR theories[48]

In certain narratives, the ES is associated with the realist tradition in IR and is sometimes described as a meeker or tamer version of realism (Buzan, 2001; Buzan, 2004; Dunne T. , 2001). Certainly, the ES' international society perspective (particularly its pluralist variant) shares certain arguments with realism; crucially however, it is not reducible to it. Both theories place states at

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[48] This section discusses explanations of the phenomenon of cooperative action by states in the international system from the perspectives of other applicable IR theories. This is not an exercise in re-enacting the great theoretical debates in the literature. The section is essentially aimed at unpacking other plausible theoretical explanations for the behaviour of African society of states, and to show how the international society perspective as discussed here provides a more holistic understanding of states and their interaction on the continent, compared to other theoretical explanations or lenses. To carry out this task, focus has been placed on the most essential elements of these other theoretical explanations. It is also important to note as a result, that, in these discussions, I have moved back and forth between ontological and epistemological issues simply because of the complex nature of the factors and issues discussed in this study.

the centre of international relations (although International Society theorists also highlight the activities of non-state actors, transnational groups and individuals, similar to liberal theorists – see Dunne & McDonald , 2013; Dunne, Hansen, & Wight, 2013; Krasner, 1983 *& 1984)*, as states are considered the most important actors in the international system. Outcomes in international relations are therefore determined more by states than by groups or individuals. The English school and Realism both agree that the inhabited world of states is anarchic, and that states in this anarchic environment do not have a natural harmony of interests (Wilson, 2013; Bull, 1977; Bull & Watson, 1984; Buzan, 2004; Mearsheimer, Winter 1994/95; Donelly, 2004). They also share an agreement on the consequences of an anarchic international system-the potential for chaos and insecurity, and the fact that reason does not always provide solutions to problems of anarchy (Gismondi, 2008; Mearsheimer, 2001).

Although several differences can be enumerated between the two theories, one of the most important ones (and that which makes it most useful to this dissertation) pertains to the English school's commitment to an interpretive approach. Representing a major alternative to positivism, the interpretive approach rejects the idea of given truths, whether based purely on reason or experience. The interpretivist believes that all perceptions and facts arise within a context of prior beliefs and theoretical assumptions (Finlayson, 2004; Buzan, 2001; Linklater, 1990; Linklater & Suganami, 2006). Thus, unlike Realism, the ES approach does not approve of an epistemology that separates facts from theoretical contexts, as the basis of legitimate claims to knowledge. The ES's interpretivist methodology takes into consideration webs of beliefs, traditions and norms as important determinants of political reality and therefore action.

In this regard, facts for the ES are nothing without their contexts, and the stories they tell us about the world. Crucial to this is the history and experiences of actors within these contexts.[49] The main thrust of international society theorists is thus aimed at uncovering the nature and function of an international society of states, and to trace their history and development.[50] In brief, Realism's account of many contemporary international political phenomena is limited. Its core assumptions of self-help oriented, power hungry states and perpetual competition, are inadequate in helping us understand state behaviour in international relations. The decline of inter-state wars and the continued acceptance of current rules and norms of international engagement by the majority of states in the international system are just a few manifestations of Realism's shortcomings in helping us fully comprehend the complexities of international relations. Realism's explanations have become inadequate, simply because reducing conflicts amongst states to considerations of mere power and material interests is superficial and risks underestimating the depth, scope and complexity in the relations amongst states (Hurrel, 2007 & 2014). Power as we have come to understand it is usually only a means to an end, and so one must necessarily be concerned with what the ends of states actually are, and with the conflicts they are connected to. Accordingly, realism would be inadequate to shed light on international phenomena that this dissertation concerns itself with (Aron, 1990).

The ES's methodologically pluralist approach provides a superior framework for understanding state behaviour in current international as well as regional society. An

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[49] Going by this, interpretivism rejects the idea of given truths/facts. Thus, there is no notion of 'path-dependence' under interpretive methodology, as there is a commitment to interpreting evidence.

[50] This is crucially what sets the international society tradition apart from all the others. History is an important window into understanding the interaction of states in a societal context and what that means for future behaviour. History matters relatively little to both realists and liberals.

international society perspective provides a historically-based and normatively-oriented outlook on the study of international relations. By rejecting the single story and pessimism of the realist tradition, Bull, Watson, Wight, Buzan, Suganami, Wilson, Linklater and other English school theorists explore the prospects and foundations for peaceful and stable co-habitation of states in conditions of anarchy, improving our understandings of these issues in the process. By presenting the idea of an international society as the answer to the toleration and management of anarchy by states and their representatives, the English school sets itself apart by asserting that state behaviour is restrained, shaped and guided by inter-subjective institutions, symbolising the existence of this international society. Arguments such as these present us with a different logic for explaining state behaviour in the international system by challenging the 'Westphalian' dominated assumptions of orthodox theories such as Realism and differentiates the English school from them.

Accordingly, the intersubjective rules the ES discusses in its framework creates the 'dark matter' that explains cooperation amongst states within particular clusters of international society (Plunkett, 2011). Mark Pietrzyk (2001) for instance, argues that if one looked closely enough at state behaviour during the Cold War, within the chaos of that era were distinctive normative foundations that brought some semblance of order amidst the 'chaos' (and threat of violence and war). These included the "solidification of state borders through agreement and tradition, the institutionalisation of norms of sovereignty and anti-imperialism; and real power leadership buttressed by legitimacy" (Pietrzyk 2001, pp 31-54). Thus, ideas such as sovereignty would only become important and established through the recognition and acceptance of states themselves. Mutual recognition is indicative of a social practice and so becomes fundamental to

the creation of identity by members of this society (Dunne 2001, pp 223-244), making

'recognition' the initial step to the construction of an international society. As indicated earlier,

the existence of an international society requires the establishment of certain common rules,

institutions and norms by consenting states with the recognition of certain common interests. It

therefore crucially requires state cooperation, consensus-building, and to a large degree, (re-)

socialization (Bull & Watson, 1984). The ES accordingly presents us with a picture of state

behaviour that goes beyond the realist understanding of a non-social arrangement amongst

states.

Although several other theories in IR- particularly Regime theory and Constructivism-

potentially could be used to explain and understand the issues and questions dealt with in this

dissertation, the ES approach offers a stronger lens and methodology that best applies to the

objectives of this dissertation.

Regime theory, as mentioned, is a related theory focusing on the phenomenon of inter-

state cooperation/action.[51] Regime theory can be traced back to the 1970s and 80s, with authors

such as Ruggie, Keohane, Nye, and Krasner using the idea of 'regimes' as a lens through which to

understand how and why states cooperate with one another in issue-specific areas of

transboundary importance (Ruggie, 1983; Keohane, 1983a & 1984; Keohane & Nye, 2001).

Although the definition for regimes has evolved since it was first introduced, it is a concept that

generally refers to sets of "implicit or explicit principles, norms, rules and decision-making

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[51] Regime theory can also to a large extent be used to explain phenomena that occupy the attention of this dissertation. It must be clarified here however, that due to the focus of the thesis, there is no space for a detailed analysis of the various assertions and accounts of Regime theory. Rather, comparisons have been limited to relevant aspects of the theory to this dissertation and the ES.

procedures" around which states' expectations converge in a particular area of global politics (Keohane, 1984 p 57). By 'principle', regime theorists imply standards and rules, amongst others, by which state behaviour in specific issue areas is guided. Regime theorists are usually concerned with explaining conditions under which rational-actors[52] will cooperate in an anarchic international system. Per Keohane, regimes help states reduce uncertainty; allow for the gaining (of new) and maximization of (acquired) capabilities; while providing information and helping manage international cooperation. Regime theory has at least three strands- the realist, modified realist and Grotian strands.[53] Regime theorists rely largely on rational choice theories, and attempt to derive testable hypotheses to determine why states might choose to cooperate in the absence of an overriding authority who enforces rules within an anarchic international system (Keohane, 1984; Keohane & Nye, 2001).

Another important note about regime theory is the assertion that regimes are created and maintained by consensus of goals amongst states/actors. Regimes are monitored by communal surveillance and enforced by common self-interest. This is especially the case because regime theory as a whole is predominantly interest based (Young, 1989). Also important in these configurations is power. Regime theorists understand power and self-interest as causal factors for inter-state cooperation (Evans & Wilson, 1992). Young, for instance, contends that rather than see the notion of justice, propriety and a general concern for the welfare of the whole system as being the chief driver of states' involvement in regimes, we must accept that power

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[52] Actors are considered as utility maximizers in this context and will make calculations based on their interests using logic and cost-benefit analysis. Consequently, individuals and actors will choose the best possible action according to preferences before them, while considering the constraints on their actions.
[53] See footnote (20 above).

and interest calculations take precedence and ultimately determine outcomes (Evans & Wilson, 1992; Young, 1983 & 1989). Regime theorists' assertion that regimes enable states to coordinate their activities and expectations, and in the process improve outcomes, can hardly be disputed. A cursory look at regime theory would therefore reveal several similarities with the English school's concept of international society. For instance, they both agree that the absence of an overriding sovereign authority in the international system does not preclude the possibility of rulemaking or consensus building amongst states. Consequently, both regime theorists and the ES accept rules as important guiding tools/mechanism for state behaviour in the international system. Both theories also give an important place to institutions (although their approach and treatment of institutions vary a great deal)[54] (Evans & Wilson, 1992).

Important differences between the ES and regime theory exist however, which renders regime theory inadequate to exploring the issues that occupy the attention of this dissertation. First, with their preoccupation concerning the causes of cooperation (which is usually limited to specific episodes of cooperation), regime theory does not concern itself with understanding the prevalence of order, especially within international society as a whole. Thus, regime theorists do not necessarily talk in terms of a universal international society but limit their discussions to issue-specific areas, "where cooperation, rulemaking, and regime creation may generate what amount[s] to specific, and perhaps, temporary, societal realms" (Evans and Wilson 1992,pp 329-351). Additionally, although both theories consider rulemaking as important elements of inter-state relations (as mentioned above), regime theory understands rulemaking as a purely instrumental, rational calculation by states towards achieving desired goals. Regimes are in this

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[54] See Keohane (1984); Krasner (1983; and Ruggie (1983) for more.

regard primarily created by system hegemons/powerful states to maintain and advance their own strategic interests (Krasner, 1983; Strange, 1982). The above contrasts with the ES which sees these rules as constitutive elements of international society (although the influence of powerful states in shaping these inter-subjective rules cannot be disregarded). A similar argument could be made with regards to both theories' consideration of institutions. The form of institutionalization in the ES is akin to regime theory but differs from it in the sense that institutionalization in the ES goes beyond its mere instrumental nature, with vital constitutive elements to its ideas (Buzan, 2001; Linklater & Suganami, 2006). Regime theory, unlike the ES, treats institutions as empirically observable phenomena[55]-which usually are formal structures, with analysis limited to their constitutions, institutional structures, decision-making procedures and bureaucratic practices[56] (Evans & Wilson, 1992). The English school's definition of institutions is evidently broader and sees institutions as recognized patterns of common practices grounded in shared values by states, including norms, rules, and principles, amongst others (Buzan, 2004). This, per Dunne (2005b), implies that institutions under the ES, bring with them a sense of obligation for states that predisposes them to act in ways that promote the general interests of the society, even in circumstances where it goes counter to their parochial self-interests. Institutions in this sense therefore have a constitutive element (as argued above), with patterns of legitimate activity in relation to each other. To the English school, these institutions evolve

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[55] Examples here would include the UN, GATT, NATO amongst others (Evans & Wilson, 1992)
[56] It must be mentioned here that more Grotian oriented regime theorists go beyond these observable phenomena to include social configurations, with institutions treated as conceptual creations. This usually does not go as far as the ES conception of institutions. For more on this, see (Young O. , (1983 & 1989); Wight, (1977 & 1991); Bull, (1977); and Bull & Watson, (1984)

over time,[57] and tend to be durable and fundamental to the society of states,[58] thus determining

behaviour (Buzan, 2004).

Lastly, regime theory (like constructivism discussed below,) also lacks a historical

perspective in its approach to examining international relations. To fully understand the

evolution of the international system and its thought and progress, one necessarily has to be

interested in its history. The ahistorical approach of regime theory, as Evans and Wilson argue,

has led to the absence of a conscious engagement with historically developed ideas in

international cooperation, leading regime theorists to be more concerned with "explain[ing]

new, real world phenomena (Evans and Wilson 1992, pp 329-351)."[59] With the above discussions

in mind, regime theory is inadequate to understanding and exploring the issues of concern in this

dissertation.

Similarly, the idea or concept of international society has several points of convergence

with Constructivism. Both theories give credence and importance to the role of norms and how

they evolve to play crucial roles in international politics. Both International Society theory and

Constructivism also argue for the unfixed nature of actors' conditions and the importance of

change and evolution of both actors and their environment. Thus, both theories are ontologically

similar. The important difference between both lies with their epistemological assumptions.

Constructivism focuses on the idea of knowledge while international society focuses on history,

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[57] Discussions later in the dissertation highlight the process of evolving institutions within the African international society.

[58] By durable, we are not arguing here that these institutions are permanently fixed. What is meant here is that such institutions necessarily undergo patterns of evolution and may as a matter of fact even decline or disappear altogether. Buzan gives us the example of how sovereignty as an institution has evolved over time, and colonialism has disappeared (at least empirically) as an institution (Buzan, 2004)

[59] Evans and Wilson also argue that there is a tendency to consider historical investigations as redundant in regime theory (Evans & Wilson, 1992).

international law and sometimes political theory (Cox, 1986; Buzan, 2001 & 2004). In other words, while ES describes what is and could be (thereby taking for granted the existence of ideas, norms, and values that shape behaviour), Constructivists on the other hand try to show how these concepts, ideas and values are themselves a result of being constituted by actors and forces. In this way, Constructivists seek to explain change over time, and why the changes occur.

Constructivist notions therefore contribute to ES' understanding of embedded social networks of states that influence perception, role and interests in their 'social' world (Finnemore 1996). Constructivists contribute to our understanding of social action through the notion of socialisation- the process of social interaction whereby new members endorse expected ways of behaviour in the social context. Essentially therefore, both theories to a very large extent talk about the creation of some form of society within specific inter-subjective meaning. Consequently, although the ES perspective lacks an established understanding of this process of socialization as used by Constructivists to explain the construction of social facts, the ES relies on understanding the history, institutions and values of the society created over time. The ES is therefore a much more useful lens in studies such as this one that deal with issues of static identities and realities over time.

Another important gap in the constructivist approach is the absence of normative elements in its discussions. The international society approach, although constructivist, adds key elements in its approach that are missing in Constructivism. Per Buzan for instance, the international society perspective is better able to pose questions on what international society looks like, its structure, and its destination or in other words, where it is headed and how this process is evolving (Wilson , et al., 2016). This constitutes one of the core strengths of this

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tradition. It is able to help us understand exactly why change is occurring in international relations the way it is. The International society approach is arguably able to better tell us why the structures of inter-state relations are changing or evolving in the way they do. Thus, questions pertaining to whether cooperation can be extended amongst states to prevent harm to ordinary individuals or create ideal situations in the world, can comfortably be tackled by the ES. Additionally, the ES is in a better position to examine questions about the relationship between important concepts such as order and justice in international relations (Linklater, 2002 & 2005). In short, although both theories overlap a great deal in terms of ideas around the development of system-binding norms and consensual rules in inter-state relations, the ES concerns for the building and shifting of international society allows for greater space for building norms (which helps reduce states' fears of being denied material goods and resources, for instance), while also being able to offer explanations for behaviour that goes beyond simple ideas about competition for material gains and resources as underlying explanations for behaviour (Marques & Spanakos, 2014).

With the exploration of history, the International Society perspective helps identify, track and clarify changes in the structure of the international system, while helping us understand why these changes are occurring. It is also able to provide predictions for the future direction of such changes (Buzan, 2001 & 2004). This is possible, simply because the International Society perspective goes beyond purely normative considerations by bearing in mind materialist considerations that drive state behaviour in the international system.[60]Another crucial difference

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[60] Wight emphasises this point as well. He asserts that one needs to understand international society through a historical and sociological lens (Wight, 1977 & 1991).

between constructivism and the international society perspective (which renders Constructivism inadequate for this dissertation's objectives) has to do with the fact that constructivism possesses a relatively narrow sense of history. Constructivism's rather limited attention to history renders it inadequate to tracing and understanding the history of international society in general, and particularly regionalist ideas, institutions, including the ways different regions have been imagined and constructed over time (Hurrell, 2007). This is especially crucial in Africa (and perhaps other regions on the periphery of world politics) with a dearth of work in the ES tradition that aims to understand (in a holistic sense) the unique trajectory of the African international society and its history.

Although the ES' international society approach has the potential to generate greater understanding of an African international society than other mainstream theories of international relations, it is crucial to mention that this chapter did not attempt to provide a full and complete analysis of the entire international society theory/school within the ES. Most of these debates have not by any means been resolved within the ES literature. Thus, by focusing on important aspects and concepts from the ES tradition, I aim to expand our understanding of some of these processes and how they have evolved specifically in Africa, with emphasis on the history of an African international society. The rest of the dissertation therefore seeks to understand how an African international society has been imagined; and what can we understand about its origins, distinctiveness and evolution as a regional international society within the context of the larger international/global society? These concerns are the focus of the remainder of this chapter.

Some traditional/classical ES scholarship, according to Stivachtis & Webber (2011), has long focused its attention on the history and expansion of regional international societies, rather than on the study of the global international society. Bull and Watson (1984) for instance concentrated on the expansion of the European international society, examining the relation between the European society of states and states outside of that society. Similarly, Stivachtis and Webber identify Wight's focus on the study of historical regional international societies and their relations with other regional international societies (Stivachtis & Webber, 2011; Hurrell, 2007).

Ironically, the focus on regional international society in traditional ES scholarship failed to conceptually articulate regional understandings of international society, although it did for globalist perspectives (Stivachtis & Webber, 2011). Traditional ES scholarship did not consider regional international societies as important in their own right. They considered global international society to be a direct consequence of one particular sub-society (the European international society) and so became fixated on the global level. Distinct regional international societies have therefore been overlooked in discussions around global international societies, in what has been a predominantly Euro/Western-centric field of study. Thus, the focus was on how European ideas, norms, etc. that are directly related to the Westphalian conception of European statehood expanded outward and gradually transformed into the larger global international society. This attention to the global level meant that regional understandings of this phenomenon suffered from conceptual and intellectual underdevelopment (Stivachtis & Webber, 2011; Bull, 1977).

This anti-regionalist focus has been recognised by newer generations of ES scholarship (Buzan, 2004), although some authors still situate the driving logic of regional arrangements at the global level (Hurrell, 2007). Thus, as opposed to discussions about increasing integration at the global level, sub-regional levels of analyses have started to become important within ES scholarship. The agreement within these group of scholars, however, is that regional understandings of international society have become increasingly important, especially in making sense of our contemporary global international society as a whole (Hurrell, 2007). There are two dimensions for this dynamic. There is on the one hand, a global society that revolves around particular global ideas of security, economics and brands of global political institutions. On the other hand, there are several regional constellations or governance mechanisms (Stivachtis & Webber, 2011; Hurrell, 2007). It has become crucial to understand all aspects of these developments.

There is also the assertion within the literature that contemporary global international society is pluralistic and heterogeneous, while regionalist international societies tend to be more solidaristic (Stivachtis & Webber, 2011). In this regard, it is understandable that the ES should have a lot to say about how regional international societies come about and are maintained. Drawing on Hurrell's (2007, pp. 127-146) crucial contribution to these discussions, I ask if we are indeed in an era of multi-regional governance, to what extent have these regional arrangements become established as important elements of the global political architecture? More specifically, what are the constitutive elements and depth of a distinct African regional society of states? What exactly is the effect and relationship of this African regional international society to contemporary global international society? While some scholars such as Buzan believe an

increasing regionalist turn in ES to be a positive development within the literature, others such as Costa-Buranelli (2015) argue that the increased regional focus of international society has considerably weakened global international society. Still others, such as Zhang (2015) argue that some manifestations of regional international societies (in East Asia per his argument), suggest a deep interpenetration and mutual constitution between the regional and global levels. Arguably, there is a growing understanding of the contingent nature of regional international societies, with most co-opting and adopting global institutions and norms to suit regional purposes, with specific local interpretations and understandings for such institutions (Zhang, 2015; Costa-Buranelli, 2015). This has become even more evident especially in the post-colonial world of varying and diverse regions facing increasing tensions around common objectives, norms, values and institutions at the global level (Shek Yan Tan, 2015). This can be seen, for instance, in the on-going debates regarding humanitarian intervention to save lives, with the global international society struggling to come to a consensus.

How then can we make sense of the distinction between the global level of governance and the proliferating regional ones? In discussing the role of regional arrangements in the search for global legitimacy, Hurrell (2007) identifies four ideas. These include; regions as levels within a multi-level system of global governance; regions as harbingers of change in the larger international society; regions as containers of diversity and difference; and finally, regions as poles of power. Without delving too deeply into Hurrell's particular discussions of the above themes, it is essential to note that in order to fully understand regional international societies and their role within the current global international society, one requires an investigation into particular regions to uncover specific economic, political, security and ideological imperatives

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driving such regional efforts. We can therefore argue that regionalist efforts towards creating

and deepening particular regional international societies is a response to specific regional,

context-based issues and threats (financial crises, violent conflicts, insecurity, global injustice and

inequality, for instance); where each state perceives others within such regional arrangements

as being in the same 'boat' as themselves. Thus, each regional arrangement can be expected, in

principle, to develop and promote distinctive ideas about important norms around international

order and governance, based on specific historical accounts and principles of inter-state

relations.

Do regions then threaten the stability and order of current global international society?

This question becomes even more salient when one considers the fact that regional international

societies exist within the current global international society, and so our grasp of their

relationship enhances our understanding of the effects of one on the other. There is in fact no

doubt that a world with increasing emphasis on regional international societies may lead to

challenges to the norms, values, consensus and dominant ideas at the level of global international

society. A multiplicity of regional arrangements reflects differences within the global

international society, which potentially also signifies conflict - although this need not be the

case.[61]

Evidence in the literature, however, also points to a complementarity of roles between

both levels (although such agreements/consensuses are usually elusive to achieve – see Hurrell,

(1995 & 2007); and Tan Shek Yan, (2015). Accordingly, exploring the ways in which particular

regions (such as Africa) complement and diverge from current global international society is an

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[61] See Tan Shek Yan, (2015) for more.

important ES research project. With a lot of current ES scholarship focused on the analysis of global international society, exploring how different regions experience different environments, with different interests and priorities, would help us better understand the specific roles particular regions play in the search for order and stability in our current global international society. Consequently, exploring an African international society using the ES approach would help us understand the distinctiveness of African regional objectives, values, norms and understandings of a continuously evolving African international society, and how it is articulated within a larger global international society.

4.0: International Society in Africa

As mentioned earlier, Africa remains one of the most vulnerable regions in the world. Several states on the continent are faced with grave economic challenges, ecological strains, population growth stresses, complications resulting from global pandemics such as Covid-19 and, most crucially, violent conflict and political instability ((Ibrahim Index of African Governance (2017); Institute for Security Studies (ISS), (2019); Knight & Oriola, (2021); Aning, (2004); Alao, (2007); Adebajo, (2002); Central Intelligence Agency, (2015). The continent has seen a great number of violent conflicts. These violent conflicts and zones of insecurity remain real impediments to economic growth and development in Africa.

This growing recognition of violence and conditions of insecurity as impediments to real growth, development and general stability (Igwe, 2011), as stated in Chapter One, has led to the advancement of key normative practices and frameworks with regards to security governance and management at the continental level, through the African Union (AU) (Powell & Tieku, 2005; Knight & Oriola, 2021; Mays, 2003; Ndubuisi, 2019). Although this may on the surface appear to

be a 'functionalist' assertion, it goes deeper than that. The proliferation of such regional initiatives and norms suggest that African states conceive of themselves as a separate identity-based community (from the outside)[62], bound by a distinctly African set of rules, values, practices, and norms, and sharing in the working of these distinct African institutions. Four such practices and associated norms (collectively referred to as normative practices) are considered here[63]: democratic norms; African sanctions; security governance and peace operations norms; and finally, norms of post-conflict criminal justice. Together, these norms and practices signify the effort to realize Africa as a distinct region, with its own distinct and unique challenges, and with the agreement that African states must work together to achieve common objectives and goals (Shek Yan Tan 2015, pp 398-411).

Consequently, the AU, since its establishment, has become more assertive in taking ownership of security and governance issues in Africa. There has been an increased and notable shift away from the principle of non-interference to that of non-indifference with the transition from the Organisation of African Unity (OAU) to the AU. This change in attitude and approach to governance and security issues on the continent vividly captures the continent's aspiration and growing willingness to take responsibility for its own security and governance affairs, within as well as between African countries. A lot has been written on the development of these and similar norms in Africa, with various scholars exploring distinct aspects of their proliferation on the continent. For example, Charron and Portela (2015) explore the proliferation of African

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[62] More on this later in the following pages

[63] It is important to note that these four normative practices can be divided into two broad categories. The first two norms (African sanctions and democratic normative practices) are connected to concerns around good governance, while the last two (post-conflict criminal justice and security governance and peace operations) are concerned with ensuring a peaceful, secure and stable continent. I argue they are the most important sets of normative practices because they are fundamental and essential to achieving other goals including development and growth.

sanctions and their significance to the "African solutions to African problems" agenda. Others, such as Solomon, (2015); Mays T. , (2002 *&* 2003); de Coning, (2007); Knight & Oriola, (2021); Tieku, (2007 & 2012); Powell & Tieku, (2005); Tieku , Obi, & Scorgie-Porter, (2014) explore the African approach to security and conflict governance. Still others, like Eriksson, (2010); Dersso S. , (2012); Charron, (2011); and Engel, (2010) examine the increasing acceptance and promotion of democratic norms on the continent.

More recently, with increasing opposition to the ICC and its operations within Africa in terms of post-conflict criminal justice, scholars such as Mutton, (2015) have examined Africa's growing demands for a different approach in post-conflict criminal justice, unlike that which pertains under current international criminal justice arrangements.[64] Through an integrationist perspective, Olivier, (2015) traces how the development of regional law is linked to regional integration in Africa. He argues that through the law-making capacity of institutions such as the Pan-African Parliament, the Peace and Security Council and the African Court system an African integration process is accelerated. Thus, although speaking of identical normative developments, he perceives them as efforts at African integration through a very functionalist lens. Although integrationist explanations may be useful in Africa, the specific context and nature of these

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[64] Brett & Gissel (2020), also discussed some of these ideas relating to the impasse between African states and international courts in their new book. They noted that although Africa pioneered several new areas of law and legal remedies, including international criminal law, universal jurisdiction, and gave human rights jurisdiction to a number of new international courts, African states have in recent times mobilised politically and collectively against such courts, especially the International Criminal Court, contesting these institutions' authority and legitimacy at national, regional and international levels. They argue, amongst other things, that the actions of African states in this regard should be seen as part of a growing desire for a more equal global order - a trend that not only has huge implications for Africa's international relations, but that could potentially change the entire practice of international law. See Brett, Peter; Gissel, Line Engbo (2020) for more on these discussions.

African norms and institutions renders 'integrationist' explanations such as those used in explaining the case of the EU, inadequate.

Taken together therefore, these normative practices are arguably symptomatic of a continuously evolving and distinctive normative understanding of Africa's circumstances that underpin an African international society. It also suggests (as mentioned above) an increasing and deepening African regional international identity, objectives, norms and institutions. African states exhibit aspirations toward the elaboration of a distinct political society that continually recognises a common history, destiny, shared values and interests in a deepening and evolving degree of cooperative behaviour, as seen through the establishment of certain rules and norms of engagement, which has the potential to contribute to the stability and security of states across the continent. These norms and rules arguably characterize and underlie this continuous ambition and aspiration towards a distinctive African international society, with values that benchmark its members. It also includes the growing need to claim ownership of problems of insecurity and (mal)development within this society, and to find viable, self-defined solutions to them. In trying to make African citizens safer and secure from violent conflicts, and the resulting developmental deficits, the consensus on the continent increasingly appears to be, 'Africans must take a lead role in fixing the underlying problems facing their continent.' This makes much more sense in the historical contestations over the proper role of external intervention on the continent since colonialism. Thus, there have been several attempts at resisting external imposition and intervention in the development of the continent. For instance, Tan Shek Yan (2015) recalls efforts by the OAU in the 1980s and 1990s to reject several elements of the neoliberal agenda and orthodoxy on the continent. For instance, the Lagos Plan of Action in 1980

blamed the woes of the continent on such issues as historical injustice, racism and neo-colonial exploitation of the continent, rather than the much publicised 'western reasons' of dreadful African leadership (Tan Shek Yan, 2015).

The attempts at improving governance and managing fragile conditions of peace and security in Africa are well established. What we lack is a holistic understanding of these processes and their importance to this distinct society of states. The prevalent literature explores each trend/norm in isolation without providing us with a holistic view of what these developments mean to the idea of, and prospects for, an African international society. To what extent can we understand these normative shifts on the continent through the AU as an attempt to establish and elaborate a unique African international society? Are these developments connected to one another? To what extent can the elaboration of these normative foundations of an African international society lay the groundwork for a sound understanding of an international society that is uniquely African? Is a strong African regional international society able to produce a more effective foundation for responding to persistent situations of instability along with emerging security challenges? What is the direction of such a regional society, going forward?

Consequently, in agreement with Linsenmaier (2015) and Stivachtis & Webber (2011), it is important to conduct investigations into regional international society in Africa (as well as other regions) through the ES lens, especially in the face of the excessive universalism of much ES work. Through an engagement with the ES, there is a promise of uncovering how African states historically have come to understand themselves vis-a-vis the global international society, and how they have come to propagate, interpret and accept specific contextual norms, practices and institutions as African states in a global international society. Indeed, some studies have begun

to explore these kinds of issues through an ES perspective. Tan Shek Yan (2013 and 2015) for instance, examined the Union Government debate, the APRM, and the position of the AU on the UNSC expansion through an ES framework. Through her work, she analysed these case studies as a window into understanding a unique African international society and its interaction with the global international society. She argues for instance, that with strong divergences between norms of governance and democracy in the context of the global and African international societies, the APRM can be seen as a compromise to negotiate the tensions between both levels of governance. Although her arguments make fruitful contributions to ES analyses of African international society and its interaction with the global level society, her focus on the aforementioned cases diverges from the focus in this dissertation (which is more peace and security-focused). By looking at the four different normative developments on the continent in this dissertation therefore, I hope to build on previous work such as Tan Shek Yan's (2013), and improve understanding of the contingent nature of the emergence of a distinct regional international society in Africa, its fluid existence and the challenging nature of its social limitations, especially toward addressing what I consider in this dissertation the most significant challenges on the continent: achieving peace, security and political stability.

Importantly, the emerging norms in Africa (as briefly outlined above) straddle between pluralist and solidarist tendencies. Most security and governance issues on the continent would require states overriding specific states' sovereignty and responding to the issues that directly affect individual Africans. Consequently, although the focus of this research is not to resolve these conceptual differences that exist in the literature, understanding how such thorny issues in Africa are navigated and managed helps to identify and define the trajectory (past and future)

of a distinctively African international society. Historically, most African governments since independence have considered state sovereignty (state-centred security) as their top priority and human centred-security as secondary (if at all) (Young C. , 2007; Solomon, 2015). Thus, the emergence of more solidaristic norms means that African states would have to move away from traditional concerns of ensuring state survival to a concern for individual human security and rights. The international society perspective is particularly valuable in understanding how this process evolves and deepens as states in Africa begin to see themselves as bound by common written and unwritten rules of conduct in their interaction, first with one another and second with the larger external or global international society. In other words, through the international society perspective, we can trace and understand the framework of shared rules, while also assessing the potential for an increasing degree of harmonization and integration, which could also lead to increasing acceptability of intervention in Africa.

Finally, with several states in Africa considered weak and fragile (Fund For Peace (FFP), 2018), can a strong case be made for the application of ideas of a viable international society as at least partial solutions to state weakness and failure (as alluded to above)? In this regard, would a deepening international society on the continent provide the foundations of governance that most weak and failing states on the continent are not capable of providing for themselves? Seen in this light, the continent has the potential to be a particularly fruitful context for the application of international society ideas.

The next chapter presents a brief history of the manifestation and evolution of an African international society. This history is traced all the way back to the first Pan-African congress in the early 1900s, through to the formation of the OAU and subsequently the AU. Rather than

narrate the entire history of this movement and process, focus is placed on important trajectories, actors and themes considered significant to the story of a distinct international society in Africa.

Chapter III

A Brief History of Africa's International Society

1.0: Introduction

This chapter discusses the historical origin and development of the idea of the African international society. It traces the distinct form of international society that has emerged on the continent to the notion of Pan-Africanism. The chapter argues that the notion of Pan-Africanism, adopted from the diaspora, has informed the various forms this international society has taken, the issues of focus and most importantly, the approach to inter-state relations amongst African states, as well as between Africa and the larger global international society. The rest of the chapter outlines important issues in this history that have been touchstones for the African international society in its current form. Crucially, the ES approach comfortably allows for a historical tracing of core normative foundations of Africa's international society. With the application of historical process tracing and interpretation, the chapter highlights the evolution of the idea of what we describe as an African international society since the beginning of the Pan-African movement in the diaspora, to the formation of the OAU, and the more recent transition to the AU in the early 2000s. The rest of the chapter therefore engages closely with the history and politics of Africa's inter-state relations (with focus on relevant themes) that elucidates the evolution of this distinct society of states.

The African Union is the contemporary institutional embodiment or manifestation of an African international society. However, the history and concept of an African international society cannot be narrated without being traced directly to the notion of Pan-Africanism. Pan-

Africanism as a concept emerged as a movement for the restoration of the African personality and culture, challenging the intellectual foundations of colonialism, domination and exploitation of the continent and its people. Ironically, Pan-Africanism did not originate from the African continent. It was a product of intellectuals of African descent in the diaspora, specifically in the 19th century. It was not until the 20th century and onwards that the idea reached continental Africa (Kasand, 2016). As a political and social concept, it comes with a complex trajectory and history. The idea perceived all black people in the world as belonging to a single nation with a common destiny (Kasanda, (2016); and Araoye, (2021). Pan-Africanism therefore served as an ideal rallying point for people of Africa and African descent in a movement to encourage a common voice against colonialism, racial oppression and imperialism. Its founding fathers[65] typically aimed at uniting all black people against the discrimination and exploitation they have been subjected to especially by people of European descent all over the world. In a global context that was seen as heavily discriminatory to black people therefore, Pan-Africanism was that rallying call for an end to all forms of injustice and discrimination against them. Pan-Africanism sought to create a sense of brotherhood and collaboration amongst all people of African descent whether they lived on the continent of Africa or in the diaspora. The concept consequently called on all black people across the globe to unite against racial discrimination and exploitation.

As with any other wide ranging, impassioned political and social movement, the concept of Pan-Africanism (as mentioned above) has a complex history and trajectory. The complexity of

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[65] Several influential individuals contributed to the burgeoning of the Pan-African movement. The credit for conceiving the idea however goes to Sylvester Williams, a young West Indian lawyer. Other important figures of the movement include Blyden, Marcus Garvey, and WEB Du bois, amongst others. The chapter later talks a little more about them.

the trajectory and history of Pan-Africanism is exhibited in the multifaceted nature of the concept, and so it does not lend itself to an easy definition. The concept contains diverse and at times opposing ideas about the best way to achieve the objectives of emancipation, dignity and freedom of the African continent and its people. Two of these trajectories/histories of Pan-Africanism highlighted in this dissertation include, first, pan-Africanism as originally conceived by the diasporan Pan-Africanists, and second, as taken on and developed by African 'heirs.' Diasporan Pan-Africanists perceive all black people across the globe as one single nation with a common destiny *(Zeleza, 2009 and 2011).* To this end, Pan-Africanism chiefly concerned the solidarity of the black race in a context of global racial discrimination. The second notion focusses on solidarity inside Africa in the context of colonial domination and exploitation and was mainly advanced by the African 'heirs' of the Pan-African movement (Kasanda, 2016). This second notion of Pan-Africanism arguably forms the foundation for the idea of an African international society, culminating in the distinct character, approach and understanding of inter-state relations on the continent, as discussed in later chapters.

Accordingly, the rest of this chapter explores the history of the notion of African international society in the context of Pan-Africanism, tracing the idea of African and black solidarity since the 19th century to its current manifestation in the African Union. As much as possible, the chapter does not attempt to re-tell the history of Pan-Africanism, as this history has been well covered in the literature. This is more an attempt to trace and highlight the intellectual and political influence of Pan-Africanism as a foundation on which contemporary African international society is built. This historical exercise (in line with ES thoughts on the subject-matter) starts from the premise that it is important to take a look back at the past in order to

make better sense of the present and future. The chapter stresses that Pan-Africanism's history has had a profound influence on the trajectory of the unique ideas and understanding of an African international society, and consequently, its future.

2.0: Origins of Pan-Africanism

As noted above, the idea of Pan-Africanism commenced in the diaspora, specifically with the activism of Afro-American and Caribbean intellectuals.[66] Some of these activists include Edward Blyden, Booker T. Washington, Anna Julia Cooper, W.E.B. Dubois, Marcus Garvey, George Padmore and Henry Sylvester-Williams. Their ideas and arguments have had a great deal of impact on the notions and pursuit of black emancipation and solidarity, as well as African continental and diasporan politics. Sylvester-Williams for instance, considered the creation of a forum or avenue for Africans and people of African descent to meet and discuss problems emanating from the domination and exploitation of the African by Europeans through colonialism as an ideal point of departure. Edward Blyden for his part, argued that black people all over the world constituted a single nation, sharing a common destiny. Blyden therefore believed in the unity of all black people in fighting against their discrimination, oppression, and humiliation by people of European descent. These ideas and influences culminated in the organisation of what is referred to as the first Pan-Africanist conference in 1900 to discuss ways to bring an end to the cycle of black oppression and discrimination. Several other Pan-African meetings came after this first one (I expatiate on these themes later in the chapter).

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[66] Some authors such as *Djaksam, (1990)* trace the idea as far back as before the American civil war to the 'abolitionist' movement in the United States. Thus, prominent abolitionists including Beecher Stowe, John Brown and President Abraham Lincoln are mentioned as important to the theme of emancipation of the black race and by extension Pan-Africanism. This dissertation does not dwell on this version of Pan-Africanism's history.

Pan Africanism as a movement, has no doubt been inspired by the experiences and struggles of trans-Atlantic slavery, colonialism and racism (Eze, 2013; Zeleza, 2009 & 2011). Although always geared towards the emancipation of the black race from colonial and white domination, it must be emphasised here that the idea of Pan-Africanism as projected by black intellectuals in the diaspora was not a homogenous one. Pan-Africanism meant different things to different scholars and intellectuals. There have thus existed several points of departure amongst the contributions of the forefathers of Pan-Africanism, reflecting a lack of unanimity of thought and vision of the movement. This fact renders Pan-Africanism as a complex mix of ideas, with several constellations and contributions from different activists. In the United States of America during the late 19th and early 20th centuries, Washington for instance, pushed for a strategy of accommodation of black people in the Americas, as he believed in the co-existence of different races. Thus, Washington's opposition to the domination of the black race took the form of passive resistance. He believed in a gradual improvement of the fortunes of black people through their accommodation within their societies, which were racially discriminatory towards them (Djaksam, 1990). To that end, he argued that the provision of technical and vocational training to black people in the United States would bring about gradual improvements to their lives. Washington sought to do this through his Tuskegee Institute that offered African Americans industrial training in handicrafts and agriculture (Djaksam, 1990*).* Washington thus believed in the integration of black people into their societies by equipping them with the necessary skills to enable them to contribute meaningfully to the rest of the American society, which he hoped would gradually reduce the discriminations they faced.

Marcus Garvey on the other hand, linked the liberation of black people in the Americas directly to the African continent's decolonization, considering an end to colonisation as an important aspect of the movement of Pan-Africanism. Garvey subsequently advocated for the return of all black people and peoples of African descent to the continent, arguing that a move back to Africa is the only way black people could achieve true freedom and happiness (Kasanda, (2016); Emerson, (1962); Christian, (2008). Unlike Washington for instance, Garvey did not believe in cooperating with white people in the pursuit of these goals; for him, black people can only regain the respect of the world by going back to their original home continent and rebuilding a better future from the debris of their past (a strict separation of races) (Kasanda, (2016); Djaksam, (1990); and Christian, (2008). Hence, for Garvey, Africa represents the only place black people can launch and achieve a successful campaign for racial equality with other races, while becoming powerful in Africa. By learning from men who preceded him in the fight against black people's oppression especially during the abolitionist movement, Garvey advocated for the redemption of the African continent from European domination and colonialism. Thus, his Universal Negro Improvement Association and African Communities League (UNIA-ACL) were both aimed at galvanising black people across the world to break the psychological chains of racial inferiority. Condemned as an idealist by his critics, Garvey advocated for the overthrow of colonialism of Africa by the Europeans. His main reasoning is that Africa is for Africans both at home and abroad, and so to achieve self-actualization or achieve their true selves, Africans must live on their land of ancestry (Christian, (2008); Kasanda, (2016). These specific ideas have translated into the understanding of African states in rallying together as one, in a global setting

that continually ranks them at the bottom of international hierarchy, as translated in the various normative practices discussed later.

Anna Julia Cooper and W.E.B Dubois argued for a strict achievement of the rights of black people. Cooper argued (based on her principle of worth)[67] that a lot more has been invested in white people in the American society than in black men and women. In spite of this fact, Cooper argues, black people contributed more to the building of America than white people (Gordon, 2008*)*. To that end, Cooper argued for much more investments in black people in America, advocating for their right to education (while emphasising the education especially of black women) as the means to overcoming the subjugation of black people *(*Kasanda, 2016*).* Dubois for his part advocated for the equality of all races, rejecting all kinds of race-based discrimination that sees black people being treated as sub-par humans (Kasanda, 2016*).* He also subordinated the racial struggles of black Americans to the much wider and larger idea of Pan-Africanism, although he duly recognised that important work has to be done in the United States and not only in Africa and the West Indies *(*Djaksam, 1990). Dubois was also against Garvey's position of separatism, where blacks in the Americas must return to continental Africa to achieve true freedom and happiness. He believed in the creation of a racially plural society that is integrated socially, politically and economically, where different races and ethnic groups can maintain their racial distinctiveness without any threat to an integrated, peaceful and just society *(*Outlaw, 1997*).* To this end Dubois, through the National Association for the Advancement of Colored

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[67] Cooper's theory of worth was developed in the background of the racist reasoning that black people did not contribute much to civilization and so humankind could perform well without them. To this end, Cooper's theory of worth was applied to the relationship between whites and blacks, arguing that worth is related to what an individual produces vis a vis how much was invested in them (Gordon, 2008).

People (NAACP), believed in some form of cooperation with white liberals, in order to achieve this objective. He was therefore closer to Washington's vision of black emancipation in this regard. Considering the fight against racism as the greatest concern of his life, Dubois protested against Jim Crow laws, lynching of black people and all forms of discrimination against the black man in the area of jobs and education *(Kasanda, 2016)*.

These ideas (and countless others) of black solidarity begun by Diasporan intellectuals, no doubt commenced the global and continental struggle for black emancipation, while offering insights for later development of ideas for the movement that translated into specific pan-Africanist ideas in continental Africa. Interestingly enough, the above points of departure amongst the forebears of Pan-Africanism have been a significant feature in the discourse and movement of African/black solidarity and emancipation throughout its history. This has resulted in varying trajectories and developments of the idea of Pan-Africanism with different articulations and expressions of the concept over the course of its existence. Accordingly, several constellations of the idea of Pan-Africanism have been identified in the literature; Trans-Atlantic, Trans-Saharan, Sub-Saharan, Trans-American, and global Pan-Africanism.[68]

Each of the above variants of Pan-Africanism developed at different stages of the movement. The first, for instance, focused on the link between continental Africa and the American diaspora. This is the context within which the first five Pan-African congresses were organized. This notion saw the idea of the solidarity of the black man as the surest way to restore and promote the dignity of the black race. Trans-Saharan Pan-Africanism focussed on the relations of black people in the Arab Maghreb and those living south of the Sahara. This

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[68] For more on these, see *(Zeleza, (2011); Appiah, (1992); Kasanda,(2016); Mazrui,(2001)*

conception developed in the face of colonial domination and Western subjugation. Sub-Saharan Pan-Africanism was concerned with the unification of the African continent. It concentrated on the cultural unity, similarities in language, economy, politics, history and other experiences, including colonial domination and slavery. Trans-American Pan-Africanism focussed on connecting the African diasporan community, specifically in the Americas and Europe. Finally, global Pan-Africanism sought to connect all black people and individuals of African descent dispersed in all parts of the world. It therefore portrays an image of all black people across the globe as a marginalised and oppressed group. This therefore extends to the Arab world, the black population in the pacific regions (including Aboriginal groups in Australia and Papua New Guinea, amongst others), as well as to black people in Europe (Mazrui, (2001); Zeleza, (2009 & 2011); Kasanda, (2016); Appiah, (1992).

Clearly, from the above, Pan-Africanism throughout its history included various political, cultural and intellectual ideas and conceptions based on a set of shared assumptions by people of African descent. As noted above this diversity can be clustered into two major variants of the Pan-Africanist movement. The first, (we will call this 'global-Pan-Africanism') deals with solidarity between black people outside continental Africa- that is blacks in North & South America, Europe, Australia, and Asia. This version of the movement is mostly concerned with the world-wide racial discrimination against black people. Global-Pan-Africanism thus brings together all the centres of black presence across the globe, connecting them in their common experience of demographic smallness and economic weakness (Djaksam, (1990); Appiah, (1992); Emerson, (1962). This notion of the movement sought to liberate Africans and the African diaspora from racial degradation, oppression and exploitation. As discussed later, this specific feeling of global

oppression and discrimination has remained a mainstay of Africa's perception of global international relations, serving as a powerful clarion call for African solidarism.

The notion of global Pan-Africanism was thus epitomised in the first four Pan-African congresses organized to discuss the plight of the black race globally *(Eze, 2013)*. These initial Pan-Africanist congresses were held in diasporan cities and mostly attended by non-indigenous African or black intellectuals and activists. The conference of London in 1900 for instance, marked the first time a group of black people with a common sense of alienation and exploitation of their race, came together to "think and feel in unison" *(Djaksam, 1990, pp 42-90).* Thus, this particular conference signified the awakening of black people and their active consciousness to the existing situation. Together, the Pan-African conferences served as a forum for black intellectuals and activists to denounce the injustices and atrocities of racial discrimination against the black man globally (Kasanda, 2016)*.*

The second idea from the discussion above concerns the solidarity inside continental Africa in the context of colonial domination and exploitation ('continental Pan-Africanism'). In addition to ending colonialism on the continent, this conception of the movement also sought to promote unity and solidarity among Africans in political, cultural and economic issues. Remarkably, it was not until the 5th Pan-Africanist congress held in Manchester in 1945 that African intellectuals and campaigners were invited and became concrete members of the congress and movement (Kasanda, 2016; Eze, 2013*).* The 5th Pan-Africanist congress therefore signified a fundamental turning point for the Pan-Africanist movement. It represented the first phase of 'Africanization' of the movement. Consequently, it was at this 5th Pan-African congress

that the world got introduced to the African 'heirs' of the Pan-African movement who later championed most of these ideas on the continent.

Future African leaders of the movement, including Kwame Nkrumah of Ghana and Jomo Kenyatta of Kenya (who would later lead their countries to independence) were introduced to the world for the first time at this congress (Kasanda, 2016). Unlike the previous four congresses that were attended mostly by "black middle-class intellectuals and bourgeois reformists" (Kasanda A., 2016), the Manchester congress was attended by a large number of workers, trade-union movements, students, and farmers mostly from continental Africa. Accordingly, the significance of this congress is in the establishment of the link between Pan-Africanism on the global level, and continental African nationalism. This meant a great deal to the African heirs of Pan-Africanism. Kwame Nkrumah (1963) for instance, maintained that the Manchester congress in 1945 was where the idea of Pan-Africanism moved from the nebulous and vague concept of Black Nationalism to a concrete expression of African nationalism. It brought the movement to a point of convergence in terms of the sole goal of emancipating the continent from the clutches of colonial rule (Kasanda, (2016)*;* Nkrumah, (1963*)*, with explicit demands for autonomy and independence for black Africa (Djaksam, 1990).The movement thus went from a protest movement of blacks in the diaspora seeking racial justice and equality, to an alliance with African intellectuals and activists who used the idea as a rallying cry for African nationalism to fight colonialism.

It is important to stress here that those apparent differences in thought amongst diasporan Pan-Africanists, as discussed above, were also a significant feature between them (i.e., diasporan Pan-Africanists) and the African heirs to the Pan-Africanist movement (Continental

Pan-Africanists). Diasporan Pan-Africanist ideas differed significantly from the continental Pan-Africanist ideas and conceptions of the movement. Both sides' ideas and objectives for the movement were at once elaborate, complex and sometimes contradictory with one another. Nevertheless, in spite of their differences, the intellectuals and leaders of the Pan-Africanist movement no doubt pushed forward ideas that served as an ideal rallying point for people of African descent to unite with one voice against colonialism, neo-colonialism, imperialism, racial injustice and the domination of the black race. The Pan-African movement therefore represented a source of agency for challenging the intellectual roots of colonial historicity, exploitation and domination of Africa and its people *(Eze, (2013); and Emerson, (1962).*

Consequently, a recurring theme throughout the conferences and activism of the Pan-Africanist movement included a call for the liberation of African people all over the world from colonialism, the right to self-governance, and a call for the unconditional recognition of peoples of African descent as equal citizens of the world *(Eze, (2013); Djaksam, (1990); Kasanda, (2016); Mazrui, 2001).* To several authors, including Michael Eze (2013), Ali Mazrui (2001), Emerson Rupert (1962), and Kwame Nkrumah (1963), amongst others therefore, the idea of Pan-Africanism is not only an ideology, but also a historical event in which shared afflictions, experiences and exploitation of the black race became a moral compass for African unity.

Being an engine and a rallying call for a continued black solidarity across the globe, Pan-Africanism signified a useful mechanism for introducing and increasing Afro-centric regional integration, serving as a foundation for ideas of a distinct African international society. The realization that a notion of black solidarity and thus African unity could not be attained without some form of institutionalization of the concept of Pan-Africanism led, foremost, to the Pan-

African congresses, representing the first or initial attempt at institutionalizing the ideology of Pan-Africanism. During (and especially after) the independence of most African states however, Pan-Africanism was taken out of the hands of the diasporan Pan-Africanists, with Africans now playing the leading roles (The New African, 2002; Kasanda A., 2016). Subsequently, attempts at concrete institutionalization of the concept and ideas of Pan-Africanism (and thus an African international society),[69] happened on the continent of Africa- initially in the formation of the Organization of African Unity (OAU) in 1963, and subsequently the African Union (AU) in 2002.

3.0: Initial manifestations of continental Pan-Africanism and International Society

Continental Pan-Africanism was initially geared towards independence of Africa from colonialism (with demands for colonial constitutional changes and amendments, provision of universal suffrage, self-governance, and autonomy, amongst others). These goals later evolved into calls for African integration, solidarity and unity. For some continental Pan-African activists, including Kwame Nkrumah (1963), African unity or oneness remained the ultimate goal for the movement in Africa. African unity for Nkrumah and his supporters, remained crucial exactly because the achievement of this goal would bring an end to the 'struggles'[70] the movement had been fighting against for decades. Nkrumah (1963 & 1970) argued that it is only through African unity that risks to an independent Africa, including threats to territorial integrity and sovereignty of newly independent African states, can most effectively be tackled. Consequently, it was only through a unification of the continent that triumph for the Pan-African and liberation movements

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[69] As noted elsewhere, international societies can exist without concrete institutionalization. However, because of their unique histories and processes, the African international society took concrete institutionalization as an important element for pursuing its objectives.

[70] Specifically, colonialism and imperialism on the African continent.

can be achieved. Exactly how this unity or solidarity would look or even be achieved was always a contentious issue within the movement and amongst the numerous African states. In spite of the above, Nkrumah pushed vigorously for a more solidarist conception of a united Africa, making him one of the leading figures of this idea of African unity on the continent. This task however proved very difficult, and ultimately insurmountable to achieve in the face of the diversity of African states' experiences, cultures and histories, as well as the ambitions of new national leaders, especially after colonization.

As a result of the diversity of experiences, culture and histories of various African colonial states, the notion of African unity manifested in two main ways: a 'maximalist' and 'minimalist' understanding (generally corresponding to the solidarist and pluralist notions of international society discussed in the previous chapter.) This division characterized a major difference within the continental pan-Africanist movement as to how best to achieve the goals of the movement, especially the notion of continental unity. Famously, there emerged the Casablanca and the Monrovia (which merged with the Brazzaville camp) groups/camps on the continent[71], corresponding respectively to the maximalist and the minimalist notions of Pan Africanism. Embedded in the differences between the two 'camps' (beyond their preferences for maximalist or minimalist notions of African unity) were other issues, including; varying ideological dispositions regarding relations with former colonial masters after independence, their positions regarding the political and secessionist crisis in Congo during the period, as well as ideological preference for capitalism or communism (as espoused by the USA and the USSR respectively)

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[71] It is important to stress here that not all African states belonged to either side of the division/camps. There were a number of them who sat on the sidelines, watching the division disapprovingly as a reflection of the general lack of a common purpose on the continent (Padelford, (1964); and Elias, (1965).

during the Cold War *(*Emerson, 1962; Padelford, 1964; Elias, 1965). All of these factors further deepened and entrenched the differences on the continent.[72]

The maximalist (or solidarist) notion (as espoused by the Casablanca group of states) was reflected in a call for a United States of Africa, obliterating the colonial boundaries, with a single economy, political system and even military. The Casablanca group vehemently opposed colonialism, racism and imperialism in all its forms, advocating for an immediate severing of ties with former colonial masters, and western states after independence, while pushing for an immediate integration of African states into a federation or a supranational entity to be named 'the United States of Africa', with an integrated economy of independent African states, as well as the formation of a common African military *(*Nkrumah, (1963); Kasanda, (2016); Padelford, (1964*)*. The Casablanca group therefore clearly pushed for a more radical (solidarist) variant of the Pan-African ideal on the continent. Members of this group consisted of Ghana, Egypt, Morocco, Guinea, Mali, Algeria and Libya. Notable leaders of this group of states included Kwame Nkrumah of Ghana, King Mohammed of Morocco, Ahmed Sekou Touré of Guinea and Abdul Gamel Nasser of Egypt.

In line with their vision for the Pan-African movement in Africa, the Casablanca group advocated for a complete and total political and economic disengagement with Europe. They perceive any continued European relationship on the continent as a ploy to keep Africa tied to the 'apron strings' of past colonial powers (Nkrumah, (1963); Elias, (1965*)*. Although this group was well aware of the difficulties with achieving immediate African unity, they did not see the difficulties as insurmountable. In line with solidarist ES thought therefore, the maximalists

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[72] I elaborate more on these issues later in the chapter.

pushed for a more purposive agenda, with more substantive norms and institutions beyond the sovereignty of individual African states. Additionally, beyond their push for an immediate union and integration of independent African states, it was clear that the Casablanca group were also inclined more favorably toward the Soviet Union's ideology of Communism as opposed to the United States' ideology of Capitalism (as this period was, as mentioned earlier, the height of the Cold War). They were also pro-Patrice Lumumba in the Congo crisis[73] (Djaksam, 1990). This radical push for a continental unity faced several complications including resistance of former colonial powers who saw a push for deep continental unity as a direct threat to their interests in Africa. Besides the colonial powers, the maximalist idea of continental unity did not sit well with several other African states who preferred a gradual process of African cooperation and integration. This group of states made up the pluralist/minimalist camp (the Monrovia group.)

The minimalist (or pluralist) notion of Pan-Africanism manifested in a call for a much more gradual integration of the different African states. This group of states were initially drawn from the mostly French speaking 'Brazzaville group' of states (also known as the Afro-Malagasy Union, formed in the early 1960s). Members of this group included Cameroon, Congo-Brazzaville, Benin, Gabon, Burkina Faso, Madagascar, Mauritania, Niger, the Central African Republic, Senegal, Cote D'Ivoire and Chad. The Brazzaville group of states were later joined by others (who were initially neutral or opposed to the Casablanca group), including Ethiopia, Liberia, Nigeria, Sierra Leone, Togo, Somalia, Congo (Kinshasa) and Tunisia to form what was known as the Monrovia Group.

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[73] This crisis began immediately after Congo's independence from Belgium and was a period of intense political upheaval. Most blamed the crisis on the lack of preparedness of the Congo for independence from Belgium, which saw secessionist attempts by the Katanga and South Kasai. This crisis, which saw the involvement of other international actors including the USSR (on the invitation of the Lumumba government), the United States, and Belgium as well the United Nations, became a great source of disagreement amongst independent African leaders (Kaplan L. S., 1967).

The Monrovia group of states, in line with the Brazzaville group's ideas (noted earlier) did not consider it pragmatic to push for a radical form of continental unity so quickly. In line with pluralist ES ideas, the minimalists also believed newly independent African states can come together only for certain nominal purposes (in the reciprocal recognition of one another's sovereignty and territorial integrity for instance), prioritizing the meeting of basic needs of African states, including transportation, health and basic communication *(Kasanda, 2016)*. Recognising the presence of competing conceptions and disagreements toward more substantive issues on the continent, the Monrovia (and Brazzaville) group advocated for a slower path to African integration and unity than that advocated by their counterparts within the Casablanca group of states. Notable leaders of this group included Nnamdi Azikiwe of Nigeria, Haile Selassie of Ethiopia, Jomo Kenyatta of Kenya, Julius Nyerere of Tanzania, and Houphouet Boigny of the Ivory Coast, amongst others *(*Elias, (1965); and Djaksam, (1990).

As stated above, beyond the disagreements amongst independent African states as to the best roadmap for an African unification project, there were other sources of friction. Prior to their joining camps with the Monrovia group, there was within the Brazzaville group of states (who were all former colonies of France) a huge appetite for a continued close tie with France and the European Common Market while developing economic cooperation within Africa. These states were simply reluctant to do away with the French financial and technical cooperation and assistance at the time, which they viewed as advantageous for their economic development and advancement *(*Pick, 1961*)*, and of course for the political elites of these states. They were therefore branded as victims of neo-colonialism by the Casablanca group, who argued that the continued reliance on French assistance meant that France still wielded immense influence in

these countries' internal affairs. The Brazzaville group of states were consequently independent only on paper, per this reasoning *(*Legum, (1975); Elias, (1965); Djaksam, (1990); and Padelford, (1964*)*.

In addition to the above contention, there was skepticism and fear among some individual leaders who doubted the wisdom of a continental supranational project (with solidarist tendencies) that could potentially undermine their hard-fought independence, sovereignty, new-found power and influence. These leaders dreaded the ambitions of radicals like Kwame Nkrumah, fearing the possibility of this project of African unity leading to a new form of African imperialism (Padelford, (1964; and Elias, (1965*)*. Moreover, there were unresolved issues between and amongst several African states during this period. Prominent in these disagreements were boundary disputes. For instance, there was the 1963 Algerian-Moroccan border conflict, the conflict over the boundaries between Kenya, Somalia and Ethiopia *(*Padelford, 1964), as well as conflicts between Mali and Mauritania over the dessert border of Hodh, and Liberia and Guinea's conflict over the region of Mount Nimba *(*Kornprobst, 2002), amongst other similar conflicts.

There were also huge differences between the two camps' approaches to continental issues, including the independence struggles of Algeria and Mauritania, as well as the Congo crisis (specifically the Katanga secessionist uprising in the 1960s), all of which led to the taking of sides *(Elias, 1965; Pick, 1961)*. On Algeria for instance, the Brazzaville group (who as mentioned earlier became part of the Monrovia group) wanted a solution to the clash between the Colonial government of France and the National Liberation Front (F.L.N.) to be resolved by independent African states without alienating France in the process *(*Pick, 1961*)*. To the Brazzaville group, this

was the quickest and most efficient way of dealing with the conflict (as this meant they did not have to compromise their ongoing dependence on France). The Brazzaville group also supported and pushed for Mauritania's recognition at the UN as a sovereign state,[74] while showing support for Patrice Lumumba's opposition in the Congo conflict. The Casablanca group on the other hand, openly supported the FLN's fight for Algerian independence from France (without caring much about whether this approach alienated France or not), and also supported Patrice Lumumba and what he stood for in the Congo *(Pick, 1961).*

Cultural and religious differences also impeded the drive and cooperation towards a rapid push for African unity. These divisions manifested in the differences along Arab-Christian and traditional African religious cleavages within the continent *(*Legum, (1975); and Padelford, (1964*).* They also manifested in positions regarding world affairs and issues. For instance, at the initial stages, the Arab states did not take kindly to Sub-Saharan African states who chose to associate closely with Israel *(*Padelford, 1964). Sub-Saharan Africans, on the other hand, did not take kindly to being told who they could be friends with *(*Padelford, 1964*).* This rift clearly led to tensions between the Arab states and some sub-Saharan states (at least initially), with Sub-Saharan African states cautious not to get entangled in Arab/Middle Eastern affairs *(Legum, (1975); Padelford, (1964).* For example, with regards to the Israeli-Palestinian conflict, most Sub-Saharan African states chose to not identify with the Arab position, and so went ahead to establish

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[74] The USSR vetoed Mauritania's application for membership of the United Nations. However, the Brazzaville group of states argued that Mauritania, a member of the group which had fought a "heroic though pacific battle for its independence", could count on the support of the rest of the Brazzaville group, who would again sponsor Mauritania's membership of the United Nations.

diplomatic ties with Israel after independence.[75] The Arab states on the other hand, closely identified with Middle East issues, which tended to put them at odds with Sub-Sahara African interests (in other words, Arab states appeared not interested by issues that are more Sub-Sahara African than say Middle Eastern).[76] Even within the (African) Arab group of states, divisions existed. There appeared as a result of the sorts of 'unpopular' policies pursued by certain states, including Tunisia, Morocco, Algeria and Libya under Muammar Gaddafi *(Legum, 1975)*.

Significant in all of these divisive issues, were unrelenting efforts by external powers (including former colonial powers) who wanted to maintain their influence on the continent and so incessantly sowed seeds of discord amongst the African states, with any serious projects of African unity and integration perceived as threatening to the interests of these powerful external states and actors. Transportation and communication problems on the continent did not help issues either. It was very difficult to keep in touch across the continent, as it required much more resources and time to travel within Africa than out of the continent *(Padelford, 1964)*. There was also no universally accepted language of communication, as the continent is host to over one thousand local languages and dialects. All of these fundamental issues combined to present huge divisions amongst African states, making cooperation and eventual unity (or even the creation of a robust society of states) daunting.

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[75] This however changed after the October 1973 war when most African states began to side with Egypt and the Arab position and began cutting diplomatic ties with Israel, as most of them found the Arab position on the Arab occupied territories a reasonable one *(Legum, 1975)*.

[76] This is very important and could be directly linked to the colonial experience on the continent. Colonialism in Africa kept the Arab states separated from their Black African colleagues, thereby producing a psychological barrier/separation in the process, creating yet another obstacle to surmount in the process of creating an international society.

For Kwame Nkrumah and his colleagues within the Casablanca group however, whatever the differences were between African states, they were far outweighed by several commonalities, foremost of which was the experience of colonial and external domination (which was seen as an ideal rallying point for building an international society). They argued that the fragmentation of Africa and its people did not serve the security and development needs of the continent. Their idea was thus a holistic approach to continental unity and regional international society. Consequently, in line with Garvey, Nkrumah stressed the urgent need for a 'united Africa' as the only certain way of securing Africa's needs and interests. Nkrumah and his colleagues maintained that there were several issues facing the continent, crucial amongst which is safeguarding the hard-won independence of its countries. These issues were best addressed with a common African front, with deeply embedded norms and far-reaching integration of the states on the continent (Nkrumah,1963 and 1970).

Included in the Casablanca group's proposal, therefore, was (as stated earlier) a solidarist call for African unity, with a demand for a closer union of African states with a centralized executive, a consultative assembly, planning and development ministries and an African military command, with the mandate to intervene with force in trouble spots or situations-a United States of Africa. Nkrumah for instance, in his activism, again stressed that unless African leaders abandoned 'token unity' and joined in a strong federal-like government, their independence and freedom from colonialism would lose all meaning, especially because African states were already falling far behind in the race with economically developed states[77] (Legum, (1975; Nkrumah, (1963); University of Wisconsin Press, (1968).

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[77] Thus, again, the Casablanca group's proposals were both completely Pan-Africanist, as well as solidarist in nature.

The Monrovia group on the other hand, with its gradualist approach on African unity, favoured functional cooperation over holistic unification. They therefore served as counter-weight to the Casablanca group's solidarist approach, pushing for pluralist ideas, and consultative over executive organs, with cooperation in sectors such as education, labor, welfare, social and cultural affairs before any ideas of intrusive political integration. Accordingly, on the substantive issue of African unity, there was no ready agreement amongst the African leaders. The Casablanca group's push for a radical solidarist policy was clearly at odds with the Monrovia group's more conservative and pluralist approach. Using the multiplicity of cultures and differences amongst African states as their motivation, the Monrovia group sought an arrangement that was not too invasive, respected each African states' sovereignty and right to govern themselves, and general order amongst a multiplicity of African states. The Monrovia group therefore took the position that cooperating with one another within a limited framework was ideal for promoting equality, as well as the maintenance of the hard-fought independence of all African states. It was also expected to guard against the creation of an African 'empire', where weak African states were dominated by large and powerful ones with ambitions to overshadow and control the rest on the continent. These debates were at the centre of attempts to institutionalize Pan-Africanist ideas through the formation of the OAU. As I highlight later, they are very important to the specific type of international society that emerged on the continent, with its distinct features and approach to international relations in Africa.

4.0: Towards the Formation of the OAU

The polarisation amongst African states was exposed by the fact that the Casablanca group of states were absent from the initial conferences held in the early 1960s that began the

process towards the formation of the OAU. These initial conferences were held due to the realization of the need to bridge the gulf between the two camps on their ideas of a continental organization. The first conference (held in 1961), sponsored by Nnamdi Azikiwe of Nigeria, William Tubman of Liberia and Milton Margai of Sierra Leone and held in Monrovia, was meant to bring all independent African states together to discuss a viable way forward for continental cooperation and unity. Although all twenty-seven independent states at the time were invited, only twenty-two attended. The Casablanca group of states, as mentioned above, chose to stay away *(Elias, 1965)*. The participating states subsequently agreed on a loose type of association of independent African states, political independence, respect for each state's sovereignty and non-interference in one another's internal affairs. This agreement was very much in line with the pluralist ideas of the ES, as advocated by the Monrovia group of states. A second and a third conference followed the Monrovia conference, held in Lagos and Addis Ababa respectively. The Lagos meeting in January 1962 also saw a majority of the Casablanca group absent. Azikiwe reiterated the main objective for the meeting in his address to the conference:

The main reason for convening this conference is to exchange views among African leaders at the highest possible level for the unity of the political entities comprising the continent of Africa. There have been conferences of this nature in the past, but this particular conference is very significant because it is the first time in African history that so many heads of state and government have assembled to confer among themselves for the future security and stability of African countries…The Lagos conference looks at the continent of Africa as a miniature United Nations…At Monrovia, in May 1961, the participants of this conference evolved a modus vivendi

for African states....The principles enunciated in Monrovia include...the right of African states to federate or confederate with any other state or states *(Mwakikagile, 2009 p. 114).*

Thus, the Lagos meeting continued with deliberations toward a continental organization that would suit the needs of all independent African states. With the uncertainty of the Cold War looming large over the continent, a third conference, held in Addis Ababa in 1963, was much more successful in terms of being able to bring states from the Monrovia and Casablanca groups together for the first time to discuss the real vision and future of a continental society. It became apparent to both groups that unless there was unanimity of ideas between them, the goal of achieving an African society of states, able to tackle its growing problems, was impossible. Accordingly, with both sides coming together for this meeting, compromises were made, and agreements were reached, as the OAU Charter was drafted and finally brought to life in May 1963 (Elias, (1965); Legum, (1975); and Organization of African Unity (OAU), 1963).

4.1: The founding principles of the OAU

It is important to stress the skepticism towards the concept of African unity amongst most of the newly independent African states at the time. Most of them (as stated above) perceived the concept of African unity as a direct threat to their newly acquired power and independence. Accordingly, there was very little desire to give up any aspects of their sovereignty for a continental union. Evidently, the road to the formation of the OAU as described in the previous section was never straight-forward. It was fraught with several factions, ideas and actors who wanted to push for their own vision of post-independence African inter-state relations. Obviously, the founding fathers therefore had to overcome various internal divisions to realize any dreams of continental unity. These divisions, as alluded to earlier, were a direct function of

a lack of mutuality in interests. While there existed a general agreement on the need to end colonial domination and promote inter-state unity, several African states recognised numerous other national priorities within their territorial boundaries beyond African unity or the creation of a Pan-African society. Subsequently, the differences around what the society of independent African states should look like became pivotal in the deliberations around the OAU's formation.

The formation of the OAU represented a compromise between the two main camps within the movement (Wallerstein, 1966). The signing into effect of the charter on May 25, 1965 by an initial 32 members allowed both camps to overcome most of their differences and visions for African unity. Concepts and ideas from both the Casablanca and Monrovia charters were incorporated into the founding principles[78] (The Organization of African Unity, 1963; Elias, 1965; Kasanda A., 2016; Makinda & Okumu, 2008*)*. However, most have described these founding values of the organization as a victory for the minimalist/pluralist camp[79]. The Charter (which had a total of 33 articles) propounded state-centric principles of mutual cooperation, respect for the sovereignty and independence of states, frowned on forceful intervention in one another's affairs and promoted a common African market, the peaceful settlement of disputes, total condemnation and unacceptability of political subversion and assassination, and a complete commitment towards the total independence of all African states from colonialism (OAU Charter Article 3; Padelford, (1964); Makinda & Okumu, (2008); and Wallerstein, (1966).

As an organisation, the OAU represented the first tangible outcome of Pan-Africanism (and a regional international society) on the continent. This was a historic feat for the movement

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[78] Arguably, Nkrumah's draft document on a union of African states as well as a draft document by the Ethiopian government in preparation for the meeting both found their way into the OAU Charter (Makinda & Okumu, 2008).
[79] See Wallerstein, (1966 and Djaksam, (1990) for more.

and its underlying ideas. As the first Pan-African institution on the continent, the OAU aimed to bring all the aforementioned competing needs and priorities within the continent together under the same umbrella. Thus, the 'eleven-paged, thirty-two articled' Charter of the organization that was eventually adopted by member states espoused principles that took cognisance of these divisions (Wallerstein, 1966). Hence, several compromises had to be made in the drafting of the charter. At the core of the push for African unity however, was the idea that Africa needed to take control of its own affairs and find home-grown solutions to her issues (Padelford, (1964); and Legum, (1975). Africa's problems are hers to solve. The establishment of the various organs and special commissions reflected this desire for African ownership of African problems. The Charter began by outlining the inalienable rights of all people to self-determination, freedom, equality, justice and dignity. The new African states and their leaders articulated their duty to bring development to their states and people by the sensible use of both human and material resources of the continent (Makinda & Okumu, 2008). To this end, the charter expressed African states' common determination to promote unity and cooperation amongst one another to increase the chances of attaining these goals. Their dedication to ensuring the welfare of their people was to be assured through the establishment and strengthening of common institutions for this purpose. In Article 2(1) of the charter, the founding states clearly outlined their purpose for the organization, with a clear intention to: promote the unity and solidarity of African states; coordinate and intensify their cooperation and efforts to achieve a better life for the peoples of Africa; and actualize their commitment to eradicate all forms of colonialism in Africa (The Organization of African Unity, 1963), amongst others.

Additionally, with the reality of the unease shown by the majority of the African states to the idea of a more robust form of political unity, coupled with the desire to protect and safeguard their hard-won independence and consolidate their sovereignty, the charter insisted on a strict respect for the territorial integrity of member states, to the extent that it was forbidden to interfere in the internal affairs of members states. There was no mention of or allusions to a political union either. The importance of this principle of non-interference and respect for territorial integrity of member states is seen clearly in Article 3 of the charter (Organization of African Unity (OAU), 1990). In order to allay fears of member-states of being dominated by stronger, more powerful members, Article 3 clearly states, amongst other things, the basic principles of: the sovereign equality of all member states; Non-interference in the internal affairs of states; respect for the territorial integrity of each state and for its inalienable right to independence; and unreserved condemnation, in all matters, of political assassination as well as subversive acts on the part of neighboring states or any other state (The Organization of African Unity, 1963). These principles, again, were necessary in order to reassure all member states of their independence, even as members of the OAU, and thus represented a strong endorsement of a pluralist understanding of international society on the continent as expanded later in the latter chapters of this dissertation.

Other principles as deduced from the charter include the acceptance by all member states of peaceful settlement of disputes through negotiation, conciliation, diplomacy, and arbitration. This principle again underlies the importance attached to peaceful co-existence amongst member states of the society. Without peace, it was adduced, it would be almost impossible to

achieve all other goals,[80] including safeguarding their independence, as well as the development

of their human and material resources (Elias, 1965). The charter also declared the commitment

of all member states to ending of all forms of colonialism on the continent (The Organization of

African Unity, 1963), and to the principle of non-alignment with either the Capitalist or the Soviet

blocs during the Cold War, espoused in the acclamation and increasing acceptance of decisions

of the non-aligned movement (Legum, 1975).[81]

4.2: A brief overview of the OAU's Organs

It is important to briefly discuss the organs of the OAU at this stage since, as demonstrated

later in the dissertation, they are important in identifying and understanding the aspirations of

this burgeoning international society. At its formation, the OAU was comprised of four principal

organs responsible for the running of the organization. The roles and functions of these organs

were outlined in Chapter seven of the founding charter and made provision for the following; the

Assembly of Heads of States and Government (referred to from here on as the Assembly); the

Council of Ministers (referred to as the Council); the General Secretariat (the Secretariat); and

the Commission on Mediation, Conciliation and Arbitration (the Commission) *(*Organization of

African Unity (OAU), 1963*)*. The Assembly was considered the supreme organ of the organization

and was charged with the key responsibility of discussing issues of concern to Africa, while

coordinating and harmonizing general policy of the organization. The Assembly was exclusively

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[80] As mentioned in Chapter Two, this dissertation takes this position as well.

[81] This was a very important issue, as (besides the numerous issues of contention amongst the African states), there were disagreements around what independent African states' relationships with their former colonial masters should be after independence, as well as differences on whether to associate more closely with the United states or the USSR during the Cold War. See *(Legum, 1975; Djaksam, 1990; Pick, 1961)* for further discussions.

comprised of heads of state and government of member states who met once a year in an ordinary session to discuss issues pertinent to the continent. There was also provision for an extra-ordinary meeting at the request of a member state, with two-thirds majority approval of such a request (Organization of African Unity (OAU), 1963; Elias, 1965). The Council was made up of mostly foreign ministers (although this was not always the case, as there was flexibility for member states to appoint any minister to represent their state in the council) (Elias, 1965). They were required to meet ordinarily at least two times in a year, with room for an extra-ordinary session at the request of any member state, also approved by a two-thirds majority. The council was directly responsible to the Assembly and was charged to prepare conferences for the Assembly. It was also to take care of any matters sent to it by the Assembly, as well as implementing any decisions and policies adopted by the Assembly.

The Secretariat under the OAU charter was merely an administrative body, without executive power. The Secretary General was to be appointed by the Assembly to head and run the Secretariat. He was usually assisted by one or more deputies, also appointed by the Assembly. The Commission, as one of the core organs, was charged with one of the most important functions of the organization: maintenance of peace and orderly relations amongst member states. It was to ensure that all disputes that may arise would be settled amicably amongst member states. Its decisions were also considered binding on all states who had subscribed to the charter of the OAU (Elias, 1965). It is noteworthy that the Commission sadly folded up in 1970, after three years of inactivity, as states were not willing to submit to its authority and rulings (Arnold, 1976). In addition to these main organs were other specialised agencies responsible for a myriad of issues, and directly responsible to the Assembly through the Council

*(*Elias, 1965*;* The Organization of African Unity, 1963*).* These agencies were to help the OAU fulfil some of its obligations and objectives in economics, education, health, defense and technical cooperation (Elias, 1965*).* These commissions were to be established by the Assembly as it deemed fit and necessary. Five of such commissions were the Economic and Social Commission; Defense Commission; Educational and Cultural Commission; Health, Sanitation and Nutrition Commission; and Scientific, Technical and Research Commission. These special commissions were to be composed by ministers of member states concerned with the subject matter or as designated by their home governments *(*The Organization of African Unity, 1963*;* Elias, 1965*).* An additional Commission of African Jurists was established at the request of some African lawyers. These organs and commissions aimed at focusing on various continental issues, affirming the desire and willingness (in principle, at least) of African governments to take charge of their own continental affairs after their independence.

4.3: How did the OAU fare as an international society organization?

As a regional international society organization, the OAU achieved several successes, while failing in several other areas. Without doubt, the formation of the OAU brought about for the first time on the continent, a real sense of a united "African international policy" *(*Legum, 1975). "The OAU is the one thing we've got that unites us" wrote Arnold, (1976 pp. 1*)* referring to the popular quote from the then foreign minister of Nigeria, Joe Garba, asserting the important role the OAU was perceived as playing on the continent. Through this organization and its norms, there was increased convergence of African states on several issue areas, to the point where an argument could be made for the existence of a common African foreign policy, as Legum (1975) argued. For instance, there was a common position on Israel's 1967 occupation of

the West Bank, the Gaza strip and the Golan Heights by African states, who began to perceive Israel as another colonizing state. This perception led to wholesale breaking off of diplomatic ties with Israel by African states, especially after the 1973 Israeli-Arab war *(Kraemer, 2018; Arnold, 1976)*. There was also the issue of collective opposition to white minority rule in South(ern) Africa (Rhodesia, Mozambique, Angola and South Africa), a common stance on colonial exploitation and the need for a common front to deal with the developed world, which culminated in the Lomé convention (1973) that saw all African states agreeing to form a common front for any negotiations with the European Economic Community (EEC) *(Arnold, 1976; Legum, 1975)*. These issues arguably are foundational to the current understanding and approach of the African international society, as discussed in the concluding parts of this dissertation.

Thus, a key achievement of the OAU at the time was its ability (for the first time ever) to bring all Africans together under the same umbrella as Africans with one voice on pertinent continental and global issues. The coming together of African states to form this organization signified, at the very least, an African desire for a "joint diplomacy and continental handling of problems" *(Arnold, 1976, p. n/a)*. As Legum (1975) argues, it would have been difficult to imagine what might have become of the continent after independence if there were no continental organization (such as the OAU) that provided Africa with a political centre. In spite of the many differences on the continent, through the OAU, Africans were able to negotiate on several essential issues as a bloc. As mentioned above, crucial examples included: a common African policy against dialogue with South Africa in 1972, as well as a common stand over the erstwhile European Economic Community (EEC) when the organization had a tumultuous relationship with African states *(Legum, 1975)*.

Thus, the OAU served as connection between and among African heads of state who were able to dialogue and communicate on several pertinent issues - even those that typically would have been a source of conflict and contention. The organization also harmonised relations between the newly independent states and made efforts to defend their newly acquired sovereignty while helping push for emancipation of those other African states still under colonial rule. Thus, the OAU's existence fostered reconciliations (notably between and amongst the various factions and leaders on the continent), which would not have been possible in its absence *(*Legum, 1975; Padelford, 1964; The New African, 2002*)*. The organization provided the continent with an arena in which collective African issues and policies were forged (and disputed). Indeed, its existence became so important that it was almost impossible for any African state to stay away in spite of disagreements they may have had with OAU policies and positions *(*Legum, 1975*)*. Thus, even when Morocco, Malawi and the Ivory Coast chose to stay away from some OAU summits for various reasons, they did not altogether leave its circles as they clearly saw the possible disadvantages isolation from the organization may bring to their young regimes. Consequently, for the first time, there was a genuine feeling amongst African states of belonging to a common union, a foundational factor or element, per the ES to the emergence of any international society.

In addition to the above, the OAU also succeeded in resolving some disputes amongst African states (albeit in limited instances in its early years). The OAU embodied the role of mediator, conciliator and arbitrator through the institutionalisation of these roles in its Charter. Although its ability to act decisively in most conflicts was limited, it nonetheless achieved some successes in this regard. In 1963 for instance, the OAU managed to halt the military confrontation

between Algeria and Morocco within the first few months of its existence *(*Anonymous, 2002). It was also able to defuse confrontations between Uganda and Tanzania in 1972 and on many occasions between Ethiopia and Somalia over the Ogaden. Furthermore, the OAU used its influence on several occasions to reduce tensions and settle disputes between African states *(*Legum, (1975); Djaksam, (1990); and Arnold, (1976*)*. Crucially, the OAU summit in 1970 helped resolve the dispute between Nigeria and those countries (Zambia, Gabon, Cote d'Ivoire and Tanzania) that had recognised Biafra during the Nigerian civil war *(*Arnold, 1976*)*. Thus, the OAU was able to deal successfully with many inter-state disputes leading to the low incidence, over a long time period, of inter-state wars in Africa[82].

Consequently, the OAU's achievements could be summarised under three main categories; first, it succeeded in forging a unified African policy in several issue areas within international affairs (a symbol of African togetherness and identity as a bloc or society of states); second, it succeeded as a continental organization in broadening and deepening areas of cooperation amongst African states; and finally, to a very large extent it succeeded in solving, preventing and containing conflicts between members states. Thus, although the organization ended its first three decades of existence less important than it wanted to be, its operation and distinctive structure meant it could not be ignored by other organizations operating in Africa at least (Legum, (1975); Arnold, (1976). The ES would argue that, these modest (yet important) achievements underlie the formation of an international society of states in Africa.

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[82] The majority of Africa's wars have been civil wars (with exception of the all-out Ethiopian-Eritrean war of 1998-2000), and in these civil wars, the OAU was often unable to do very much. However, in the case of the Ethiopian-Eritrean war, the OAU was able to spearhead efforts to end the war by sponsoring the successful Algiers peace talks in 2000.

The general success of the OAU in claiming its real authority as the main international society institution on the continent was limited however. Especially where an attempt to claim dominance involved decisions on key political problems over which member states were divided, achieving success always became impossible[83]. Where such an assertion would have had the effect of circumscribing international agencies which were considered less abrasive on the international scene (but crucial for OAU funding), the OAU's constrained finances made it very difficult to press the matter all the way[84]. For instance, the attempt to send peacekeeping forces in 1981 to help separate the warring factions of Goukhomi Weddeye and Hissene Habre in Chad, although seen as an important milestone, failed miserably in spite of high hopes and expectations. The peacekeeping force not only failed to bring an end to fighting, but also paved the way for a successful overthrow of the legitimate authority in Chad. There were several reasons for this failure, but the most important one to highlight for our purposes, as outlined by Sesay (1991) is the lack of adequate financial support for the mission.

Remarkably, the OAU throughout its existence was characterised in the words of Amare Tekle, as "an expensive white elephant, [and as] Africa's burden and a continental embarrassment" (Tekle, 1988, p7). Although this description may be considered harsh, it was apparent that the organization had limited implementation power[85] and capacity throughout its existence. The strict application of the principle of self-determination and non-interference in

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[83] This problem is not unique to the OAU. Just like the United Nations and other international organizations, the OAU's ability to act decisively was extremely limited by the politics and bickering of member states, as well as funding for its activities.

[84] In less sensitive areas, however, the OAU made considerable progress in rationalizing the African organizational scene and creating the central role for itself.

[85] A good example was when the then Malawian President, Dr. Banda chose to establish diplomatic and economic links with South Africa, in direct contravention of the OAU's decision to cut all ties with the Apartheid regime in South Africa.

the domestic affairs of member states - a defining feature of the burgeoning African international society-also compounded issues. The OAU was therefore accused of serving as a 'club' for African heads of state, which served mostly to legitimize all manner of regimes, even the unjust and corrupt ones, as it continued to render moral as well as political support to illegitimate states and governments *(*Tekle, (1988); Jackson, (1990*).*

This was no surprise, considering the conditions that led to the establishment of the OAU. As discussed above, there were significant disagreements on both the structure and objectives of the organization, which came about gradually. So, the resultant body that came out of these negotiations placed a huge premium on non-interference and state sovereignty. This rendered them powerless to significantly act in times of crisis, especially during several civil wars that engulfed the continent a few years after many countries attained independence. The OAU charter was therefore very limiting in what the organization could do to curb conflicts and security problems within member states. Additionally, the climate under which the organization had to operate for the first few decades made it even more difficult to achieve success. The Cold War, with its accompanying ideological rivalry, sparked several wars (proxy in most cases)[86], making it difficult for the OAU to function effectively under the shadow of the two global super-powers. The OAU was therefore reduced to an organization that lacked the 'desire' and capacity to act decisively to deal with violence and conflicts, especially intra-state conflicts in Africa. Several attempts to mediate in conflicts failed and so the organization resorted to merely verbally condemning conflicting parties, while it looked on when several African leaders became

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[86] Several conflicts of the Cold War in Africa were due to the support from the United States and/or the Soviet Union in their battle for influence on the continent. See (Mwakikagile, (2009); Tekle, (1988)

oppressors of their citizens' human rights in the name of protecting territorial integrity and sovereignty (Tekle, (1988); Mwakikagile, (2009; Jackson, (1990). Examples include Generals Idi Amin and Mobutu Sese Seko of Uganda and DR. Congo (formerly Zaire) respectively, who plundered their nations' wealth while brutally suppressing their citizens, and yet were allowed into the fold of the OAU without any hesitation from other heads of state (Christian, 2008). In fact, General Amin even assumed the chairmanship of the OAU in 1975 for a year in spite of his terrible governance record. It was thus very difficult to take any of the organization's directives and mechanisms seriously, whether by member states or the rest of the world. It is important to note here that the gulf between the intentions, objectives, proclamations and actions of the African international society remains a salient feature, even today. The latter parts of this dissertation discuss this and other enduring features of the African international society. Importantly, as highlighted later, this is not just an African international society 'problem'. Almost all international societies (including the global international society epitomised by the UN) struggle to act decisively in line with their stated objectives and goals, as political considerations often get in the way of such ideals.

Although the OAU had a dispute settlement mechanism, it failed to deal effectively with conflicts on the continent. In its few attempts at intervening in conflicts, a lack of political will, inadequate funds and logistical capacity, political interference by neighboring states, amongst other factors, made it very difficult for the organization to succeed in resolving continental conflicts. A critical example, noted above, is the massive failure of the first African attempt at peacekeeping, in Chad. The Chadian conflict started in the mid 1960s, and was a war that had religious, ethnic and political dimensions. The exigencies of the crisis brought other actors (both

African and international)[87] into a conflict that lasted for a good number of years. The OAU tried without success to mediate and eventually agreed for the first time in its history to send peacekeepers into Chad to intervene. In spite of the general consensus in the OAU to intervene, it was difficult to get leadership to push this agenda through, as member states were unwilling to contribute troops and funding for the operation.

Eventually, Benin, Congo, Togo, and Guinea agreed to form an ad-hoc force to go into Chad. This peacekeeping intervention never happened, as there was inadequate funding and logistical support for a successful intervention. Requests were thus made to external governments and the UN for assistance to the Chadian mission (The United Nations, 1981).[88] All the above problems further undermined the OAU's mandate and authority in trying to address a continental security crisis. The OAU peacekeeping force, unsurprisingly, was eventually unable to resolve this conflict. The Chadian conflict is just one example of several other failures of the OAU to decisively act to address pertinent continental security issues. Another important example was the OAU's failure as an organization to address the Angolan crisis in the 1970s, with the ensuing civil war rendering the organization paralyzed- a crisis that was finally dealt with by the UN in the 1990s (Makinda & Okumu, 2008).[89]

As the first manifestation of an African regional international organization, the OAU struggled to achieve meaningful impact in addressing crucial continental problems.

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[87] The conflict saw the involvement of Libya, France and the USA amongst others, with power positions rotating amongst several actors with different interests, which made a resolution even more complicated.
[88] Again, this is critical, as it was the beginning of a pragmatic approach to dealing with continental issues, with the African international society collaborating with or inviting external actors and agents such as the UN to help address issues and challenges (and/or provide funding) when the continent is unable to unilaterally address them. More on this in Chapter Six.
[89] See footnote 89 above.

Consequently, in spite of the desire and attempts to solve African problems by Africans through the OAU, the continent continued to struggle with widespread turbulence even after the Cold War. The strict respect for member states' sovereignty which promoted a policy of non-interference in internal affairs meant several issues, including civil wars on the continent, were beyond the organization's capability to effectively address, let alone resolve. There is no doubt that the OAU was an organization that reflected its times, with African leaders more interested in protecting and safeguarding their newly acquired political powers, having just fought against colonialism. The fact that the Secretary-General's powers were constrained by the OAU Charter, crippling his or her ability to act decisively in crisis situations, did no favours for the organization's effectiveness (Organization of African Unity (OAU), 1990*).*

The OAU charter, although containing several well-intentioned propositions regarding conflicts, did not make provisions for dealing with escalated conflict circumstances on the continent - especially intra-state conflicts. The charter banked heavily on the peaceful settlement of conflicts via arbitration, negotiation and mediation (Organization of African Unity (OAU), *1963)*, a mechanism that clearly was not efficient in the face of escalated conflict situations within several African states after independence. In short, its conflict resolution mechanisms were inadequate to deal with security and conflict situations. Beyond condemning erring parties, the OAU could not do much to resolve conflicts on the continent. It is therefore no surprise that by the time the OAU was being wound up, it was very far from achieving the lofty objectives of bettering ordinary African lives and bringing an end to all forms of insecurity on the continent. Several unresolved intra-state conflicts, including Somalia and the DRC, dented the credibility of the organization as the frontrunner in finding solutions to Africa's problems. Thus, the vision of

creating a stable society of modern states on the continent continued to be an elusive one throughout the 1990s (with the OAU questioning its own relevance and future usefulness), culminating in the eventual transition to the African Union (AU). The limitations of the OAU became especially obvious in its inability to act decisively to protect and save lives during the Somalian conflict and the Rwandan genocide respectively. The setting up of an 'international panel of eminent personalities' by the OAU to investigate the 1994 Rwandan genocide (Organization of African Unity, (2000); Murray, (2001); and Anglin, (2001), although commendable, clearly came a few years too late. The helplessness of the OAU in authoritatively dealing with first, the Somalian internal conflict and then the Rwandan genocide to save African lives (in the face of international inaction) starkly demonstrated the limitations of the OAU as the key institution for pushing the agendas of the African international society.

5.0: The AU and beyond

The failure of the OAU to effectively tackle the numerous issues confronting the continent, (crucially including the issues of security and conflicts on the continent) had long undermined its role as the peak African organization in charge of addressing the continent's problems. The structural and organizational weakness of the OAU (which prevented it from addressing Africa's security problems) was all too apparent to both Africans and the rest of the world by the mid 1990s. This led to serious questions about its usefulness and relevance to the future of Africa (Tieku , (2004 & 2012); Murithi, (2009).

The debate about the effectiveness of the OAU took two main forms. First was a group of states believing the OAU was still a relevant and useful institution and therefore calling for a reform giving it new structures, resources and institutions. A second group considered the

organization to be effectively defunct and anachronistic, and so called for it to be closed down. Regardless of whichever camp's arguments one accepted, the need for an organization with a greater capacity to address the governance and security problems of the continent was all too apparent. The concern of the OAU as an organization to remain relevant on the continent therefore called for a change in direction (Makinda & Okumu, (2008); Tieku, (2004 & 2012); Powell & Tieku, (2005).

The first few steps taken in the 1990s involved redefining security on the continent. Two notable mechanisms were crucial in this regard. The Declaration on the Political and Socio-Economic Situation in Africa (1990) and the African Leadership Forum (1991) in Kampala saw the acknowledgement by African leaders of the connection between continental security, stability, development and cooperation *(*Organization of African Unity (OAU), 1990; African Leadership Forum (ALF), 1991). There was a recognition that the security situation in Africa does not augur well for achieving any other objectives of the organization, including the creation of a robust international society of African states. Security demands in Africa were linked to good governance, democracy, respect for human rights and the improvement in economic, social and political situations of the ordinary African.[90] It was also recognised during this period that the security and stability of each African country was intertwined with the security and stability of all other African states (African Leadership Forum (ALF), (1991); Powell & Tieku, (2005). With significantly reduced interest in African issues by the superpowers after the Cold War, there was

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[90] It is important to remember here that the OAU as an organization had successfully met its objective of decolonization but faced serious challenges in the goals of fostering peace, security and development on the continent. It was therefore the hope of African leaders that the promotion of better governance, democracy and respect for human rights would help drive the continent towards achieving these objectives.

an even more urgent need for African ownership of their continental issues. All of these

realizations and the obvious inadequacy of the OAU to effect change meant something had to be

done.[91]

Consequently, in September 1999, 43 African leaders attending the extra-ordinary OAU

summit in Libya agreed to form a new organization (the AU)[92] to replace the ineffectual OAU. The

initial constitutive act of the AU was adopted in Lomé, Togo in 2000 and in 2001 at Sirte, Libya,

the AU as an organization came into being. It was formally launched in 2002 at Durban, South

Africa. Built on the infrastructure of the OAU, the AU has in its comparatively short period of

existence sought to chart a radically different course to the critical security and governance issues

the continent faces. Makinda and Okumu (2008), for instance, argue that the formation of the

AU signified a significant attempt at returning Pan-Africanism to its roots.[93] According to them,

the AU in its constitutive acts has tried to go back to the principles of Pan-Africanism as a

movement that combines both the governments and people of Africa toward the search for

continental solutions for Africa's problems[94] *(Makinda & Okumu, 2008).* Thus, in spite of

inheriting the structure of the OAU, the AU has established additional structures that, for

instance, emphasise the strong participation of civil society in the search for development and

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[91] It is noteworthy here that the UN's important document, "An Agenda for Peace" played some part in the move towards the change in policy direction of African leaders but I consider this influence secondary and therefore did not focus on its impact in this thesis. The primary influence comes from the circumstances described above on the African continent, ultimately driving the states toward a change of policy.

[92] I avoid an in-depth discussion of the principles and organs of the AU (as I have done for the OAU) here. These discussions will be dealt with in the next chapter of the thesis.

[93] It is important to note here that these changes in approach maybe somewhat overstated. This is discussed in later portions of this dissertation.

[94] This is in contrast to the OAU's highly state-centric approach (with focus on African states and their leaders). The point here is that the AU attempted to involve ordinary Africans in its drive towards shaping the continent's future. Thus, whereas the OAU's principles and institutions revolved around sovereignty and the primacy of the modern African state, the AU's constitutive charter envisions great balance between African states and societies.

security on the continent, alongside governments.[95] Theoretically, an ES approach would interpret this as a natural consequence of the continuously evolving understanding that this distinct society has of its context, including its identity and objectives, necessitating a transformation in institutional framework and approach that better reflects these changes. This is a crucial point that may be missed in other theoretical explanations. This point is elaborated in subsequent chapters.

Like its predecessor, the AU confronted a clash of ideas and personalities. It is important to highlight the rivalry amongst some powerful states on the continent in the formation of the AU. Although responsible for re-imagining the continental organization and pushing for a new image of Africa, Gaddafi, Obasanjo and Mbeki of Libya, Nigeria and South Africa respectively were all at the centre of this rivalry, with each aiming to take the 'crown' as the dominant individual (and state) driving the agenda of change on the continent. South Africa and Nigeria, for instance, had ambitions to place themselves in a good position (as the most powerful states in Africa) to occupy a potential African seat on the UN Security Council, should there ever be a reform (Makinda & Okumu, (2008); Tieku, (2004), while Gaddafi sought to expedite an African project as a way of protecting himself from increased western criticism (Williams, 2009)[96]. Additionally, while Obasanjo and Mbeki pushed for a more reformed structure of a continental organization

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[95] Reference can be made to the Pan-African parliament and the Civil Society Division of the AU. Both organizations work with member-states and partners to create and strengthen social integration systems to ensure the mainstreaming of civil society contributions in line with AU principles, policies and programs. See https://au.int/en/civil-society-division for more on the civil society division.

[96] However, I argue here that the factors that led to the formation of the AU go far beyond the rivalry and competition amongst these powerful African states and personalities. Indeed, these rivalries are secondary to the reasons for the coming into being of the AU. The trajectory toward achieving a distinct society of African states has outlived any state and individual rivalries over the years, albeit with several noted challenges.

that reflected the needs of Africa and was much more capable of handling contemporary security challenges on the continent, Gaddafi for his part pushed for a recommitment to the ideals of Pan-Africanism as discussed by Tieku, (2004); Powell & Tieku, (2005), ideals that would have aligned well with the hitherto 'Casablanca Group's' conceptions of a continental organization, as discussed above.

As mentioned earlier, the need to take control of the security problems of the continent, especially with the realization that the superpowers were no longer much interested in Africa after the Cold War, while the UN's role as the keeper of world peace and security was not particularly effective on the continent[97], became crucial to the AU's formation. Also crucial was the need to accommodate the different views and agendas concerning the restructuring of a continental organization, as discussed above. Consequently, the AU Charter was drafted to reflect these objectives and ideas. It also signalled the desire of the continent to be a shaper rather than a by-stander in African affairs. In contrast with its predecessor therefore, the objectives and principles of the AU (clearly detailed in its Article 3)[98] move the organization beyond a mere club for states and their leaders. With several important normative and institutional changes that combined state- and human-centred principles, the AU aimed to involve the people of Africa in the search for continental solutions, while affording Africans the opportunity to inform and influence AU policies in order to build a united and strong Africa (The African Union (AU), (2000); Makinda & Okumu, (2008).

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[97] Key examples here include the failure to restore peace to Somalia in spite of the massive UN peacekeeping intervention, as well as the failure to intervene during the Rwandan genocide that claimed over 800,000 lives.
[98] The AU's objectives as described in Article 3 include aspirations that are state-centric, as well concern for improving the lives of ordinary Africans.

Its principles (as enumerated in Article 4 of the AU Charter), besides emphasising the traditional ideas of respect for sovereignty and territorial integrity of members states, thus include other core values such as the inclusion of African peoples in the affairs of the Union, respect for democratic principles, maintenance of peace and security on the continent, and the right of the union to intervene in the affairs of member states in the face of grave circumstances such as war crimes, genocides and crimes against humanity (The African Union (AU), 2000). As mentioned above, this reflected the increasing acceptance of the need for Africans to do more to prevent and deal effectively with conflict and insecurity in Africa. Alpha Konare of Mali, for instance, maintained that it was no longer justifiable for African states and their leaders to remain taciturn when atrocities are being committed by neighboring states (Murithi, 2009; Prempeh, 2008). This stance echoes the idea of African renaissance, as championed by Thabo Mbeki and South Africa in the 1990s and early 2000s, and which eventually culminated into the New Partnership for Africa's Development (NEPAD)[99] (Powell & Tieku, 2005). Consequently, the AU charter, while affording member states the right to request intervention within their territories

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[99] African renaissance (although popularised in the discourse of African development by South Africa's Thabo Mbeki after assuming office in 1997), is not a new idea. It can be traced as far back as the early 1900s in the speeches of notable individuals such as Pixley Seme, a founding father of the ANC in South Africa. In a nutshell, current understandings of African renaissance argue for the rebirth of Africa, encouraging African self-help, economic empowerment and a demand for Africa to take responsibility for starting its own rehabilitation and development (Vusi, 1998). It is important to clarify here that although the idea of 'African Renaissance' to a large extent contributed to the philosophies that eventually culminated in a new continental organization, the AU, this dissertation does not treat it as separate and independent idea from Pan-Africanism. This is because the underlying goals, objectives and visions of the idea of African renaissance, can comfortably be found embedded in the notion of Pan-Africanism. The only key difference would be the fact that Mbeki, in rejuvenating this idea, identified the legacies of colonialism and foreign interference while also acknowledging Africa's own complicity in its numerous challenges. Hence, the concepts are treated as essentially synonymous, and therefore no additional attention has been devoted to the notion of African renaissance here. Moreover, the opposition and skepticism of other African countries and their leaders toward Mbeki and South Africa's attempts at pushing forward the rejuvenated concept of African Renaissance, signals the low level of seriousness and consideration African states attached to the idea. This is not to completely discount its importance. Rather than treat it as a separate idea from Pan-Africanism, both ideas are treated as one and the same. See (Vusi, (1998); and Cochrane, (2001) for more.

by the organization in the face of grave circumstances including genocides, war crimes and crimes against humanity, also reserves the right to intervene in member countries to address such situations *(*The African Union (AU), 2000). The inclusion of this article clearly stems from the failure of the erstwhile OAU to intervene in such situations to restore peace and security in the past. The significance of this new provision is in the transfer of sovereignty to the AU as a guarantor and guardian of the well-being and dignity of ordinary Africans (Murithi, (2009); Powell & Tieku, (2005); Seegers, (2018); Tieku , Obi, & Scorgie-Porter, (2014); and Tieku, (2012). The AU Charter also advocates for the promotion of self-reliance within the framework of the union, promotion of gender equality, promotion of social justice to ensure balanced economic development, respect for the sanctity of human life, condemnation and rejection of impunity and political assassination, acts of terror, subversion, and rejection of unconstitutional changes of government, amongst others (The African Union (AU), 2000).

Consequently, several of the AU's organs reflect this quest and need to create a continent that is safe, secure, and well governed, with properly-functioning economies to promote the welfare of the ordinary African. These organs and their functions have also been created with lessons learned from the continent's political past. The main organs of the Union at its formation included the following: (a) The Assembly of the Union; (b) The Executive Council; (c) The Pan-African Parliament; (d) The Court of Justice; (e) The Commission; (f) The Permanent Representatives Committee; (g) The Specialized Technical Committees; (h) The Economic, Social and Cultural Council; (i) The Financial Institutions; (j) Other organs that the Assembly may decide to establish (The African Union (AU), 2000).

These organs and principles have promoted several new normative trends that show the aspiration of African states to function as a more solidaristic international society, with a common destiny and objective, as well as a desire to make the AU 'the key pan-African interlocutor' (Vines, 2013). For instance, the establishment of an additional organ in 2004- the Peace and Security Council- charged with the maintenance and administration of peace and security on the continent (Tieku T. , (2012); Makinda & Okumu, (2008), signifies a move to entrench the principle of non-indifference (Badescu & Bergholm, 2009). With this mechanism (as well as within the larger African Peace and Security Architecture (APSA), the AU hopes to put in place measures that facilitate peace, continental early warning schemes, intervention in situations that require it, and preventive diplomacy, amongst other steps (see Tieku, (2007); Tieku , Obi, & Scorgie- Porter, (2014); Vines, (2013); Knight & Oriola, (2021); Cilliers, (2005). These and other important organs of the AU were therefore created with a view to better handling the growing challenges of governance, security and development.[100] The goal here is to invest in addressing the root causes of conflict and insecurity, while promoting conflict prevention and the economic, social and political development of the continent.

Together, these normative trends are indicative of a braver and more ambitious continental organization that is more assertive and shows a willingness to intervene in member states' affairs in order to maintain peace and security. In trying to operationalize the organization's non-indifference approach, it has since 2005 authorised peacekeeping missions in

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[100] Although there are over 18 organs of the AU, focus will be placed on the 7 most important ones in this thesis, including: The Assembly, the Executive Council, the Peace and Security Council (PSC), the Pan-African Parliament (PAP), the African Human Rights Court, the Economic, Social and Cultural Council (ECOSOCC) and the AU Commission.

Comoros, Darfur, Somalia, Burundi, Mali and Central African Republic, albeit with limited success (Williams, 2018). Other noteworthy trends included the willingness to use tools such as sanctions, the push for democratic governance of member states, the desire to collaborate more positively with other international organizations and actors in the area of peace and security as well as an increased willingness to promote human rights and respect for international law and justice on the continent. Again, these discussions form core parts of the next chapters.

6.0: Summary of Chapter

This chapter traced the historical origins of the idea of international society in Africa to the idea of Pan-Africanism. It argued that Pan-Africanism, which is a direct product of the trans-Atlantic slave trade and colonialism, helped mobilize intellectuals of African descent to fight against the perceived global injustices and discrimination against black people. This struggle for global justice, emancipation, dignity and freedom of the African continent and its people began in the diaspora and was eventually introduced to continental Africa via the integration of indigenous African intellectuals and activists into the diasporan Pan-African movement. Continental Pan-Africanism manifested in the eventual formation of first, the OAU and subsequently the AU. The OAU, as the first concrete institutional manifestation of Pan-Africanism (and thus an African international society) on the continent, had three main goals. First was the decolonization of Africa; second, was to help harmonize member states to achieve peace, security and stability of Africa; and third, was the aspiration to support the development of African states. Having to operate under difficult geopolitical circumstances, coupled with the overwhelming need to protect newly independent African states' independence, the OAU struggled to meet its objectives.

With drastic changes to the security challenges globally as well as within Africa after the Cold War, and most importantly the inability of the OAU to effectively address these continental challenges, there became an urgent need to change the approach to addressing continental problems. Hence, a new organization- the AU- was formed with the goal of better responding to the evolving challenges globally and continentally. Significant in this regard are new normative trends that elucidate the principles and ideas of an evolving African international society. It is apparent from the above that African regional international society continues to evolve in ways that demonstrate a continuing drive and assertiveness of Africans towards the definition, ownership and search for solutions to their own problems. The use of the ES approach has allowed for the identification of these important historical trajectories, and their significance to the continuously evolving idea and aspirations of this distinct African international society. As discussed in subsequent chapters, this aspiration has largely been seen in the dynamic interplay of pluralistic tendencies and more solidaristic normative foundations in the African context, with a relatively greater emphasis on the latter. Consequently, by looking back at the origins of these ideas in Africa, the chapter provides a general historical overview of the origins and the driving force(s) behind a regional international society on the continent.

To unpack the evolving foundations and conditions of Africa's regional international society since the transition from the OAU to the AU, as well as the translation of its ideas to address security and other challenges on the continent, the next two chapters explore the four cardinal normative practices identified in this thesis in the realm of peace, security and governance. These include: African democratic norms, African sanctions, norms of African security governance, and African post-conflict criminal justice norms. Crucially, these normative

practices illustrate the continuous and dynamic interplay of pluralist and solidarist tendencies that shapes and moulds the African international society. The utility of the ES approach to this study is demonstrated in our ability to trace this historical trajectory of social and normative change on the continent, while paying close attention to various dependent, independent and intervening events and issues that contributed to the manifestation of this distinct society of states. In other words, this approach allows us to clearly see (on a much broader level) the direction of travel of this distinct international society and its evolution over time, while other approaches try to understand the latest issues or breakdown of specific norms and practices on the continent. The rest of the dissertation therefore provides an in-depth analysis of the selected normative practices that depicts a direction of travel of the African society of states towards more solidaristic tendencies, albeit with strong inter-woven pluralistic dynamics.

Discussions will show that African states, on the one hand, exhibit a strong sense of collective identity, pride and assertiveness (which encourages the adoption of solidaristic norms) to address perennial African problems (as seen in the rhetoric of 'African solutions to African problems'). On the other hand, these African states and their leaders continue to feel a great sense of insecurity (from perceived threats, both from within and without), that strongly pushes them toward pluralistic tendencies- mainly in order to secure their hold on the state and its powers.

Chapter IV

Cardinal Manifestations of African Regional International Society: *Normative Practices around African Democracy & African Sanctions.*

1.0: Introduction

As the contemporary embodiment of the Pan-African movement on the continent, the AU assumed responsibility for Africa's governance, security and developmental challenges. As discussed in the previous chapter, in order to respond credibly to these threats and challenges, the AU had to operate differently from its failed predecessor, the OAU. Several new norms, institutions and governance structures that cut through numerous spectrums of issues on the continent and represented a new Pan-African structure continue to be developed. Obviously, some of these normative and institutional frameworks were a continuation of the OAU's modus operandi which were carried forward into the AU. Several others, however, have been fashioned, both at the level of key organs as well as through several new technical and subsidiary frameworks to deal with contemporary continental challenges. Thus, it is fair to say that the drive towards a distinct African international society since the switch to the AU, while setting up new normative and institutional structures, maintained some of its roots in the erstwhile OAU. In other words, we see an effort towards more solidaristic normative practices that have been grafted onto a predominantly pluralist normative structure.[101]

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[101] More on this discussion in Chapter Six.

Together, these new normative and institutional mechanisms reflect an on-going desire by Africans to take charge of the security and governance problems and challenges of their continent, while deepening a distinct international sub-society. Discussions from the previous chapter point to the need to update the structures, institutions and overriding objectives and goals of this distinct sub-society to better deal with modern security and governance challenges. For instance, at the time the OAU was formed in 1963, several African states were still under colonial rule. By the end of the 1990s, all African states had become formally independent and were faced with significantly different development, security and governance challenges, in an international system that has been dramatically altered since colonialism. Accordingly, several modifications have been made (and continue to be made) to the AU structure since its transition in the early 2000s to reflect these realities. One such change, as proposed at the AU Assembly level in January 2016 for instance, asked for an extensive review of the AU Constitutive Act so "it [can] be an effective legal instrument to accelerate, facilitate and deepen the efficiency and integration process on the continent" (African Union Commission, 2018). This latest group of proposed reforms and institutional restructuring targets diverse facets of the AU's operations, with goals to realign key AU continental priorities and institutions to better deliver on their mandates and priorities. It also aims to reconnect citizens to the organization, manage political and operational businesses of the AU more efficiently, while looking for sustainable means of finance for the organization.

Nothing epitomises the above aspirations so much as the AU's *Agenda 2063*. Agenda 2063 has been described as Africa's endogenous plan for structural transformation and strategic framework for a sustainable as well as inclusive development of Africa, while achieving long term

peace and stability on the continent. Anchored within the core operational documents of the AU[102], Agenda 2063 sets out the regional and continental blueprint for Africa's progress. For instance, with the document's seven core aspirations for Africa with a deadline of 2063, states in Africa clearly aim to deepen this society of states on the continent. These seven core aspirations include;

- An integrated continent, politically united, based on the ideals of Pan Africanism and the vision of Africa's renaissance
- An Africa of good governance, democracy, respect for human rights, justice and the rule of law
- A peaceful and secure Africa
- An Africa with a strong cultural identity, common heritage, values and ethics
- An Africa whose development is people-driven, relying on the potential of African people, especially its women and youth, and caring for children
- Africa as a strong, united, resilient and influential global player and partner.

(African Union Commission, 2018)

All of the above goals and aspirations have led to the elaboration of several norms and institutional mechanisms on the continent that are unique to an African international society. As an international sub-society, the African international society seeks to distinguish itself from the global level (international) society as well as other sub-societies within the international system. Thus, the propagation of distinct norms, goals, objectives and institutions that are tailored to the African condition and context marks off this international society from others, while consolidating its own identity and uniqueness (Linsenmaier, 2015; Zhang, 2015).

As mentioned in the introductory chapters, I have identified four of these normative and institutional mechanisms as cardinal to this distinct African international society. They are

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[102] It is important in my estimation, to take the Agenda 2063 seriously simply because this document is anchored within other key documents including the AU Constitutive Act, the AU vision, and the 50th Anniversary Solemn Declaration of the General Assembly in 2013. Thus, it should be rightly considered as one of the key flagship documents of the AU that lucidly outlines the goals and aspirations of this regional international society.

considered cardinal, again, because these norms help differentiate the African international society's values and objectives from the goals of the larger/global international society, as well as other international sub-societies.[103] Consequently, these norms and institutional arrangements help differentiate the 'inside' of an African international society from the 'outside.' Furthermore, these norms (and practices) help in understanding the societal construction of difference amongst member states of this African international sub-society (Linsenmaier, 2015; Zhang, 2015). Crucial here would be the question of what sets countries within the AU (and Africa) apart from the rest of global international society and other sub-regional societies. To amply respond to these types of questions, one would have to defer to the African norms and institutions and their regionally specific interpretations that mark their practice of international relations off from the 'outside' or in this case the larger global international society as well as other sub-regional international societies (Linsenmaier, 2015).

The normative practices discussed here are considered primary to the African international society as they were designed to be fundamental, durable and most crucially, to determine the patterns of interactions among African states, as part of a bundle of social practices that are symptomatic of a distinct international society. The argument here, in line with Linsenmaier, (2015) and Buzan, (2004) amongst other ES scholars is that, these normative frameworks as articulated by the AU seek to set particular structural conditions that will result in specific logics of interaction that are distinctively African and reflect Africa's way of undertaking international politics. The normative practices considered here fall under the following thematic umbrellas: *democratic norms; African sanctions norms; security governance norms; and finally,*

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[103] These are also particularly crucial to Africa's security and development trajectory

norms of African international criminal justice. This chapter and the next explore these four cardinal norms in terms of their use in pushing forward a distinct idea of an African international society. Specifically, this chapter explores the first two of these normative manifestations/frameworks: African democratic norms and African sanctions norms[104].

1.1: African Democratic Normative Practices[105]

The problem of governance as well as underdevelopment has been a source of great concern in Africa since the end of colonialism. Immediately after independence, several African governments became autocratic, including dictatorships as well as one-party state systems (Mazrui, 2001; Mbaku & Saxena, 2004). Numerous justifications were advanced to rationalize the usefulness of autocratic rule and one-party systems in newly independent African states. These justifications included (but not limited to), the belief that for rapid development of these newly independent states that have fallen victim to years of European domination and thus under-development (Rodney, 1972), there was a need for an authoritarian state/government that harnesses the country's resources in a single direction for growth- a developmental state of a sort (Sandbrook, 1996; Siegle, 2006). Other rationalizations included arguments around the fact that autocratic regimes have a better wherewithal to maintain stability in oftentimes volatile developing countries. With a multiplicity of groups that do not necessarily have aligning goals,

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[104] Both of these normative practices are integrally connected, as sanctions have most often been used to promote democratic norms on the continent.

[105] Here, 'democracy' is defined broadly and includes six 'properties' (it is liberal, consensual, deliberative, majoritarian, egalitarian and participatory) with indicators such as regular elections, judicial independence, direct democracy, gender equality, an autonomous civil society, respect for individual human rights, equality of all before the law, rule of law, and good governance (Kyburz & Schlegel, 2019). Consequently, this dissertation subscribes to both a minimalist and maximalist definition of democracy. Concern is concurrently with institutions, processes, roles, individual and political rights as well as the substance and values of democracy within a polity. Democracy as conceived in this dissertation is concerned with both representative democracy and social equality.

the iron-fist of a dictator can ensure all groups within the state are much more easily brought in line to foster a common national objective (Siegle, 2006).

The apparent failure and inability of such autocratic regimes to bring about substantive improvement to Africans while abusing basic human rights, became all too palpable by the 1980s and especially in the 1990s. This reality amplified the conversation around the most viable and appropriate political system to bring significant growth and development to African countries. The general consensus emerged as a need for 'good governance' even though what that meant at the time was not clear (The World Bank, 1987). Eventually, good governance or government became equated to democratic government, with a political leadership that is elected by its people in a process that is "free and fair." This sort of government has been presumed not only to safeguard human rights and institutional governance, but also to promote development and betterment of its citizens' lives. Thus, democracy came to be widely viewed as the most ideal form of political system for any developing state looking to improve its economic and political situation. After the end of the Cold War in the early 1990s for instance, it was noted that the growth rate of democracies in developing countries outpaced those with autocratic or dictatorial rule (Siegle, 2006). Moreover, for developing countries, the appealing attribute of democracies' ability to mitigate against catastrophes made it an even more attractive system to adopt (Siegle, 2006)[106].

The democratic deficit in most African countries has been well documented over several decades and often "credited" as one of many underlying causes of Africa's security and stability challenges (Brookings Institute, 2014; Aning, 2005; Alao, 2007; World Bank, 2011). Although

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[106] More cynical interpretations could also link this to the impact of conditionalities tying aid to democratic reforms.

significant improvements have been seen in this area since the 1980s and 90s, democracy and

good governance continue to be a critical issue that requires improvement if the continent's

economic, security and governance potential is to be realized, as stated in the 'lofty' goals and

aspirations of the African international society. Despite improvements since the early 1990s

moreover, it has become apparent from some conflicts and trouble spots on the continent that

the deficits and contestations concerning democratic accountability and human rights remain

sources of political instability and crises in Africa (see Adejumobi, (2015); and Halakhe, (2021);

Dersso, (2012), pp. 4-23 and (2014). Numerous devastating intra-state conflicts on the continent

(e.g., Liberia, Angola, Sierra Leone, DR Congo, Central African Republic, Cote D'Ivoire, amongst

several others), are all readily attributable to bad governance and general lack of democracy in

these countries.[107]

Although little empirical evidence exists to support the positive relationship between

democracy, economic development and political progress generally as well as specifically in

Africa, there is a high belief in the ability of democracy to transform a state's economic and

political development situation for the better, and by extension, improve security and stability

(Cilliers, 2016). Democracy has also been linked to self-actualization needs of citizens (or in

popular parlance, human development needs of Africans). In their studies on democracy in Africa

during the third wave of democratization, Hoeffler et al argued that democracy brings about

some increase in income in African countries (Hoeffler, Bates, & Fayad, 2012). This is contrary to

Lipsett's well-publicised hypothesis on democracy which argues that economic development

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[107] This is not to say that these are the only reasons/justifications. However, it is crucial to note that with good governance and democracy, these countries would have been far more likely to find alternative modes of conflict resolution that do not entail resorting to violence and destruction.

precedes democracy (Lipset, 1959). An important caveat in their studies however is the fact that the political origins of these economic gains in Africa remain fragile, mostly as a result of the institutional and procedural challenges to democratic governance on the continent. Rigged elections, arbitrary changes to and manipulation of term limits, and unconstitutional changes of governments, amongst other issues, have been a major challenge to continued growth and security on the continent (Hoeffler, Bates, & Fayad, 2012). Consequently, governance and institutional-related violence has been a critical aspect of the security and political landscape of Africa, at least since the end of the Cold War. Weak and dysfunctional democracies in Africa deprive the continent of not only development, but also quality service delivery in all aspects of life (Ndubuisi, 2018). Poor governance capacity and the democratic deficits of most African states, thus, often result in failure to deliver development, including improved health and reduced poverty, hunger and poor infrastructure. Crucially, such states undermine security and political stability of their regions and, ultimately, the continent as a whole (Cilliers, 2016).

Given the above, as well as more recent ramifications of popular uprisings in parts of Africa including the 'Arab Spring',[108] it has become even more crucial for Africans to deal with not only the fallouts that arise as a result of linkages between democratic demands and political instability/violent conflicts on the continent, but also the underlying root cause of *'democratic deficit'*. As a result, since its institutional evolvement in 2002 the African international society (through the AU) has demonstrated an increased desire (in contrast to the OAU) to take good governance and democracy more seriously (The African Union (AU Constitutive Act), 2000). The

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[108] We must do well to include here, other apparent deviations from democratic norms (the growing trend towards the dismantling of presidential term limits, for instance.)

AU seeks to create a 'culture' of democratic governance on the continent, seeing this as a prerequisite to other important goals and objectives. The Constitutive Act of the Union, for instance, outlines in its *Objectives* (Article 3) and its *Principles* (Article 4) the desire to promote democratic ideals on the continent. Article 3(g) for instance identifies one of the objectives of the AU as "promot[ion of] democratic principles and institutions, popular participation and good governance" (The African Union (AU Constitutive Act), 2000). Article 4(m) similarly propounds a principle of "respect for democratic principles, human rights, the rule of law and good governance" (The African Union (AU Constitutive Act), 2000). To the AU (and thus the society of states on the continent) therefore, there appear to be a clear positive connection between democracy, good governance, and the rule of law on the one hand, and peace, security, political stability and economic prosperity or development on the other.

The belief here is that the majority of peace and security challenges as well as problems of under-development on the continent are evidence of governance challenges (Maloka, 2018), especially in areas of democracy and the management of elections. Consequently, several new norms, instruments and initiatives from the AU affirm a drive and commitment towards addressing this gap by attempting to advance and deepen the democratic norm in Africa- a direction that represents a radically different conception of what governance should look like on the continent, with clearly defined ways of addressing any deviation from these standards. Two such normative frameworks and instruments of democracy and good governance stand out, and so warrant closer attention in this dissertation; *the African Peer Review Mechanism (APRM);* and the *African Charter on Democracy, Elections and Governance (ACDEG).* The next few sections of the chapter will discuss each of these structures and the norms underlying them, and their

significance to the international society agenda of the AU. I argue through the international

societal lens of the ES, that the attempt to encourage states on the continent to subscribe to

these democratic ideals is symptomatic of a larger effort by the African society of states to act

collective to address security and governance concerns of the continent, rather than leave it

entirely to outside 'others'.

1.1a: The APRM

The APRM as a normative mechanism for good governance on the continent is a

creation of the New Partnership for Africa's Development (NEPAD), established in 2002 by

African governments to promote and strengthen governance, as well as achieve sustainable

economic and political development. The APRM (which came to life in 2003) was therefore set

up to monitor African states' commitment to NEPAD, while increasing responsibility and

accountability of these states. It is an instrument through which African countries willingly

undergo a process of self-assessment in core thematic areas of democracy and political

governance[109]; economic governance and management; corporate governance; and broad-based

sustainable socio-economic development (African Union, 2019). More recently, the APRM's

mandate has been expanded to include the overseeing of key governance initiatives on the

continent, the monitoring and implementation of the AU's Agenda 2063, as well the progress of

the UN's Sustainable Development Goals (SDGs) on the continent *(African Union Commission,*

2018). There have also been renewed attempts by the APR Forum[110] to make the mechanism an

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[109] I argue that the APRM's greatest concern is with democracy and good governance and so a high level of focus is placed on this thematic area.

[110] The APR Forum is the highest decision-making authority of the mechanism and is made up of Heads of State and Government who determine the APRM's strategic and overall mandate and direction.

Early Warning tool for conflicts on the continent, in conjunction with the PSC's African Peace and Security Architecture (APSA), and the African Governance Architecture (AGA).

The main purpose of the APRM is to encourage responsible governance through constructive peer-to-peer and self-assessment of governance practices in the aforementioned thematic areas. This in turn is supposed to foster appropriate policy choices by African states to promote security, stability and economic development while speeding up the political and economic integration of countries on the continent. As a peer-to-peer review mechanism, the APRM is designed to enable mutual assistance, while also serving as a self-driven tool for enhancing good governance and democracy on the continent. Thus, the APRM is a major response by African governments to various demands for responsible African government and democracy. Although the APRM can be described as a quintessentially innovative instrument designed and implemented by Africans for Africa, it is a normative practice that takes its inspiration from outside of the African international society- specifically from the EU's 5-pillar Peer review mechanism. This approach is consistent with the assertion by Linsenmaier (2015) that the formation of norms at the regional international society level, although appearing to differentiate these regions from the global international society and other regions, cannot be separated from practices and influences constituting these other international societies.

Consequently, after adapting it to suit African needs and requirements, the APRM is supposed to mobilize and energize African governments to see the mechanism succeed, because its success can become a source of pride for African leaders. The point here is that, to see their own hard-work blossom into a tool that helps realize the Agenda 2063 of making Africa a continent where prosperity is experienced and enjoyed by all African people, is a worthwhile

pursuit. To ensure its long-term success, the APRM has special agreements of support from important African-based institutions including the African Development Bank, the UN Economic Commission for Africa, UN Development Programme's Regional Bureau for Africa, the African Capacity Building Foundation and the Mo Ibrahim Foundation.[111] These organizations have variously contributed to APRM's implementation since its inception (African Peer Review Mechanism (APRM), 2019). This has included identifying strengths and weaknesses, while assessing the capacity building requirements, as well as alternative courses of action.

1.1a (i): How does the APRM work?

As mentioned above, the APRM is a voluntary mechanism, where states agree to be reviewed in a set number of thematic areas. It is therefore designed as a tool for sharing governance experiences, reinforcing best practices, identifying deficiencies and assessing capacity building needs to foster better policy standards and practices to bring about political stability, economic growth, and sustainable development while increasing continental integration (African Union, 2019). This is done through encouraging and building responsible leadership through a self-assessment process and through conversations with peers as well as the APRM mission/secretariat. A state becomes a member of the APRM by signing the memorandum of understanding (MOU) and depositing a signed document at the NEPAD secretariat. The state then agrees to be bound by the APRM process and its periodic reviews, as well as to be guided by agreed upon parameters for good governance and democratic principles (African Union, 2019). This agreement to be bound by these rules and institutions is not

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[111] These examples highlight the connections between global international society and regional international society in Africa, with several connected to the UN system and/or are externally funded. These are discussed further in the final chapter.

necessarily a self-interested act (although it sometimes can be). More importantly, per the ES, these sorts of arrangements are important to creating what we describe as a society of states, with a state (in the case of the APRM), allowing external evaluation of its performance. Currently, 40 of the 55 AU member states have subscribed to the APRM.[112]

The mechanism has four (4) types of reviews: The *base review*, carried out immediately (usually within 18 months) after a member state accedes to the mechanism; *periodic reviews* which are carried out at least four (4) years after the base review; *requested reviews*, conducted at the request of member states outside of the usual review processes or mandates; and *advised or commissioned reviews by the APR forum* when there are early signs of pending political and social as well as economic crises (African Union, 2019).

As a process, there are five (5) stages of review of the APRM. The process begins with consultation between the APRM secretariat and the country under review, which marks the first stage of the process. The country under review presents a central point for the review and provides all relevant treaty obligations, laws, budgetary allocations, and other pertinent documents and instruments to the secretariat. The focal point (usually a minister or government official) forms a governing council with other key stakeholders. A background assessment document is then created by the secretariat, with the country under review independently completing a review questionnaire administered by the APRM secretariat. This questionnaire is based on an in-depth and up-to-date examination of the country's economic, political and social sphere as well as its corporate governance environment. The questionnaires are usually based on issues identified by national and sub-regional actors, as well as international and civil society

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[112] This is as at January 2020.

organizations. In responding to the questionnaire, the national governing council (on behalf of the country under review) consults broadly with civil society organizations, and other important stakeholders with a self-assessment report drafted, responding to issues raised by the APRM secretariat (African Union, 2019; African Peer Review Mechanism (APRM), 2019; African Peer Review Mechanism (APRM), 2017).

A support mission from the APRM secretariat is often available to assist with this draft report. The state then provides a National Program of Action (NPoA) with clear steps and deadlines as to when to meet and address the various APRM issues raised, as well as AU and UN agreements and responsibilities ascribed to. The Review team from the APRM follows up with a report outlining various issues in the aforementioned thematic areas that requires attention from the country under review (African Peer Review Mechanism (APRM), 2019; African Peer Review Mechanism (APRM), 2017). This ends the first stage of the process.

The second stage (2) begins with a country visit of the review mission from the APRM secretariat. During its visit the mission conducts a broad-based country-wide consultation with government entities and officials, parliamentarians, civil society organizations, political parties, media, academia, labour unions, business organizations, professional bodies as well as the private sector. This broad based consultation usually lasts between two (2) and three (3) weeks (African Peer Review Mechanism (APRM), 2019; African Peer Review Mechanism (APRM), 2017; African Union, 2019).

The third stage (3) involves the writing of a report on the reviewed country by the APRM secretariat based on the reports gathered from the first two stages. This report is discussed, first, with the leadership of the country for their reaction to the review and its findings. They may also be asked to discuss how the identified shortcomings would be addressed. At this stage, the

government is asked to indicate whether it is willing to take the required steps to address the lapses identified by the report, the sorts of resources needed to fix these lapses and the anticipated duration of the process to rectify them. The country under review then finalizes its Plan of Action, based on this report. These documents are then attached to the APRM mission's country review report. This ends stage three.

Stage four (4) comprises the submission of the final country report and the country's plan of action to the APR forum. A peer review is done at the APR forum level based on this report, with a discussion of the outcomes and recommendations in conjunction with the reviewed country. A dialogue is then started to encourage the government to address the shortcomings identified in the review. In occasional situations where the government is reluctant to address these shortcomings, the APR forum would do everything practical to engage this government to address these issues.

The final stage usually comes about six (6) months after the previous stage. It is at this stage that a final report is written and tabled at regional organizations such as the Pan-African Parliament, the African Commission on Human and People's Rights (ACHPR), and ECOSOCC, amongst others. After this stage, the report is then published for public consumption.

The above marks the first phase of country reviews. There is also usually room to conduct second generation reviews. These reviews are done to assess progress made by the reviewed country after the base review. The objectives of this review include reinvigorating, rationalizing and institutionalizing the APRM standards in the governance reforms within the member state; appraising the extent to which the National Plan of Action has been implemented as well as its continued relevance to the needs and situation of the country, with a new plan outlined (if

necessary) based on identified key areas; and finally, helping make the APRM review process more relevant to citizens' needs, concurrently reduce cost and waste while streamlining these key goals to be in line with Agenda 2063 priorities.

The goals of the state in its plan of action are typically divided into short, medium- and long-term goals, with periodic follow-up from the APRM secretariat to help keep the country on track. There are also regional workshops to identify and share best practices, as well as offer technical support to fulfil national goals. Here again, we see an indication of states within the mechanism seeing one another as being in the same 'proverbial boat' and passing on best practices. For instance, Uganda is regarded as one of the best in the practice of the management and integration of refugees on the continent (Maloka, 2018). Thus, through the APRM, such best practices as found in Uganda can be shared and lessons drawn for other states on the continent (African Union, 2019; African Peer Review Mechanism (APRM), 2019).

However, since its inception, the mechanism has seen a slow buy-in from states on the continent with a gradual increase in countries signing up at different times. The slow process is to an extent understandable, as being a member of the mechanism means opening up one's 'house' for others to look into how the business of governance is conducted, while also being open to feedback and correction. This is definitely a new approach for most countries on the continent who have long hidden behind the cloak of the inviolability of the notion of 'sovereignty' in preventing any external examination of their governance practices. This is clearly one instance of the attempt within the African international society to re-imagine the understandings around the age-old norm of sovereignty, as was done in the European international society. The gradual increase in the belief in and use of the APRM over the years since it came into being also indicates

the desire for self-improvement and transformation by Africans as a collectivity, described for far too long as the 'dark' continent. As a collective, there increasingly appears to be a belief in good governance and democracy as a viable solution to the numerous problems on the continent. Thus, APRM represents a key element in the quest for good governance on the continent as a collective. Again, the utility of the ES' international perspective to these discussions is that it provides a unique lens through which we can trace the gradual evolution and buy-in of such normative mechanisms on the continent, thus improving our holistic understanding of the direction of travel of this particular society of states, either in a more solidaristic or a pluralistic direction (and sometimes both).

1.1a (ii): How has the APRM performed so far?

For most analysts, including Gruzd & Turianskyi (2018), Omotola (2014), Vines, (2013), and Shek Yan Tan(2015), the APRM mechanism has done relatively well, especially since 2013, albeit with much room for improvement.[113] The mechanism began with only six (6) members in 2003. The fact that 40 out of 55 AU members have signed up so far (African Peer Review Mechanism (APRM), 2019) (Maloka, 2018) is commendable. The table below presents further details on the APRM vis a vis each member country.

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[113] About its 10th year, the mechanism came to a standstill, with allegations of financial malfeasance at its secretariat. Its funds were limited as a result of limited donor support as well as failure of member-states to pay dues. However, with the appointment of Dr. Maloka as its new CEO, the APRM has been turned around with the 3 'R' strategy-re-energizing, restoration and renewal (Gruzd & Turianskyi, 2018).

Table 1.0: List of member-states of the APRM since joining the mechanism[114]

Country	Date of Accession	Date of Publication of Peer Review	Number of Review Reports	Number of Progress Reports	Dates of Progress Reports
Algeria	01-Mar-03	01-Jul-07	1	2	Jan 31, 2009 and July 2012
Angola	01-Jul-04	No Reviews	No review Reports	No Progress Reports	-
Benin	01-Mar-04	30-Jan-08	1	2	Jan 31, 2009 & June 30 2011
Burkina Faso	09-Mar-03	25-Oct-08	1	3	Jan 2010, June 2011 & July 2012
Botswana	28-Nov-18	No Reviews	No Review Report	No Progress Reports	-
Cameroon	03-Apr-03	No Reviews	No review Reports	No Progress Reports	-
Chad	01-Jan-13	28-Jan-17	1	No Progress Reports	-
Cote d'Ivoire	Jan-15	No Reviews	No review reports	No Progress Reports	-
Republic of Congo	Mar-03	No Reviews	No review Reports	No Progress Reports	-
Djibouti	Jul-07	Jan-17	1	No Progress Reports	-
Egypt	Mar-04	No Reviews	No review Reports	No Progress Reports	-
Ethiopia	Mar-03	Jan-11	1	No Progress Reports	-
Equatorial Guinea	Jan-14	No Reviews	No review Reports	No Progress Reports	-
Gabon	Mar-03	No Reviews	No review Reports	No Progress Reports	-
Gambia	Jan-18	No Reviews	No review Reports	No Progress Reports	-
Ghana	Mar-03	Jun-05	1	5	Jan 2006,2008, 2009, July 2012, May 2013
Kenya	Mar-03	June 2006 & Jan 2017	2	1	Jan-09
Lesotho	Jul-04	Jun-09	1	1	Jan-11

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[114] **Source of Table 1.0 above:** *Data was extracted from https://www.aprm-au.org/world/overview.html:*

As at the time of writing this dissertation, the data on Uganda has not been updated to reflect the second review conducted. This update was provided in an interview with Prof. Eddy Maloka, CEO of the APRM in the fall of 2018.

Country	Date of Accession	Date of Publication of Peer Review	Number of Review Reports	Number of Progress Reports	Dates of Progress Reports
Liberia	Jan-11	No Reviews	No review Reports	No Progress Reports	-
Malawi	Jul-04	No Reviews	No review Reports	No Progress Reports	-
Mali	May-03	Jun-09	1	No Progress Reports	-
Mauritania	Jan-08	No Reviews	No review Reports	No Progress Reports	-
Mauritius	Mar-03	Jul-10	1	No Progress Reports	-
Mozambique	Mar-04	Jun-09	1	2	January 2014 & August 2016
Namibia	Jan-17	No Reviews	No review Reports	No Progress Reports	-
Niger	Jul-12	No Reviews	No review Reports	No Progress Reports	-
Nigeria	Mar-03	Oct-08	1	2	Jan-11
Rwanda	Mar-03	Jun-05	1	3	Jan 2006, 2008 & 2009
Sao Tome & Principe	Jan-07	No Reviews	No review Reports	No Progress Reports	-
Senegal	Mar-04	Jan-17	1	No Progress Reports	-
Sierra Leone	Jul-08	Jan-12	1	No Progress Reports	-
South Africa	Mar-03	Jan-18	1	3	Jan 2009, 2011 & 2014
Sudan	Jan-06	Jan-18	1	No Progress Reports	-
Tanzania	May-04	Jan-13	1	No Progress Reports	-
Togo	Jun-08	No Reviews	No review Reports	No Progress Reports	-
Tunisia	Jan-13	No Reviews	No review Reports	No Progress Reports	-
Uganda	Mar-03	Jun-08	2*	3	Jan 2010, July 2012 & 2015
Zambia	Jan- 2006	Jan-13	1	No Progress Report	-
Zimbabwe	Feb-20	No Reviews	No Review Reports	No Progress Reports	-

1.1a (iii): Evaluation of Table

From the above, 22-member states have so far availed themselves of the initial/base country review, with only Kenya (and as recently as November 2018, Uganda) under-going more than one review. Member states that have under gone at least one review so far include: Algeria (two progress reports), Benin (two progress reports), Burkina Faso (two progress reports), Chad (no progress report), Djibouti (no progress report), Ethiopia (no progress report), Ghana (six progress reports), Kenya (one progress report), Lesotho (one progress report), Mali (no progress report), Mauritius (no progress report), Mozambique (two progress reports), Nigeria (three progress reports), Rwanda (three progress reports), Senegal (no progress report), Sierra Leone (no progress report), South Africa (three progress reports), Sudan (no progress reports), Tanzania (no progress reports), Uganda (three progress reports) and Zambia (no progress reports).

As mentioned above, the APRM as part of the NEPAD initiative is the first major attempt by Africans to take charge of their own governance issues. One key element of NEPAD is the recognition of the essence and importance of good governance. As a voluntary mechanism, it is to assist willing states to improve upon the governance of their countries. Increasingly, for Africans, good governance is seen as an important pre-condition for economic development. The APRM has for the first time ever, fostered the opening up of African states to the scrutiny of others, in spite of their continued attachment to the concept of sovereignty. Additionally, the APRM has also started a challenging but important process of opening dialogue between and amongst African states about requisite standards of governance for the country that would engender economic and social development. Thus, within a few years of its establishment, the

mechanism succeeded in rallying much of the continent around core thematic principles that could bring about Africa's transformation. An optimistic read would consider this a move (albeit limited) toward more solidaristic tendencies.

Although it still has a long way to go, the APRM has to a limited extent begun to induce positive change in African leadership and governance. The mechanism has gradually become part of the social structural framework of governance in Africa. As a social practice, the APRM is gradually becoming an integral part of the make-up of the African international society. The signing of the memorandum of understanding by a majority of African leaders can be interpreted as reflecting a new collective commitment towards good governance, sound economic management, human rights and the general principles of democracy. This comes as part of a wider context of several other attempts at institutionalising and promoting good governance and democracy within African international society.[115] Thus, the APRM represents a collective decision by African states to serve as a check on one another's progress on the adoption and implementation of the principles around good governance and democracy. The APRM can therefore be seen as one of those key mechanisms aimed at encouraging African states to imbibe good governance principles which, it is anticipated, would lead to sustained growth and development as well as accelerate the continent towards integrating and becoming a more viable (read, solidaristic) international society. It was also meant to support African governments that have undergone the review to work harder in various areas of weaknesses identified. Per ex-President John Kufuor of Ghana, the APRM has served as a forum where brothers show brothers

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[115] Some other initiatives and mechanisms include the 1990 African Charter for Popular Participation, the 1999 Grand Bay Declaration and Plan of Action for the Promotion and Protection of human rights as well as the OAU declaration for a response to unconstitutional change in government signed in 2000, amongst others.

the reflection and performance in the area of "good governance, and good leadership for economic development and upholding human rights" (The Guardian, 2005, p n/a). Similarly, ex-President of Nigeria, Olusegun Obasanjo endeavoured to clear all confusion and doubts around the utility of the APRM in Abuja during the third APR Forum in 2005, asserting that the mechanism was not an instrument for punishment or exclusion of states. Rather, it should be seen as a mechanism to "identify our strong points, share experiences, and help rectify our weak areas" (Obasanjo, 2005). Thus, to all intents and purposes, the APRM as an instrument of good governance is believed (by many African leaders and scholars) to have the potential to help African states collectively become a continent of good governance and democracy. [116]

Additionally, the APRM process has (at least on paper) succeeded in opening up room for civil society participation in the governance decision making and agenda setting of African governments. It has provided an avenue for dialogue between civil society, the private and business sectors and official government structures within African states. For the first time on the continent, the process provides a seat at the table of decision making for every important stakeholder in Africa's economy and therefore encourages the ethos of democratic participation in policy formulation and implementation. The APRM therefore provides civil society organizations with the opportunity to exert and strengthen their influence on the governance and management of their countries.

The APRM process has a demonstrated potential to advance a solidaristic international society agenda on the continent. As discussed in previous chapters, Africa's journey to becoming a viable regional international society dates back to colonial times, through to the early post-

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[116] Or at the very least, set the foundations for good governance amongst African states.

colonial periods with an overriding concern of fighting for the self-determination of Africans, as well as safeguarding the acquired political freedom post-independence, by banding together as states in the same axiomatic 'boat'. The idea of Pan-Africanism has been central to all of these objectives. Thus, the notion of an African international society has no doubt come a long way. On the other hand, Africa's inability to function effectively as an international society stems directly from the governance, security and development issues it continues to face - a function of the continued pluralistic disposition of most states within the society, as discussed in Chapter Six.

Mechanisms like the APRM are aimed at addressing such fundamental issues and flaws in governance within African states. Effective policy making and implementation, democracy and good governance, the argument goes, can help push the continent collectively in the direction of achieving its goals as a strong and viable (solidaristic) international society. Thus, the fact that the APRM process has led to the collective recognition of particular standards and governance practices on the continent, aimed at addressing these problems, means that the process of building a mutually accepted set of normative practices in an African international society is well underway, and most importantly moving toward the adoption (at least on paper) of more solidaristic norms and practices. Mechanisms such as peer review can only accelerate and deepen the process, if it works as intended.

The challenges of the rather pluralistic slant or attitude of many African states has led to significant drawbacks for the potential of the APRM to advance the African international society agenda of good governance, however. Additionally, several criticisms of the APRM are widespread, and range from procedural defects to normative as well as operational shortfalls.

First, although seen by several scholars and politicians on the continent as a potential agent of good governance, its voluntary, non-disciplinary and non-confrontational nature (albeit crucial for its success) equally makes it a potentially ineffective instrument (African Peer Review Mechanism (APRM), 2019). With major challenges around a comprehensive buy-in to the mechanism by African leaders, the APRM has come to mean different things to different states and their leaders.[117] Other states remain reluctant to sign on to the mechanism at all. Even when they do, it has taken most a very long time to avail themselves for a base review Thus, until all (or at least most) states comfortably buy into the mechanism, its solidaristic potential will remain largely a project on paper. From Table 1.0 above, we see a good number of countries that have been signed up since 2003 when the mechanism was established, and yet, only had their base review several years later, if at all. There are several others that have not had any follow-up reviews since their first ones.

It is widely agreed in the literature that the effective functioning of an international society requires at least a minimum degree of buy-in to the norms and institutions of that society.[118] With the APRM, the buy-in of African states continues to be a slow process, with significant challenges persisting around the shared meaning of what the APRM actually requires of each state on the continent. There are significant challenges for most African states in opening up to their peers to take a critical look at governance practices within their borders. This difficulty could be explained by the perceived affront of this new practice to a country's sovereignty and

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[117] This situation underlies the difficulty faced by the international society agenda as a whole. Although important normative frameworks such as the APRM and others are being pushed forward, African states are far from having a uniform buy-in around these norms. This is one difficulty that needs to be overcome in order to make the norms more useful to the continent.

[118] See (Bull, (1977; Bull & Watson, 1984; Buzan, 2001 & 2004; Zhang, 2015) for detailed discussions on this.

the apparent imposition of governance mechanisms on them by 'outsiders'. As argued later, this reflects a tension between the 'old', pluralistic African international society practices under the OAU and the 'new', more solidaristic direction under the AU. The implementation of the APRM has therefore become a sensitive political issue needing a significant amount of time and engagement with states. An ex-President of Senegal, Abdoulaye Wade (who was one of the key figures when NEPAD was established), in an interview with REUTERS for instance, spoke to the heart of this political sensitivity regarding the mechanism when he slammed the APRM as unrealistic and disrespectful to the sovereignty of a state, especially if other states can come in to tell the president of another country they do not approve of his election and treatment of the press, just to cite one example (REUTERS, 2007). Another great illustration of this tendency is the fact that in spite of having been part of the NEPAD implementation projects, Libya[119] and Botswana[120] long refrained from signing the MoU for the APRM. Tunisia, another member of the NEPAD Implementation projects, only signed on to the mechanism in January 2013.

Consequently, notwithstanding the imperatives for good governance on the continent that the APRM signals, it has (at least from the official level and rate of implementation)[121] been suffering from a superficial and shallow adoption by a majority of African states. To effectively help deal with the problems of governance and development within the African international society, there needs to be a collective acceptance by states and their leaders of more solidaristic

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[119] Libya has of course degenerated into a completely different sort of state with various swaths of territory remaining ungovernable or in the hands of violent armed groups.

[120] Botswana only acceded to the APRM as recently as November 2018 (Journal du Cameroun, 2018). It is also paradoxical that a country widely seen as one of Africa's strongest democratic performers took so long to sign onto this mechanism.

[121] This remains a major criticism for the APRM process as well. It has been identified that the process is too elitist and has neglected and maligned a lot of the rural poor as it does not ensure their voice is heard.

normative mechanisms such as African Peer Review. To be sure, the APRM has signified a change in the direction (at least conceptually) and style of African leadership, towards a more solidaristic leadership that has continually shown the desire and vision to own and improve upon weak governance and development on the continent. The obstacle to this new direction of leadership continues to be the inadequate manifestation of its goals on the continent, as a result of the continued pluralistic slant of many African governments. To achieve their end goal will no doubt take time and continued engagement of African states by the APR Forum and the AU as a whole. The continued membership of these 40 states in the APR mechanism provides some cause for optimism.

1.1b: The African Charter on Democracy, Elections and Governance (ACDEG)[122]

The ACDEG is another document/charter that demonstrates the evolving normative framework toward African solidarism in relation to the democratic deficit within African international society. This particular charter has been preceded by several other documents and attempts at addressing the democratic deficit on the continent. As mentioned earlier, there is strong belief at the AU level (mainly amongst what we can call the 'technocratic elite') and among most African intellectuals that real democracy and good governance remains the antidote to the abundant security, economic and governance problems the continent faced (Tieku, 2009).

Thus, the ACDEG is a consolidation of earlier attempts through varied declarations and documents of African states to improve governance on the continent. Such earlier attempts include:

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[122] This is not a comprehensive review of the ACDEG, but a thematic review with focus on tying it into the overriding theme of this dissertation.

The African Charter on Humans and People's Rights (1981): In order to derive the maximum effect from the Universal Declaration of Human Rights, this charter was developed as Africa's convention on human rights. Thus, this was an African attempt at a normative framework for human rights which also stipulates the freedom to participate in government both as an elected representative and by being able to freely choose one's representatives. As such, although it contains no clear provision about democratic institutionalization, elections or how they should be implemented, it alludes to a host of freedoms and human rights that it encourages states to abide by.

The Cairo Agenda (1995): This was a follow up to the 1990 Addis Ababa meeting of OAU Heads of State and Government where it was recognised and declared that due to the fundamental changes taking place in the world at the time (notably related to the end of the Cold War), democracy and good governance are imperative to Africa's economic growth and development. The Cairo Agenda thus was an attempt at relaunching Africa's efforts toward economic development and growth, with democracy and good governance taking centre-stage. The document argued that without democracy, good governance and human rights, the peace, security and stability of the continent would be compromised, and without peace, security and stability, economic growth and development would be impossible. Thus, it articulated specific principles aimed at improving democracy and good governance on the continent, with human rights, free and fair elections, accountability in governance, rule of law, separation of powers, and freedom of the press amongst other good governance principles recognised as crucial (Organization of African Unity (OAU), 1995).

Algiers declaration (1999): This declaration also adds to the continued recognition of democracy, good governance and respect for human rights as important to the peace and stability of Africa. It encourages states to adopt and abide by the principles of free and fair elections that are guided by democratic principles, as well as respecting basic individual human rights in Africa. Again, democracy is considered essential to achieving sustainable growth and development on the continent. The Algiers declaration was also concerned with the increasing number of unconstitutional governments on the continent and declared that all unconstitutional governments should take steps to resolve and restore constitutional government by the year 2000 (Omorogbe, 2011).

The Lomé declaration on unconstitutional change of governments (2000): This was a document in response to the increasingly worrying trend of coups d'état and unconstitutional overthrows of democratically elected governments in Africa, as expressed in Algiers. By recommending respect for the rule of law, promotion of participatory democracy and the respect for basic human rights, as well as the principle of democratic changes of government, the document condemns all unconstitutional methods of changing government in Africa. Individuals and groups who violate these principles are to suffer sanctions.[123]

The AU constitutive Act: In 2000, the AU officially took over from the OAU as the continental organization. The constitutive act of the AU aimed at bringing a more effective continental organization into being by outlining several economic, political and social goals with the promotion of good governance and democratic consolidation at the centre. Thus, the AU's operations since its establishment aim at advancing good governance, democracy and human

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[123] African Sanctions will be discussed later in this chapter.

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rights in all of its member-states as a means to promoting sustainable peace, stability and economic growth and development (The African Union (AU Constitutive Act), 2000).

NEPAD and its accompanying APRM (discussed above) (2002): As discussed earlier, NEPAD was an initiative that envisions sustainable growth and development on the continent as a way to achieve peace, political stability and security. A crucial part of the NEPAD initiative is the recognition of good governance, democracy and the rule of law as essential to economic growth and sustainable development. Consequently, the APRM[124] was designed to help member-states assess their democratic and good governance values and performance towards achieving the overall objectives of the initiative. NEPAD, as part of its democracy agenda, encourages free and fair elections through the creation of and strengthening of credible electoral administrative bodies that are well resourced and equipped to conduct free and fair elections.

The OAU/AU declaration on principles governing African democratic elections (2002): This is another document that emphasises the importance and utility of democratically elected governments in Africa to the peace, stability and sustainable development of the continent. By recognizing the need to play an even more active role in the democratization of the continent, the declaration was to serve as a guideline for the conduct of free and fair elections, with stakeholders' roles and responsibilities clearly spelt out. It therefore represents another significant attempt at addressing the inadequacies of electoral democracy in Africa, while recognising the important role of the African international society to all of these discussions.

All of the above instruments together reinforce the apparent desire and commitment on the continent over the years to change the culture of governance in Africa by promoting and

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[124] Refer to discussions in the previous section

entrenching democracy and good governance as well as sound policy making and implementation, which (again) is believed to be foundational for a peaceful, stable, secure and prosperous African international society. The ACDEG, being an amalgamation of the above principles, declarations and documents as well as values of good governance within the AU constitutive Act (2000), particularly Articles three (3) and four (4), continues the strong institutional and normative history of the promotion of democracy and good governance on the continent (African Union Commission, 2018; The African Union (AU Constitutive Act), 2000).

There are three key themes/pillars deduced from the provisions of the ACDEG: *democracy, elections* and *good governance*. The charter's *democracy* pillar concerns focus on the promotion of the rule of law, respect for and guarantee of human rights, a strict separation of the various arms of government, constitutional transfer of government, recognition and promotion of universal adult suffrage as well as the elimination of all kinds of discrimination within member states. It seeks to do this through the institutionalization of the principles of democracy to bring about transparency, accountability as well as popular democracy. It advocates the condemnation and rejection of all forms of unconstitutional change of government in any African state, considering such unconstitutional acts as disruptive to the peace, stability and long-term prosperity of the continent (African Union Commission, 2018). States are therefore enjoined to create those institutions that guarantee the full respect for human rights and democratic principles. The goal here is to create stable[125] democracies across the continent, based on the conviction that stable democracies would guarantee a better life quality for the ordinary citizens of African states.

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[125] Although this does not necessarily equate to 'liberal' democracies.

The *elections* pillar of the charter also espouses the goal of establishing a political ethos on the continent where political power changes hands based on the holding and outcome of regular, free, fair and transparent elections overseen by a competent electoral body set up for such a purpose. It also advocates for the prevention of electoral fraud, rigging and any other electoral irregularities including intimidation and persecution of opposition, which may end up bringing the results of the election into disrepute. It recommends the formation of institutions and mechanisms for the peaceful settlement of disputes that may arise from elections, equal (and free) access to all candidates in an election, as well as a uniform code of behaviour that guides all political parties and candidates in an election. The charter also discusses the creation of opportunities for the participation of independent domestic and international election observers. In addition to these recommendations, member states have full access to the AU Commission's expertise in terms of guidance and in some cases, funding for their elections (African Union Commission, 2018; African Union (AU Charter on Democracy, Elections & Governance), 2007).

The *governance* pillar in the charter focuses on the socio-political and economic governance of African states. This aspect of the charter attempts to ground governance in sound economic, political and social policy formulation and implementation. It accordingly proposes reforms in a broad range of sectors, strong institution building as well efficient development of the private sector, with strong focus on the coordination of both the public and private sectors. There must be dialogue and collaboration of the public and private sectors as well as civil society. It also advocates for gender issues and recommends the correction of a range of discriminatory practices in policy formulation and implementation (African Union (AU Charter on Democracy,

Elections & Governance), 2007; African Union Commission, 2018). Most crucially, the governance

pillar recommends the fixing of all foundational issues such as building capacity of governance

and democratic institutions including parliaments, civil service, police, political parties etc., legal

and justice system reforms, incorporating African traditional governance systems into

contemporary state apparatuses, and harnessing the utility of information technology to address

social problems in the area of health, urban development, and employment creation. It also

advocates for stronger public sector management and the development of capacities to prevent

the spread of diseases including HIV/AIDS and Ebola, amongst others (African Union (AU Charter

on Democracy, Elections & Governance), 2007).

To bring these principles to life, the charter specifically recommends the creation of

accountable, efficient and responsive public administrations; strong and functional parliaments

that actually serve as checks on government excesses and not merely 'rubber stamps'[126]; poverty

alleviation policies that are specific to the state; efficient and sensible use of public resources by

both politicians and public servants; elimination of corruption, crime and other debilitating

practices; a reliable national census system for consistent planning; efficient and effective

taxation systems to maximise revenue to the state, and encouraging and promoting transparency

in public finances, amongst others (African Union (AU Charter on Democracy, Elections &

Governance), 2007).

Clearly, the ACDEG builds on the provisions of various declarations and documents on

democracy and good governance over the last couple of decades. In spite of this, it stands apart

from these previous documents, resolutions and declarations in its comprehensiveness in

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[126] Emphasis remains mine.

pushing for democratic governance as the best singular way to guarantee stability, peace and economic development in Africa. It lays out in clear terms what constitutes an acceptable form of government and what does not, while granting the AU Peace and Security Council the power to interfere in any member country that breaks with this normative understanding of government or might be looking to break with it.[127] Similarly, the AU Commission has been given increased supervisory and observation roles in any elections conducted by member-states to ensure it meets the new standards set by all members in this charter.

Thus, through this charter, an ES perspective would posit that Africans are unmistakably establishing a different conception of statehood and sovereignty within this society, where the concerns of one affect others, hence advocating a rigorously collective approach to dealing with governance issues on the continent. The domestic governance issues of individual African states are portrayed as a matter that concerns every member of the continent and therefore requires a collective approach to resolving them. More importantly, for the purpose of understanding the collective behaviour of African states as a distinct international society, the ACDEG unifies the continent's thinking on democracy, economic development, human rights, and political stability. Judged by the provisions in the charter, African states, as a collective international society, believe that democracy and economic development are interrelated in ways that allow the practical advancement of both concurrently.

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[127] The Protocol relating to the African Peace & Security Council authorizes the AU to intervene in any country in the event of grave circumstances including genocide, war crimes and crimes against humanity. This, as mentioned, marks a significant normative shift from the notion of non-intervention under the OAU to that of non-indifference under the AU (The African Union (AU Constitutive Act), 2000; AU-PSC, 2019)

Thus, when democracy is attained on the continent, it is presumed to bring about stability, peace, and predictability, making the pursuance of economic development much easier. Similarly, development can also lead to the consolidation of democracy and institution building to shore up gains made. The distinctiveness of this African conception of democracy is also seen in the demand to incorporate traditional governance systems and mechanisms into member-states' democratic systems (African Union (AU Charter on Democracy, Elections & Governance), 2007). For Africans, per these documents and initiatives therefore, democracy on the continent does not have to look (indeed, should not look)[128] exactly like the one in the United States, United Kingdom, Canada or any other western country to be called a democracy. The crucial issue is that Africans have recognised that democracy and good governance are essential for advancing the goals of the continent and are carving out their own ideas of governance that represent a synthesis of global, universally accepted ideas with local, context-specific ones that address the distinctive needs of the continent (Tieku T. , 2009; Organization of African Unity (OAU), 1990; Organization of African Unity, 2000). The approach of the ES, as applied in this dissertation allows us to clearly make these connections, and see the trajectory of these efforts toward a more solidaristic international society, rather than as reactive, confusing and disconnected myriad of attempts at addressing Africa's problems.

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[128] My Emphasis.

Table 3: List showing the accession & ratification of the ACDEG by member-states[129]

State	Signed	Ratified	Deposited
Algeria	Yes (July 2012)	Yes (Nov 2016)	Yes (Jan 2017)
Angola	Yes (Jan 2012)	No	No
Benin	Yes (July 2007)	No	No
Botswana	No	No	No
Burkina Faso	Yes (August 2007)	Yes (May 2010)	Yes (July 2010)
Burundi	Yes (June 2007)	No	No
Cameroon	Yes(date unknown)	Yes (Aug 2011)	Yes (Jan 2012)
Cape Verde	Yes (Jan 2012)	No	No
Central African Republic	Yes (June 2008)	No	No
Chad	Yes (Jan 2009)	Yes (July 2011)	Yes (Oct 2011)
Comoros	Yes (Feb 2010)	Yes (Nov 206)	Yes (Jan 2017)
Congo	Yes (June 2007)	No	No
Cote d'Ivoire	Yes (June 2009)	Yes (Oct 2013)	Yes (Nov 2013)
DR Congo	Yes (June 2008)	No	No
Djibouti	Yes (June 2007)	Yes (Dec 2012)	Yes (Jan 2013)
Egypt	No	No	No
Equatorial Guinea	Yes (Jan 2011)	No	No
Eritrea	No	No	No
Ethiopia	Yes (Dec 2007)	Yes (Dec 2008)	Yes (Jan 2009)
Gabon	Yes (Feb 2010)	No	No
Gambia	Yes (Jan 2008)	Yes (Jan 2008)	Yes (Feb 2019)
Ghana	Yes (Jan 2008)	Yes (Sept 2010)	Yes (Oct 2010)
Guinea	Yes (May 2007)	Yes (June 2011)	Yes (July 2011)
Guinea-Bissau	Yes (June 2008)	Yes (June 2008)	Yes (Jan 2012)
Kenya	Yes (June 2008)	No	No
Lesotho	Yes (March 2010)	Yes (June 2010)	Yes (July 2010)
Libya	No	No	No
Liberia	Yes (June 2008)	Yes (Feb 2014)	Yes (March2017)
Malawi	Yes (Date unknown)	Yes (Oct 2012)	Yes (Oct 2012)
Mali	Yes (June 2007)	Yes (Aug 2013)	Yes (sept 2013)
Mauritania	Yes (Jan 2008)	Yes (July 2008)	Yes (July 2008)
Mauritius	Yes (Dec 2012)	No	No
Morocco	No	No	No
Mozambique	Yes (May 2010)	Yes (April 2018)	Yes (May 2018)
Namibia	Yes (May 2007)	Yes (Aug 2016)	Yes (Aug 2016)
Niger	Yes (June 2008)	Yes (Oct 2011)	Yes (Nov 2011)
Nigeria	Yes (July 2007)	Yes (Dec 2011)	Yes (Jan 2012)
Rwanda	Yes (June 2007)	Yes (July 2010	Yes (July 2010)
Sahrawi Arab Dem. Republic	Yes (July 2010)	Yes (Nov 2013)	Yes (Jan 2014)

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[129]*Source:*<u>https://au.int/sites/default/files/treaties/36384-sl-AFRICAN%20CHARTER%20ON%20DEMOCRACY%2C%20ELECTIONS%20AND%20GOVERNANCE.PDF</u>

Sao Tome & Principe	Yes (Feb 2010)	No	No
Senegal	Yes (Dec 2008)	No	No
Seychelles	Yes (Date unknown)	Yes (Aug 2016)	Yes (sept 2016)
Sierra Leone	Yes (June 2008)	Yes (Feb 2009)	Yes (Dec 2009)
Somalia	Yes (Jan 2013)	No	No
South Africa	Yes (Feb 2010)	Yes (Dec 2010)	Yes (Jan 2011)
South Sudan	Yes (Jan 2013)	Yes (Jan 2014)	Yes (April 2015)
Sudan	Yes (June 2008)	Yes (June 2013)	Yes (Sept 2013)
Swaziland (Eswatini)	Yes (Jan 2008)	No	No
Tanzania	No	No	No
Togo	Yes (Oct. 2007)	Yes (Jan 2012)	Yes (March2012)
Tunisia	Yes (Jan 2013)	No	No
Uganda	Yes (Dec 2012)	No	No
Zambia	Yes (Jan 2010)	Yes (May 2011)	Yes (July 2011)
Zimbabwe	Yes (March 2018)	No	No

1.1b (i): Reflections on the ACDEG

As a working charter, the ACDEG was adopted by member-states in 2007[130] (African Union (AU Charter on Democracy, Elections & Governance), 2007). It entered into force in February 2015, thirty days after the 15th member (in this case Cameroon) ratified and deposited the document at the AU commission. Since then, an encouraging number of African countries have acceded to the charter with a few still yet to sign and ratify it. Table 3 (above) shows a detailed list of member-states that have signed, ratified and deposited the document with the AU Commission as at February 2019. From the above tables, out of the fifty-five AU member states as at February 2019, forty-six (46) have signed-up to the charter, while thirty-two of them have ratified and deposited the instrument at the AU Commission.

This is significant progress considering only three states (Sierra Leone, Ethiopia and Mauritania) had ratified the charter by September 2010. Thus, despite the discrepancies and

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[130] While its adoption was started in 2002 at the Summit of Heads of States and Governments (NEPAD was kick-started here as well) with a follow-up conference on elections, democracy and governance (2003), both in South Africa.

obstacles that arise with the smooth adoption of this charter and its on-the-ground operationalization, the innovativeness of the ACDEG in embedding democracy within the context and history of African states makes it highly likely to achieve a significant degree of buy-in of African states, given time.[131] By the number that have signed and ratified the document since 2010, one can contend that gradual progress as far as the buy-in of states to the democratic norm is concerned has been steadily increasing.

In conclusion, the ACDEG has been drafted to help address the democratization and governance challenges of African countries. The charter's concern with consolidating and entrenching democratic ideals on the continent is obvious. The main concern is with normalizing democratic institution building, elections, respect for rule of law and human rights while incorporating indigenous African governance institutions as a foundation for political stability and peace, serving in turn as a foundation for economic development. Collectively (at the AU level, at least), African international society has shifted its beliefs about governance on the continent and has been taking steps to address them in a distinctively African way.

In spite of these positive signs, questions continue to be raised concerning the on-the-ground application and buy-in by member-states, again putting in question the move toward African solidarism. As inventive as the ACDEG has been, it is important to get all African states in the AU to identify strongly with the goals of democracy as espoused within the charter. By actually believing in the necessity of democratic governance to economic development, African states will quickly begin the processes of instituting the recommendations within the charter.[132]

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[131] Admittedly, this could also lead to institutional hypocrisy, especially in the absence of real enforcement.
[132] At the moment, it is clear that buying into this appears 'dangerous' to African state leaders' political control and authority, which might also explain the low level of ratification so far.

These recommendations must be implemented by states that have ratified it, and the AU Commission must find a way to encourage and ensure full implementation. Enforcement must also be uniform and consistent. That is the only way its good effects can be felt on the continent. Those states that have not acceded to the charter as yet must be encouraged to do so. Those yet to ratify and deposit the document with the AU Commission should also be encouraged to quickly do so. For a well-functioning African international society with stable, prosperous members, such important norms as democracy must be adopted by all member-states, in order to be fruitful. In this regard, the AU has a lot of work to do.   This theme will be revisited in the concluding chapter.

2.0: African Sanctions[133]

Sanctions[134] have long been a tool of international security governance for the UN Security Council (UNSC). The UNSC has used sanctions over the years in efforts to alleviate severe conflicts, restore democratically elected governments, address global security threats including arms proliferation and international terrorism, or deter governments and other entities or individuals from particular undesirable behaviours.[135] The definition of sanctions has evolved over the years and we mostly look to Article 41 of the UN Charter for their definition. Although the Charter does not make explicit mention of the term sanctions, the provisions in Article 41 grant the UNSC the authority to encourage UN member-states to adopt measures that do not

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[133] African sanctions here refer to sanctions imposed by the AU to deal with security threats as well as governance issues on the continent.

[134] The sanctions literature is an extensive one. This dissertation does not delve deeply into the theoretical foundations and discussions of what sanctions are. The objective here is to provide general descriptions of sanctions to provide the reader with enough background to understand and appreciate the discussions around African sanctions in this section.

[135] Mention must be made here of the successful use of sanctions against apartheid-era South Africa for instance, which helped galvanise international action against the apartheid regime, generating escalating pressure that eventually contributed to the end of apartheid policies.

involve armed force, which may include but are not limited to complete or partial interruption of economic relations, rail, sea, air, postal, radio and other communication modes as well as the cutting off of cultural or diplomatic relations, in a situation where a state or entity threatens international peace and security (The United Nations, 2016).

Sanctions therefore imply a ban on trade and commerce with the offending state and/or a break in cultural and political links. In other words, member states of the UN are to cut any engagements with the recalcitrant state or entities in whatever areas are necessary, with the aim of inducing a change in behaviour. Sanctions can also be applied unilaterally by one state on another or others in an effort to pressurise the target state into behaving in desired ways.[136] Consequently, sanctions could be a multilateral as well as a unilateral tool in international diplomacy. Although they can be punitive for targeted states, sanctions are usually intended to push and goad such states to behave differently as per the requirements of international law, morality or sometimes pure self-interest on the part of the sending state (Charron, 2011). Sanctions therefore can be used simultaneously in three ways; a) to coerce a change in the target state's behaviour, b) to constrain access to necessary resources and c) to signal to the delinquent state the unacceptability of its behaviour/action (Biersteker, Eckert, Tourinho, & Hudakova, 2018). Increasingly, sanctions have become an instrument of choice for states and international organizations for specific foreign policy goals.

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[136] Examples here include unilateral sanctions imposed by the United States of America and Canada. The United States applies unilateral sanctions more frequently than most states in the international system and shows a vastly different sanctioning behaviour than other states. Canada in fact has adopted the *Special Economic Measures Act* and the *justice for victims of corrupt foreign officials Act* which empowers the Canadian government to impose sanctions outside of the UN, whenever there is a serious breach to international security and stability by a delinquent state or entities.

The literature identifies *comprehensive* and *targeted* sanctions as the two main kinds typically applied. Comprehensive sanctions usually aim to apply blanket restrictions on all areas of engagement (including trade and economic activities) with the targeted state. Comprehensive sanctions may include arms embargoes (where sanctioning states ensure the enactment of domestic legislation to ensure targeted states are not provided with any weapons, military training, ammunition, etc.), and financial sanctions such as bans on investment and sovereign wealth fund restrictions (Biersteker, Eckert, Tourinho, & Hudakova, 2018; Charron & Portela, 2015). Comprehensive sanctions thus usually have broader impacts on the economy or state. One notable drawback of comprehensive sanctions has been their unintended consequences, often bringing untold hardships to innocent citizens who have nothing to do with the transgressions of the state in the first place. Consequently, comprehensive sanctions have been criticized for producing often severe collateral damages.

Targeted or smart sanctions on the other hand "provide context-specific individual, diplomatic, financial, commodity, and sectoral measures to target individuals, corporate entities, regions, or economic and political activities" (Biersteker, Eckert, Tourinho, & Hudakova, 2018). Measures applied usually include individual (or corporate) asset freezes, travel bans (visa denials), diplomatic sanctions with restrictions on government or political group activities, sectoral sanctions that target particular sectors of the economy or trade activity such as restriction on important/sensitive technology, targeted arms embargoes as well as transportation restrictions; and finally commodity sanctions targeting trade in particular commodities such as oil, diamonds, timber or gold, that are usually monopolised by specific entities within the target state (Charron, 2011; Eriksson, 2010). Commodity sanctions can also be

directed at luxury goods usually consumed by the targeted entities. Such entities may include

government leadership and family members, key regime supporters, rebel or terror groups and

their leadership, and facilitators and supporters of identified illegal activities, amongst others

(Biersteker, Eckert, Tourinho, & Hudakova, 2018). Targeted sanctions[137] are therefore intended

to reduce the negative effects of comprehensive sanctions that affect entire populations of the

targeted state. Sanctions mandated by the UN Security Council remain the most regularly applied

ones, and the most studied in the literature, as they are universally binding and applied in some

of the most difficult cases where world security and stability are threatened or undermined

(Charron, 2011).[138]

Interestingly, there has been a notable uptick in 'African sanctions' separate from those

mandated by the UNSC, especially since the transition from the OAU to the AU in the early 2000s.

Examples include the AU's sanctions against the Central African Republic (CAR) in 2001, 2003 and

2013, Togo in 2005, Mauritania in 2005 and 2008, Comoros in 2007, Cote D'Ivoire in 2010, Egypt

in 2011 and 2013, Guinea Bissau in 2008-2009 and again in 2012, and Mali in 2012 and 2020,

amongst others (Charron & Portella, 2015, pp. 1369-1385; Aljazeera News , 2020). This trend has

been identified as very significant for several reasons. Per Charron (2011), the increasing

tendency to resort to sanctions by the AU represents a significant normative shift on the

continent.[139] The normative acceptance and regular application of sanctions serves to underpin

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[137] For more on these discussions, see (Biersteker, Eckert, Tourinho, & Hudakova, 2018; Eriksson, 2010; Charron, 2011; Charron & Portela, 2015).

[138] It is important to note here however, that sanctions have come to mean very different things to different 'regions' in terms of political content and formal processes. Africa as a region, is no different in this regard. See (Hellquist, 2014) for more on this discussion.

[139] Charron also argues that the increased use of sanctions by Africans serves as a legitimising apparatus for their use as a key foreign policy and governance measure on the continent. I concur and argue further that it also represents a new mode of thinking on the continent that is representative of a desire to own and tackle the

the common African belief in their potential ability to help address challenges of security and political stability on the continent. This is especially so as African states and their leadership have hitherto made the argument that sanctions are tools for imposing Western political agendas on them. The trend also reflects a shifting norm with regards to ownership of security and governance issues by Africans and the portrayal of a shifting understanding of international society on the continent. Sanctions are also particularly appealing to African leaders exactly because they are considered the middle ground between 'words and war': although they are considered more than words, they are not as politically charged and destructive as the use of armed force (Charron, 2011). Besides their political attractiveness, sanctions are also flexible and fungible enough to apply to several security situations. Consequently, they have increasingly become a tool of choice for the AU in dealing with its security problems.

It is noteworthy however that the AU's use of sanctions differs significantly from the UNSC's use on the continent.[140] While the UN applies sanctions in a variety of situations including civil wars (as happened in the cases of Angola, Cote D'Ivoire, Liberia, Libya, Rwanda, Sierra Leone, Somalia and Sudan); inter-state conflicts (as in the case of Ethiopia vs Eritrea as well as Djibouti vs Somalia); or international terrorism (in the case of Libya and Sudan)[141] (Charron & Portela,

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numerous security threats on the continent, while creating new norms and institutional mechanisms that is representative of a unique African international society, based on African solutions for African problems. This is especially crucial as well when one thinks about the fact that Africa has for many years been a 'laboratory' of a sort for testing the efficacy of UNSC sanctions. Africa remains the most sanctioned continent in the world (Charron, 2011).

[140] While AU sanctions have been extensively covered in the literature, it is again important to highlight the utility of looking at these issues through the ES perspective. Our understanding of the trajectory of this important international relations tool is enhanced greatly through this approach, compared to the focus single focus on how and when sanctions are applied by Africans, and whether they are efficient or otherwise.

[141] It must be mentioned that the UN has used sanctions to punish the unconstitutional change of government only twice on the continent (Sierra Leone in 1997 and Guinea Bissau in 2012). It however did not apply any sanctions in the unconstitutional change in government in Mauritania (2008), Guinea (2008) and Niger (2009), and so it is abundantly clear from its record of sanctions on the continent that unconstitutional change of government, although

2015; Charron, 2011), the AU focuses its use of sanctions on the non-payment of member contributions, failure to comply with directives and mandates of the organization and most significantly, to address unconstitutional changes of government. To fully understand the use of sanctions by the AU on the continent, one must examine its use within the context of other governance mechanisms on the continent (Eriksson, 2010; Magliveras, 2011).

Thus, to trace the root of AU sanctions we must look to several key governance documents. First, three provisions within the AU Constitutive Act provide the AU with the moral authority to impose sanctions on member-states. Article 23 (1) allows for sanctions to be imposed on member-states that have defaulted in the payment of their dues or financial obligations. Appropriate sanction measures would be determined by the Assembly and may include the denial of speaking rights at AU meetings, denial of voting rights, and the denial of the opportunity to present candidates for any AU posts as well as refusal of all benefits from the activities and commitments of the AU (The African Union (AU Constitutive Act), 2000). Article 23 (2) further grants the Assembly the authority to impose sanctions on any member state that fails to comply with decisions, directives and policies of the AU. Sanctions to be applied in this instance may include denial of transport and communications links with other members, as well as other political and economic sanctions to be determined by the Assembly (The African Union (AU Constitutive Act), 2000).

Abundantly evident in the use of sanctions is an increasingly accepted democratic norm (as discussed in the previous section), exhibited in a general disapproval of the overthrow of

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considered seriously, does not figure highly on the UNSCs sanctions agenda, beyond verbal condemnation of the coups in question. Thus, UNSC sanctions are usually applied in response to peace-breaking events or events that threaten peace and stability.

democratically elected governments, particularly (although not only) by military means (Eriksson,

2010; Charron, 2011; Dersso S. A., 2014). Thus, virtually every regime that overthrows an

incumbent government is sanctioned (Eriksson, 2010).[142] The constitutive Charter of the AU

clearly declares abhorrence of unconstitutional overthrow of democratically elected

governments on the continent and prescribes sanctions for perpetrators of such acts. Article 30

of the Constitutive Act declares that governments which come to power through unconstitutional

means will not be allowed to participate in any activities of the Union (The African Union (AU

Constitutive Act), 2000).

Additionally, the Protocol establishing the Peace and Security Council (PSC) allows for the

use of sanctions, in conjunction with the Chairperson of the Commission, when there is an

unconstitutional change in government on the continent. Chapter 8 (Article 23-26) of the ACDEG

reiterates the importance attached to the issue of unconstitutional changes of government. The

ACDEG expands and clarifies what 'unconstitutional change of government' is on the continent,

describing it variously as any coup d'état against a democratically elected government; any

interventions by mercenaries to replace a democratically elected government; any replacement

of a democratically elected government by rebels or armed insurgencies; the refusal by any

incumbent government to surrender power to a winning party or candidate after a free and fair

election; and any attempts to amend the constitution to either extend the incumbent

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[142] Although certain big, powerful states (almost) always get away with transgressions for which smaller, less powerful states get disciplined (Dersso S. A., 2014), demonstrating the inconsistency in the AU's application of sanctions to promote democracy. Egypt's re-admission into the AU after the election of Abdel Fatah El Sisi easily comes to mind here. Since 2010, as part of the democratic norm, perpetrators of unconstitutional changes of government are barred from participating in elections held to restore a constitutional order – seeking to close the door that enables an individual/group to legitimize the unconstitutional seizure of power through elections. However, this norm was broken after El Sisi, a former army chief who was part of the Morsi ouster, legitimised his ascension to power through an election. The AU welcomed Egypt back into their fold even with El Sisi as president.

government's stay in power or any general amendments that violate the principles of democratic change of government (African Union (AU Charter on Democracy, Elections & Governance), 2007).[143]

Typically, when there is an unconstitutional overthrow of a democratically elected government, the AU Chairperson condemns the act and calls on the perpetrators to restore constitutional order, while sending a strong caution about the unacceptability of the act. The AU usually consults with the international community (especially the UN) and in solidarity, the UN subsequently condemns the act. This is to make sure that there is consistency in message at both the continental and international levels of international society.[144] The Peace and Security Council (PSC) then meets to discuss the situation and if constitutional order is not restored, the member-state is suspended from all activities of the Union, with the clear understanding that its obligations to the Union are not impacted by the suspension.

The PSC[145], as a 15-member body, is able to impose sanctions much faster than the General Assembly. The PSC requires only a two-thirds majority to impose sanctions and so compared to the Assembly is much more flexible and able to act more quickly in the face of unconstitutional changes of government. Sanction measures adopted by the AU in these situations usually include; visa denials for members and affiliates of the unconstitutional regime;

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[143] Other instruments of the Union further reiterate the democratic norms around the use of sanctions but have not been discussed in detail here. Some of these include the aforementioned Lomé Declaration (2000), Rules of Procedure of the Assembly (2002), and the Protocol relating to the establishment of the PSC of the AU (2002). All of these documents frown upon the unconstitutional change in government on the continent and prescribe the use of sanctions to deal with such situations. It is therefore clear that AU sanctions, rather than being directed towards the various types of conflicts and security situations on the continent, are used mostly to respond to the unconstitutional change of governments.
[144] Again, highlighting the developing nature of the complementarity of roles mentioned earlier.
[145] More on the PSC in the next chapter.

trade restrictions, Diplomatic restrictions (or government to government restrictions); sanctions advised by Article 23 (2) as discussed above, as well as any other punitive measures deemed fit by the PSC. The AU therefore has a lot of flexibility in the type of sanctions to apply. Thus, Africa as an international society, in order to achieve compliance with its norms, rules and decisions (especially the democratic norm), has embraced the utility of sanctions in its operational documents as a necessary tool for the proper-functioning of this society.

2.1: A Brief Assessment of African Sanctions

From the discussions above, evidence from AU documents, declarations and charters demonstrate that African governments have embraced the use of sanctions as a mechanism to deal with the continent's governance and political stability issues. This represents a major normative shift from the perception of sanctions as a 'western tool' (Charron 2011), to one that can be used to push the agenda of a distinct African international society. A cursory glance over the sanctions landscape on the continent, as mentioned earlier, also reveals that the AU applies sanctions differently from the UNSC's sanctions applications. While the UNSC applies sanctions in an effort to curb a variety of peace threatening situations, including violent conflicts, the AU uses sanctions predominantly to promote the norm of democratic governance (Eriksson, 2010; Charron & Portela, 2015; Magliveras, 2011).

Specifically, sanctions are used to curb and deal with the issues of unconstitutional change of governments in Africa. As noted above, Central African Republic, Comoros, Côte d'Ivoire, Guinea, Guinea Bissau (twice), Madagascar, Mali, Mauritania (twice), Niger and Togo are examples of countries that have been sanctioned by the AU to promote democracy (Charron, 2011). Additionally, AU sanctions are applied for the non-payment of financial obligations. In

November 2018 for instance, the Union announced it will ramp up its sanctions application on

members for non-payment of dues (African Union (Press Release), 2018).[146] Although sanctions

for non-payment of dues have always been part of the AU's sanctions mechanism[147] (Charron,

2011; Charron & Portela, 2015), the attempt to strengthen such sanctions to ensure its fifty-five

(55) member states meet their financial obligations is indicative of the belief in its normative

utility in this area of its operations as well.

Unlike UNSC sanctions, AU sanctions are usually used as a short-term measure and for

specific purposes (most frequently when there is an unconstitutional change in government) and

lifted once constitutional government is restored or in the case of non-payment of dues, when

the member-state meets its obligations.[148] Its sanctions are usually a wholesale suspension of

the illegitimate government/member-state from AU activities and in very few cases targeted

individual sanctions in the form of travel bans and asset freezes on coup makers. Individual coup

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[146] The new sanctions regime for non-payment of dues stipulates short- and long-term measures member states will face for shirking their responsibility to pay either in part or fully their contributions for periods between six months and two years. **Cautionary sanctions** will be applied to member states who do not pay 50% of their assessed contributions within six months. Such states will be denied their right to speak on the floor or make any contributions to meetings and summits of the AU. **Intermediate sanctions** will be applied to member states who are in arrears for a period of one year. For such member states, they will be suspended from being a member of a Bureau of any organ of the Union; host any organ, institution or office of the Union; lose the right to have their nationals participate in electoral observations missions, human rights observation missions and host meetings organized by the Union. Additionally, such defaulting member-states will not have their nationals appointed as staff members, consultants, volunteers or interns at the African Union. **Comprehensive sanctions** will kick in after a member state defaults on its payments for at least two years. Such states will suffer both the cautionary and intermediate sanctions while their right to participate in the meetings of the Union will be suspended. Exceptions will however be granted to members who demonstrate conditions beyond their control affecting their ability to meet their financial obligations to the Union (African Union (Press Release), 2018).

[147] Some countries, including Burundi, Cape Verde, the Comoros, Central African Republic, Gambia, DRC, Djibouti, Guinea Bissau, Liberia, Mauritania, Seychelles, Sao Tome and Principe, Sierra Leone, and Uganda have suffered sanctions in the form of being stripped of the right to speak at AU Summits, for non-payment of dues for at least two years.

[148] There are currently no active AU sanctions in force on the continent. The latest sanctions imposed on Mali after a military coup toppled the government in August 2020, were lifted early October to make way for the transition to a civilian rule (Aljazeera News , 2020).

makers in Madagascar, Mali, Guinea, Comoros and Mauritania are examples (Charron & Portela, 2015; Charron, 2011; Magliveras, 2011). Arms embargoes, while very popular with the UNSC, have never been applied by the AU, again, underlying the AU's more practical[149] use of sanctions.

Furthermore, AU sanctions are never directed at violent conflict or war situations. This is a very curious situation. However, a hard assessment of the Union's capacity to enforce sanctions, especially in complicated conflict situations explains their restricted use. There is a huge capabilities gap and lack of capacity and resources needed to apply sanctions in more intricate security circumstances in Africa. For instance, although a Sanctions Committee has been set up (to help with decisions around sanctions, monitor member-states' implementation of sanctions regimes, examine violations, identify entities, individuals and states to be sanctioned or exempted), as outlined by Eriksson (2010), and is located within the PSC machinery, little is known of its work. A search on the AU's website for the work of the Sanctions Committee yields very little. Expert interviews have also confirmed the limited availability of information on the work of AU Sanctions Committee. This is clearly in contrast with the UNSC's approach where it establishes a sanctions committee for every regime and provides regular reports, including from UN experts. The AU's sanctions committee is therefore not as functional as it was designed to be, especially because of a lack of a regularised process around its work. Records of PSC meetings indicate that the AU sanctions committee, rather than have its own operational budget and regular meetings, only meets as part of the regular PSC summits/meetings. This does not bode well for an effective operation of a sanctions committee that is established to help with implementation. It is also obvious that the AU would benefit from a sanctions committee similar

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[149] Read 'realistic' here.

to the UN sanctions committees (as established in 1968), in addition to panels of experts to help with decision making and implementation of AU sanction regimes. The main issue here therefore is the weak monitoring and implementation capacity and know-how that is lacking within the African sanctions' regime. Insufficient resources and less technical expertise make for a less-effective sanctions regime simply because it becomes much more difficult to monitor, follow up and 'name and shame' states and entities that flout the sanctions regime.

Consequently, the AU has resorted to a more pragmatic use of sanctions in a much-restricted manner that is much easier to apply. The inadequacy of resources for elaborate sanction mechanisms means that the Union will continue to use sanctions as it currently does for the foreseeable future- to deter unconstitutional changes of government and promote democracy concurrently. Rather than see this as a normative choice, this is a clear pragmatic use of sanctions in the African context. This way of using sanctions has been particularly successful as in all cases of unconstitutional change in government, sanctions (along with other diplomatic pressures in most instances) have succeeded in pressuring the unconstitutional regime to quickly restore constitutional rule.[150] The slapping of sanctions on a state in such circumstances, also serves as a signal and provides other international actors such as the UN, the European Union (EU), the US and others the moral right to impose their own sanctions on the offending state or regime if they so wish. In this sense, the AU plays the role of 'gatekeeper' and determines how

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[150] A useful example here would be the imposition of sanctions on Mali after a military coup which forced the former President Ibrahim Boubacar Keita from office in August 2020. The sanctions included border closures and a ban on commercial trade and financial flows, but not basic necessities, drugs, equipment to fight coronavirus, fuel or electricity (Aljazeera News , 2020). These sanctions (in addition to other diplomatic pressures) led to a positive political development that saw a much quicker transition towards restoring civilian government in the country. This positive political development also encouraged the AU's suspension of the sanctions to pave the way for a transition to constitutional rule.

issues are to be framed and the sorts of sanctions to be used to address them. A good example here is the case of Cote d'Ivoire in 2010. The AU decided to suspend the government of Cote d'Ivoire from all its activities when Laurent Gbagbo refused to step aside for the winner of a democratic election, Allasane Ouattara. The actions and statements of the AU in this case served as a crucial stimulus to UNSC action through the adoption of resolution 1962 recognizing AU decisions and action, while renewing the mandate of the UN operation in Cote d'Ivoire until the following year (Charron & Portela, 2015; African Union Commission, 2018).

In addition to the above, there are other challenges to the effective use of the AU's sanctions regime within the African international society. First, the general lack of real political will and support for the use of sanctions as a result of the political dynamics on the continent remains an impediment (Eriksson, 2010; Charron, 2011; Magliveras, 2011). Sanctions in general are only as effective as the number of member-states that apply them in order to put the necessary pressure on the targeted state/entity. It is believed that most African leaders perceive sanctions as counter-productive and therefore would rather steer clear of them.[151] This sentiment is also reflected in the 2005 'Ezulwini Consensus', where it is noted that sanctions should only be considered after all other peaceful means of settlement have been exhausted[152] (Charron, 2011; Eriksson, 2010; African Union Executive Council, 2005).

Thus, implementation of most targeted sanctions in Africa beyond the suspension of offending states and regimes becomes near impossible. Moreover, sanctions work when there is some real enforcement power behind them. That, so far, is missing in the society of African

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[151] Interview with Dr. Christian Ani- Senior Regional Advisor, GIZ, Accra, Ghana, 2019 (formerly of ISS, Addis Ababa, Ethiopia).
[152] Also explains why the limited use of sanctions is preferred by African leaders so far.

states. We see the successful implementation of UN sanctions in most cases as a result of the backing of powerful states like the US who are ready to police their implementation. This level of backing and support is missing in the AU's sanction regime. Relatively powerful countries like Nigeria, South Africa, Kenya and Egypt have failed to take up this role so far. This, again, can be attributed to a lack of political will to make maximum use of sanctions beyond the aforementioned democratic norm.

The African international society is no doubt an emerging one. The very young nature of this society has some ramifications for its norms, policies and declarations, including sanctions. The society is still struggling with getting the buy-in of all members on some of its norms and policies. In spite of a general shift from the principle of non-interference in its member states' internal affairs to a more interventionist stance since the transition from the OAU to the AU,[153] the Union as an organization and society has very little leverage when it comes to implementing sanctions. The laxity of borders and systemic and endemic corruption of state officials on the continent (Charron, 2011; Charron & Portela, 2015) also add to the difficulty with sanctions implementation.

The inconsistency in the implementation of sanctions is another issue. Although the AU has been consistent in the use of sanctions to further democracy and constitutional governance, there remain some circumstances where the AU failed to sanction or take any actions against governments that have consistently violated the constitutional provisions on presidential term

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[153] The OAU, as discussed in previous chapters, even when it needed to address issues of insecurity and governance on the continent refrained from clearly interventionist mechanisms and resorted to the use of such non-coercive measures as mediation and persuasion of state parties mainly through the use of, first, the Commission of Mediation, Conciliation and Arbitration (1964) and later the Conflict Prevention, Management and resolution Mechanism. See (Charron & Portela, 2015).

limits.[154] There are also several instances where no AU sanctions were applied in situations of gross electoral and democratic deficiencies. Again, Egypt's re-admission into the AU after the election of Abdel Fatah El Sisi is a good example. As noted above, there was 'political silence' by the AU after El Sisi, a former army chief who was part of the Morsi ouster, legitimised his ascension to power through an election. The more recent cases of Burundi and South Sudan, where the AU failed to agree on whether there should be sanctions on both countries even in the face of democratic deficits as stipulated in the ACDEG, reiterates this inconsistency. Thus, the discrepancy in application of sanctions by the AU (in spite of several documents and declarations embracing sanctions) only serves to hurt the credibility of this budding international society.

3.0: Conclusion

This chapter explored two of the four normative practices (African democratic normative practices and African sanctions) underlying an African international society which are the focus of this dissertation. Per the discussions above, the chapter focused on two crucial initiatives by the AU- the APRM (an integral offspring of the NEPAD) and ACDEG - to examine the democratic norms emerging within the nascent African international society since its transition to the AU in 2002. Many Africans have continued to assert that at the root of all the woes of the continent reside bad governance and a general lack of democracy (Prempeh, 2008; Tieku T. K., 2009). Consequently, the AU, through the adoption and promotion of mechanisms such as the APRM and the ACDEG, seeks to instill and entrench the norm of democratic governance on the

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[154] Eriksson reports about twelve constitutional infringements on Presidential tenure from 2002-2010, where presidential term limits were abolished entirely, but perpetrators were not subject to AU sanctions (Eriksson, 2010).

continent. This marks a significant shift in approach to continental issues, in contrast to the erstwhile OAU's stance of non-interference in the domestic affairs of member-states.

The AU's approach has been markedly different, with a much more assertive stance and willingness to intervene in the domestic issues of its member-states. As discussed above for instance, the APRM aims at helping states improve upon the governance mechanisms in their countries, with the ultimate objective of improving economic growth and development. Similarly, the ACDEG (a consolidation of the several earlier commitments and declarations to democracy) also seeks to improve the democratic governance of African states through the promotion of a number of core norms. Again, the adoption and promotion of the above mechanisms represents a new mode of thinking within the African international society, where it is believed that in order to deliver better outcomes and results for ordinary African citizens, and ensure the continent remains safe and stable, good governance and democracy are the first necessary steps.

The application of African sanctions is a closely related normative practice that has taken root within the African international society. As with the democratic norm above, it is 'foreign' to Africa. Its adoption by the AU in more recent times also indicates a desire to own and address the continent's troubles and to chart a new course for the society of African states. As already noted, sanctions have been a tool of choice for the UNSC, which has used it consistently in Africa, much to the longstanding displeasure of African leaders who see its application as the imposition of western hegemonic priorities on them (Charron, 2011). Thus, its adoption and application on the continent is a significant departure, representing its acceptance by the African international society as a useful tool for governance and foreign policy.

Unlike the UN that uses sanctions to address all manner of complex political and security crises, however, the AU restricts its use of sanctions to the promotion of democratic norms addressing unconstitutional changes of government, along with government failures to pay assessed financial commitments to the AU. Thus, although Africans see clear utility in the tool of sanctions, they are unable (and perhaps unwilling at this point) to extend their application to other security crises. The AU could choose to apply sanctions to all manner of complex security crises on the continent, but it has chosen to restrict their use principally to unconstitutional changes of government. Several explanations for this have been identified, with a general lack of political will, capacity and resources to implement and use sanctions in ways other than pushing the democratic norm being major ones (Eriksson, 2010; and Charron & Portela, 2015). Indeed, these are problems confronting the democratic norms advanced by the AU as well. Thus, given the political realities on the continent, (in spite of a much more assertive and expanding role of the AU in these areas) the adoption, implementation and consolidation of both the normative practices of democracy and African sanctions still has a considerable way to go in order to take root as a societal normative framework. This is not to write these norms off or put them in a negative light. Rather, it is to demonstrate how much more work is needed, in spite of the progress to date in advancing a distinct African international society. Consequently, this chapter helps clarify the direction of travel of these normative mechanisms on the continent, in relation to Africa's attempts to move towards a more solidaristic international society. The ES approach aids in illuminating this holistic understanding of such normative attempts. The next chapter examines the budding norms of security governance and international criminal justice on the

continent, tracing their trajectories and implications for African international society. It finds a

similar pattern of incomplete assimilation of these societal normative practices.

Chapter V

Cardinal Manifestations of African Regional International Society: *Normative Practices around Security Governance & International Criminal Justice*

1.0: Introduction

The previous chapter traced and explored two of the four cardinal manifestations of the African international society that are the focus of this dissertation. This chapter examines first, normative practices around the governance of security, and second, normative practices regarding international criminal justice on the continent. As discussed throughout this dissertation, the issue of peace and stability has been at the centre of African problems. Violent intra and (to some extent), inter-state conflicts, political unrest, coups, and more recently, international crime including human and drug trafficking, piracy, and terrorism amongst others, feature prominently in the security problems the continent faces. These security issues have continued to deepen. With states still grappling with the effects and consequences of colonization (even several decades after independence), civil wars and other political crises, Africa remains a fragile security zone (Vines, 2013; Tieku , Obi, & Scorgie-Porter, 2014; Tieku T. , 2012; Tieku T. , 2007). The fragility of security on the continent has negatively affected development of African states (Solomon, 2015), with the situation even grimmer today in the face of an increasingly polarised international system. To address these African security challenges, therefore, requires a strong African voice and collective action (Vines, 2013).

One of the most notable features of the transition from the OAU to the AU has been an increased desire of Africans to act on and deal with political crises and security problems

themselves, before they get out of control (Powell & Tieku, 2005). Consequently, with the recognition of the importance of peace and stability both intrinsically and to economic development and progress, governments in Africa, through the AU, have initiated several changes to the normative and policy framework for managing peace and security on the continent. Part of this normative framework includes mechanisms for conflict prevention, early warning, the promotion of political stability and security, management and resolution of conflicts, deployment of observers and peacekeeping missions and, most crucially, acceptance and willingness to intervene in cases of grave circumstances of violent insecurity within African states (Dersso, 2012; Mays, 2003; Solomon, 2015; Tieku, 2007; Knight & Oriola, 2021; Oriola & Knight, 2019; Oriola & Knight, 2020). To that effect, African states have developed peace, security and conflict resolution mechanisms aimed at addressing security challenges on the continent, epitomised by the African Peace and Security Architecture (APSA) (de Coning, 2007; Solomon, 2015; Aning, 2004).

These normative trends and institutional mechanisms concerning peace and security have become steadily more invasive (and solidaristic as defined in the ES literature), with an increasing recognition on the continent of the need for cooperative attitudes toward the resolution of persistent security concerns. Thus, African governments, through the AU, have moved away from the hitherto long-standing unspoken policy of indifference to each other's internal affairs (or pluralism, per the ES) and have embraced a policy or strategy of non-indifference towards crisis and insecurity on the continent. Unlike in the past, African states and their leaders, through the AU, are beginning to exhibit a willingness to override the traditional principle of the supremacy of sovereignty that for so long represented an impediment to

concrete action regarding governance, and specifically peace and security governance on the continent. This can be seen as a clear indication of movement towards greater African solidarism.

Relatedly, as an important criterion for peaceful and safe communities (especially post-conflict ones), it is critical to ensure a substantial degree of accountability for crimes committed during conflicts in the past, while promoting a sense of security, law and order for the present and future,[155] while re-integrating former combatants safely into society (O'Connor, Rausch, Albretch, & Klemencic, 2007; (Knight, 2008). Consequently, promoting the rule of law and justice in post-conflict contexts is increasingly accepted as a necessary condition for sustaining fragile (often hard-won) peace, and preventing a relapse into violence. To this end, several normative practices around a distinctive African international criminal justice mechanism continue to be rolled out by the AU and its member-states. Crucially, this important normative practice comes with a divided and wary approach to broader international criminal justice processes associated with the International Criminal Court.[156]

These two normative trends, discussed in this chapter, further represent important ways by which Africans are trying to engender peaceful communities on their continent while promoting respect for human rights and justice - a testament to attempts at strengthening an African international society of states that distinguishes the inside (Africa) from the outside (broader global society of states). In other words, the normative practices discussed in this chapter sum up the notion of change towards enhancing a peaceful, stable, secure and just African society of states. They also underlie the increasingly strong belief in devising 'home-

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[155] This becomes helpful in promoting values of tolerance, fairness, transparency and adherence to international human rights standards necessary for nurturing peaceful communities.
[156] These issues are taken up later in this chapter.

made' African solutions to problems on the continent. Instead of waiting on the international community to come to their aid (which has often been insufficient, sporadic, and suspect), Africans themselves should be able to take responsibility for their own destiny and resolve their own security problems (Cilliers, 2005; ISS Media Toolkit, 2015).[157] Again, this is a clear indication of more solidaristic norms and practices aimed at achieving Africa's security objectives.

The rest of this chapter discusses the two broad normative practices around the governance of peace and security, and African international criminal justice in the context of Africa's international society. Here again, we see the dynamic tension between residual pluralistic and emergent solidaristic tendencies within the African international society.

2.0: Normative practices around the governance of peace and security

It is no secret that the scourge of conflicts and insecurity in Africa continues to be a major blockade to socio-economic development. Realizing the interconnectedness of peace, security, stability and economic development, the AU has introduced a number of normative initiatives and associated policy frameworks aimed at ridding the continent of the plague of insecurity and instability. By these initiatives, the AU charter has indicated a new direction for the society of states on the continent by reserving and declaring the right of the Union to intervene in any member-state (pursuant to the decision of the Assembly) in respect of grave circumstances such as war crimes, genocides and crimes against humanity (The African Union (AU Constitutive Act), 2000).[158] This represents the first distinctively African provision for security governance on the continent, and signals the AU's intent to move towards ensuring both human and state security

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[157] We must acknowledge here that these processes remain fragile, partial and unconsolidated at best. It continues to be an on-going process.
[158] See Article 4h of the AU Constitutive Act for more on this

as opposed to strictly state security as observed under the OAU (Knight & Oriola, 2021; Tieku, 2007; Tieku, 2012).

Before the transition to the AU, there existed an OAU mechanism for Conflict Prevention, Management and Resolution, formed in July 1993 in Cairo, Egypt. However, the exigencies of conflicts on the continent demonstrated that the effectiveness of this mechanism was severely limited. The Rwandan genocide in 1994 for instance, coupled with several other bloody civil wars on the continent amplified this failure. African leaders have since then recognized the negative impacts of conflicts on African societies as well as on the economic progress of African states. Consequently, the concern to deal with conflict and security problems became one of the key objectives of the AU as indicated in its Constitutive Act (The African Union (AU Constitutive Act), 2000). The Union has vowed in several of its declarations and documents not to bequeath the burden of conflicts and instability to the next generation of Africans, stating explicitly an objective of "silencing the guns" by 2020 (African Union Commission, 2018).[159] To effectively perform this role, the Union over the years has tried to anticipate and deal with crises before they erupt into

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[159] Admittedly, this remains largely aspirational, especially given the AU's inability to 'silence the guns' and prevent several conflicts on the continent. The recent Ethiopian Tigray crisis is especially poignant here, as it poses significant challenge to most of the AU's foundational principles relating to conflicts, including 'silencing the guns' and 'non-indifference'. Ethiopia's federal government declared war on its northern region of Tigray after the region held its own elections in September 2020 in defiance of the federal government's directive to postpone national polls due to the coronavirus pandemic. The declaration in November by the Ethiopian Prime Minister Abiy, accusing the Tigray Peoples' Liberation Front of crossing a "red line" by attacking a federal military base in Tigray, led to a "military confrontation". With no news coming from the region and fears of war crimes being committed (in the face of reports that Eritrean troops have crossed the border and rounded up Eritrean refugees in United Nations camps in Tigray-an act that would be a violation of the United Nations convention on refugees), there are genuine fears of a protracted conflict that will likely reverberate across the already fragile Horn of Africa, impacting neighbours Somalia, Eritrea, Djibouti and Sudan (Walsh & Dahir, 2020). The AU sent three former African Heads of State into Addis Ababa to seek a peaceful resolution to the conflict, but Prime Minister Abiy Ahmed ordered what he called the "final phase of our rule of law operations"- a clear rebuff of AU's attempts (UN News, 2020). In rebuffing the African mediators, several critics, including Walsh & Dahir (2020), believe Mr Abiy is not just turning down a peace initiative, but is challenging the foundational principles of the African Union. However this conflict event unfolds in the coming days and months, it is clear that the Ethiopian conflict (and others like it across the continent) threatens to make a mockery of the African Union's norms, principles and practices regarding peacemaking/conflict resolution.

full-blown security issues. Thus, the AU Constitutive Act, although upholding the principle of non-interference in each others' domestic affairs, reserves the right (as mentioned earlier) to intervene in grave circumstances-specifically genocide, war crimes and crimes against humanity (The African Union (AU Constitutive Act), 2000).[160]

Accordingly, the AU has developed several governance mechanisms aimed at anticipating, curbing, managing *and ending* conflict and insecurity in Africa. All of these normative frameworks and initiatives can be classified under the African Peace and Security Architecture (APSA)[161];Tieku , Obi, & Scorgie-Porter, 2014; Tieku T. , 2012; Knight & Oriola, 2021). The APSA represents an assumption of political responsibility to address challenges of conflict and security by the AU. With the publication of strategic documents such as the APSA roadmaps, the African international society manifests a continued determination to consolidate the gains made so far in the areas of human and state security on the continent, while setting the foundational elements of how the continent will deal with future insecurity collaboratively. The APSA also clearly exhibits the continued insistence of Africans to find home-grown solutions to African security problems and crises. The mechanism comprises an expanded and comprehensive program towards achieving peace and security on the continent. Thus, APSA is composed of structural mechanisms around the prevention of conflicts, preventive diplomacy, early warning instruments, as well as peacemaking and peacebuilding (African Peace & Security Architecture-APSA Roadmap, 2015)- clearly indicating a desire to move towards greater solidarism.

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[160] See Article 4(h) of the Constitutive Act of the AU
[161] Important and complementary to the APSA is the African Governance Architecture, based on the ACDEG. The dissertation does not cover this mechanism here.

Security governance has therefore become another core area where the principles of an African international society are being promoted. The components of APSA (which sums up the normative practices and new directions regarding security governance in Africa), sees a combination of political, military, mediation and economic mechanisms for addressing Africa's security problems. They include:

1. The Peace and Security Council (PSC),

2. The Continental Early Warning Systems (CEWS),

3. The African Standby Forces (ASF),

4. Panel of the Wise (PoW),

5. The Peace Fund

6. Military Staff Committee (MSC)

7. The Eight (8) recognised Regional Mechanisms (RMs or RECs)[162]

Figure 1 below provides a graphic representation of the various components of APSA and how they inter-relate with one another. The rest of this section outlines these mechanisms to help us trace the new direction of the AU's peace security governance mechanism.

2.1. The Peace and Security Council (PSC)

The PSC represents the principal and most visible component of the APSA. As indicated in Figure 1 below, it is central to the operationalization of the entire APSA. The PSC came into being in 2002 in Durban, South Africa, through the Protocol Relating to the Establishment of the PSC[163].

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[162] These RECs have become increasingly important in their own right, as well as to the African international society project on the continent.

[163] This Protocol brings an expanded and comprehensive understanding of peace and security and aims to tackle all aspects from early warning to peacekeeping and peacebuilding.

Its main responsibility is to manage and make decisions around peace and security in Africa, thus making it a central pillar of APSA (African Union Peace & Security Council (PSC), 2002; African Union Commission, 2018; Vines, 2013; Knight & Oriola, 2021; Tieku T. , 2007). It is therefore a collective security mechanism aimed at facilitating a timely and more effective response to security crisis on the continent than have transpired in the past.
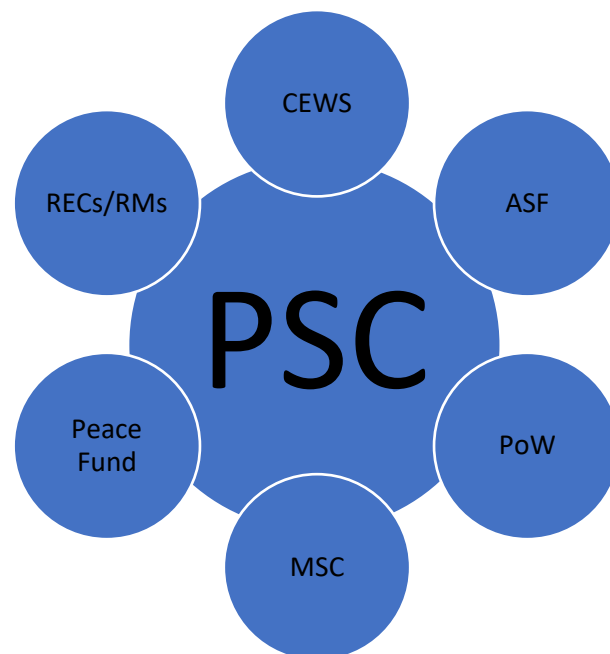
Figure 1: The African Peace & Security Architecture (APSA)[164]

Designed to promote consensus decision making around peace and security issues on the continent, the PSC, unlike the Security Council of the UN, does not ascribe exclusive veto power to any of its fifteen (15) member-states. This consensus decision-making mechanism is also reflected in the non-permanence in tenure of member-states (representing equally all 5 sub-regions,) with ten (10) elected for a 2-year term, and the other five (5) elected for a 3-year

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[164] Source: https://au.int/

term.[165] As the principal mechanism for addressing peace and conflict on the continent, the PSC's main goal is to act as a collective security mechanism that facilitates the timely and efficient intervention in conflict and security crises on the continent (Bedzigui, 2018; Tieku T. , 2012). Amongst other things, it is charged with anticipating and responding to conflict situations across Africa, developing a common continental defence policy, combatting radicalization and international terrorism, promoting security, stability and peace in Africa, introducing early warning and preventive diplomacy as well as ensuring proper humanitarian action and disaster management (African Union Peace & Security Council (PSC), 2002; Vines, 2013; The African Union (AU Constitutive Act), 2000). It therefore coordinates the actions and policies of the other components of APSA, as well as the AU Commission, to achieve these objectives. Since its establishment, the workload of the PSC has steadily increased due to the rising complexity of security challenges on the continent. The PSC has therefore become even more visible since 2003, as it attempts to coordinate and address peace and security responses. Its role in efforts to resolve several conflicts on the continent, including Burundi, the DRC, Comoros, Cote d'Ivoire, Mali, and Somalia amongst others, is testament to its growing importance in security governance norms and practices on the continent.[166]

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[165] **Table 1.0** shows current composition of the PSC as at March 2020.
[166] Of course, there are several others that are still unresolved.

Table 4: Current Composition of the PSC[167]

Country	Term (years)	Expiry of membership	Region
Mozambique	2	31-Mar-22	Southern Africa
Burundi	3	31-Mar-22	Central Africa
Djibouti	2	31-Mar-22	Eastern Africa
Algeria	3	31-Mar-22	Northern Africa
Cameroon	2	31-Mar-22	Central Africa
Chad	2	31-Mar-22	Central Africa
Kenya	3	31-Mar-22	Eastern Africa
Senegal	2	31-Mar-22	Western Africa
Egypt	2	31-Mar-22	Northern Africa
Nigeria	3	31-Mar-22	Western Africa
Ethiopia	2	31-Mar-22	Eastern Africa
Ghana	2	31-Mar-22	Western Africa
Benin	2	31-Mar-22	Western Africa
Lesotho	3	31-Mar-22	Southern Africa
Malawi	2	31-Mar-22	Southern Africa

Source - African Union PSC & ISS PSC Report, Pretoria: http://www.peaceau.org/en/page/88-composition-of-the-psc and https://issafrica.org/pscreport/psc-insights/with-four-new-members-is-the-psc-at-a-crossroads.

The PSC shares its role in conflict prevention and security with the Chairperson of the AU Commission. Technically, the AU commission is not a recognised pillar of the APSA. Nevertheless, the Protocol establishing the PSC notes that the PSC exercises its powers in conjunction with the Chairperson of the AU Commission (Bedzigui, 2018). Thus, the Chairperson of the Commission often plays an important supportive role in the PSC while also remaining independent and autonomous in tackling peace and security concerns on the continent. Consequently, there continues to be a balancing of roles between the PSC and the AU Commission, which makes for a very interesting dynamic when it comes to addressing and tackling crisis situations.

Both entities continue to work towards a collaborative approach to their role of ensuring peace and security on the continent. To that effect, and for the first time ever in its history, the

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[167] The above table represents members of the PSC as at December 2020.

PSC, as a collective decision-making body organized a session dedicated to an interaction between members of the PSC and the AU Commission in September of 2019. This session was followed by a meeting at the ministerial level themed 'the inter-dependence between peace, security and development', also aimed at deepening inter-departmental cooperation at the AU Commission to fully support the work of the PSC. All these point to the need for collaboration between the two organs (Institute for Security Studies (ISS), 2019).

2.2: The Continental Early Warning System (CEWS)

The CEWS was established to provide decision makers around peace and security issues with timely information, analysis and options for response (African Peace & Security Architecture-APSA Roadmap, 2015). Its formation was stipulated in the Protocol Establishing the PSC by its Article 12 (1). The CEWS is thus designed to monitor the peace and security situation on the continent through its *'situation room'*, with periodic reports and situational updates for decision makers at the PSC and AU Commission. Consequently, the end users of the CEWS are the AU Commission, the PSC and other relevant policy organs of the AU. Its establishment is aimed at improving the capacities of the PSC, the Commission and other preventive mechanisms and structures including the PoW (Cilliers, 2005). The CEWS, as with all early warning systems is therefore directed at identifying critical security issues on the continent in a timely manner, in order for relevant policy makers to come up with coherent strategies and policies to address them or reduce their negative impacts on civilians.

To make the most of this system, it operates both at the continental and regional levels. Thus, regional early warning systems have been designed to feed into the larger continental warning system in order to enhance the provision of timely information and situational reports

for rapid action. The regional early warning mechanisms of the RMs[168] have therefore been instrumental in facilitating dialogue and action on conflict prevention within the African society of states.

Major progress has been achieved in operationalizing the CEWS since it was adopted in 2006, with the provision of information on potential, on-going and post-conflict crises to the AU commission for action. Per the APSA Road map-2016-2020 report from the AU, there has been a real uptick in the harmonization and coordination between the CEWS and the early warning systems of the RMs/RECS, with high hopes for a continued deepening of collaboration (African Peace & Security Architecture-AP,. SA Roadmap, 2015). This collaboration is absolutely critical for its smooth functioning, as early warning systems, unlike intelligence systems, rely on the input of sections of civil society for the purposes of ensuring human security. To that effect, the regional early warning systems are supposed to provide the CEWS with timely, accurate, valid, reliable and verifiable information or data for reliable analysis and strategy. The CEWS is therefore mandated to collaborate, not only with governments and official states sources, but also with relevant academic and research institutions, civil society organizations as well as other governmental international organizations such as the UN and its appropriate agencies (Cilliers, 2005).

The CEWS faces a number of ongoing challenges however. It is limited in staffing and so lacks on-the-ground presence. Although its collaboration with the regional early warning systems

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[168] These regional early warning mechanisms include: CERWARN- Intergovernmental Authority for Development (IGAD); ECOWARN- Economic Community of West African States (ECOWAS); EACWARN-the East African Community (EAC); COMWARN-the Common Market for Eastern and Southern Africa (COMESA); MARAC-the Economic Community of Central African States (ECCAS); and finally, the Southern African Development Community (SADC) early warning system (African Peace & Security Architecture-APSA Roadmap, 2015).

has improved in recent times and so mitigates the negative impacts of this issue, their relationship continues to be uneven, with certain RECs/RMs' early warning systems less developed than others (Bedzigui, 2018).

2.3: The African Stand-by Force (ASF)

The ASF was initiated in 2004 through the adoption of the Framework for the development of the ASF and the Military Staff College by the AU. The ASF in its conception is to be a continental peacekeeping force with multi-disciplinary composition and capability, comprising Police, Military and civilian contingents for rapid deployment in times of crisis on the continent. The structure of the ASF is to be composed of 25000 personnel: 5000 from five regional brigades. The brigades will be based in their respective regions and be directed at five (5) designated REC/RM levels- the Economic Community of West African States (ECOWAS), the Economic Community of Central African States (ECCAS), the South African Development Community (SADC), the Eastern African Stand-by Force (EASF), and finally the North African Regional Capability (NARC) (African Peace & Security Architecture-APSA Roadmap, 2015).

The ASF is designed as an intervening force in crisis situations including violent conflicts, war crimes, genocides and crimes against humanity at the request of the member-state in crisis or when the AU deems the situation grave enough that it threatens the peace and security of the continent. (AU-ASF Draft Maputo Strategic Work Plan, 2015). The RECS/RMs are charged with the responsibility of ensuring the brigades have the requisite capabilities for success, while sharing the deployment and management responsibilities with the AU. With a logistical base in Douala Cameroon, operations by the ASF would usually begin as a regional exercise before being turned into a larger AU endeavour, if the situation calls for it.

Article 13 of the PSC protocol mandates the ASF to intervene in the following situations: efforts to restore peace and order; to prevent violent crises from escalating or spreading; to conduct, observe and monitor peacekeeping missions or support operations; and to provide humanitarian assistance in conflict and crisis situations, amongst others. Notably, although the ability of the ASF to intervene in member-states was derived from the global humanitarian norm of intervening in countries to protect lives for instance, the conditions laid out under the African condition for military intervention go much further than the provisions for intervention provided under the UN Charter (African Union Peace & Security Council (PSC), 2002; African Union, 2007; Tieku, 2007; (Tieku , Obi, & Scorgie-Porter, 2014). With the abandonment of the principle of consensus, it would only require two-thirds majority of the Assembly to authorize intervention in any country that faces a crisis (Tieku T. , 2007; Tieku , Obi, & Scorgie-Porter, 2014). The ASF is thus aimed at providing the AU with the ability to swiftly respond to security crises on the continent where military intervention is concerned or needed.

Clearly from the set-up of the ASF, the AU has shown an increased desire and willingness to engage in peace enforcement missions. The AU's mission to Burundi (AMIB), Comoros (AMISEC), Sudan (AMIS) and Somalia (AMISOM) epitomise this new desire. To date however, the ASF has never been deployed, although, again, the AU has undertaken several peace support operations. Of all the peace support operations undertaken, the Mali and CAR deployments most closely resembled the ASF model, with the AU working with two RMs (ECOWAS in the case of Mali and ECCAS for CAR), to plan and execute the operation (ISS Media Toolkit, 2015).

Several obstacles continue to plague the ability to effectively use the ASF to address the continent's security problems. Besides the fact that only three of the five regional brigades are

fully functional (ECCAS remains weak while NARC is yet to be functional (Ndubuisi, 2019)), there are huge issues with funding. Currently, only 25 per cent of ASF funding is from the AU, while over 75 per cent is expected from external and donor sources-the EU, UN, and others (ISS Media Toolkit, 2015). The problem with adequate funding raises important questions about the commitment and political will of AU member states to this mechanism. It also raises other important questions about whether adequate training, necessary equipment and logistics would be readily available to troops for deployment. Thus, significant issues remain as far as the operationalization of the ASF is concerned. Until real political commitment by AU-member states is achieved, this particular pillar of the APSA might remain a document that is never operationalized.

2.4: The Panel of the Wise (PoW)

The PoW is one of those normative practices and institutional innovations that is indigenous to the African context and incorporated into the APSA. The role of elders in conflict resolution in Africa has always been prominent, and figures heavily in most traditional conflict resolution mechanisms. Elders in Africa are traditionally considered highly experienced and full of wisdom and so are called upon to help address and resolve conflicts. The infusion of this important norm into the APSA is to make elder statesmen in Africa important actors and instruments in preventive diplomacy (Bedzigui, 2018). Some have traced this norm to the mediation role Kenya's former President Arap Moi played in the Ugandan conflict in the 1980s (Khadiagala, 2018). Thus, Article 11 of the AU Charter provides for the PoW, to be made up of 5 members of eminent standing on the continent, to support preventive conflict resolution. Some notable members of the Panel since its inception have included Olusegun Obasanjo of Nigeria,

Nelson Mandela of South Africa, Julius Nyerere of Tanzania, and Kofi Annan of Ghana, amongst other prominent African Heads of States and diplomatic and political figures, and with an ever-increasing pool of such figures on the continent (Khadiagala, 2018).

The Panel is thus usually composed of highly respected African personalities who have made outstanding contributions to the peace, security and over all development of Africa. The very first Panel was appointed in December 2007 with Ahmed Ben Bella of Algeria as chair (AU PSC, 2019). Members are selected through the AU Commission Chairperson with the approval of the Assembly, with a three-year mandate (which is renewable once). Current members of the Panel, whose mandates run from 2018 to 2022 include Mr. Hifikepunye Pohamba (former Namibian President); Ms. Ellen Johnson Sirleaf (Former President of Liberia); Dr. Speciosa Wandira Kazibwe (former Ugandan Vice-President); Mr. Amr Moussa (former Minister of Foreign Affairs, Egypt); and Mrs. Honorine Nzet Biteghe (former Minister of social Affairs, Gabon) (AU PSC, 2019).

The PoW is charged with the role of supporting and advising the PSC as well as the Chairperson of the AU Commission on issues regarding the promotion of peace and security on the continent within the APSA (African Union Peace & Security Council (PSC), 2002; African Peace & Security Architecture-APSA Roadmap, 2015). It has consequently been given the autonomous ability (at least on paper) to raise awareness on issues it regards as significant for the promotion of stability and human security on the continent. The PoW can therefore act on the request of the PSC or the Chairperson of the AU Commission or on its own volition (African Union Peace & Security Council (PSC), 2002; AU Peace and Security Department, 2010). The Panel meets at least three times per year to identify issue areas or vulnerable countries that require the Panel's

attention. Several issues have occupied the PoW since its inception. However, the key general themes of focus so far have been around: election generated conflicts; non-impunity, justice and national reconciliation; and women and children in armed conflicts (African Union Panel of the Wise, 2013; AU PSC, 2019). The Panel has therefore produced several reports on these thematic areas since its inception and has also organized workshops and conferences on conflict prevention on the continent (AU PSC, 2019).

A major impediment to the proper functioning of this pillar of APSA remains the issue of funding. Because its formation was not established within the AU Charter, no direct allocation of funds has been made for the PoW's operation (AU Peace and Security Department, 2010). This has led to a reliance on the AU Commission for funding for its activities which clearly inhibits its independent existence and operation. There have been attempts at seeking external donor support for PoW activities, but the unintended effect is the undermining of its political neutrality, with negative consequences for its efficacy.[169] Relatedly, the fact that the appointment of the PoW members had to go through political organs of the AU (the Assembly), raises concerns about its possible politicisation- which ultimately undermines the perception of neutrality, and hence its role in certain conflict situations (AU Peace and Security Department, 2010).

2.5: The Peace Fund

The Peace Fund was established within the PSC Protocol under Article 21 as another important pillar of APSA (African Union Peace & Security Council (PSC), 2002; Tieku , Obi, & Scorgie-Porter, 2014). This component was specifically aimed at meeting the operational funding

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[169] For a long time, the funding for activities related to mediation and preventive diplomacy, including the PoW has been on an ad hoc basis, and relied heavily on support from AU partners.

needs of peace and security initiatives on the continent: - mediation and preventive diplomacy, institutional capacity and peace support operations (AU PSC, 2019). The Peace Fund is supposed to cover more than just peace support operations. It is also to enable the AU to be institutionally ready and capable to deal with emergency crisis situations. Consequently, the establishment of the Peace Fund is to be accompanied by a reserve to fall back on in times of emergency or crisis.

Contributions to the Fund are drawn from the budgetary contributions to the AU's regular budget, voluntary contributions from both internal and external individuals and organizations, and any other identified sources in conformity with the objectives and principles of the AU (African Peace & Security Architecture-APSA Roadmap, 2015). Also, within the Peace Fund is a 'revolving' Trust Fund aimed at covering the cost of operations under the ASF (African Peace & Security Architecture-APSA Roadmap, 2015). This initiative was thus an important step towards real African ownership of Peace operations. On average, only about 6 per cent of the AU's budget is allocated to the Peace Fund, an amount that is well below the financial requirements of peace operations on the continent. Consequently, the Peace Fund has been unable to meet the financial needs of peace and security operations. For instance, the annual cost of AMISOM was around US$900 million with a majority of the cost being covered by external partners. Thus, in 2015 at its Assembly summit in Johannesburg, the AU decided that its member-states' financing for peace support operations should be increased to 25 per cent of total costs (Africanews, 2015; Carvalho & Leijenaar, 2017).

This step was aimed at sending a positive message to external partners of Africa's commitment, thereby encouraging them (external partners) to pay for the remaining 75 per cent through UN-assessed contributions. Additionally, a 0.2 per cent levy on all imports from outside

the continent to AU member-states has been approved, which would be assessed to augment funds for peace and security operations. The July 2016 Assembly decided that the Peace Fund would be endowed with $325 million in 2017, rising to $400 million by the year 2020, and replenished with same amount each year as needed (AU PSC, 2019; AU Peace and Security Department, 2010).

Unsurprisingly, funding remains a more difficult area for the full operationalization of APSA. It is obvious that without adequate funding, peace operations in Africa cannot be effective. With all the above measures, it is hoped that the Peace Fund will in fact have collected US$400 million by the year 2020[170] (Carvalho & Leijenaar, 2017). Although this amount is not sufficient, it would at least enhance the ability of the AU to fund more aspects of its peace operations-bringing Africa closer to owning its own security and governance challenges and crises (Carvalho & Leijenaar, 2017).

2.6: Military Staff Committee (MSC)

The MSC was established under Article 13 of the Protocol establishing the PSC. It is mandated to advise the PSC on questions of military and security issues that are on its agenda. The MSC came into existence in 2004. It consists mostly of senior military officers of the PSC member-states (African Peace & Security Architecture-APSA Roadmap, 2015) and has been providing advice to the PSC's authorized peace operations across the continent. The Committee is therefore the body to provide the PSC and thus the entire APSA with the technical and expert advice and recommendations around conflict-prevention, management and intervention levels

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[170] As at 2017, the AU Peace Fund stood at US$141 million. Musa Faki Mahamat, the Chairperson of the AU Commission pledged its full operationalization by the year 2021 (Xinhua News, 2020).

(Lulie, 2015). This particular organ of APSA was also inspired by a similar structure at the UN level[171] aimed at helping enhance the peace and security capacities of the continent.

Since its establishment however, the MSC has not been as impactful and visible within the operationalization of APSA as intended. Several factors are responsible for this. Some of these include the fact that the Committee continues to be understaffed. Additionally, several member-states do not have senior military officers (defence attachés) at their embassies in Addis Ababa, which leads to, at times, a less than 50 percent attendance to MSC meetings (African Peace & Security Architecture-APSA Roadmap, 2015; Lulie, 2015). Related to the above is the infrequency of MSC meetings. Although the MSC is obligated to meet prior to each PSC meeting and to be part of all PSC meetings as well, this is hardly the case. It is actually believed that the Committee goes sometimes a full year without meeting once (Ndubuisi, 2019).

The above is a result of a general lack of guidance on its work and the fact that there is not enough clarity on the institutional affiliation of the MSC operationally. Although from a practical point of view, its location within the PSC secretariat would make much sense, it is currently not clear whether it should be directed from the PSC Secretariat or the Peace Support and Operations Division (PSOD) of the AU (African Peace & Security Architecture-APSA Roadmap, 2015). Others have also argued that its composition, being military, is not broad enough to cover the multiplicity of issues associated with peace support operations. Thus, issues around policing and civilian protection, amongst others, are not a strong suit of the MSC as it is currently

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[171] For more on this organ, see https://www.un.org/securitycouncil/subsidiary/msc.

composed, and so the necessarily multi-dimensional nature of peace operations is not always covered (African Peace & Security Architecture-APSA Roadmap, 2015).

In fact, the usefulness of the MSC to the overall operationalization of APSA continues to be diminished. For instance, before the deployment of African-led troops to Mali, there was no request for the MSC's expert advice by the PSC (Lulie, 2015). In spite of several documents and declarations, there is still little clarity on the appropriate role of the MSC in the current APSA structure. With several other PSC committees of experts, there is further confusion about the role, mandates and responsibilities of the MSC and those committees. Important questions about whether the expert committees are here to replace the MSC remain unanswered (Lulie, 2015). For the APSA to function effectively, there is a need to commit to making all of its components, including the MSC, work in the manner they have been designed to. The AU PSC recognises these challenges inhibiting the effectiveness of the MSC, and so at its 674th meeting on March 31, 2017 deliberated on ways to address some of the shortcomings mentioned above. The PSC stresses the centrality of collaboration between the MSC and the Peace and Security Department, specifically the Peace Support Operations Division. The PSC has also stressed the importance of the MSC forging close working ties with other relevant structures of the Union, not least the Specialized Technical Committee on Defence, Safety and Security (674th meeting of the PSC , 2017).

2.7: Regional Mechanisms/Regional Economic Communities (RMs/RECS)

The RECs/RMs form an integral part of Africa's peace and security governance mechanisms. The RECS, on paper, are intended to be the underlying building blocks of APSA. They represent the pragmatic belief (similar to the EU's principle of subsidiarity) in relying on close

neighbors to be the first to respond to crises on the continent, rather than waiting on the AU in Addis Ababa or other external actors to react. The sub-regional organizations have therefore been incorporated into the continental security governing structure. The AU Constitutive Act and the Protocol establishing the PSC stipulate the coordination and harmonisation of AU policies to be consistent with RECs/RMs for uniformity of action around peace and security operations on the continent (African Peace & Security Architecture-APSA Roadmap, 2015; African Union Peace & Security Council (PSC), 2002; African Union Commission, 2018; The African Union (AU Constitutive Act), 2000). There are eight (8) recognised RECs/RMs on the continent for the coordination of peace and security action with the AU. These include: the Arab Maghreb Union (AMU); the Community of Sahel-Saharan States (CEN-SAD); the East African Community (EAC); the Economic Community of Central African States (ECCAS); the Economic Community of West African States; the Common Market for Eastern and Southern Africa (COMESA); the Intergovernmental Authority on Development (IGAD); and the Southern African Development Community (SADC) (The African Union (AU Constitutive Act), 2000).[172]

Interestingly, although considered as foundational to the AU and therefore referenced in several AU documents, the RECs do not necessarily recognise the AU (nor reference its primacy) as pre-eminent in the area of peace and security. Consequently, there is no clear road map towards harmonization with the AU by any of the recognized RECs/RMs (Bedzigui, 2018; Tadesse, 2009). As it stands, the relationship between the AU and the RECs continues to be marked by tension, unease and ambiguity. Thus, there is an urgent need for a clear division of labour

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[172] All of the above-mentioned REC/RM have, as their ultimate objective, regional economic integration, with only the EAC having the additional political integration goal of becoming a federation (Tadesse, 2009).

between the AU and the RECs, as recommended in the Kagame report on AU reforms (Bedzigui, 2018). What has resulted from this ambiguity of roles is well captured in the following quotation:

> More often than not, in responding to crises, regions take the lead. The role of the AU and the PSC tends to be reduced to a legal and political formality in order for regional initiatives to receive either authorisation by the UN Security Council or external funding. In this sense, the PSC almost acts as a rubber stamp in order to present regional peace and security plans to external actors *(Bedzigui, 2018)*

As implied above, it has become a trend for the RECs/RMs to take leadership in tackling any peace and security crisis in their back yard, with the AU reduced to a background role. In Burundi for instance, the AU reversed a decision to send a protection force into the country in favour of regional mediation. Several PSC decisions are also mere endorsements of regional or REC decisions (Bedzigui, 2018). Regions have also intensified their actions in terms of security and conflict management with several duplications of mechanisms found at the continental and sometimes global level. Thus, although APSA is that mechanism aimed to push the continent towards collective security for the society of states on the continent, the regionally based security mechanisms appear to be pushing the continent in an opposite direction, with a fragmented vision of security based on sub-regional configurations.

Although there is merit in allowing neighbors closest to crisis situations to help deal with these situations, this approach has not always been successful. Proximity of particular RECs to crises, far from being advantageous, has sometimes led to significant problems, especially in situations where national interests and local sub-regional politics and rivalry have interfered in the peace-making processes (Bedzigui, 2018). This has been particularly poignant in the Liberian

civil war, where some states within the sub-region (Ivory Coast under Houphouet Boigny and Burkina Faso under Blaise Compaore) were thought to be giving the main rebel leader, Charles Taylor active support, thereby derailing the efforts of ECOWAS, led by Nigeria, at getting the cooperation of the warring factions to resolve the conflict (Adebajo, 2002; Ezeh, 2019).Similarly, the Intergovernmental Authority on Development (IGAD) the regional body mediating peace negotiations to end the South Sudanese civil war struggled to secure a peace deal in the face of deep regional divisions and the parties' truculence (The International Crisis Group , 2015; Majok, 2019). This situation has mostly come down to the lack of political will to mainstream regional commitments and agreements into national plans to ensure success. Evidently, a framework for better coordination and cooperation must be infused into the current APSA to reflect and generate coherence at both the sub-regional and continental levels. As building blocks of APSA and therefore an African international society, the RECs/RMs have been disproportionately inward-looking, putting sub-regional agendas ahead of the continental goals of an African international society. This situation raises interesting challenges and questions concerning the prospects for an African international society with common policies and approaches to security governance.

Consequently, a framework that harnesses both continental and various sub-regional agendas, with a clear road-map for its operationalization, must be put in place. In her report for the Institute for Security Studies (ISS), Tadesse (2009) correctly asserts that "[i]n some RECs there seems to be contradictory views with regards to the aspirations for a continental agenda. Consequently, there is need for the AU to take the lead in the promotion of the integration agenda at the continental level. Some sort of a dialogue and an engagement formula between

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AU and RECs is imperative". Thus, there needs to be a holistic and dynamic approach and conceptualization of APSA in order to allow for its rapid adaptation to meet both continental and specific sub-regional goals and agendas. The best way to do this would be to improve the relationship between the AU and the RECs at the institutional level, starting with improving relations and coordination between the continental and sub-regional organs with similar roles or responsibilities.

In spite of these challenging issues however, the APSA has succeeded in establishing a framework for addressing the scourge of conflicts on the continent that can be described as distinctively African. It clearly signals (at least on paper) the resolve of Africans to no longer sit and wait on the intervention of external actors during crises, as happened in the past. [173]

3.0: Normative Practices around International Criminal Justice

3.1: Introduction

International criminal justice practices remain another important, nascent area where African international society is manifested. International criminal justice remains a difficult concept to articulate in an adequate manner due to the multiplicity of interpretations within the literature. However, the broadly accepted characterisation in international relations describes international criminal justice as the international community's response to crimes of a heinous nature, such as mass atrocity crimes and other crimes against humanity. Per Amnesty international, international criminal justice refers to attempts at ensuring accountability for some of the most serious crimes committed by individuals, governments and states including genocide,

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[173] More on these discussions in the next chapter.

crimes against humanity, war crimes, torture and coerced disappearances (Amnesty International, 2019). The rationale of international criminal justice is to ensure the protection of lives of civilians, while ensuring that individuals who commit such heinous crimes can be held to account, are prevented from further abusing victims if they are still in positions of power, to ensure that victims/civilians are not left to suffer without any compensation, to take steps to get to the bottom of the truth of what happened, and to ensure that it never happens again (Frahm, 2015; O'Connor, Rausch, Albretch, & Klemencic, 2007).

Thus, international criminal justice requires the "establish[ment] of] the truth about the past; end[ing] impunity for past (and sometimes continuing) human rights violations; achieve[ing] compensation for the victims of those violations; build[ing] a culture of the rule of law; lay[ing] the foundation for long-term reconciliation and political transformation; and prevent[ing] the recurrence of such abuses in the future" (Amnesty International, 2019; O'Connor, Rausch, Albretch, & Klemencic, 2007). Accordingly, one of the key objectives of international criminal justice is to guard against impunity for the abuse of the rights and dignities of ordinary people. International criminal justice in this sense becomes an antidote to impunity, preventing individuals, governments and other actors from operating as desired without any fear of retribution or reproach.

Several international justice mechanisms have therefore been set up over the years to deal with cases where individuals and groups are suspected of committing any of the above-mentioned crimes. The main agent since the early 2000s has been the International Criminal Court (ICC), established to investigate and prosecute people suspected of committing crimes against humanity, genocide, war crimes, and since 2018, crimes of aggression in situations where

national authorities are unable or unwilling to act (Amnesty International, 2019). Other mechanisms include hybrid courts set up specifically to investigate and prosecute crimes under international law in states that have gone through conflict or crisis. In cases where such countries' domestic legal systems lack the requisite infrastructure, human resources, independence or legal framework to provide for at least the barest minimum of a fair trial, hybrid courts are set up to address such short-comings. Sites of such hybrid courts have included Bosnia, Sierra Leone, and Cambodia, amongst others. Ad hoc courts have also been used in the past few years to address issues of international criminal justice. Examples include the International Criminal Tribunal for Rwanda located in Arusha, Tanzania and the International Criminal Tribunal for the former Yugoslavia located in The Hague, The Netherlands (Amnesty International, 2019).

The enforcement of international criminal justice has been a difficult and often controversial goal to achieve. Several factors may account for this: a general lack of political will to investigate crimes and prosecute wrongdoers (including the perception that doing so may complicate peace negotiations (the tendency to frame the situation as 'peace vs. justice'); weak criminal justice systems in states; and the marginalization of victims of such crimes (Amnesty International, 2019). In Africa, three notable actors can be identified with regards to international criminal justice and accountability: independent national/domestic judicial systems, the ICC-based in The Hague, and the regional international organizations- with our focus for the purposes of this dissertation being on the African Union (Frahm, 2015; Ncube, 2017)). None of these three has succeeded in developing a consistently effective method of dealing with post-conflict justice.

In several instances, fraught with multiple challenges, national or domestic systems have found it convenient to out-source these issues to the ICC (the ICC has been the main actor in

promoting post-conflict criminal justice in Africa since its inception in July 1998). On the other hand, although most African states have signed up to the Rome statute that established the ICC,[174] attitudes toward the court among African states/leaders and intellectuals have become increasingly hostile since at least 2010 (Rubin, 2020). For instance, the AU took a collective decision to disregard the Court's indictment of African heads of state such as the deposed former strong man of Sudan, Omar Al Bashir (Mutton, 2015) and passed a resolution endorsing a document titled 'the ICC withdrawal strategy' in Addis Ababa (Meseret, 2017). This stand-off with the main global agent of international criminal justice brings to the fore a larger implication of the current structural arrangements at the international level, with African states demanding an equal playing field on international legal matters and identifying a systemic bias in the treatment of Africans and their leaders, while leaving other world leaders untouched for alleged crimes against humanity. Furthermore in 2015, the AU through the PSC supported Rwanda to revolt against the principle of universal jurisdiction[175] when the Rwandan chief of intelligence, Lieutenant-General Karenzi Karake, was arrested in London at the request of British, Spanish and French authorities for crimes purported to have been committed during the Rwandan genocide in 1994 (The Daily Maverick, 2015). Karake was accused of murdering three Spanish medical

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[174] Out of the 123 signatories to the Rome Statute, 34 are African. It is important to note that all parties to the Rome Statute are accountable to its intentions to bring justice to victims and punish perpetrators of war crimes, genocide and crimes against humanity. For context, Africa is followed by 25 states from Western Europe, 28 from Latin America and the Caribbean, 18 from Eastern Europe and only 20 from Asia. This ironically suggests a strong African interest in the ICC. For more, see: https://asp.icccpi.int/en_menus/asp/states%20parties/pages/the%20states%20parties%20to%20the%20rome%20statute.aspx

[175] According to the International Justice Resource Centre, "the term 'universal jurisdiction' refers to the idea that a national court may prosecute individuals for any serious crime against international law – such as crimes against humanity, war crimes, genocide, and torture – based on the principle that such crimes harm the international community or international order itself, which individual states may act to protect." Taken from The Daily Maverick (2015).

professionals in the aftermath of the genocide. The PSC held an emergency meeting to discuss

the issue days after Karake's arrest with strong calls for his immediate release. In a strongly

worded communique, the PSC made it clear that not only did the AU consider the arrest an abuse

of the principle of universal jurisdiction, it also regarded it as an affront to Rwanda's sovereignty

as well as an undermining of Africa's independence as a whole. It is noteworthy that an additional

20 Rwandan officials were on the list of individuals indicted, especially by French authorities,

under the principle of universal jurisdiction (The Daily Maverick, 2015).

Consequently, most international criminal justice arrangements have come to be

perceived as illegitimate and unacceptable to most African leaders and some intellectuals (both

African and non-African)[176] as a result of apparent political abuse, or at least, systematic bias,

largely centred in the West. This impasse becomes even more salient when one considers the

fact that most individuals indicted by the ICC thus far are Africans accused of a range of gross

violations pertaining to international security, at the recommendation of countries such as the

United States[177], a country which is not a signatory to the statute and is sure to veto any such

indictments of its own citizens.[178] Thus, the perceptions of bias, selective application and

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[176] Several scholars, including Dr. Phil Clark have highlighted the troubling track-record of the ICC in Africa and called for a major rethink regarding the court's operation, not only in Africa, but the global south generally. Similarly, Justice Richard Goldstone, while advocating against withdrawal from the ICC by African governments due to its important role in international criminal justice issues, acknowledges the imperfect nature of the court's operation on the continent and calls for constructive reform (ISS, 2019).

[177] The US in principle opposes the idea of the court's jurisdiction over states that have not signed up to the Rome statute. It has expressed a preference for the establishment of hybrid tribunals in dealing with cases of massive human rights abuses in Africa.

[178] It is also important to note, however, that some of the cases brought before the ICC were initiated by African states themselves. Interestingly, several African states (including Senegal, Niger, Republic of Congo and Uganda, amongst others) were among the first 60 states to have deposited instruments of ratification to bring the ICC into existence, with Uganda referring the first case ever to the ICC. This makes the current impasse even more poignant when one considers African states' assertion of bias against them. Burundi's parliament has since 2016, voted to withdraw from the Rome statute, with South Africa notifying the UN Secretary-General of its intention to withdraw from ICC in 2016, but later revoking this notice in 2017 (following a decision of the South African High Court, declaring

intrusiveness of international mechanisms on 'weak' states in addition to the perceptions of

threats to the sovereignty of African states has brought about the stance of defiance by African

states to the ICC and other such normative practices and structures concerning international

criminal justice (African Union Panel of the Wise, 2013; The Daily Maverick, 2015). In the Rwandan

case against the principle of universal jurisdiction for instance, the argument from Africans is that

the arrest and indictments of these Rwandan officials is not necessarily about international justice

per se, but a politically motivated action. Consequently, many Africans have held the belief that

if African warrants were issued for Western leaders who have committed all manner of crimes

against the conscience of humanity for instance, such indictments would be deemed

unacceptable by western governments; hence Africa's continued assertiveness in this regard.[179]

This developing anti-ICC and international criminal justice normative practice has

significant implications for the culture of impunity on the continent. Although it is refreshing to

see the assertiveness of Africans in this area, this norm is not a particularly positive one, as it has

the potential to become a stumbling block to achieving real post-conflict international criminal

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the intent to withdraw as unconstitutional because this notice was submitted without the South African Parliament's approval). Several other African states, including the Gambia, Uganda, Namibia and Kenya, have all signalled their intention to withdraw, signalling a potential mass exodus of African states from the Rome Statute (Apiko & Aggad-Clerx, 2016). Clearly, this wave of (potential) withdrawal signals a deep dissatisfaction with the current international criminal justice system, at least as experienced by African states.

[179] This argument is related to debates over the principle of universal jurisdiction under international law, which the AU believes is applied unequally across the world. In 2008 for instance, the AU Commission published a report on the abuse of the principle of universal jurisdiction by some non-African states, noting the potential for abuse arising from universal jurisdiction, including the proliferation of litigation and the disregard for the principle of sovereign equality of states. The report further noted that, in order to avoid the abuse of jurisdiction, summons issued to heads of state to appear before the courts of another country must be subject to the consent of the head of state concerned, as well as respect for diplomatic confidentiality. The principle, when invoked, also has the potential to affect the functions of sitting Heads of State as well as performance of foreign relations. This line of reasoning coincides with the one used by the AU and African members who are opposed to the ICC's indictment of sitting heads of state especially when peace processes are being negotiated (Apiko & Aggad-Clerx, 2016; African Union, 2008).

justice, unless viable continental alternatives and/or acceptable reforms to the ICC are successfully pursued. Consequently, this anti-ICC stance has the potential to exacerbate the disillusionment of victims of these crimes, while reinforcing the culture of impunity on the continent. This situation is increasingly worrisome when one considers new reports of atrocities emerging from conflict situations such as in CAR and South Sudan (Kariri-Njeri & Mayekiso, 2014). It is important to point out that the dissent or opposition to the ICC is not in itself representative of Africa's wholesale opposition to international criminal justice. Rather, I argue that it must be seen as reflecting a growing consciousness of African states as a society with a common agenda, whose legitimate concerns around international criminal justice are shaped by their collective experiences and perceptions about the current global nature of such issues. It is therefore important not to overlook this caveat.[180]

Accordingly, this trend has serious implications for the administration and future of post-conflict criminal justice on the continent. With most post-conflict societies in Africa unable to deal adequately with past atrocities due to inadequate judicial systems that cannot effectively address wide scale prosecutions in accordance with international standards of due process (Rwanda's Gacaca courts[181], and Sierra Leone and South Africa's Truth & Reconciliation Commissions (TRCs) readily come to mind here),[182] most post-conflict states in Africa end up

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[180] A justification of this assertion is provided in the next chapter where I tie these discussions together.

[181] Gacaca is a system of 12,000 community-based courts that sought to try genocide criminals while promoting forgiveness by victims, ownership of guilt by criminals, and reconciliation in communities as a way to move forward. It mostly tackled ordinary citizens and individuals who served as foot-soldiers of the genocide as opposed to the leaders and organizers of the genocide who were tried at the International Criminal Tribunal in Arusha (Seay, 2017; Ingelaere, 2012; O'reilly & Zhang, 2018).

[182] This is not meant as a sweeping indictment of these domestic processes, as they have been valuable to localised processes of post-conflict reconciliation and justice in these countries (their flaws notwithstanding). The point here is that these processes have not been as successful as they could have been in terms of addressing both root causes and genuine justice for victims. For instance, in her book *Investing in authoritarian rule: punishment and patronage in Rwanda's Gacaca courts for genocide crimes*, Anuradha Chakravarty asserts that the Rwandan ruling-party, the

giving culprits of such crimes impunity (whether intentionally or not), greatly impeding real reconciliation. In other cases (South Africa for instance), little or no compensation has been given to victims of past crimes, making them feel that real justice has not been achieved. Additionally, others have argued that the confessions and application for amnesty by individuals who have committed various crimes under the apartheid regime occurred due to the political bargain struck between the ruling African National Congress and the apartheid regime, bringing into question the real remorse of individual perpetrators and thus the entire TRC process (Hayner, 2011, pp. 27-42).

The issue of international criminal justice therefore becomes even more crucial with regards to establishing safe and secure communities in Africa. Although no definite causal claims can be made as to why violent conflicts in Africa occur, many of these conflicts are strongly associated with perceptions of injustice and discrimination.[183] Crimes against humanity, war crimes and genocide should not go unpunished, and their prosecution should be ensured. On the other hand, judicial proceedings are set up to declare one side guilty and another innocent, which can render the courts inadequate to settle questions linked to internal armed conflicts where neither side is entirely innocent nor completely guilty, again considering the exigencies of most African conflicts. Hence, it is important to pay attention to the development of normative mechanisms that seek to holistically address political, social, economic and cultural undertones or causes of conflicts on the continent.

Rwandan Patriotic Front (RPF), used the Gacaca courts as a tool of patronage to build the new post-genocide government's legitimacy allowing the RPF to entrench its rule in Rwanda today---although this was an unintended consequence (Seay, 2017).

183 See (Alao, 2007; Bannon & Collier, 2003; Adebajo, 2002; Dzinesa, 2007)- the assertion here is that, in addition to concerns about competition for power, marginalization, and identity, most conflicts are outcomes of the flagrant injustices and human rights abuses committed by elites and state institutions as well as armed non-state actors.

3.2: Current normative developments of international criminal justice in Africa

The history of international criminal justice in Africa has been a mixed one. Although most African states after independence have attempted to build societies based on internationally accepted standards of justice norms, several others have also adopted undemocratic and dictatorial regimes and approaches, dogged by gross human rights abuses, political repression and high levels of state violence.[184] The resultant effect of such repressive, dictatorial regimes led to a culture of impunity in most of these states, contributing to the conditions that resulted in numerous civil wars in Africa especially in the 1990s (African Union Panel of the Wise, 2013). The 2013 report of the AU Panel of the Wise acknowledged the debilitating effect of these resultant civil wars on the culture of impunity in Africa and thus international criminal justice:

> Civil wars added a new layer of complexity to the existing culture of impunity. They created new opportunities for the wanton plunder of national resources, recruitment of child soldiers, mass rape, and sexual violence, as well as reprisals against defenseless populations by rebel groups. In addition to such widespread violations of human rights, the fragmentation of state power during civil wars produced multiple actors, particularly rebel armies and militias, who destroyed the socioeconomic fabric of the continent and compromised the search for justice and reconciliation (African Union Panel of the Wise, 2013).

There is no doubt that such civil conflicts brought with them systematic and widespread violations of human rights and international law and succeeded in decimating the communal

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[184] Mobutu's Zaire, General Amin's Uganda, Nquema and Obiang Nguema of Equatorial Guinea, Abacha's Nigeria, Mugabe's Zimbabwe, Bashir's Sudan, Dos Santos' Angola, Deby's Chad, and Taylor's Liberia, are just a few examples of such states in the history of the continent.

bonds of African states, setting the foundation for instances of heinous crimes against international law. The demands for African countries emerging from conflict situations to deal swiftly with their past in line with international standards (in addition to the perceived unfair intrusion of international mechanisms as discussed above), has brought about several developments in the international criminal justice sphere on the continent. As mentioned in earlier sections of this chapter, several national and indigenous justice mechanisms have been employed over the past few decades by African states. African initiatives in this regard have had the same goals as international mechanisms- to promote justice and protection of human dignity, while mitigating against the culture of impunity, in principle at least. These objectives have been a vital part of efforts to achieve peace and lay the foundation for stable and long-term harmony in post-conflict societies. With the rather limited success of such mechanisms, especially in the absence of functional institutions and leadership in these states, it is no surprise that regional and international actors have played disproportionately significant roles in issues of African international justice (African Union Panel of the Wise, 2013; Vinjamuri, 2014).

As mentioned earlier, since the 1990s, several ad hoc international tribunals and hybrid courts, including the ICC, have played significant roles in the quest for international criminal justice in Africa. In addition to such courts are Truth and Reconciliation Commissions deployed in Uganda (used twice in the 1970s and 1980s), Zimbabwe (1985), South Africa (1990s) and Nigeria (1999) ((Rubin, 2020; Hayner, 2011; Roper & Barria, 2009). These mechanisms, again, have had mixed results in addressing international criminal justice in these societies-with a lack of political will by governments being one of the crucial explanations for this. In Nigeria and Zimbabwe for

instance, governments refused to release the reports of their TRCs as these reports were deemed too critical of the governments.

The establishment of the ICC in the early 2000s however, changed the game as it became the first permanent independent court with the responsibility to prosecute individuals and governments for crimes against humanity, genocide and war crimes. Additionally, in its Article 4, the AU Charter has included the aspiration of combatting impunity and promoting justice and peace on the continent through an encouragement of peaceful resolution of conflicts, respect for the sanctity of human life and the rejection of all kinds of impunity. It also created the Court of Justice as one of the organs of the AU, making its establishment mandatory (The African Union (AU Constitutive Act), 2000). The AU subsequently adopted the Protocol of the Court of Justice in 2003, bringing the provisions of the AU charter in this regard to life. Although no criminal mandate was bestowed on the African Court of Justice, it sought to promote core principles of democracy, good governance, regional integration, and respect for human rights, amongst others.

Other provisions of the AU Charter also advocate for the promotion of human rights and justice. Articles 31-33 provide a framework for post-conflict reconstruction and development. Other AU provisions such as the ACDEG- specifically Articles 16, 28 & 39 (discussed in the previous chapter) also encourage the adoption of good governance practices that encourage and promote a culture of respect for human rights, tolerance and justice. More importantly, new instruments have been brought into being, such as the African Charter on Human and Peoples' Rights, the African Commission on Human and People's Rights as well as the African Court on Human and Peoples' rights (African Court on Human and Peoples' Rights, 2019) (African Union Panel of the

Wise, 2013). All of these provisions are African owned mechanisms to advance international criminal justice, with the declared objective of bringing an end to impunity on the continent.

Since 2004, the necessity of merging the African Court of Justice and the African Court on Human and People's Rights became apparent, in order to cut down on cost (which comes with two separate structures) while taking advantage of common areas that can be harnessed to strengthen its combined mandate. Thus, the AU appropriately adopted the Protocol on the Statute on the African Court of Justice and Human Rights, merging both courts. 15 African states are required to ratify this protocol for it to come into existence. The table below *(Table 5)* shows the rate of AU states' accession to the protocol as at June 2020. From the table, out of the 55 AU member states, only thirty-two (32) have signed onto the protocol thus far. It is expected to enter into force thirty days after 15 ratifications have been secured. However, data from the table indicates only eight (8) ratifications as at June 2020. Although several reasons can be adduced to this low number of ratification, it again, highlights the gulf between rhetoric and action within the African international society. This is discussed further in Chapter VI.

It is also noteworthy that influential and powerful states on the continent- such as South Africa, Egypt, Kenya, (all yet to sign the protocol) and Nigeria (which has signed but is yet to ratify) - have not shown real commitment to the protocol and by extension the concept of African international criminal justice. Other influential countries such as Botswana and Ghana,[185] touted as beacons of democracy and good governance on the continent, are also yet to show full commitment to the Protocol. The ambivalence of AU member states in this regard is thus an interesting phenomenon as far as the rhetoric around international criminal justice is concerned.

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[185] Although Ghana has signed the document, it is yet to ratify it. Botswana has not even signed onto it.

Seeing how much friction there is between AU member- states and the global mechanisms for international justice,[186] especially the ICC, one would think that member states would show a greater sense of enthusiasm for a home-made African mechanism, matching perfectly with the 'African solutions to African problems' narrative. Thus, the apparent ambivalence of African states towards establishing home-grown structures and normative practices around international criminal justice requires closer examination.

Also identifiable in the attempts by the African international society to promote international criminal justice and end impunity on the continent, is a palpable preference for pursuing peace before justice. This approach differs normatively from the UN and other international actors on the continent and appeals to the AU and its member-states as the best approach for not only tackling impunity, but also promoting and achieving reconciliation in post-conflict societies on the continent. A notable example is the approach of the AU High-Level Panel on Sudan (the Mbeki Panel)[187]. Similarly, the *AU Transitional Justice Framework (ATJIF)* is a policy instrument that can be adopted by any country and aimed at assisting African countries emerging from conflicts in their pursuit of accountability, sustainable peace, justice and reconciliation (African Union,

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[186] This is not to say that international criminal justice norms from the international level have been completely written off by Africans. In certain cases, we see an adaptation of these practices to suit continental conditions, while in others these international norms serve complementary roles to African mechanisms. For instance, the principle of universal jurisdiction, although contested, has not been completely done away with in the Amendments to the Protocol on the Statue of the African Court of Justice and Human Rights- although with some conditional changes to it.

[187] The AU High-Level Implementation Panel for Sudan (AUHIP) was mandated for one year as an independent body by the PSC on October 29, 2009. The PSC renewed the panel's mandate for an additional year in 2010, 2011, and 2012. On October 24, 2012 the panel was renamed to the African Union High-Level Implementation Panel for Sudan and South Sudan. The AUHIP's mandate was to assist with the implementation of the African Union High-Level Panel on Darfur's final recommendations and the implementation of the Comprehensive Peace Agreement (CPA). The Panel was chaired by Thabo Mbeki, former President of South Africa. For more, check https://dl.tufts.edu/concern/rcrs/rx914089s, for more.

2011)[188]. The adoption of these mechanisms and frameworks, together, demonstrate (at least on paper) the determination of this distinct society of states to take charge of its own affairs, combat and eradicate impunity on the continent, promote justice, accountability, sustainable peace, democracy and good governance, while engendering reconciliation and social healing (African Union, 2011). The efforts to implement criminal justice norms, in particular (which can be described as half-hearted at best), raise questions about the sincerity of the members of African international society in pursuing these objectives.

3.3 Conclusion

There are real and, in some respects, worsening tensions between African and international conceptions of criminal justice. The establishment and merging of the Court of Justice and the African Court of People's & Human Rights has importantly also seen the incorporation of transnational crimes within a distinct African international criminal justice system. On the continental level, this signifies an important step toward post-conflict accountability (and a move towards increased solidarism), and is a welcome development for international criminal justice, since a continental approach is clearly needed in the face of friction with international normative mechanisms and the inadequacy of most domestic justice systems. Yet the limited pace of signatures and ratifications for this instrument raises questions about its meaning and significance. In this case, as in others discussed previously, there continues to be a tension between the ES ideas of solidarism and pluralism (see Chapter Six).

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[188] This dissertation does not delve into these other instruments and mechanisms as they are beyond the scope of discussions here. Crucially however, these mechanisms depict an attempt by the African international society to address issues of transitional and post-conflict justice on the continent, and to find viable solutions to the perennial issue of impunity.

Additionally, the normative values underlying this particular protocol- the Protocol on the Statute of the African Court of Justice & Human rights- have the potential of affecting positively the promotion of an African idea and notion of international criminal justice, which until recently did not effectively address such international crimes as genocide, war crimes and crimes against humanity (Frahm, 2015), as well as piracy, international terrorism, and human and drug trafficking, amongst others. However, its coming into existence clearly demonstrates a desire for a more solidaristic approach to these issues on the continent.

Country	Date of Signature	Date of Ratification	Date Deposited
Algeria	31/01/2009	-	-
Angola	27/01/2012	21/02/2020	11/05/2020
Benin	14/01/2009	28/06/2012	11/07/2012
Botswana	-	-	-
Burkina Faso	21/01/2009	23/06/2010	23/06/2010
Burundi	-	-	
Cameroon	-	-	
Central African Republic	-	-	
Cape Verde	-	-	
Chad	22/01/2009	-	
Cote d'Ivoire	11/06/2009	-	
Comoros	29/01/2018	-	
Congo	28/06/2009	14/12/2011	06/08/2012
Djibouti	-	-	
Democratic Republic of Congo	02/02/2010	-	
Egypt	-	-	
Equatorial Guinea	08/02/2019	-	
Eritrea	-	-	
Ethiopia	-	-	
Gabon	19/12/2008	-	
Gambia	02/02/2009	11/07/2018	04/02/2019
Ghana	28/06/2009	-	
Guinea-Bissau	27/01/2012	-	
Guinea	26/11/2008	-	
Kenya	-	-	
Libya	14/05/2009	06/05/2009	17/06/2009
Lesotho	14/06/2011	-	
Liberia	31/05/2011	23/02/2014	07/03/2017
Madagascar	31/01/2014	-	
Mali	24/12/2008	13/08/2009	27/08/2009
Malawi	-	-	
Morocco	-	-	
Mozambique	08/11/2011	-	
Mauritania	29/06/2018	-	
Mauritius	-	-	-
Namibia	-	-	-
Nigeria	22/12/2008	-	-
Niger	28/01/2009	-	-
Rwanda	-	-	-
South Africa	-	-	-

Sahrawi Arab Democratic Republic	25/07/2010	-	-
Senegal	15/12/2008	-	-
Seychelles	-	-	-
Sierra Leone	14/01/2009	-	-
Somalia	-	-	-
South Sudan	24/01/2013	-	-
Sao Tome & Principe	01/02/2010	-	-
Sudan	-	-	-
Eswatini	-	-	-
Tanzania	05/01/2009	-	-
Togo	12/02/2009	-	-
Tunisia	15/07/2012	-	-
Uganda	-	-	-
Zambia	31/01/2010	-	-
Zimbabwe	-	-	-

Table 5: Ratification of the Protocol on the statute of the African Court of Justice & Human Rights[189]

It is exactly because Africans would want to be able to deal with these types of issues and crimes themselves, that the African Court is proposed to be given a criminal mandate to deal with these categories of cases (African Court on Human and Peoples' Rights, 2019; Specialized Technical Committee on Justice & Legal Affairs, 2014). Although there has been clear reluctance of African states to accede to such Protocols aimed at Africanising international criminal justice (as described above), several crucial factors continue to shape such attitudes. Some of these include the perceived bias and unequal treatment by agents of global international criminal justice - specifically the ICC; the varying positions on the application of principles such as universal jurisdiction; and the differences between the African and global notion of justice as epitomised

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[189] Adopted in Sharm El-Sheikh, Egypt on July 1, 2008.Source: African Union Department of Political Affairs :https://au.int/sites/default/files/treaties/36396-sl-protocol_on_the_statute_of_the_african_court_of_justice_and_human_rights.pdf

in the peace versus justice debate,[190] for instance. The point here is that these issues will continue

to shape normative discussions and practices on the continent, with a continued clash between

such solidaristic ideas and the strong pluralist disposition of African leaders. It is thus not an

empty coincidence that the AU declined to surrender the erstwhile leader of Libya, Muammar

Gaddafi and the recently deposed Sudanese leader Al Bashir to the ICC when both leaders were

indicted.[191] The AU PSC's support for Rwandan officials indicted and/or arrested for various

alleged offences also corresponds well with this mode of thinking.

Consequently, at the heart of Africa's normative practices around international criminal

justice is the increasing desire to move toward a solidarist normative practice (seen in the

concern for the protection of human lives and reconciliation of post-conflict societies), alongside

strong pluralist reasoning (epitomised in a sense of grievance over the perceived bias against

African leaders at the global level). This conflict between solidarism and pluralism is reflected in

the slow and inconsistent buy-in to such instruments as the protocol for the statute of the African

Court of Justice and Human Rights. Thus, there are massive contrasts and inconsistencies

between AU protocols on paper and in practice, which continue to put in question Africa's

willingness to end impunity and promote real human rights and criminal justice as a society of

states. Consequently, to make any determinations about the direction of international criminal

justice within this distinct African international society, one needs to examine the evolving

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[190] It has been argued that the AU and the ICC have, over time, held different views on peace and justice. While the AU considers international justice as an impediment to peace, the ICC believes in providing justice for victims of conflicts irrespective of the circumstances (Jalloh, Akande, & du Plessis, 2010; Rubin, 2020).
[191] Although the Sudanese people were prepared to hand Al Bashir over to the ICC.

relationship between African leaders' rhetoric and action – a theme which is revisited in chapter six.

Taken together, this chapter has outlined some of the important normative directions of the African international society in the area of security governance and international criminal justice. These normative attempts clearly show the increasing desire of African states to move toward solidaristic normative practices, evidenced in the aspirations to own and direct behaviour and outcomes around these issues. Crucially, and as has been made abundantly clear, there are significant ambiguities, gaps and inconsistencies between the 'desire' or rhetoric of African states and their governments, and their behaviour in these areas- a clear case of a clash between solidaristic and pluralistic tendencies, as described in the ES. These inconsistencies would appear to render these normative practices as not concrete enough to warrant any optimism toward a viable African international society. However, as will be discussed in the concluding chapter, these ambiguities form an important feature of this international society rather than simply an indictment on its viability.

The next chapter ties the discussions in this and the previous chapter together, discussing the degree to which all of these trends and dynamics reflect the ongoing consolidation of a distinct African international society (and demonstrating the utility of the ES approach to these discussions), and highlighting areas for future research.

Chapter VI

Conclusion

1.0: Discussions thus far

The Previous five chapters have been devoted to discussing the ES' idea of international society broadly, and how it plays out specifically in the African context through four particular normative practices- *democratic governance; African sanctions; security governance; and international criminal justice*. As discussed in Chapter Two, the ES cognizes an international society of states as being connected by a set of mutually accepted interests, normative practices, values, identities and institutions. These shared normative practices, institutions, and values lead to the creation of shared interests and subsequently a common identity (Bull, 1977; Buzan, 2001 & 2004; Bull & Watson, 1984).

Consequently, every international society begins with the existence of an international system. However, the mere interaction between and amongst states does not amount to a 'society.' The societal part comes in when states within that system become self-conscious and start to self-regulate in a manner that enhances their relationships with one another. States therefore create an international society where co-existence is within a structured institutional, cultural, normative and legal framework (usually fostered through dialogue in a consensual manner), establishing common rules and institutions. A consciousness is created within these states of their interconnectedness- with norms, institutions and rules geared towards achieving the goals and aspirations of this society. In other words, a recognition emerges amongst the states of their common interest in maintaining these arrangements of co-existence, especially as the relationship evolves and deepens.

Historically, discussions of the idea and concept of international society in the ES literature have focused on the global level, with emphasis on the mostly dominant Western/European ideas of international society, to the neglect of regional narratives. Accordingly, the global level is fundamentally an international order centred around European norms, values, issues and practices. Such narratives have become progressively less adequate to explaining international phenomena in the face of increasingly assertive regions, particularly since the early 1990s (Hurrell, 2007). Regions have become undeniably important in the search for global governance and so focus must accordingly be placed on such regional attempts to create distinct international societies. As referenced earlier in the dissertation, after the Cold War 'regions' were set free to create and assert varying governance mechanisms for themselves (Hurrell, 2007). This was done through both an engagement with and contestation of global ideas and norms (Coleman & Tieku, 2018). Accordingly, the creation of a regional international society requires some sort of engagement with and transfer of the ideas of international society at the global level to the region, creating sub-global structures of societies of states.

Throughout the process of its creation, the regional international society distinguishes itself from the outside (here, outside could mean the global level of international society as well as other regional societies). Thus, the conception of certain normative practices and ideas may vary from the global level to regions, as well as from one region to the next. For instance, the conceptions of sovereignty as expressed at the global level vary greatly from one region to another. Sovereignty in the EU for example has strong supranational elements that signify the type of regional integration being pursued. In Africa on the other hand (and to a large extent in other non-western regional international societies, such as East Asia), there is a strong impulse

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to protect and conform to the traditional notion of state sovereignty as discussed in Zhang, (2015) and Acharya, (2007), especially considering how hard such states have had to fight for their self-determination and independence from colonial and imperial powers. Additionally, global problems increasingly have been identified as originating from specific regions and thus a search for viable solutions is best commenced at these regional levels. Importantly, regions have become even more incentivised to take charge of their own affairs. This has been particularly true for Africa, where for several decades its security and governance problems were primarily tackled at the global (UN) level or by external, usually powerful actors. Clearly, such arrangements signify that we have moved to a multi-level governance of global affairs in the context of the current global international society. It is important however to not think about these levels of governance as isolated domains, but as embedded in a wider architecture of global authority that includes other regional international societies (see Linsenmaier, 2015).

Consequently, one cannot completely separate a given international society from practices and influences from outside of its borders. Regional international societies influence and are influenced by the global international society (and other regional international societies for that matter). The major differentiation amongst the various international societies, however, as argued by Linsenmaier (2015), lies in the distinctiveness of their social structural conditions, linked to their unique historical formation; the conception and practice of distinct, regionally specific institutions and norms; or the interpretation of particular global norms or institutions to serve or suit regional or localised contexts and situations. These specific regional normative practices and institutions or the specific regional interpretations of global norms and institutions provide for and serve as markers of differentiation (in addition to social relational elements

regarding recognition), distinguishing the notion and practice of international relations from within these regions and outside of them (Linsenmaier, 2015). Thus, the politics of identity and patterns of recognition would determine the 'inside' from the 'outside' of a regional international society. The primary institutions and patterns of social construction of difference within an African international society, for instance, would set it apart from other regional international societies, such as the EU or ASEAN.

Based on the above, normative and institutional differentiation becomes crucial in the creation of identity by a regional international society. Furthermore, the creation of such an identity does not occur in isolation, but it is usually embedded in a wider context that involves the universal or larger international society of states as a whole, as well as other regional international societies. The distinct social structure (made up of norms, values, practices, institutions, etc., as mentioned earlier) in Africa for instance, marks its distinctiveness from other types of international society. Consequently, these norms, beliefs, practices and institutions provide an African-specific meaning and interpretation for inter-state relations that is different from inter-state relations outside of the continent. Thus, the cognitive element of all these arrangements is crucial to making sense of what an African international society is.

1.1: Towards an African International Society

The conception of an African international society has been a journey that started decades before the independence of most African states from their European colonizers.[192] From the very first Pan-African Congress held in London in 1900, to the latest AU summit held in 2020, the major concern of Africans has ranged from bringing an end to the domination of the black

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[192] Refer to Chapter Three of this dissertation for discussions on this.

race across the globe, to promoting unity and solidarity amongst African individuals and states, to finding "home grown" solutions to the numerous development, security and political problems dogging the continent. The concept of Pan-Africanism is thus central to understanding Africa's journey to creating its own distinct regional society of states. As discussed in Chapter Three, *'Continental Pan-Africanism'* was originally geared towards independence of Africa from colonialism- with strong demands on the colonial masters for constitutional amendments, universal suffrage, self-governance, and autonomy. These goals later developed into demands for African integration, solidarity and unity.

Several critics raised doubts right at the beginning of this process concerning an African international society, with some dismissing the concept of Pan-Africanism as an idealistic and romantic dream that would not penetrate the 'jealously guarded' sovereignty of newly independent African states (Emerson, 1962). In truth, the inherited colonial boundaries on the continent undermined (and continue to undermine) the conviction that a 'united (solidaristic) Africa' was important in fostering the over-all objectives of the continent as a society. As discussed in earlier chapters, this ambivalence towards a continental goal of a 'united Africa' was manifested initially in the split between the Casablanca and Monrovia groups, representing solidarist and pluralist notions of international society respectively (Djaksam, 1990; Elias, 1965; Kasanda A., 2016; Legum, 1975; Buzan, 2001).

The ES tradition in international relations has been particularly useful for exploring and understanding Africa's journey to creating its distinct society of states, separate from the broader global international society. This journey, besides ending colonialism and encouraging a (more) united Africa, as already noted, includes contestations of global norms at the regional level, the

localization of some of these norms to suit African contexts, and the creation of distinct regional norms and practices (Coleman & Tieku, 2018). Again, the diversity of African states' experiences, cultures and histories of colonialism has led to an ongoing tension between Pluralist and Solidarist conceptions of international society on the continent, which continues to be reflected in the operationalization of the idea and concept of Pan-Africanism as seen within the AU today. This contestation remains a core theme of the African international society, reflecting an integral and uneasy balance between the two main conceptions of international society (pluralism and solidarism). The balance, since the transition from the OAU to the AU has been shifting more toward the solidarist orientation (albeit with incomplete assimilation of such solidarist normative practices).[193]

The concept of Pan-Africanism is therefore integral to the identity of an African international society. At its core is the belief that Africans (specifically its leaders), must "act, think, and speak of themselves collectively as Africans representing Africa's interests and identity" (Bareebe, 2018 p 73). The implications are immense in this regard. Through these processes, Africans see themselves as one- in spite of sometimes-deep individual differences amongst states. There is a "we-feeling" (to borrow the words of Bareebe (2018, pp73-92), that binds all Africans together regardless of their specific states. Africans therefore tend to see themselves as Africans first (Ansah-Akuffo, 2010). Consequently, African states are inclined to

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[193] Although one might easily say that is also now swinging back towards greater pluralism, with recent events on the continent. For the last three years (at least), African states have seen an overall decline in the quality of political participation, rule of law and democracy generally (Olewe, 2019), with other accompanying challenges to political stability and security on the continent. At the same time, the AU and its member-states have shown real reluctance or inability to go beyond the restrictions of 'traditional' sovereignty to intervene to help address these challenges. It must be pointed out however, that democratic regression is something that has become prevalent across the world recently, and too much should not be read into Africa's democratic regression. Importantly however, there seems to be a noticeable swing away from solidarism, as outlined in the foundational documents of the AU.

see themselves as being in the same proverbial 'boat', striving to forge a collective front against European/Western domination. It is also reflected in the increasing attempt to find African solutions to the continent's numerous problems- be they security, humanitarian, governance or developmental. These are epitomised in various AU policies, declarations and normative practices, as discussed earlier. The four normative practices discussed in this dissertation are representative of such directions on the continent.

By examining these four normative practices, this study has opened a window into understanding the past, present and future motivations and direction of this distinct African regional international society. As mentioned above, this international society and the four specific normative practices examined straddle between the pluralist and solidarist notions of international society. With an increasing assertiveness of the AU (in the face of its numerous governance challenges), as demonstrated by these normative practices and others that have not been examined here, the potential direction of this African international society begins to emerge. The rest of this chapter draws out the implications of the discussions in the previous chapters of the study, identifying important conclusions about the future direction of this distinct international society. Fruitful areas for future research are also outlined at the end of the chapter.

But first, the next few sections revisit the four normative themes discussed in the previous chapters in relation to the overriding idea of an African international society and the research questions outlined at the beginning of this dissertation. Focus has been placed on assessing the solidaristic nature or otherwise of these normative practices within and amongst African member-states, exploring how much the sense of an African international society informs and permeates member-states' behaviour. The argument here is that African states behaviours,

actions and policies reflect the aspirations, goals and objectives of an African international society in the four normative areas that have been the central focus of this dissertation. In spite of the clear limitations and contradictions one encounters within this distinct international society, there remains a resilient consciousness amongst African states and their leaders of their collective aspirations and goals. This continues to manifest in a palpable struggle between solidarism and pluralism.

1.1a: Democratic Normative Practices

As established in previous discussions, the African international society professes that the attainment of peace and security on the continent is intimately linked to good governance- which has been equated to democratic governance. There is therefore (at least discursively) an intimate connection of democracy and good governance to the bigger objective of ensuring peace, security and development on the African continent. The issue of democracy and good governance in Africa is also affected by the numerous protracted conflicts that the continent has experienced since the end of colonialism. This situation has laid bare the clear inter-linkages between democracy, good governance and peace to African states. Thus, the normative frameworks, mechanisms and institutions around democracy, especially since the transition to the AU, have been aimed at strengthening the culture of democratic governance in most AU member countries.

The normative commitment to democracy on the continent has also led to the rejection of unconstitutional changes of democratically elected governments, for instance. These normative frameworks constitute core foundations for the African international society's promotion of democracy and good governance in Africa. The rationale for this normative

orientation has been thoroughly described in earlier sections of this dissertation. A key achievement of these efforts is the fact that Africa's attention has been turned towards the necessity of good governance and democracy as a vital step towards the peace and development goals of the continent. Since its inception, the AU has been able to galvanize support and put pressure on governments and states that have been deemed to have violated democratic norms. For instance, several states have come under pressure in cases of unconstitutional changes of government, or in cases where the respect for constitutional government is overridden as a result of the cessation of democratic power either by the military or rebel groups- or in a few cases where constitutions have been amended in defiance of the popular will of citizens in order to lengthen the mandate of an incumbent. Examples include the condemnations from the AU after the military take-over in Niger (2010), the DRC (2011), Mali (2012 and 2020), Egypt (2013), Burkina Faso (2014), Zimbabwe (2017) and Sudan (2019). In each of these cases, the AU duly condemned the coups and demanded the restoration of civilian rule, albeit with some notable inconsistencies.[194] However, the AU has been able to normatively reject coups/illegal overthrows of democratic governments and suspend illegitimate states/governments from its membership. The effect of the normative initiatives around democracy and good governance is the increased democratization seen across the continent in recent years.

There have been a higher number of comparatively peaceful and fair elections, electoral and democratic transfers of power, and the general broadening of popular political participation and governance on the continent in the past decade than in any previous period in its post-colonial history. Since the 1990s, elections have, to a large extent, become normatively accepted

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[194] with the AU regularly tolerating or turning a blind eye to deviations from democratic norms and practices.

as the only means of assuming state power in Africa. In 2019 alone, the continent saw at least 20

states go to the polls to elect their leaders (Siegle, 2019). Additionally, the number of African

states that have respected presidential term limits since 2015 has increased to 21. In the same

period, over 15 African countries have instituted presidential term limits, bringing the total

number of African countries with presidential term limits to thirty-six (36), the largest number

since the end of colonialism (Siegle, 2018).[195] Clearly therefore, the adoption and promotion of

democratic norms by the AU as one of its key normative practices has had some marginal returns.

Although there are still some isolated cases of military take-overs on the continent, such as those

seen in Zimbabwe in 2017, Sudan in 2019, and Mali in 2020 (Burke, 2017; Aljazeera News

Network, 2019), there has been a general withdrawal of the military from politics to the 'barracks'

in most African states. The African international society has therefore, to a large extent, shown

its intent of moving in a more solidaristic direction by being firm in its opposition to

unconstitutional changes of government within and amongst its member states.

In spite of the above solidarist normative stance on democracy and unconstitutional

changes of government however, the practical application of the normative framework of

democracy within the African international society has been sporadic. There have been several

instances on the continent of coup leaders conveniently 'taking off' their military garb in order

to become civilian leaders or politicians, in contravention of the spirit of the Lomé declarations.

In 2014 in Burkina Faso for example, after helping oust Blaise Compaore from office in November,

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[195] In spite of this notable progress on the continent, at least ten (10) others have continued to evade presidential term limits, with an average time spent in power by leaders in these countries estimated at twenty-two (22) years. For more on these discussions, see Siegel (2018). It must be noted here that there are a few African states (about eight) on the continent that have full executive power invested in the office of the Prime Minister, who does not face restrictions on tenure.

the military installed one of their ranks as the new Prime Minister (Abebe, 2019). Another important example cited earlier also occurred in 2014 in Egypt, with El-Sisi swapping his military garb for civilian ones after leading a coup. The AU even went a step further by conferring the chair-ship of the AU on El-Sisi in 2019. His predecessor was President Paul Kagame of Rwanda, who has also been accused across the globe of regular violations of democratic practices. Consequently, when it comes to adhering to the normative frameworks of democracy the AU and thus the African international society has not always been faithful to its declarations and documents. If coup leaders are in principle disqualified from running for office, the fact that the AU overlooked El-Sisi's electoral victory and subsequent assumption of the AU leadership points to the ambivalence and lack of will to enforce these provisions and declarations. Here again, we see a gulf between African rhetoric or intention and action or behaviour in these issue areas- in other words, an obvious clash between solidarism and pluralism.

Additionally, the more recent practice of removing democratically elected civilian governments from office by the military after mass protests or demonstrations, as happened in Egypt (Mohammad Morsi), Burkina Faso (Blaise Compaore), Zimbabwe (Robert Mugabe), Sudan (Al-Bashir), and most recently Mali (Ibrahim Bouboucar Keita) continues to raise misunderstandings as to whether the AU's policies of zero tolerance on the overthrow of legitimate governments is real or not. For instance, in the case of the Egyptian coup in 2014, Egypt's suspension from membership in the AU was reinstated even though El-Sisi, a coup leader, ran for the presidency and won. Similarly, in Zimbabwe and Burkina Faso, even though the AU mandated a civilian-led transition in both countries, members of the junta that led the coup were made vice-president and prime minister respectively. During the time of the coup Zimbabwe was

never suspended from the AU. Comparably, in early 2019, Sudan was granted an extended grace period to transition to civilian rule (Deutsche Welle(DW) News, 2019). All of these happened in spite of the provisions in the Lomé Declaration that once a change of government is labeled as unconstitutional, the state in question must immediately be suspended. Clearly then, there remains an ambivalence and a large gap in the implementation of the normative framework on democratic governance and unconstitutional changes of government.

Although intended as an African mechanism, not all member-states have acceded to the APRM as yet. Similarly, although some participating states have gone through the initial base review and even a second review in a smaller number of cases[196], none has ever requested a special review. Moreover, many of the AU member states have not acceded to nor ratified other democracy promoting frameworks, including the ACDEG. Thus, while these states have signed up to promote and protect democratic values and principles, we see human and constitutional rights regularly violated in many African countries. Although elections have become more frequent and regular on the continent, most of them are dogged by irregularities, rigging and sometimes violence. Consequently, elections, instead of promoting and consolidating democracy in Africa, have become major security and stability concerns.

Thus, in spite of AU member-states formally and collectively acceding to democratic principles, holding regular elections, and signing up to the APRM and the ACDEG, one cannot confidently say that the rule of law and democratic tenets prevail in these countries or within the society of African states as a whole. A cursory glance over the continent would reveal the fact that an overwhelming majority of African states continue to abuse the fundamental human rights

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[196] Refer to Table 1 & 2 in Chapter IV of this dissertation for details on this.

of their citizens. Freedom House for instance describes the adherence to the rule of law, infringements on freedoms and human rights, corruption and general discrimination against minorities, especially women, children and the LGBTQ community, as worsening in Africa since the 2000s (Freedom House, 2019).[197] As recently as 2015 moreover, only 10 countries on the continent were categorised as free, while a staggering 20 were described as 'not free'. 19 others were classified as partly free (Freedom House, 2019).

The democratic deficit on the continent continues to worsen even in the face of the AU's efforts. In Benin for instance, the most recent legislative elections in April 2019 were held in the absence of any credible opposition. This was a result of institutional reforms that prevented all opposition parties from participating. This situation led to protests by citizens with armed forces firing live ammunition at the protesters, killing two and injuring several others (Abatan, 2019). Similarly, during the 2019 elections in the Democratic Republic of the Congo, it was reported that in spite of the strong evidence produced by the civil society community and independent observers of the election (including the reputable Conference Episcopale Nationale du Congo (CENCO) of the Catholic Church) that Martin Fayulu of the Lamuka coalition had comfortably won the elections, he was not declared the winner.

Despite requests for the AU to intervene, the AU ignored all evidence of election fraud and requested, in an unprecedented move, the suspension of the announcement of election results by the DRC, while welcoming the 'contested winner' of the elections to the 2019 AU

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[197] The Economist Intelligence Unit's 2017 Democracy Index, as a well as the 2017 Ibrahim Index of African Governance (IIAG) come to similar conclusions as Freedom House on the state of Africa's democracy. See (The Economist Intelligence Unit, 2017; Ibrahim Index of African Governance, 2017). As a consequence, most democracies in Africa can be described as institutionally defective. The weakness within African democracies has affected service delivery as well as development, a function of limited governance capacity of these states' leadership.

summit (Wolters, 2019). The cost to DRC's democracy, in the words of Mr. Fayulu, remains the loss of belief in elections and a defeat for democracy in the absence of real efforts by the AU to intervene and rectify the issues (Wolters, 2019). In this instance, the AU again failed not only the Congolese people, but Africans in general in not taking concrete action in a situation of fraudulent election results. This situation once again reveals the palpable struggle between solidarist norms and persistent pluralist practices and can be blamed on the absence of real political will amongst the African society of states. The lack of political will within the African international society has clearly led to the AU's inability to take a strong stand in support of solidarist ideals around democracy.[198]

Consequently, any assessment of the achievements of Africa's international society in the area of democracy and good governance should be based on an investigation into participating states' compliance with the codes and standards set in the normative frameworks discussed and the continental body's willingness to enforce the standards when states fail to comply. Initial assessments do not engender much confidence. The modest gains in the area of democracy and good governance continue to be undermined and contradicted by persistent democratic and governance deficits and the ambivalence of the AU to definitively address the violation of its democratic tenets and declarations. In spite of an upward trend in regular elections in Africa, there continues to be a high prevalence of democratic malpractice by most African leaders, especially manipulating electoral systems to either cling to power or block all attempts at their replacement (Cilliers, 2016). Recent examples would include Burundi's President Nkurunziza,

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[198] Although the lack of political will is a critical consideration, one might partly frame this as a product of a continued, bedrock commitment to the tradition notion of state sovereignty (or pluralism).

Rwanda's Paul Kagame and Congo-Brazzaville's Nguesso, who all amended their constitutions to allow for unlimited terms in office without any significant repercussions from the AU (Cilliers, 2016). The situation with Tanzania's latest elections, with additional reports of democratic erosion, particularly over the past six years since President Magufuli's ascension to the presidency is another apt example (see Chikohomero, 2020). The AU, as the most concrete manifestation of African international society, thus remains largely wedded to pluralist ideas, and any attempts to become more solidaristic requires addressing its contradictions and inconsistencies in the area of democratic governance.

1.1b. Normative practices around African Sanctions

As discussed previously, sanctions are another normative practice that has become a part of an increasingly distinct society of African states. Africa has been fertile ground for the use of sanctions as a tool of international relations by several IOs and western countries including the UN, the EU, the US, the UK and Canada, amongst others. Indeed, the largest number of UN sanctions regimes since the end of the Cold War has been directed at Africa and African actors (Charron & Portela, 2015). A close analysis of the adoption and use of sanctions by the AU (and by extension the African international society) however, demonstrates that the AU's approach has differed a great deal from the UN's use of sanctions on the continent in terms of "objectives, measures and targets" (Charron & Portela, 2015, p. 2). Discussions in chapter four noted that UN sanctions have been used to address a variety of threats to international peace and security as specified in Article 39 of the Charter (Charron, 2011).[199]

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[199] Refer to Chapter Four for these discussions.

The African international society did not begin using sanctions as a tool of international relations until relatively recently in its existence.[200] It is also apparent that Africans apply sanctions differently from the UN. The AU incorporates sanctions into its Constitutive documents arguably in order to impose its will on member-states. This is different from its predecessor, the OAU, which did not use sanctions in this manner. Unlike the UN that often addresses a wide range of security issues and situations with its sanctions, the AU restricts its use mostly to the above areas. This has however begun to gradually change. By 2018, the AU had begun to apply sanctions in its efforts to resolve and regulate armed conflicts. The imposition of sanctions on warring factions in the South Sudan conflict in 2018 marked the beginning of this practice. However, it is too early to consider this a trend reflecting an attempt toward solidarism in the use of sanctions on the continent by the African society of states. There needs to be some consistency in this direction for any definite conclusions to be drawn in this regard. It remains to be seen whether the AU will expand on its narrow approach to sanctions going forward.

How are sanctions implemented and monitored in the African international society? Notable in this regard is the absence of a robust and well-functioning Sanctions Committee. The main bodies charged with administering sanctions (per Articles 25 & 46) are the PSC, the Commission and the Assembly. Although a sanctions committee exists its operations have been very limited to date with limited functionality.[201] The AU's sanctions regimes clearly lack adequate monitoring and implementation capacity. There is no regularised process around the sanctions committee and the implementation of African sanctions. It is therefore marked with

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[200] Again, it must be noted that an important exception exists with sanctions being supported against white minority regimes in southern Africa in the past.
[201] See Chapter Four

ambiguities, inconsistencies and an absence of coherence. Moreover, although there are several crisis situations on the continent that warrant the imposition of sanctions, there are currently no on-going AU sanction regime[202] (Ndubuisi, 2018 and 2019).

Consequently, although the African international society, since its new normative and institutional set up under the AU, has embraced sanctions and given them a great deal of attention (signifying a desire to become more solidaristic), pertinent issues and problems regarding their effectiveness persist. Some of these include the domestic and regional political dynamics on the continent (again, evidence of a dominant pluralist slant) which makes it difficult to generate requisite levels of support and political will for sanctions implementation. For some member-states for instance, sanctions are viewed as counter-productive and so there is a general lack of political and moral will for implementation. This is especially apparent in the lack of desire to implement sanctions by most member-states which points to the persistence of a (what can be described as rather 'perverse') sense of 'brotherhood' and solidarity amongst African leaders that prevents real action to address the numerous challenges of the continent- something that is reminiscent of the OAU days. Regarded as 'confrontational' by most African leaders, sanctions are not perceived as an ideal tool for addressing security situations. As a result, members of the African international society tend to hold back on their use, in spite of the apparent acceptance and embrace of sanctions (at least on paper).

Coupled with the above is the weak institutional capacity and inadequate resources of the African international society. Endemic and systemic corruption in a great number of African

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[202] Mali remains an exception here. The AU suspended the West African country after a military coup toppled the nation's government in August 2020 but has since lifted the suspension in October 2020.

states serves as an additional impediment to a well-functioning African sanctions regime. Without a societal approach that aims to get the buy-in of member-states to see sanctions as integral to the peace and security of the continent, decisions at the AU level to impose sanctions on recalcitrant member-states will remain little more than symbolic gestures. Although all of these issues exist, it must be noted that sometimes, the mere imposition of African sanctions serve as a signal for other international actors including the UN, EU, etc., to impose their own sanctions on offending states, without being accused of imposing a 'western hegemonic' agenda on the continent. For instance, in all its years of activity in Africa, the UN is yet to apply sanctions for a coup or unconstitutional change in government absent a prior African response (Charron & Portela, 2015). The suspension of Cote d'Ivoire by the AU in 2010 after Laurent Gbagbo refused to step aside for the winner of the general elections opened the door to the imposition of additional UN sanctions. In this way, the AU's use of sanctions has served the role of 'gatekeeper' by framing security issues on the continent, as well as the range of options available to deal with them (Charron, 2011; Charron & Portela, 2015).

In short, the adoption of sanctions by the African international society as part of its repertoire of normative practices should be regarded as a positive step. Being fungible and flexible, sanctions can be used in a variety of security situations, making them more useful than other more coercive tools of international relations – a middle way between words and war, per Charron and Portella (2015). Thus, sanctions potentially can serve as very useful governance and security mechanisms within the African international society. However, given current political realities, it is likely to take more time for sanctions to become deeply-rooted within the African international society as a routinely used vehicle for managing security and governance issues-

another demonstration of the on-going conflict between solidarism and pluralism in the African international society.

1.1c. Security governance

It is no secret that protracted insecurity and conflicts have long plagued many African states. Having embraced the idea that the quality and nature of governance is key to peace and stability, Africans have since the 1950s endeavoured to manage and govern peace and security through various means. As discussed extensively in other parts of this dissertation, this quest to self-manage the affairs of the continent began with the Pan-African movement. Security governance has therefore taken on a regional dimension, with African states recognising the need to build and enact structures, institutions and normative practices that would guide the continent's approach to its security and stability challenges.[203]

Indeed, Africa's conflict and security burden remains complicated, with a variety of interlinked forms and sources of insecurity and instability in zones of persistent conflict. These are complex security issues no single country on the continent can solve by itself. For any significant and lasting peace and stability on the continent therefore, Africans must band together. The transition from the OAU[204] to the AU[205] underscored the importance attached to addressing such security issues collectively.

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[203] See these discussions in previous chapters.

[204] As discussed elsewhere, the OAU Charter mostly emphasised decolonization and thus adhered to a principle of rigid non-interference in the sovereignty (and hence internal affairs) of member states. This clearly did not place it in a position to encourage intervention in the domestic affairs of African states to address pertinent security and stability issues. The few times that the organisation partook in peace operations, it performed poorly, as seen in the Chadian intervention, due to the absence of adequate finance, clear mandates, and a general lack of political capacity and will.

[205] Hence, the switch to the AU saw member-states enshrine in the Constitutive Charter the principle and right to intervene in member-states for peace and security purposes and create the PSC and AU Commission to look after the governance and administration of peace and security on the continent.

Since the transition to the AU, the continent has seen a greater degree of unity around the need and desire for Africans to address these problems. The APSA, comprised of the PSC, the CEWS, ASF, PoW, the Peace Fund, the MSC as well as the eight recognized RMs/RECs that have become progressively more important in their own right can be seen as a clear reflection of this desire. This 'new' direction has also seen a more assertive role for the AU vis-a-vis other international actors, with African states increasingly united in opposing the idea of external intervention as such interventions contradict the normative basis of an African international society (Bareebe, 2018). Africans have thus become acutely and increasingly aware of the need to band together to put out 'fires' in their neighbors' houses, reflecting the deepening of the concept of (arguably solidarist) international society on the continent. Since its formation therefore, the AU has undertaken a range of security initiatives that include conflict prevention, peacekeeping and peacebuilding.

Consequently, the African international society is premised on good security governance as key to the peace and stability of the continent. In 2003, the very first AU deployment into a conflict zone to restore peace and security was carried out in Burundi (AMIB), with about 3500 troops deployed to monitor the 2002 ceasefire agreement. AMIB was followed up by deployments in Sudan's Darfur region, Somalia, Mali, Central African Republic, and Comoros, amongst others. These initiatives, although coming with significant challenges, were clearly indicative of a new political direction by African international society, which took it upon itself to plan and deploy troops into these conflicts zones to bring stability and protect ordinary Africans from the vagaries of such civil conflicts as reflected in the principle of `non-indifference`-

reflecting a clear intent to transcend the traditional notion of sovereignty (read pluralism) which had long prevented concrete action.

In spite of this new direction however, the AU's security governance continues to be reliant on external donor support for funding and logistics. Most member states are still unwilling to commit to the lofty goals of the AU around peace and security governance. The ASF for instance, is yet to become fully functional in spite of being commissioned since 2003. Payment for peace missions continues to be a big issue for member-states, with several failing to meet their financial obligations towards AU peace missions. For instance, the very first AU mission in Burundi had to be taken over by the UN a little over a year after AMIB's deployment, due in part to the inability of Africans to sustain the mission both financially and logistically. Many, including the International Crisis Group (2005), Ansah-Akuffo, (2010) and Ayittey, (2016) have also criticized the AU's mission in Darfur as a failure, with the loss of thousands of lives and the displacement of a million others even with the AU mission at post, exactly because of the above-mentioned impediments. It too was superseded by a 'hybrid' UN-AU mission (UNAMID).

Other issues dogging the successful management of peace and security within the African international society include the lack of real buy-in by member states at the continental level. As discussed in Chapter Five, most African countries invest greater legitimacy and capacity in their RECs, and so tend to commit more strongly to their programs and agendas as they tackle issues and challenges that are 'local' to them (Ayittey, 2016). Continental security management has also been plagued by inadequate planning and ad hoc procedures and methods. There is a lack of harmonization of policies and programs regarding the management of security. For instance, APSA, as discussed earlier, was supposed to be the mechanism through which security is

managed on the continent. However, due to the difficulty in its operationalization in the face of asymmetric threats such as violent extremism, ad hoc regional mechanisms outside of the APSA have been established, including the G5 Sahel Joint Force and the Multinational Joint Task Force (MNJTF) fighting violent extremism in the Sahel and Boko Haram in the Lake Chad area respectively (Dieng, 2019). Although such ad hoc regional arrangements are aimed at helping address immediate security threats, it puts in question the efficacy and readiness of the APSA, while undermining its ability to serve as the apex African mechanism for security management.

Thus, even with the desire to pre-empt and prevent conflicts with new normative practices and mechanisms which characterises current African international society, several ambiguities and inconsistencies in terms of rhetoric and practice continue to undermine the effective implementation of such African frameworks. Although ad hoc regional security measures such as those discussed above are necessary for rapid action in emergency situations, to really flourish as a societal security mechanism means strengthened political commitment and a continuation of current attempts at harmonising the various components of the African security apparatus to enhance efficiency, while lending the African international society the credibility to take charge of the governance of security and peace on the continent. To be sure, the AU has been more assertive and increasingly willing to engage in peace and security enforcement missions, albeit with operational difficulties. It has engaged in many more peace operations and deployed several thousands of troops to conflict zones, compared to the OAU (Williams P. D., 2009). Nevertheless, the many doctrinal, conceptual and normative practices proposed would require genuine political will and resource commitments by member states, without which the

desire to "own" Africa's security and stability challenges remains elusive. These discussions clearly lay bare the push and pull between solidarist and pluralist orientations on the continent.

1.1d. International Criminal justice

International criminal justice, also discussed in chapter five, is another area where African international society is manifested. In principle, international criminal justice serves as an antidote to impunity, preventing individuals, governments and other actors from operating as desired without any fear of retribution. Tallgren reflects this view when he argues that the most effective cure for all criminality is the notion of deterrent punishment (Tallgren, 2002). If we accept this view, the need for a robust international criminal justice system on the continent becomes apparent in the face of the history of human rights abuses and mass atrocity crimes against ordinary Africans since the early 1960s. Civil wars that engulfed most parts of the continent brought even greater complexity by creating the space for the wanton plunder and abuse of states' resources, the use of children in conflicts, rape and sexual violence, and sometimes genocidal crimes against defenseless civilians.

With a significant number of states in Africa long failing to bring to 'book' individuals and groups that commit such crimes, coupled with the perception in Africa that the ICC is biased towards prosecuting Africans, the AU took the issue of criminal justice up as an important area to address, highlighting again a desire to move towards greater solidarism. This has seen a more assertive demand by Africans to be treated equally especially by the main agent of international criminal justice, culminating in a face-off between the ICC and African leaders. With the ICC's largest group of members being African (over 30 African states are signatories to the Rome

Statute), this impasse is significant.[206] As discussed, several African states are not comfortable with the willingness of the ICC to actively investigate and prosecute sitting or former Heads of States and government officials. Several conclusions have been drawn. Some perceive this as a positive development that would push Africans towards the creation of home-grown, African solutions to the lasting problem of impunity and human rights abuse by states and governments on the continent (Kimani, 2009). The idea of a western dominated tribunal pursuing officials of poorer nations in the name of justice while treating those from rich, powerful states with impunity serves as a rallying call for the African international society. The AU's adoption of the Statute on the African Court of Justice and Human Rights, which merged the African Court of Justice and African Court on Human and People's Rights, is therefore aimed at accomplishing a home-grown system of international criminal justice.

Others however, especially within the African civil society (where the court continues to enjoy considerable support), see this as an obvious attempt by African leaders to side-step and render the ICC impotent on the continent (Jalloh C. , 2009; Ambos, 2012; BBC News Service, 2010). If indeed this line of argument is valid, there is cause for concern regarding international criminal justice in Africa. One of the key reasons for a disproportionate number of African cases at the ICC is the poor standard of the justice system in most African states. Most judicial systems in Africa are seen as politically compromised, weak, corrupt or at the mercy of powerful individuals and government officials (Manyatera & Fombad, 2014; Kuwonu, 2016). Additionally, attempts to create an African substitute for the ICC are clearly not working so far (see Table 5 in

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[206] See (Mills & Bloomfield , 2017) for their discussions on the significance of the resistance of African states to the ICC.

chapter Five), with many states yet to either sign or ratify the statute, and with no notable ruling from the African Court to date. With several African states and their leaders showing support for indicted individuals such as the former President of Sudan, Al-Bashir,[207] while threatening a total withdrawal of their countries from the Rome Statute, one can easily conclude that African leaders, through the AU, have created yet another 'club of Heads of State' to protect one another from accountability to international bodies such as the ICC- again reflecting a weddedness to pluralistic practices.

Although the AU has made overtures towards taking charge of the international criminal justice needs of the continent, only time will tell if these are genuine attempts at addressing such issues through the institutionalization of African mechanisms. Is the African approach to international criminal justice a feasible one that can more adequately address and respond to post-conflict justice, human rights abuses, and impunity, amongst other issues in Africa? So far, the jury is out.

The above discussion highlights the various pertinent issues within the African international society that directly or indirectly affect its journey towards solidarism, consolidation and growth. These issues bring into focus distinct features of this international society, as discussed in the next section.

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[207] The AU tried on several occasions to get the Security Council to suspend the ICC's indictment against Al- Bashir without success (American Society of International Law, 2018). Bashir has since been ousted by Sudan's military after sustained mass protests against his rule, jailed for two years by a Sudanese court (in a first trial) for his role in the 1989 coup that brought him to power, and may also be turned over to the ICC for genocide, war crimes and crimes against humanity for atrocities committed by pro-government forces in the Darfur conflict (Aljazeera News, 2020).

2.0. The African International Society: an assessment

How well is this society of African states doing in relation to its stated objectives, goals and normative practices? Several challenges continue to prevent the full realization of the ideals of an African international society. As implied above, a chief characteristic of the African international society is its top-down approach, which most of the time significantly reduces and sometimes negates the ability of ordinary Africans and their civil societies to feel connected to and be part of its decisions. Thus, what you find is an international grouping of states without robust connections to the societies over which they seek to spread their influence. This has been an enduring feature of African politics since colonialism, with a huge gulf between the state and society in most countries. This situation has been an impediment to a robust, citizen-involved, and solidarist-oriented international society. It is no secret the English school emphasizes states over civil society groups and organizations in its analysis (Quayle, 2012). The English School is clearly much more concerned with the interactions amongst states in an anarchic international system than any other 'distinct' actor, entity or body. However, for a successful implementation of the objectives of an African international society, the AU needs to find a way to include citizens and go beyond mere top-down, pluralistic normative practices and frameworks. The fact that even the Pan-African parliament,[208] which is supposed to be the voice of ordinary Africans, is not made up of popularly elected members as in the EU, highlights this situation. States and their governments determine who becomes a member, limiting its solidarist potential. This situation

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[208] The Pan-African Parliament (PAP), inaugurated in 2004, was set up by the treaty establishing the African Economic Community. Intended to serve as a platform for citizens of all African states to be involved in the decision making and discussions of problems and issues facing the continent, it is presently composed of 229 members representing over 52 countries, with 5 members from each member-state of the AU. These representatives are elected by the legislative branch in each country (Pan-African Parliament of the AU, 2019).

also deepens the challenge of harnessing an African identity from the level of the AU, leaving the continental organization and thus African international society only weakly connected to ordinary Africans.

Besides the gulf between the AU and ordinary Africans, key decision-making processes within core departments such as the AU Commission remain too centralised and too weak to have significant and consistent impact. Decisions are made without adequate consultation or involvement of member-states, leading to a general lack of 'ownership' of the goals and aspirations of the African international society as embodied by the continental organization. The point here is that member states have very little influence or control over decision making within the AU Commission in the area of policy proposals, including their drafting as well as implementation. Most decision making and drafting of proposals is done by officials and 'experts' of the AU Commission with little influence or input by individual member-states.[209] The AU Commission also controls the purse strings of the society, resulting in suspicion and resistance to the continental organization's authority. We see this reflected in the difficulty of getting many member states to commit to AU initiatives or sign up to and ratify AU decisions and proposals such as NEPAD, ACDEG, and APRM, as well as implement sanctions against wayward member states. African states also appear reluctant to commit the needed funds for implementation of directives and proposals as a result of this lack of real ownership (although it must be acknowledged that some African states face genuine financial difficulty, and hence find it difficult to meet their financial obligations).

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[209] It is important to note here that this aspect of the AU's decision making process has increasingly been opening up to states and civil society organizations. However, there is still room for significant improvements in this area (Oxfam, 2009) (Assogbavi, 2015).

To date, the AU still heavily depends on external donors to fund the majority of its activities. Although we see an increasing willingness to deploy into conflict zones by the AU for instance, without major financial and logistical support from donors, Africa as a distinct society of states would not be able to fund and implement any such engagements. This situation curtails the continental organization's ability to truly gain a higher degree of ownership and control of affairs on the continent. The propagation of 'African solutions to African problems' as epitomised in the opposition to external intervention (read imperialism) in African affairs, runs counter to a continual dependence on external actors and resources. One cannot truly own one's problems and subsequent solutions when relying on another to pay for their existence. Since its formation in the early 2000s, the AU has continued to rely on external actors for not less than 60 per cent of its operational budget (Glas, 2018; Pharatlhatlhe & Vanheukelom, 2019). Although the AU has been trying to deal with this challenging problem of inadequate member-state funding, a general lack of real political will and capacity by most African states, as discussed previously, continues to hinder the flourishing of this distinct international society. There remains a paradox within the African society of states where on the one hand, it tries to remain self-reliant in its operations, while on the other remaining dependent on external donor support. A particularly striking example here is the reliance on China to foot the bill for the AU's $200 million headquarters in Addis Ababa, Ethiopia (Ayittey, 2016).

Accordingly, in the area of peace and security, the AU (in spite of an African peacekeeping landscape increasingly marked by complex overlays of multiple actors), has progressively emphasised adopting autonomous peacekeeping and security management mechanisms, free from external meddling. However, as seen with virtually all AU peacekeeping missions, although

the union is able to respond more quickly as compared to say, the UN or the EU, its massive gaps

in capability mean it continues to rely heavily on external support in order to carry out such

activities. AMISOM is one particularly prominent example where if not for the funding and

logistical support of the UN and EU, the mission would have been condemned to total failure

(Williams, 2018). Although arguments of a lack of African states' capacity can be made to explain

this inability to properly fund AU missions and agendas, they are not enough. Other underlying

issues, which still cut across the continent (as mentioned earlier) include the absence of real

political will to abide by the provisions, mechanisms and normative practices African states

themselves have signed onto[210]. This situation can be attributed to the unwillingness of African

leaders to cede real control and power to the continental organization (Glas, 2018).

Thus, even though they preach and propagate the language of African ownership, states

are still very inward looking and unwilling to let go of sovereignty to anything like the same extent

as, say, in the EU. African states are unwilling to confer the AU with real authority and power to

make decisions on their behalf. Member-states are thus far removed from the AU and so

although solidarist normative practices are suggested and pushed for, they become chronically

difficult to implement. The impasse with the ICC, again, can be interpreted as a collective attempt

to wrestle control over international criminal justice back into the hands of Africans themselves.

The implication here is that, if the attitude we see in other areas of African normative practices

is anything to go by, international criminal justice has a bleak future if the African states succeed

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[210] Again, (and for emphasis), it is important to stress here that the existence of an international society is not dependent on an organization (such as the AU). An international society exists where a group of states have embraced and act according to agreed upon norms, conventions, principles, and inter-subjective understandings. In Africa, these processes have been championed primarily through continental organizations including the OAU and the AU. Thus, throughout this dissertation, the AU's authority has been treated as the clearest manifestation of, and aspiration toward, an African international society.

in wrestling control from the ICC. The general lack of real political will to implement such normative practices would mean that the organization may easily degenerate into another 'club' of African heads of states with no real capacity to address Africa's numerous issues. It is therefore not surprising that, Ayittey (2016) for instance, among others, call for the dissolution of the AU, condemning it as (ir)relevant and lacking any real capability to address the everyday security, governance and development challenges of Africa. I will note however, that such calls are premature.

As far as membership of the AU goes, besides being a country located geographically on the continent of Africa, the AU has no other (real) benchmarks for membership and so what we see is a conglomeration of different aspirations, objectives and goals that sometimes come up on the fly,[211] pulling the AU in multiple directions. Different countries on the continent are at different levels of political and economic development, with the majority unable to effectively support the mechanisms and direction of the continental organization, especially with regards to solidarist normative practices. Thus, both the requisite political will and capacity to move this society of states in the same direction has been lacking. In spite of the move away from the principle of non-interference, many states on the continent still invoke the principle of state sovereignty to avoid scrutiny of domestic troubles. The general lack of real political will and commitment has meant that many AU documents and directives remain unimplemented in individual countries. This is especially the case if a directive or policy runs contrary to the interests and concerns of such individual states and their leaderships. In other words, most AU member

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[211] This is also easily attributable to the fact that the continent continues to be vulnerable to several challenges that can lead to political destabilization, so that objectives and priorities can easily change.

states do not 'put their money where their mouth is.' Aarie Glas, in his research on the AU, came to a similar conclusion. He found in his investigations, published in 2018, that the AU summit for the heads of state and governments in Addis Ababa did not get as much patronage from the African leaders as similar African "continental" meetings taking place in western donor countries, such as happened in 2013 in France where a 'Summit of Peace and Security in Africa' was hosted at the Elysée. This to him exhibits a lack of support from these leaders for an agenda of African ownership and solutions to African problems (Glas, 2018).

2.1: Thematic threads within the African international society

Following from the above discussions, we can deduce certain specific themes within the African international society. These are:

- ***it is (still) predominantly State-centric and pluralist in nature***

Like other parts of the world where regions have become increasingly assertive, Africa's international society is a result of the expansion of a global international society that is steeped mostly in European ideas that have been reworked, adapted and sometimes localised to suit the unique needs of the region (Zhang, 2015). Consequently, Africa's distinct history, along with the cultural, social and political conditions of its people have determined the types of normative practices and institutions that have formed and become part of a continuously evolving international society on the continent. These normative practices and institutions not only tell a story of African agency at the regional level; they also present a story of African adaptation of global norms, encompassing contestations and sometimes localization of global normative practices and institutions (Zhang, (2015); Acharya, (2007); Tieku, (2004 & 2007); Vines, (2013).

The story of Africa's international society is integrally bound up with the effect of Western European domination and colonization on the continent and the imposition of European ideas and conceptions of statehood. The imposition of the idea of Westphalian statehood and sovereignty on Africans was, to paraphrase Zhang (2015), particularly "dislocating and disorienting for post-colonial [African states]". Africa is not alone as far as this phenomenon is concerned, however. As Zhang aptly describes in the case of East Asia:

> This new form of state clearly embodies normative principles and features that are contradictory to and in tension with traditional local norms and institutions in the region: exclusive jurisdiction, legally defined territoriality, direct and absolute authority over and control of territory associated with the monopoly of the use of force vis-à-vis fluidity of borders and influence and fluid understandings of political and sovereign authority. In arbitrarily redrawing boundaries of the emerging states, it also institutionalizes serious mismatch of state and nation/society in terms of the material, human and normative realities of the postcolonial state, creating deficits in both material capacity and political legitimacy for those states *(Zhang, 2015, p 368).*

This is similar to the conclusions of Jackson (1987) when he describes these types of states as 'quasi-states', with weak sociological, political and economic coherence, leaving them vulnerable and attuned to internal as well as external threats. The effect of the above is that African states have, since independence, assumed a stance that focuses on protecting and jealously guarding the integrity of their territorial boundaries against both internal and external adversaries and aggressors. The significance of this is seen directly in the operationalization and functioning of Africa's international society as very state-centric and pluralist (as opposed to

solidarist). The point is that, despite some movement towards more solidarist normative practices under the AU, in practice, pluralist norms have continued to be ubiquitous. Such conceptions of statehood have encouraged a top-down, unitary mentality to running states in Africa, even though this is sharply at odds with the diffuse socio-political composition of these states. This, again, coincides well with Zhang's analysis of the international society in East Asia. Highly statist ideologies in the post-colonial contexts of both regions explain the unitary/authoritarian state mentalities of newly emerging, post-colonial states with "particular understanding and practice of sovereignty and the associated institutional practices of national self-determination and non-interference" (Zhang, 2015).

- ***It has an external orientation, with enduring state-society gaps***

The struggle against colonial domination in Africa as well as perceived racial prejudice and mistreatment of the black man in the diaspora contributed to a hyper-statist conception of national self-determination and sovereignty in contrast to popular sovereignty in Europe, for instance (Ba, 2014). National self-determination is therefore expressed primarily in opposition to Western European dominance globally, as well as against colonial rule, similar to experiences in East Asia (Zhang, 2015). It is no surprise then that in most African states, there remains a weak social connection between the state and society. Cold War geo-politics tended to fortify the state-society gap as the global rivalry favored authoritarian African leaders, who received significant material and financial assistance from external powers seeking to build diplomatic ties with the new African states. This situation also led to an external orientation in African politics

with African governments looking externally towards former colonial powers and other powerful external actors for assistance.[212]

One of the crucial consequences of this external orientation is that these governments often developed only a limited sense of connection to their own societies and citizens. This implication is significant for the African international society, as it has led to a palpable disconnection between the ordinary African and the erstwhile OAU, as well as the AU. Although this situation has improved since the days of the OAU, a cursory glance over the activities of the AU would reveal an almost complete detachment of the ordinary African from most AU activities and decisions.[213] Thus, to truly appreciate and understand the workings of Africa's international society - its orientation, operations, and normative practices - one cannot ignore the specific effects of the Western/global international society on Africa.

- ***Yet it is also a paradoxical blend of pluralist & solidarist tendencies***

In terms of "thickness",[214] the normative practices within the African international society that are addressed in this thesis are, as noted above, a paradoxical blend between a thinner, pluralist society with emphasis on individual state sovereignty, and thicker, more solidarist tendencies that emphasise a much more ambitious normative environment and encourage even more coercive enforcement and intrusive mechanisms. This specific clash between solidarism

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[212] A deeply ironic situation, given African states' simultaneous anti-colonial orientation.

[213] Again, although the AU on paper appears to be more cognisant of the need to include the ordinary African in its conception of this society of states (at least compared to the erstwhile OAU), it has through all of the complex issues discussed so far, failed to achieve that objective.

[214] Following Walzer (1994), Rawls (1999a) and Buchanan (2003), thickness or thinness of normative practices is used here to describe the extent to which these norms and practices go beyond mere pluralist notions of international society, to more extensive, solidarist ones that sometimes go against the principle of state sovereignty, as traditionally understood. This distinction has important implications for whether an international society will adopt aggressive, 'sovereign border-breaking' normative policies or opt for an approach that treats state sovereignty as sacred. The differentiation between 'thick' and 'thin' normative practices also affects the feasibility and viability of any group of states, and the African international society is no different.

and pluralism has been highlighted throughout the text. Faced with 'newer' security challenges that require more invasiveness on the part of the continental organization, Africans have, since transitioning from the OAU, been more willing to undertake significantly solidarist normative practices that infringe on the hitherto strict policy of non-interference in one another's affairs. It is no surprise then that the AU has adopted the doctrine of non-indifference, bringing to life the spirit behind the global normative concept of R2P (at least on paper). For instance, we have seen an increasing willingness to resort to more robust peacekeeping missions since the transition to the AU. This is what scholars such as Tieku (2007) refer to when they argue that the AU has shifted to promoting human security norms as opposed to the OAU's hitherto state-centric security policy focus.

African states have since empowered the PSC, the Commission and other AU organs to create mechanisms that aspire to manage and prevent conflicts as well as manage other pertinent continental challenges. Of course, with the realization that the security threats that faced ordinary Africans within an environment that is dictated by larger global economic and political forces and actors, in addition to all the other socio-economic development challenges that cannot be fixed without significant African ownership and robustness, this empowerment of African-grown norms and institutions is arguably a natural consequence. Thus, the AU's approach as seen in the above four normative practices has shifted from a pluralist (state-centric) focus to one with more solidarist tendencies. Consequently, Article 4(h) of the Constitutive Act empowers the AU to intervene in the affairs of any member-state to prevent conflict, war crimes, genocide and other crimes against humanity (African Union Commission, 2018). The ASF as established is

designed to give this concept real bite in this regard, a significant change since the transition from the OAU.

The fundamental changes that took place after the end of the Cold War also contributed significantly to these shifts, culminating in the transition to the AU and to a more solidarist normative disposition. Africans recognised as far back as the early 1990s that they would have to start owning and tackling their own problems, as no one else could be more vested in them than themselves. With the end of the Cold War, there was little incentive left for outside powers to intervene to address African peace and security affairs (and previous interventions tended to be highly disruptive anyway). Hence, to survive as a collective, frameworks aimed at maintaining peace and security on the continent had to be invented. These normative practices and frameworks grew steadily more invasive in nature with the four normative practices studied in this thesis epitomising this trend. African states and their leaders have continually recognised the need to be proactive when it comes to security, governance and development challenges of the continent. In this regard, we should perceive the normative practices around democracy, African sanctions, international criminal justice[215] and peace and security governance as attempts by African leaders to carve out a distinctive regional international society approach and associated mechanisms that not only promote the survival and well-being of states within this society, but also tackle issues and problems affecting ordinary Africans. However, there continues to be a

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[215] It is important to point out here that most of their collective effort in the international criminal justice domain have so far appeared to avoid accountability, especially when one considers the rather slow pace of finding a viable African mechanism for international criminal justice in the face of a clear fallout between the institution and many African member states.

palpable struggle between the desire to move toward solidarism, and the still-pervasive pluralist orientation of members of the African international society.

- ***It advocates strongly for African ownership of Africa's problems***

All four normative practices reflect the theme of African ownership of African problems. For instance, the promotion of democracy is aimed not only at ensuring political stability which (according to the AU) is crucial for development; it is also aimed at preventing the abuse of ordinary Africans by their governments. Normative practices around international criminal justice are also aimed at prevention of impunity and abuse of the African citizen by the state. And the peace and security governance practices have reserved the right of the continental organization to intervene and override the sovereignty claims of any member-state that is found committing egregious acts against its citizens, or is unable to prevent such acts being committed against ordinary Africans within their states. Finally, the still-limited use of African sanctions on the continent is aimed at getting compliance by states for AU directives, and encouraging all African states to pull in the same direction as a distinct society within the larger international society. Thus, as far as solidaristic tendencies are concerned, the AU has clearly signaled its intent to integrate such ideas into the operationalization of the African society of states especially within its working documents, declarations and Charter. There is a clear intent to move away from the hitherto 'principle of indifference' to a more proactive, non-indifference stance and approach. What this implies then is that whatever happens within the domestic sphere of African countries is no longer just a domestic affair, but a concern to the rest of the society of states on the continent.

The next section outlines the distinct characteristics of the African international society based the prior discussions in this dissertation.

2.2: Distinct characteristics of the African International Society

This dissertation sought to answer the following research questions:

- What are the constitutive elements and depth of a distinct African international society?

- What are the conceptual connections amongst the emergent normative practices (identified in this study) on the continent regarding peace, security and conflict management?

- What do they tell us about the normative and historical foundations, as well as the viability of an African international society?

- To what degree does this distinct international society provide a firm foundation for combatting conditions of violence, insecurity, and related challenges to safer communities in Africa?

- Finally, what is the relationship of this African regional society of states to the larger global international society?

Based on the foregoing analysis, certain distinct characteristics or features of the African international society can be deduced.[216] First, the discussions so far depict the AU as an example of a regional international society that possesses its own unique context and characteristics. Its historical trajectory plays an important role in bringing about specific, paradoxical manifestations within this society of states. It began within a specific historical context (opposition to racism,

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[216] These discussions do not necessarily follow a sequential order. This is due to the complexity and inter-twining nature of some of the analysis throughout the dissertation.

colonialism, and imperialism, subsequently transformed into a collective opposition to external influence within Africa) which saw the birth of the OAU and later the AU, to specifically help push these goals forward. Accordingly, the African international society exists within a specific context defined by the above factors that are particular to members of this society, differentiating them from 'external others.' Being part of this society prescribes particular orientations, modes of 'behaviour', acceptable standards and relationships with one another- what Hedley Bull refers to as "general imperative principles which require or authorise" behavior and which "may have the status of law, of morality, of custom or etiquette, or simply of operating procedures or 'rules of the game'" (Bull, 1984, p 54).

Consequently, the constitutive elements of this African international society of states- binding the states on the continent together in the same proverbial 'boat'- are rooted in a collective opposition to domination by colonial and imperialist powers. This has been a strong and defining feature since the first Pan-African Congress in 1919 in Manchester, through to the formation of the OAU and the subsequent transition to the AU in the early 2000s. This distinctive feature informs what is deemed acceptable behaviour within this international society. Characterized by Jackson, (1987) as quasi-states, with acute vulnerabilities in relation to sovereignty and their place in global politics, member-states have created an ecosystem and pattern of behaviour that is a direct result of the distinct history of their formation and place in international politics. In this context, Jackson's description that "African states are juridical artifacts of a highly accommodating regime of international law and politics which is an expression of a twentieth-century anticolonial ideology of self- determination" (Jackson, 1987 p 519), remains apt.

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Accordingly, this notion of self-determination has been and remains a strong feature of the African international society. African states, since the beginning of this process of self-determination, have grown increasingly unhappy with incursions and intrusions into their affairs by external agents and actors of the larger global international society, leaving African states undermined. The historical fact of being undercut, dominated and 'oppressed' by powerful external actors has therefore been a major pillar around which the society converges. For instance, in a tweet during the 2019 Doha Forum, the current AU Commission Chairperson, Moussa Faki Mahamat maintained:

> *We do not ask for aid, we seek equal treatment. To ignore a continent that will account for half of the globe's future growth, is suicidal. Africa is central for global prosperity, yet global rules are determined without it. How can we talk about global governance?*
> (Source: Twitter/Moussa Faki Mahamat, 2019)

The result is an African international society that is fundamentally resistant to overtures and incursions into African affairs by external 'others.' This orientation began, as mentioned earlier, with the opposition to racism, oppression of the black man and colonialism in Africa, which later led to the formation of the OAU to specifically lead this fight against colonial domination on the continent. Since the transition to the AU, this resistance has moderated, and is seen to a large extent in the 'African solutions to African problems' rhetoric, reflected in specific normative practices such as those discussed throughout this dissertation.

Crucial to this transition and desire to be in control of their own affairs is the realization that Africa's interests, objectives and advancement within the larger global international society cannot be realized if Africans themselves do not take the initiative. With a larger international

society that is unable or reluctant to help address conflict and security problems such as those in Somalia, Rwanda, Liberia, and Sierra Leone in the 1990s, as well as various other security, economic and governance challenges on the continent, African states became more committed to taking charge of their own affairs on the premise that they are best placed to pursue and protect African interests. In a workshop organized by the Institute of Security Studies on the notion of "African solutions to African problems" in 2008 for instance, some workshop participants argued that the only way for a continent that has been persistently marginalized and exploited to emerge from its problems and issues is to look within for concrete and viable solutions that are home-grown, reflecting distinctive African perspectives (Fiquremariam, 2008).

Thus, this distinct society of states is a function of specific historical and contextual factors, and any attempt to understand international politics on the continent must take these issues into consideration. African states see themselves as belonging to a distinct 'boat' of 'maligned' or 'marginalized' groups of states, which sets them apart from the larger international society. Thus, although part of the larger international society of states in terms of its rules, practices, norms, and belief systems, the African international society adapts, interprets and practices these norms in ways that reflect its distinct history, circumstances, beliefs and objectives.

In spite of this collective opposition to the influence of external actors on continental issues and a collective desire to own and address Africa's problems with African solutions, there is also a 'pragmatic and practical dependence' on external resources (Glas, 2018 p1137) to carry out the AU's (and African international society's) agenda and goals. Although this comes across as a substantial contradiction, it would appear that African leaders see this situation as

acceptable as most of them continue to ascribe the woes of the continent directly to its

exploitation by the west through first slavery, and then decades of colonization followed by

contemporary (neo-)imperialist overtures on the continent.[217] To such leaders, it is only fair to

ask the 'colonizer' to pay for the 'damage and mess' they helped create. Thus, the logic that

underpins the African regional international society (at least as far as the four normative practices

discussed are concerned), is that Africans should own their governance, security and

development problems, but with an expectation of donor funding and support. Whether this is

an efficient[218] approach or not is still a matter for debate, although one cannot help but

appreciate the pragmatic reasoning behind this arrangement. It is arguably a practical approach

to dealing with the continent's security governance problems. Africans take charge, but due to a

lack of capacity, external actors pay.

To a close observer of African and international politics, this comes as no surprise.

Borrowing from the arguments of Jackson (1987), African states have been formed in artificial

circumstances.[219]   Without recapitulating these discussions, African states are a product of

imperialism and colonialism, faced with economic and political domination by the metropolitan

centres which continue to constrain and control their institutional development. The collective

effect of this history of state formation is the distinct types of states that emerged in this region

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[217] This line of reasoning is apparent in one of the earliest attempts at seeking reparations for Africa from Western countries in 1992 by the eclectic group known as the 'Eminent Persons', led by a former Nigerian President-elect Bashorun Abiola, and championed by scholars such as Ali Mazrui, amongst other individuals. Although for this group, and Ai Mazrui in particular, reparations from Western countries meant reducing their support for African tyrants, supporting democracy on the continent, giving African states a louder voice in international organizations, and canceling their debt, this sentiment can be seen in current lines of reasoning that justify reliance on predominantly western support for AU activities today, especially in the absence of any real hopes of direct reparations. See Chutel, (2020) for more on these discussions.
[218] 'Efficient' in the sense of whether this approach helps achieve the goals and objectives set by the African international society, especially in the area of security governance.
[219] For more, see discussions on this by Jackson, (1987), Southall (1974), and Stark (1986).

- different in character and disposition from European and other Western states, with several structural, institutional and performative defects. Their situation worsened with the Cold War, where external intrusions, especially by the two superpowers at the time further damaged the organic development of nation-states in Africa. The result was the birth of 'quasi-states' (Jackson, 1987).

These quasi-states, being outcomes of specific historical and global factors, found themselves constrained by several effects of this history and context. Understanding the process of state formation in Africa is therefore integral to understanding the processes around an African international society. In a context that is a mixture of indigenous African culture, political traditions, colonial domination, struggles against imperialism, perceptions of a global pecking order that puts African states at the bottom, coupled with struggles of burgeoning nation-states, African states have sought to build political and governance institutions and structures that suit their needs (Stark, 1986). Occupying 'quasi-states' that lack the necessary institutional, economic and political apparatus and wherewithal to function as modern states, Africans have clearly had to adapt pragmatically when it comes to addressing their collective problems. Thus, reliance on external funding, capacity and support to help address African problems while touting 'African solutions to African problems' is, to a majority of Africans, a natural consequence of their situation (Glas, 2018). This particular history of the formation of African states is responsible for several ambiguities within this distinct international society.

Accordingly, a key analytical theme from the above is that, while the African international society can be described as a society of resistance, it is at the same time one of acquiescence. While African states (through the AU) insist on being at the forefront of addressing the

continent's numerous security and governance struggles, thereby rejecting external intrusions, they welcome and depend on external assistance and funding. Although Africans are more willing to take charge of peace keeping operations, for instance, they are unwilling (read unable) to provide the needed funding and resources. Although one may be partly right to interpret this as sheer lack of political will by African states to 'put their money where their mouth is', that interpretation would form only half the picture since their unique circumstances and context leave them dependent on external support for the pursuit of their goals and objectives as a society of states. This continues to baffle many observers of African international relations, and rightly so. However, when one considers the fact that a complete disavowal of external help or actors on the continent in the spirit of 'African solutions to African problems' could easily lead to further isolation and marginalization, this stance seems reasonable. What this has engendered can be described as "appropriate solutions to African problems" (Fiquremariam, 2008).

The ambiguity within the African international society is not limited to the funding and resource challenges discussed above. We see a great deal of ambivalence within this society of states especially when it comes to normative practices that are solidaristic in nature and aimed at driving the collective goals of the African society of states forward. The point here is that there is an acute tension between pluralistic and solidaristic tendencies within the African international society. This forms a constitutive and distinguishing feature of this sub-society. This tension has been a characteristic since the start of these processes, as described in the contestations between the Monrovia and Casablanca groups of states at the formation of the OAU.[220] Crucially, the axis of change within this international society has always been a 'push and pull' between

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[220] See Chapter Three.

pluralistic and solidaristic normative practices. This tension has been manifested in the difficulties with getting African states to 'buy into' and abide by normative practices that infringe on the notion of state sovereignty. In spite of the rhetoric of 'human security' that characterised the transition to the AU, with an increased willingness to intervene in member-states in circumstances that threaten peace and security as well as the safety of Africans, there continues to be a palpable reluctance to live up to such expectations within the African international society.

This unwillingness to embrace real solidaristic tendencies is also reflected in the reluctance to criticize or call out one another in the face of 'wrong-doing'. It is very difficult to get African heads of states to publicly disagree with one another. For instance, in 2008, after declaring victory in a contentious, one candidate run-off election in Zimbabwe, with several election observers including those from southern Africa and the AU agreeing that the polls fell well short of acceptable standards, then-President Mugabe was still welcomed to the African Union's meeting in Sharm El Sheik, Egypt a few days after, with his fellow African leaders showing little appetite for public criticism of his 'sham' electoral victory (The New York Times, 2008). Examples of such situations abound in African international politics. Several African leaders who have entrenched themselves in power for several decades now, in spite of the democratic normative practices touted by the AU, continue to be welcomed with open arms. Yoweri Museveni of Uganda, Teodoro Obiang Nguema Mbasogo of Equitorial Guinea and Paul Biya of Cameroon can be cited as examples (Ayittey, 2016). In the same vein, several instances of undemocratic governance in member-states have gone uncriticised by the AU and other African leaders. The arbitrary arrest and jailing of political opposition leaders in countries like Rwanda,

Uganda, DRC, and Egypt, amongst others, have gone un-condemned (Ayittey, 2016; Amnesty International, 2019).

From the above, there is a palpable 'silent' agreement to support one another, especially when it comes to the governance of African states. African leaderships perceive one another as a 'threatened' species in global politics. This belief is cemented by the perception of unfair targeting of African states and leadership for criticism and persecution as seen by the highly disproportionate number of African leaders pursued by the ICC. This perception means that in spite of normative agreements that aim to curb negative governance practices within the African international society (and better protect individuals and communities), African leadership shies away from openly critiquing one another when states fail to adhere to agreed-upon normative practices, rules and procedures. The gulf between rhetoric and reality regarding solidaristic normative practices in the area of international criminal justice for instance (as seen in a collective condemnation of and threat to withdraw from the ICC), can be explained by a need to protect one another from what is understood to be an unfair global international society and arrangements that put Africa at the bottom of global political priorities. This manifestation can be traced to the specific historical factors that gave birth to African states and by extension the African international society. As mentioned above, this historical context and enduring opposition to imperialism and other perceived forms of external intrusion and oppression have generated specific understandings and practices within the African international society. The transfer of statehood to Africa after colonialism has generated a specific orientation that is dramatically different from the European states that ruled over them, garnering in the process

particular understandings of statehood and sovereignty that encourage the 'protection' of one another against interference and criticism from external (imperialist) others.

The cumulative effect of these processes is the continuous tension between pluralism and solidarism within the African international society. It is indeed very rare to see an African leader openly call out a colleague who flouts the rules, norms and institutional prescriptions of the African international society, as well as normative practices of the larger global international society. Thus, in spite of recognising the need for, and signing on to an array of initiatives and mechanisms that can be described as solidaristic, the collective opposition to external interference and imperialism has had the paradoxical effect of moving African states (back) into a more pluralistic stance, without the political will to address security and governance problems that call for a solidaristic normative approach.[221] This is another feature of the African international society. Although it has clear solidaristic goals as a society of states (seen in the normative practices outlined in this dissertation), its reaction and response to these solidaristic normative arrangements has been one of ambivalence and indifference.[222]

However, an appreciation of Africa's unique circumstances since its colonisation would illuminate this entrenched ambivalence toward continental initiatives and mechanisms they themselves have signed up to. We may understand the signing up to these solidaristic

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[221] The ambiguities within this international society becomes even clearer when one considers the fact that the transition from the OAU to the AU was exactly because a pluralist normative orientation was deemed unsatisfactory to address the numerous challenges of the continent.

[222] Again, interpreting these paradoxes within the African international society as a lack of political will and (perhaps) a ploy to shield themselves from criticism is not far-fetched. In spite of all rhetoric of 'non-indifference' and willingness to interfere in member states' affairs to address governance and security issues that harm ordinary Africans- a main feature of the transition from the OAU to the AU- the evidence in their practices suggest a continued reluctance to violate the principle of non-interference in one another's affairs when the need arises (Ayittey, 2016).

mechanisms in the first place as a recognition of the need to be seen by the larger international society as being serious about addressing African security problems. In other words, there is a real sense of the need to placate the larger international society, and powerful actors within it. This leads to a double effect of, first, giving African international society the 'legitimacy and recognition' from the rest of the larger international society as rightful representatives of security governance in Africa; and second, the pragmatic effect of unlocking much needed resources from the larger (global) international society to drive these processes forward, despite the strings and conditions of good governance that characterise funds from these external sources. This is crucial to understanding the unique characteristic of acquiescence and resistance that pertains within the African international society. It is not enough to describe the above as a weakness of the African international society. It is in fact, an important and integral feature of it.

The conceptual connection amongst the normative practices identified in this study all highlight a desire of Africans to first, take charge of their own affairs, as opposed to allowing international actors and agents to dictate to the continent how it should be governed. Second, and closely connected to the first characteristic, is the resolve (at least on paper) to bring peace, stability and security to communities across Africa. Per the AU therefore, security, peace and political stability is necessary and integral to any other goals of African states, including economic development. Hence, the normative practices of democratic governance, as well as the use of African sanctions, reflects the belief in the utility of good governance and democracy to the attainment of peace and security (African Union, (2007); and AU Peace and Security Department, 2010). This is also based on the view that the root causes of the continent's security and governance troubles are linked to the absence of good governance practices within most African

states that are inclusive, representative and respectful of the rights, liberties and safety of the ordinary African. In the same vein, and as discussed in earlier parts of this dissertation, to ensure lasting peace and political stability in post conflict contexts, there has to be a perception of justice, with perpetrators of heinous crimes duly brought to book. Thus, the need for robust post-conflict international justice mechanisms has increasingly been seen as critical and integral to achieving genuine peace and stability within post-conflict states in Africa – even as African leaders remain deeply ambivalent towards externally intrusive mechanisms like the ICC and conflicted on how to position themselves in the 'peace *vs.* justice' equation that often frames debates concerning international criminal justice. Without peace and political stability, it is inter-subjectively understood, no other objectives, including economic, infrastructural and social development, can be achieved in Africa.

Similarly, being able to devise mechanisms that end the constant violent conflicts and political instabilities that have plagued the continent for so long requires capable peace keeping and peace enforcement capabilities. Thus, the design of the four normative practices described throughout this dissertation is conceptually aimed at achieving first and foremost, peace, stability, and security amongst and within African states. Africans see these normative practices and mechanisms as 'useful' in and of themselves. But crucially, they also see this as a way of signalling an intent to be allowed to take care of their own affairs by the larger international society, that has for so long been complicit in meddling in the affairs of African states, much to their detriment. Any reading of these normative practices must therefore come from an appreciation of this distinctive background and context, as well as their intended goals and objectives as an African international society. All of the normative practices discussed here are

thus linked conceptually and empirically to the achievement of the goals and aspirations of the African international society. Together, they reveal a group of states that have accepted rules, norms and practices from the larger international society, but have done so in a historically and contextually specific manner that has seen a revision and adaptation of these normative practices to suit the needs and identity of this society. This adaptation and re-imagining of these norms, rules and practices is informed by the belief and perception of the unfair and inequitable arrangements of global politics to African states.

Taken together, these normative practices at the AU level are symptomatic of the continuously evolving and distinctive normative understandings and underpinnings of an African international society. These normative foundations straddle pluralist and solidarist orientations. Going by Hedley Bull's (1977) idea of international society, African states exhibit a co-existence of a distinct political community that continually recognises a common destiny, shared values and interests with an evolving degree of cooperative behaviour, as seen through the establishment of specific rules, institutions and normative practices which, limitations notwithstanding, has real potential to contribute to the stability and security of communities across the continent. Through these processes, African states have created a unique identity and understanding of their circumstances in a world that they see as not particularly 'responsive' to their needs, objectives and situations - hence the need to band together.

Related to the above discussions are questions of the viability of an African international society that is able to combat the numerous conditions of instability and insecurity faced by African states. As an organization, the AU has proposed lofty goals for the continent. In trying to meet these objectives, the AU has pushed several normative mechanisms on member-states. On

paper, these normative practices (and others outside the scope of this study), if properly executed, provide a firm foundation for tackling conditions of violence, insecurity and related challenges to foster safer, more stable communities. It is no secret that democratic deficits across the continent (most saliently during elections) have been responsible for instances of intra-state violence and political instability (Dersso, 2012) - Zimbabwe in 2000, Kenya in 2007, Sierra Leone in 2007, Cote d'Ivoire in 2011, Senegal in 2012, Burkina Faso in 2014, Burundi 2015, and Ethiopia in 2016 are good examples.

There have also been popular agitations in countries that have been ruled by authoritarian leaders that have entrenched themselves in power over protracted time periods, as well as against regimes that are deemed undemocratic and unresponsive to their citizenry. The Arab Spring that swept parts of North Africa, including Libya, Egypt and Tunisia, popular uprisings against Blaise Compaore in Burkina Faso, and most recently the popular uprising that toppled the Sudanese strong-man Omar Al-Bashir remind us of the dire consequences of the democratic deficit in many African states. Unsurprisingly, African countries with the largest democratic deficits have remained the most insidious trouble-spots on the continent. The DRC, CAR, Sudan, South Sudan, Zimbabwe, and Burundi, amongst others, all reflect strong correlations between entrenched, non-democratic leaderships and Africa's developmental and security challenges.

Clearly therefore, the need to address issues of democratic deficits and governance problems is crucial to long term sustainable peace and security in Africa. Normative practices such as those regarding democracy and sanctions have been instrumental in addressing some of the democratic deficits on the continent, which have been sources of political instability and

violence in a number of African countries. The Economist Intelligence Unit's democracy index found in 2015 a significant reduction in coups across Africa since 2000, and that elections have become commonplace in most African states (The Economist, 2015). To contextualize this, between 1960 and 2000, the overall number of coups attempts consistently remained at an average of four (4) per year. This has reduced to about two (2) each year in the two decades to 2019 (Giles & Mwai, 2021). Although it is true that elections do not automatically lead to a representative government with good governance practices, fair, competitive, multi-party elections[223] at least constitute the foundation for any democracy and reflect progress towards these objectives.

These changes are attributable, amongst other things, to the efforts at the AU level to de-legitimize coups, while encouraging African states to deepen democratic principles, elections, rule of law and respect for human rights. As a result, we have witnessed many fewer coups on the continent since 2000, compared to earlier decades. Between 1970 and 1982 alone for instance, the continent witnessed twenty-seven (27) successful coups compared to only twelve (12) between 2000 and 2012 (Felter, 2019). The argument here is that the need to pay attention to the quality and progress of AU member states' democratic, human rights and governance records has been recognised as crucial for Africa's peace, security and political stability, and that these normative practices, and others like them, are crucial for moving the continent away from endemic insecurity and instability.

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[223] Admittedly, this may not be enough, as competitive multi-party elections can be quite violent, unless there are clear norms and institutions ensuring that they are free and fair and that changes of government are accepted.

It is therefore refreshing to see that since 2017, the AU has embarked on several reforms to ensure the long-term health of this regional international society. Efforts have been focused first and foremost on continental conflict prevention and resolution. Moussa Faki, current chairperson of the AU Commission, since taking office in 2017, continues to put a premium on peace and security, in contrast to his predecessor Nkosazana Dlamini-Zuma, who focused more on long term development. In a report commissioned in 2017, the International Crisis Group agreed with Faki's strategy of focusing on peace and security issues. They note that:

> *During his first week in office, Faki visited Somalia, where an AU force is battling Al-Shabaab's resilient insurgency. In his second, he travelled to South Sudan, scene of the continent's deadliest conflict. These visits, together with subsequent ones to the Democratic Republic of Congo (DRC) and the G5 Sahel states (Burkina Faso, Chad, Mali, Mauritania and Niger), provide a strong indication of where Faki believes the AU's gravest peace and security challenges lie (International Crisis Group, 2017).*

Clearly, the greatest threats to the long-term viability of the African international society are multi-faceted and complex. However, peace and security represent a critical starting point. The above normative practices within the African international society together form a strong foundation upon which to drive the society forward. The AU's role in advancing these normative practices and institutional arrangements has succeeded to a large extent in constraining the behaviours of member-states compared to the past, under the OAU. Yet the challenge remains getting countries to overcome the ambivalence that has plagued this society of states, especially in adhering to these continental initiatives. No international society will thrive in the absence of social practices that define and differentiate them from external others. Consequently, adhering to these distinguishing normative practices becomes critical to the long-term viability of this distinctive international society. To this end, further studies are required, as discussed in the next

section, but blanket calls for the wholesale dissolution of the AU by scholars such as Ayittey (2016) are misplaced. Rather than see these processes as an indictment on the AU (and thus the African international society), it is more accurate to see these processes as slow, gradual gains, with disorders and setbacks that need to be addressed through reforms in order to get the most out of these processes and arrangements.

Finally, what can we say has been the effect of these processes in Africa on the regional society's relationship with the larger global international society? As discussed above, the African society's relationship with the larger international society has been a complex blend of acquiescence and resistance. Obviously, resistance has come from a belief that the continent faces an unfair international terrain that discounts Africa's rights and needs. It is also linked to its long history of colonialism and domination by powerful states and organizations, and to the deep-seated quest for increased self-reliance and self-direction. The result of this perception, as discussed earlier, has been an attempt by African states and their leaders to impose themselves on continental issues, with an aim to be in the driver's seat in addressing African problems and challenges. Thus, we see both outright rejection and adaptation of external influences, norms, practices, and mechanisms to suit the needs of this distinct sub-society. At the same time, there is a pragmatic recognition of the need to collaborate with the larger international society. This collaboration, however, is most significant in the area of resource generation to undertake AU initiatives and agendas. As mentioned, the AU relies very heavily on funding from these external actors for both financial and logistical support: over 90 per cent of budgetary requirements come from external sources, with the EU providing the largest proportion (The International Crisis Group, 2005; Glas, 2018).

Dependence on external sources clearly hinders autonomy and constrains the free hand and dexterity the AU requires to tackle its problems. Although this situation serves as an indictment of the AU's rhetoric of 'African solutions to African problems', as African member-states continually appear unwilling to financially support the mechanisms and institutions that they themselves created, this arrangement will persist for the foreseeable future. As argued earlier, it makes sense to rely on external donors to help address massive financial and capability gaps that Africans cannot hope to fill any time soon. Thus, with a strained relationship with the EU over AMISOM payments in 2016 for instance, Moussa Faki moved to repair the AU-EU relationship after assuming office by pushing for a cooperation partnership similar to that between the AU and the UN (African Union Commission, 2018). Such collaborations are essential if any of the AU's objectives are to be met. Consequently, the joint AU-EU-UN taskforce on migration (AfricaRenewal, 2019) for instance - a specific result of the migrant slave auctions in Libya - is a positive move which takes advantage of each institution's strengths. These sorts of partnerships will be crucial for the African international society going forward. Assisting the AU to build capacity, train its peacekeeping forces, set up defence planning, command and control, logistics and eventually capable standby forces to help address the continent's security and instability problems is crucial to the ability and viability of Africa's international society. Partnership with external actors is therefore (and ironically) vital for the future of an African international society.

A natural outcome of the increased assertiveness of the African international society is reflected in a change in the roles played by external organisations and non-African states on the continent. Prior to this, external actors have had a largely free hand in African affairs. For

instance, Africa long served as a 'test ground' for the UN's sanctions regimes, with a disproportionate number of UN sanctions regimes targeting African states, individuals and entities compared to other parts of the world (Charron & Portela, 2015). Although there are still UN sanction regimes in Africa, an important new trend is that in many situations of insecurity or breach of international norms, external actors such as the UN or EU now wait on the AU to act first, affording them the legitimacy to take their own actions against the offending state. The AU's activities have therefore increasingly served as a necessary source of legitimation for the actions of external actors (Ndubuisi, 2019).

The linked dynamics of acquiescence and resistance, a strong element of the African international society, may come across as creating an impossibly awkward position for external actors in Africa. The desire of the AU to engage with external actors (especially through financial, logistical and material support), while concurrently resisting their influence places these external actors in a 'double-bind'[224]. In spite of this, it is obvious that any real attempts to address African security and stability issues cannot occur in the absence of meaningful partnership between Africans and the larger international society. The problems faced in Africa are complex and multifaceted, with a need for collaboration between continental and external solutions. For success therefore, the African international society must treat collaboration with external 'others' as a necessity and not a choice. Thus, partnerships with external actors such as the UN-AU Joint Framework for Enhanced Partnership in Peace and Security, the Joint Framework for the

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[224] I define 'double-bind' here similarly to (Bateson, Jackson, Haley, & Weakland , 1956), as a dilemma in communication in which an individual or group receives two or more conflicting messages, with one negating the other. Thus, an attempt to respond appropriately to one message means one fails to adhere to the other, and vice versa.

Implementation of Africa's Agenda 2063 and the 2030 Agenda for Sustainable Development (AfricaRenewal, 2019) are all steps in the right direction. A pragmatic combination of 'ownership' and partnership in the areas of funding, peace keeping operations and other normative and practical aspirations, within a framework of mutually accepted strategies informed by joint analysis, holds the African international society's best prospects for successfully addressing continental security, stability and governance challenges.

3.0. Areas for future studies

This dissertation set out to discuss African ownership of its security and governance issues through an international society perspective by looking at four normative practices on the continent that epitomise this distinct African international society. I argue that these normative practices are best understood through an international society perspective. Thus, the dissertation attempted to uncover the nature and function of international society in Africa, tracing its history and development. The discussions in this dissertation point to several fruitful areas for future research especially related to the ES approach, with its historicist, constructivist and methodologically pluralist approach. A few of these future research areas are discussed below.

First, there is an opportunity for further studies of the ontological tension that arises between the concepts of pluralism and solidarism within the ES. This remains an important area that is under-explored in the larger literature regarding international society (Buzan, 2001). It would be an important focus of study within the African international society specifically. As discussed in chapter two, pluralism stresses the instrumental side of international society while solidarist conceptions are more transformative and go beyond the mere instrumental nature of

international society, to acceptable standards of morality and human rights. Thus, solidarism encourages a more expansive and interventionist understanding of international society which is more challenging to the concept of state sovereignty.

The history of Africa's international society reveals a persistent and uneasy combination of pluralist and solidarist normative preferences and practices. How exactly do these two conceptions relate to each other within Africa's international society? What is the effect of pushing more solidarist tendencies within the African international society, especially since the creation of the AU? How are states within this particular regional society navigating this tension, and what are the implications for the future of Africa's society of states? Would a push for more solidarist normative practices that encourage intervention while disregarding traditional notions of sovereignty threaten the existence of an African international society? An important opportunity exists here for further studies around these issues.

Second, the changing nature of the relationship of the African international society with the UN and other external actors on the continent is an important area for future research. Key to such investigations would be the exploration of how much the conception of an African society of states affected its relations with the external world, especially the UN, EU, and powerful western and non-western rising powers? The nature of Africa's current society of states has been heavily influenced by its relations with external actors. Thus, to be able to fully grasp the logic behind Africa's security politics and other pertinent areas, one needs to assess how over the years, Africans have created the in-side (which constitutes a separate international society), distinct from yet articulated with the outside or the external international society. Research questions in this area could explore the tangible relationship between these external actors and

the increasingly assertive AU. Some recent research (e.g., Tan Shek Yan, 2013; Pillai, 2018; Charron & Portela, 2015; Charron & Portela, 2015) reveal a complementarity of roles between African and external actors, at least in the area of governance of peace and security. However, further research into the intricacies of these relationships would be revealing. For instance, what are the areas of overlap and friction? What does this reveal about the clash between normative practices and expectations from global international society and Africa's regional international society? In this regard, one could further examine the relationship between African sanctions and UN sanctions on the continent. Are there (or could there be) areas of greater convergence? What are the specific areas of 'clash' or contestation? Can one see points of convergence between the norms of international criminal justice as understood and practiced in Africa versus its understanding in the larger global international society? A range of areas for future research exists in this context.

Although this dissertation explores a number of normative practices that epitomise the African regional society of states (four to be precise), several other normative practices call for future exploration in order to better evaluate and understand "Africa's" collective reasoning when it comes to managing its affairs. These other normative practices[225] make for fertile research areas using the ES' international society approach. What other normative practices besides the ones discussed in this dissertation are particularly pivotal in constituting African international society? In other words, what is the relationship between the distinct regional

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[225] Some other normative practices left out here, each addressed in Coleman and Tieku (2018), include: normative practices regarding protection of civilians see (Seegers, 2018); normative practices relating to conflict mediation by elder statesmen (Khadiagala, 2018); and normative practices of localized transparency to escape the 'resource curse' and other conflicts (Compaore, 2018). There are others within non-security domains to be considered.

society of states in Africa and the larger global international society in relation to a range of normative practices, institutions and governance frameworks? What do these other normative practices tell us about the direction of Africa's international society? Is it heading towards a convergence with the global international society, or should we anticipate more conflictual relations - or conceivably a mixture of both? These and other such questions will make for a worthwhile future research agenda. A substantial number of authors[226] have explored various aspects of Africa's efforts and normative manifestations around security governance on the continent. I argue that these are not isolated actions or practices by African states and their leaders. These normative practices are necessarily interconnected. Together, they represent efforts to not only create, but deepen and entrench distinctively African mechanisms to deal with continental challenges. Thus, an 'English School' perspective provides enhanced opportunities for a holistic and comprehensive understanding of these processes on the continent aimed at engendering stability, peace and security to African states and their people.

There is also room to look into the likelihood of these ideas, shared norms and values being embedded at the individual and civil society levels, transcending states within the African international society. What can we make of the idea of Pan-Africanism to the individual African? What is the likelihood of the concept of international society going beyond state level (mostly pluralistic) normative practices in Africa? If it is likely, or indeed already present, how would it

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[226] E.g., Bareebe, (2018); Ansah-Akuffo, (2010); Coleman & Tieku, (2018); Fabricius, (2015); Fiquremariam, (2008); Glas, (2018) Khadiagala, (2018); Makinda & Okumu,(2008); Murithi,(2009); Omorogbe, (2011); Omotola, (2014); Siegle, (2006 & 2018); Tieku T. , (2007); Tieku T. K.,(2004); Vines, (2013); Williams P. D., (2009 & 2013); Williams & Haacke,(2008); Wolters, (2019); Charron & Portela, (2015), amongst others.

manifest? If it is not, why is that the case and might it change in future? In other words, what

are the signs of, and prospects for a trans-societal African identity emerging on the continent?

Furthermore, an opportunity exists to further explore how the African international

society contributes to the maintenance of order and security on the continent. With several

African states considered weak and fragile, what exactly is the benefit of an African international

society to such states? Is the existence of a robust, well-functioning international society a

meaningful response to weak states and under-development in Africa? Alternatively, is the

persistence of such weak states integral to the constitution of the African international society?

Clearly, a case can be made for the utility of an international society on the continent providing

necessary layers of governance in several pertinent areas which, if left to themselves, most of

these weak and under-developed states cannot provide. Additionally, one could explore how

specific African states and their citizens encounter, experience and adapt to this African

international society. What does it mean to specific African states to be part of the society of

African states, and what importance do they place on their membership of this society? This

dissertation was carried out based mostly on primary and secondary documentary sources.

Further understanding can be achieved through a wide-ranging engagement with

representatives of individual member states within the African international society.

To this effect, interviews with high-ranking officials from AU headquarters in Addis Ababa,

Ethiopia, and AU liaison offices[227] may be conducted to supplement documentary sources and

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[227] There are currently 12 AU liaison offices in total. These offices would be important for any future study as they represent potential ways for the AU to reach out to the people on the ground. They offer potentially unique perspectives on the operations/attitudes toward these normative frameworks and ideas, especially since most of them have their own staff structures and mandates. Understanding these various perspectives will enrich future research around the African international society. How much have the ideals/normative practices noted above been

material. The Liaison Offices are especially important to such future projects as they are mandated by the AU Peace and Security Council (PSC) to act on its behalf and are usually located in countries of 'fragile' security or emerging from violent conflicts, with each Liaison Office's Mandates varying according to the situations in host countries. These offices are therefore important representatives of the AU, with the capacity to follow up on the implementation of commitments in peace agreements within host countries. Consequently, they offer a valuable service by providing the organization with situational awareness in areas of or emerging from crisis and so any future study on Africa's regional society of states would benefit from an examination of the role they play (African Union, 2017).[228]

Additionally, interviews with high-ranking government officials of member-states of the society, as well as notable scholars in International Relations focusing on Peace and Security Studies on the continent would be crucial to future research.[229] The aim with this work would be to assess and understand the motivations of political and opinion leaders on the continent in terms of perceptions and beliefs about the nature of an African international society and its ability to resolve deep and protracted security and governance problems. Moreover, it is essential to examine how particular African states and peoples encounter, accept (or not) and

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transferred and implanted at the ground level of AU operations? Are they being embedded at the grassroots level or do they remain aspirations that are influential only at headquarters?

[228] Despite the important role these liaison offices play in facilitating the AU's mandate of preventing, managing and resolving conflicts, they continue to be plagued by limited funding and shortages of staff, seriously limiting their efficiency. Thus, it is crucial to analyze their role in relation to a more effective African international society. See (Butedi, 2018) for examples of such studies.

[229] Again, the idea here is to get a better understanding of the cognizance and acceptance of key normative ideas at country level. Gauging member-states' level of awareness and acceptance of these ideas is important. The more 'buy-in' these countries demonstrate, the more likely the aspirations of an African international society are to be realized.

adapt to a distinct regional international society. In short, the ES framework offers fruitful potential for further research on multiple dimensions of Africa's international relations.

4.0 Conclusion

At the very core of the African society of states is the desire to look in-ward when it comes to issues of security, governance and development. This has manifested in an increasingly assertive stance by Africans, via its continental organizations, to own and address the critical issues of the continent. Although many authors have written about these developments on the continent in isolation, this dissertation asserts that it is important to look at them through an international society lens. Several reasons have been given for this assertion. First, the current global international society as we have come to know it is faced with multiple crises of legitimacy, with states and people from historically peripheral regions of world politics finding such arrangements increasingly unsatisfactory. Most of these arrangements at the current global societal level have been predominantly 'western' in origin and therefore have become increasingly unacceptable (or at least contested) to a majority of states and people outside the 'Western world'. This situation has resulted in sustained criticism or even rejection of such arrangements at the global level, as they are deemed by non-western states and peoples on the periphery to be unreflective of their values, goals and aspirations. It has consequently become essential to understand the place of regions in the search for global legitimacy. What can we learn from regional international societies as established elements of global politics? This thesis aligns with Hurrell's (2007) argument that it has become increasingly important to incorporate ideas from these regions in any genuine search for global governance and legitimacy.

Additionally, evidence from both practice and the literature on African international politics suggests the existence of a sub-society on the continent, which although accepting of the majority of the foundational norms, practices and values from the larger international society, has done so through a distinct set of practices that are unique to the African history and context. These normative undertakings on the continent are well researched in the literature, with an array of authors writing about one aspect or another (or sometimes with a focus other than Africa's security concerns- see Tan Shek Yan, 2013 and 2015). What has been largely missing is a holistic picture of the meaning and impacts of such normative trends. This dissertation has sought to demonstrate that an international society approach serves as a useful lens to help explain and appreciate, in a comprehensive manner, why African states and international organizations behave the way they do (as manifested in such normative practices as those discussed here). These processes should be understood as reflecting the evolution of a distinctive international society that has grown increasingly assertive in tackling the continent's numerous, multi-dimensional security and governance challenges. In other words, such normative practices can be understood as attempts by African states and their leadership to control their collective destinies as members of a distinct sub-society. Through an international society approach, we are able to arrive at different perspectives on world order, with regionally specific knowledge that traces the history, context and unique factors and variables of different regions. It also prevents the tendency to apply concepts and understandings derived from the West to the rest of the world or other regions without considering "local" experiences, knowledge and understanding.

This quest for control of Africa's destiny began, as discussed earlier, through the Pan-African movements that commenced in the diaspora. The intensification of the Pan-African movement on the continent coincided with the demands for independence and self-determination by Africans from their colonial powers. Central to the African society of states is the belief that Africa's problems are best dealt with by Africans themselves, who are nearest to and continue to bear the brunt of such problems. This aspiration found formal expression in the 1963 OAU Charter and subsequently the 2001 AU Charter. While the OAU Charter focused on safeguarding the territorial integrity and sovereignty of African states even to the point of ignoring the abuses of repressive regimes, the AU Charter expanded on the OAU's foundations and included other goals and aspirations that can be classified under more solidaristic 'human security' understandings (see Tieku 2007). In addition, the AU Charter advocated self-reliance and ownership of the continent's numerous problems and collectively perceived the (uninvited) interference of external actors that can be described as *neo-imperialist*[230]. In this way, African states consider the AU to have the primary responsibility for promoting peace, security, and stability on the continent. Since its inception in the early 2000s, the AU has therefore actively sought to take control of Africa's most pressing governance and security issues.

The four normative practices discussed throughout this dissertation - concerning *democratic governance, the use of African sanctions, security governance, and international criminal justice* – strongly reflect this desire and trend. For instance, the use of sanctions, as described in earlier parts of the dissertation, points to how differently the AU applies sanctions from the UN or the EU. In a similar vein, the notion of democracy in the African context deviates

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[230] The emphasis here is mine.

substantially from the generally accepted 'western' definition and understanding of the concept[231].

The African regional international society is understood in a specific manner by its members that might come across as illogical, contradictory, or paradoxical to outsiders. To fully comprehend the working of this international society means taking cognisance of its history, context and normative practices. The constant failure to deal decisively with African problems, in spite of the rhetoric of African solutions on the continent, continues to bring into question the utility and vitality of this regional society of states, especially in the face of the massive gulf between 'talk and action' by the AU and its member states as exhibited in (lack of) adherence to its own doctrines and normative practices. However, a closer examination reveals a real desire (at least rhetorically, based on the evidence in practice) to push the agenda of a distinct society of states in Africa, differentiated from the larger, global international society. Although inefficiencies in the implementation of these desires exist, to many Africans, it is important to see these trends as a 'glass half full,' rather than 'glass half empty'. For instance, one can argue that in spite of all its challenges, the African international society, as represented by the AU, has been effective in boosting inter-African cooperation, with efforts at reducing conflict and encouraging normative practices such as democracy, good governance, and international criminal justice, in pursuit of long-term peace and stability, and subsequently, economic development on the continent.

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[231] The argument here is that African-style democracy differs from 'Western' democracy, exactly because it is so far (often) minimalist, limited and elementary in nature. It is often based on the presumption that democracy is only about elections: if an election takes place, regardless of the weakness of institutions, pervasive corruption, and incessant disregard for human rights, amongst other weaknesses, the country is considered 'democratic.'

There is also a recognition of the debilitating effects of corruption, maladministration and economic malfeasance on the continent, necessitating mechanisms such as the African Peer Review Mechanism aimed at tackling and diminishing corruption and bringing much needed credibility to African states and their leadership. Again, it is very easy to focus on the inefficiencies and inadequacies within these processes and consider them ineffectual. However, if one considers the fact that African international society (with all its imperfections) has to a large extent allowed and enabled member-states to coordinate security, development and other cooperative efforts within the framework of the larger international society (represented by the UN framework), albeit with distinctive 'African' flavour as embedded in the AU's mission and objectives, one cannot deny its overall utility. To that effect, I argue that without these efforts at the continental level, the rather dire conflict and security situation on the continent would be far worse. It is also important to acknowledge the complex and dynamic processes through which regional international societies come about. These sub-societies are typically founded on a series interacting and sometimes competing logics. One clear example from this dissertation is the palpable tension between solidarist and pluralist tendencies which has generated ambiguous and paradoxical dynamics within the African international society.

Accordingly, in spite of the persistent governance and security crises on the continent, the African international society has shown some real promise alongside worrying weaknesses in owning and addressing the continent's numerous problems. To be sure, along with its desire and assertiveness in creating and developing normative practices and frameworks, the society continues to struggle with the coherent and consistent implementation and 'real' buy-in by its members. This is evident in the often-lacklustre approach of member-states towards these

normative frameworks, as exhibited in the approaches of African states towards the four

normative practices discussed in this dissertation. Key concerns in this regard include inadequate

(sometimes absent) political will by member states, with several areas of division especially when

it comes to how exactly to deal with security, peace and governance challenges. Furthermore,

tension exists between the application of normative practices that can be considered pluralist

and those that are more clearly solidarist. This has been manifested in an ambivalent attitude

when it comes to applying and reconciling the principles of non-indifference (the right and

obligation to intervene in member states to anticipate and end critical situations such as war

crimes, genocides and crimes against humanity), and the principle of non-intervention, seen in

pertinent and still unsettled debates around the concept of sovereignty and consent of member-

states towards intervention.[232] The reluctance of leaders on the continent to resolve these

tensions in the agenda of this distinct African international society, in addition to a lack of both

financial and material resources have been challenging to a well-functioning African international

society.

Again however, it is important not to write off such processes in Africa in favour of the

dominant narrative in the literature around international society which has been focused on the

expansion of specifically Western European ideas into Africa (Bull & Watson, 1984). It is crucial

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[232] Again, the point is to highlight the tension between pluralist and solidarist tendencies within the African international society. Randy Persaud (2001) makes a similar point (although with a different focus), when he argues that in Africa specifically, Garveyism (in other words Pan-Africanism) has to a large extent succeeded in the production of an imagined community, which substantially re-envisioned the traditional concept of sovereignty and advanced the idea of protection of human dignity, even if that implied challenging the assumption of absolute control of a state's internal affairs (Persaud, 2001). This interpretation extended sovereignty to the people as well, reflecting the solidarist push for protection of lives, international criminal justice and promotion of democracy and good governance through the AU. But of course, as argued throughout this chapter, these efforts remain ambiguous and unsettled.

to consider and appreciate the regionally specific nature of this society. African states have interpreted their interactions with norms, institutions and practices from the larger global international society through a unique history, culture and social conditions. To comprehensively understand inter-state politics and relations on the continent means paying close attention to these issues and conditions. Otherwise, we risk telling an incomplete and inaccurate story of African politics and international relations, and misunderstanding what may appear to be incoherent or contradictory practices.[233]

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[233] We must also not forget that, this African international society's interaction with the larger international society produces complex dynamics that shape the characteristics of this regional international society. This society can be considered as a firmly established and important element of the architecture of global political order (Hurrell, 2007). If proper understanding of international politics is to be achieved, Africa and other such regional international societies must be recognized and understood.

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