




Chapter 2

The Reform of the African Union: History and Progress

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Introduction

The imperative of reform within the African Union (AU) has been an ongoing process marked by pivotal transitions to elevate continental governance and prosperity. Originating from the nuanced negotiations of the Organisation of African Unity (OAU) Charter in 1963, the need to address unresolved issues within its framework laid the foundation for subsequent reform agendas. The OAU's shortcomings in effectively addressing key challenges such as development, governance, peace, security, and Africa's global positioning underscored the necessity for reformative measures. Engaging African citizens further justified recalibrating the organisation to align with continental aspirations. The evolution of reformative paradigms over successive generations saw visionary leadership emerge during the 'plans without champions' era, with figures like Adebayo Adedeji spearheading transformative initiatives such as the Lagos Plan of Action and the Abuja Treaty. However, the slow pace of reform prompted a shift towards a more assertive, action-oriented approach during the era of 'champions', led by figures like former South African president Thabo Mbeki, Nigerian president Olusegun Obasanjo, and Libyan president Muammar Gaddafi.

The transformation of the OAU into the AU during the Cairo and Algiers summits marked a tectonic shift catalysed by visionary leaders like Muammar Gaddafi. Rejecting



unconstitutional changes of government and promoting regional economic integration became central tenets of the AU, serving as a bulwark against authoritarianism and underdevelopment. Initiatives like the New Partnership for Africa's Development (NEPAD) contributed to a renaissance in developmental governance, fostering a more equitable, partnership-driven model of African integration. The subsequent trajectory of reform, epitomised by Agenda 2063 and the Kagame Reforms, signifies a transition towards an institutional and technocratic framework aimed at consolidating gains and strengthening the AU's institutional architecture. These reforms reflect a commitment to continuous improvement and adaptation to ensure the AU effectively addresses the evolving challenges and aspirations of the African continent.

Formation of the OAU

The narrative of Africa's postcolonial emergence portrays a continent ensnared in ideological discord, epitomised by the divergent blocs of Brazzaville, Casablanca, and Monrovia between 1960 and 1963 (Ifidon 2011:1). The OAU emerged in 1963 as a culmination of diplomatic negotiations, effectively diffusing tensions between these antagonistic factions. The OAU's genesis marked a pivotal compromise between radical and conservative factions, albeit with inherent challenges that marred its subsequent performance. The Brazzaville Bloc was one of the first postcolonial organisations to promote political and economic collaborations. The bloc, formed in 1960 following a convention held in the capital city of Brazzaville in Congo, was composed of countries that had previously been part of French Equatorial Africa and French West Africa. The Organisation of Co-operation of the African and Madagascar States replaced the short-lived Brazzaville Bloc in 1961, and this finally resulted in the creation of the OAU in 1963.

While noting the existence of the Brazzaville Group, the Monrovia and the Casablanca Groups remained the two prominent ideological groupings before the establishment of the OAU. The Monrovia Bloc, convened in Liberia in 1961, comprised nations advocating for a gradualist approach to

African unity, emphasising national sovereignty and prioritising socio-economic collaboration over rapid political integration. In contrast, the Casablanca Group, formed in Morocco in the same year, championed a radical agenda, advocating for swift political federation, unified armed forces, and synchronised foreign policy to combat imperialism and colonialism. Despite the ideological divisions among the groups and their divergent inclinations for the African project, the establishment of the OAU in 1963 at the Addis Ababa Conference marked a watershed moment, resolving the conflicts between the Casablanca Group and the Monrovia Bloc. This pivotal compromise sought to accommodate the diverse perspectives of member states while fostering a unified front against external powers.

Nevertheless, the fault lines within the OAU persisted, exacerbated by the prevailing Cold War politics, hostility, and dynamics that polarised African states along capitalist and communist ideologies. The ambitious vision of a 'United States of Africa' introduced further divisions within the organisation, underscoring the complexities inherent in fostering continental unity amidst diverse political and ideological landscapes. The OAU's establishment symbolised a beacon of hope for African emancipation and unity, yet its effectiveness was hampered by inherent challenges, including bureaucratic inefficiencies, funding constraints, and overlapping institutional mandates. Despite these shortcomings, the OAU's legacy endures as a testament to Africa's collective aspiration for unity and solidarity in the face of historical adversity.

The initiative to establish the AU was revived in the mid-1990s by Libyan Muammar al-Gaddafi, South African Thabo Mbeki, and Nigerian Olusegun Obasanjo. In 2000, an OAU Extraordinary Summit was convened in Sirte, Libya, where the AU was officially proclaimed and, eventually, it was officially launched on 9 October 2002 in Durban, South Africa. At its formation, the AU embraced a mixture of three different ideas, preventing it from functioning as a system. These divergent ideas included the Libyan quest for Pan-African unity, Nigeria's desire for a Conference on Security, Stability, Development, and

Co-operation in Africa (CSSDCA), and South Africa's idea of an African Renaissance.

OAU Reform Agenda

Building on the aforementioned background, several factors drove the reforms of the OAU. Firstly, the OAU Charter, established in 1963, represented a compromise between competing perspectives, leading to unresolved issues being postponed for later consideration. Consequently, addressing deferred issues became a major agenda for reform. Secondly, the OAU's poor performance in addressing significant challenges such as development, governance, peace and security, African involvement in global affairs, and citizen engagement highlighted the need for reform. The failure to effectively tackle these challenges during the post-independence period underscored the urgency for change. Additionally, the ongoing question of how to achieve a united and prosperous Africa necessitated continuous reform efforts. These reform endeavours can be categorised into three generations, each aiming to establish an institutional model conducive to realising the goal of a unified and prosperous Africa.

The first generation of reforms within the OAU occurred during the period from the late 1970s to the 1990s, known as the 'era of plans without champions'. As highlighted above, this epoch was heavily influenced by the leadership of Professor Adebayo Adedeji, particularly through his role in the Economic Commission for Africa (ECA). A pivotal moment during this time was the Monrovia Summit of 1979, which played a significant role in shaping African political and international relations discourse. At this summit, two crucial decisions were made regarding the future of the OAU. Firstly, a Charter Review Committee comprising 14 member states was established and tasked with proposing amendments to the OAU Charter, which was originally a compromise document. Secondly, the decision to create the African Economic Community (AEC) led to the development of the ambitious Lagos Plan of Action in 1980. This plan outlined objectives and a staged approach to achieving them by the year 2000.

However, the 1980s, often referred to as the 'lost decade', saw limited progress towards these goals. Subsequently, the Abuja Treaty of 1991 emerged as a new framework intended to guide Africa towards economic integration, building upon the Lagos Plan of Action initiatives. Concurrently, the United Nations (UN) also launched initiatives such as the Programme of Action for African Economic Recovery and Development in 1986 and the New Agenda for Development of Africa in 1981, aligning with the objectives of the Lagos Plan of Action. Despite the optimism of these efforts, events eventually surpassed the timelines set forth, emphasising the importance of this period in the OAU's reform journey and the introduction of programmes aimed at fostering self-reliance and regional economic co-operation.

As a result of the reforms initiated in the late 1970s and carried through the 1990s, a structured treaty system has been established within the AU, comprising the AU at the continental level, regional economic communities (RECs), and member states. This period saw the emergence of what can be termed the Pan-African Architecture, with the formation of the AEC and subsequent programmes. However, progress during this era was slow, with the Charter Review Committee making limited headway. The second generation of reforms, beginning in the late 1990s with the end of the Cold War, marked a shift towards more proactive leadership, particularly with figures like Mbeki and Obasanjo assuming central roles. Unlike the ECA-dominated era, the focus shifted to the AU as the primary driver of reform and implementation.

During this period, the OAU introduced various initiatives such as the Conflict Mechanism, regional human rights bodies, and regional economic communities, all without amending the founding Charter. Under the leadership of its secretary-general, Salim Ahmed Salim, and the Declaration on the Political and Socio-Economic Situation in Africa and the Fundamental Changes Taking Place in the World, the OAU effectively responded to changes in the global order in the early 1990s. The prevailing order at the time was occasioned by the fall of the Soviet Union and the ascendancy of the US as the superpower, as well as the rapid momentum towards globalisation and the formation of regional

economic alliances, such as the European Union, exemplifying prevailing trends in the contemporary international landscape (Maloka 2024).

While noting the devastating effect of the Structural Adjustment Programme (SAP) and its heavy political costs, the declaration reinforces the responsibility of African governments and their peoples to facilitate sustainable development of the continent, and the determination of the OAU “to lay a solid foundation for self-reliant, human-centered and sustainable development on the basis of social justice and collective self-reliance, to achieve accelerated structural transformation of our economies” (OAU 1990:3). OAU leaders acknowledged the imperative of advancing a global economic framework that champions justice and equity, reinvigorating the principles of the Non-Aligned Movement (NAM). They underscored the necessity to bolster co-operation among Southern nations and affirmed their preparedness to collaborate with other developing regions to revitalise dialogue and co-operation between the North and the South (AU 1990:5).

The OAU leadership initiated three major changes (Maloka 2024):

1. The inception of the treaty establishing the AEC in 1992 laid the groundwork for the transformation of the OAU into the AU in 2002.
2. The adoption of the OAU’s ‘shared values’, comprising a comprehensive framework of norms, standards, and principles, strengthened the continent’s commitment to fostering good governance, democracy, and human rights, exemplified by pioneering initiatives such as the dispatching of election observer missions to member states.
3. The active engagement of the OAU in peace and security, culminating in the establishment of the conflict management division within the erstwhile Political Affairs Department of the regional entity, reflected a proactive approach towards conflict resolution and peacebuilding efforts.

These changes were pivotal for the repositioning of the OAU and the evolution of the regional organisation as an effective African agency.

The ECA, under the leadership of Professor Adedeji, played a significant role in economic development thinking. However, institutional arrangements were often disjointed, leading to a fragmented regional landscape. The Sirte Summit of 1999 marked a pivotal moment, with the Libyan leader Muammar Gaddafi advocating for a new organisation to replace the OAU. This summit also saw the rejection of an unconstitutional change of government (UCG), signalling a shift in the OAU's stance on governance issues. Concurrently, efforts like NEPAD, spearheaded by Professor Nkuhlu and endorsed by leaders like Nigerian president Olusegun Obasanjo, aimed to mobilise global support for African development initiatives. Overall, this period witnessed a transformation in the institutional landscape of the AU, paving the way for more cohesive regional integration efforts and a renewed focus on addressing governance challenges.

NEPAD, parallel to the OAU processes, represented a distinct approach to African development. Unlike the functionalist model of integration outlined in the Abuja Treaty, NEPAD introduced a partnership-based development model. This model emphasised the need for African leaders to commit to democratic practices in exchange for international support and resources. Through this compact between Africa and the world, NEPAD aimed to transform the continent. The formation of the AU provided an opportunity to integrate these parallel streams of thought, including peace and security initiatives under the Conflict Mechanism, political and economic considerations, and development strategies. Key summits, such as those held in Durban and Maputo, facilitated the establishment of various AU bodies and initiatives.

While underscoring the limitations of NEPAD, Maloka (2002) argues for a focus on the essence of NEPAD, which he interprets as a pledge by African leaders to transform the African countries into a vehicle for development rather than a source for personal accumulation and institutional repression. Furthermore, he believes that civil society organisations must take advantage of NEPAD's inclusive process by establishing independent national structures to monitor and enforce compliance. In reference to the expectations of NEPAD, Maloka (2002) interrogates the concept

of Afro-pessimism, distinguishing three forms of negative perceptions about Africa's future.

The first is associated with the strong perception that nothing can work in what *The Economist* regards as a "hopeless continent". This is founded on the notion that Africans are inherently inferior. This accounts for the continent's underdevelopment, which is linked to its "static" and "non-dynamic" culture. The second form of Afro-pessimism is subtle and intellectually more sophisticated. Many were pessimistic about NEPAD because of the nature of the African postcolonial state, which has been characterised as collapsed or weak entities, and inherently predatory and driven by the politics of the belly. Some proponents of this view even attribute the challenges of the African postcolonial state to adherence to certain African cultural practices. The third feeds on a fundamentalist interpretation of the critique of neo-liberalism and the tenets of the Washington Consensus. There was a perspective that NEPAD would reinforce African dependency on the West, preserve the hostile external environment, and consolidate the internal weaknesses that constitute the major obstacle to Africa's development (Maloka 2002:66). These are genuine concerns, but also show the misconception of NEPAD's mandate.

Reforms: From the OAU to the AU

The AU introduced several innovative developments, including the promotion of shared values such as democracy and human rights. This marked a departure from the previous stance of non-interference, as the AU recognised the importance of intervening in cases of human rights abuses or political instability. This led to the adoption of the Responsibility to Protect (R2P) initiative, which authorised the regional organisation to use force where necessary. Additionally, the AU prioritised gender parity, significantly advancing the drive for gender equality within the continent. However, tensions between supranationalism and intergovernmentalism persisted, particularly evident during debates surrounding the concept of a union government, championed by figures like Libyan Gaddafi. This period saw discussions on issues such as the powers of the Commission

Chair and the balance between centralised authority and national sovereignty. Ultimately, the AU played a crucial role in shaping normative developments within Africa, fostering a greater commitment to democracy, human rights, and gender equality among member states.

The formation of the AU saw intense debate surrounding the concept of a union government, particularly driven by Gaddafi's push for centralised power. President Obasanjo's team navigated this pressure through careful auditing of existing capacities, which temporarily slowed the momentum of the union government drive. However, Gaddafi's demise during the North Atlantic Treaty Organisation's (NATO) invasion of Libya led to a shift in priorities, and the issue was indefinitely postponed from the AU agenda. Despite this, the unresolved question of power distribution between Addis Ababa and member states continued to linger, awaiting future resolution.

Transitioning from the era of plans without champions, the AU entered its third generation of reforms characterised by a heightened political will and direct leadership. This phase began with the adoption of Agenda 2063 during the 50th Anniversary Summit of the OAU. Unlike previous programmes in Lagos and Abuja, which followed a stage-based approach, Agenda 2063 employs a long-term perspective methodology. It outlines a vision for the continent over the next 50 years and identifies key aspirations and priorities to achieve this vision. Agenda 2063 shifts away from linear stages toward a more holistic approach, with aspirations serving as drivers and catalytic projects guiding implementation efforts.

The Kagame Reforms, which followed the adoption of Agenda 2063 in 2013, mark a shift towards institutional and technocratic changes within the AU. Unlike the ideological debates surrounding the union government concept, these reforms focus on reconfiguring institutions and enhancing operational efficiency. Notable achievements include the integration of the African Peer Review Mechanism (APRM) into the AU framework, the restructuring of the African Union Commission (AUC), and the momentum generated for initiatives like the Africa Continental

Free Trade Area (AfCFTA). The reforms also introduced a merit-based system and streamlined the summit process, consolidating it into a single substantive summit.

President Paul Kagame-led Reform of the AU

Within the AU, the Kagame Reforms represent a significant milestone in a continuum of reform efforts that have evolved over the organisation's history. Preceding the AU, its predecessor, the OAU, embarked on a series of reforms in response to pressing challenges, such as developmental, governance, and security concerns. The OAU Charter, adopted in 1963, laid the foundation for subsequent reform agendas, grappling with unresolved issues and striving to address the organisation's shortcomings. The quest for reforms within the OAU and later the AU has traversed distinct generations, each characterised by unique approaches and objectives. The first generation of reforms, spanning from the late 1970s to the 1990s, witnessed initiatives driven by visionary leadership, notably exemplified by the Monrovia Summit of 1979. This pivotal gathering initiated the Charter Review Committee tasked with re-evaluating the OAU Charter and laid the groundwork for establishing the African Economic Community (AEC) through the Lagos Plan of Action and the Abuja Treaty.

Subsequent generations of reforms within the AU have grappled with evolving challenges and aspirations, transitioning from plans without champions to more concerted efforts aimed at realising the organisation's overarching goals. Key elements of these reform agendas have included enhancing institutional structures, fostering continental integration, and advancing the AU's role in global affairs. Despite progress, ongoing reforms continue to confront persistent questions surrounding the AU's ability to effectively unite Africa and foster prosperity while navigating complex geopolitical realities.

In essence, the journey of reforms within the AU reflects a dynamic process of adaptation and renewal, driven by a shared commitment to realising the continent's collective aspirations. By addressing historical legacies, harnessing visionary leadership, and embracing innovative approaches, the AU endeavours

to pursue a path towards a united and prosperous Africa, firmly rooted in principles of inclusivity, co-operation, and self-determination.

Fundamentally, the imperative for reform stemmed from challenges including bureaucratic inefficiencies, inadequate implementation of decisions, funding constraints, and the presence of overlapping institutional mandates (Gruzd & Turianskyi 2019). Thus, the Assembly of Heads of State of the AU mandated President Paul Kagame of Rwanda in July 2016 to lead the process, by consulting widely and delivering practical recommendations. President Kagame appointed a nine-member Pan-African advisory team that was drawn from African governments, civil society, the private sector, and international agencies. Based on research and consultations, four important core challenges of the AU were identified (AU 2017):

1. The AU was highly fragmented with too many focus areas.
2. The AU operated under a complicated structure and the limited managerial capacity made it inefficient and unaccountable.
3. It was neither financially independent nor self-sustaining.
4. There was poor co-ordination between it and the regional economic communities.

After about two years of deliberations, the panel offered a five-major comprehensive plan for the revitalisation of the AU. They discovered that the AU needs to:

1. focus on fewer priority areas with a continental scope.
2. review the structure and operations of the AU and ensure institutional realignment for better service delivery.
3. connect with African citizenry.
4. become operationally effective and efficient in the performance of its mandate.
5. identify and implement sustainable financing for its programmes and reduce over-reliance on development partners.

In September 2017, the AUC appointed Pierre Moukoko Mbonjo and Ciru Mwaura as the head and deputy head respectively, of the

nascent Institutional Reforms Unit. Entrusted with the solemn duty of effectuating the minutiae of the reform agenda, their stewardship heralded a pivotal chapter in the union's relentless pursuit of organisational enhancement and efficiency.

In 2020, significant strides were undertaken to actualise the resolutions of the 2018 African Union Assembly, marking the genesis of a comprehensive transformational endeavour. This epoch witnessed a thorough revamping of the AUC and its associated structures, aligned with the directives of the AU's policy organs. Over three years, the departmental framework of the commission underwent rigorous implementation, culminating in a revamped organisational landscape. Notably, a novel administrative architecture introduced approximately two years ago ushered in a wave of institutional reforms affecting multiple AU organs. In 2021, a new cohort of commissioners assumed office, selected under a reformed framework emphasising merit, competitive candidacy, and visionary leadership – a pivotal departure from traditional practices, heralding a landmark evolution within the AU.

The pursuit of reforms within international organisations is a multifaceted endeavour aimed at aligning objectives, revisiting visions, and addressing legal, institutional, and programmatic aspects. These reforms often unfold over time and encompass various dimensions, including enhancing the efficiency and competency of organisational structures and personnel, refining decisionmaking processes, and fostering harmonisation and alignment with related bodies. Additionally, facilitating participation by member states and citizens, forging partnerships with non-members, and establishing self-financing models are integral components of the reform agenda.

Focal Point for the AU's Reform

Looking ahead, future areas for reform include legal consolidation, starting with the discontinuation of the Abuja Treaty and the Constitutive Act in favour of a new legal instrument. This would address the current situation of operating under multiple legal frameworks within the AU system. Additionally, there is a need

to develop a legal mechanism for member states to domesticate regional commitments, ensuring their implementation at the national level. Strengthening the Pan-African Parliament (PAP) and regional courts, resolving outstanding issues, and establishing a Court of Justice as an interpretive body are also crucial legal reforms.

Furthermore, addressing the co-ordination and rationalisation of RECs, as well as enhancing the architectures for peace and security, governance, and development, are essential for future reform efforts. This includes establishing a high authority for infrastructure development in Africa and creating commissions for specific infrastructure projects, each legally instituted according to relevant treaties. Additionally, Africa's engagement in global affairs, particularly regarding the strategic use of its seats on the UN Security Council, and the institutionalisation of partnerships, will be key considerations moving forward.

Similar to the European Union's intergovernmental conferences held every four years to assess progress and discuss reforms, there is a need for a comparable gathering within the AU structures. Such a strategic meeting, involving stakeholders from across the continent and African diaspora, would evaluate the AU's successes and identify areas for reform, providing the incoming commission with a clear programme upon assuming office. These reforms are crucial for the AU's evolution and sustainability and do not rely solely on exceptional leadership but are ingrained within the AU system itself.

An urgent matter that demands attention is the issue of self-financing. The outdated notion of relying on external funding sources must be replaced with innovative solutions tailored to the AU's mandate. Transactional methods, as explored by various entities, offer promising avenues for generating income within the AU's established framework without burdening member states already facing financial constraints.

The AU must take a leading role in the space programme and implement effective policy on space use and management. While other regions are advancing in space exploration, Africa

lags behind, lacking both trained astronomers and a concerted effort to explore beyond its planet. Most of the AU member states seem not keen on space-related endeavours. However, investing in space exploration could position Africa for significant advancements in the 21st century and open new opportunities for scientific discovery and technological innovation. The quest for an invigorated AU and attainment of Agenda 2063 is intrinsically linked to the implementation of a robust reform agenda, emphasising the following specific focal points:

Legal Renaissance: An imperative beckons for legal reform, as the venerable Abuja Treaty, still in operation, bespeaks the need for nuanced resolution to preclude legal confrontations that impede the progress of economic and developmental initiatives.

Ensuring Compliance: A cogent legal mechanism is essential to oversee the domestic commitments of member nations, ensuring steadfast adherence to regional regulations, thereby fortifying the union's institutional integrity.

Empowering Governance: The augury of progress necessitates a reinvigoration of the African Parliament, endowing it with augmented authority, thus amplifying its efficacy as a vanguard of continental governance.

Innovative Financial Praxis: Innovation must hallmark the AU's financial strategies, as it transcends conventional paradigms to secure sustainable funding for the union's multifaceted endeavours, recognising the exigency posed by cost constraints and the attendant dearth of viable financial streams.

Judicial Eminence: The lacuna in a dedicated Court of Justice and interpretative apparatus must be addressed with alacrity, enshrining a robust legal framework to arbitrate disputes and interpret statutes with judicious sagacity.

Global Engagement: Strategic recalibration of Africa's engagement with the global arena, epitomised by the deft utilisation of African seats within the Security Council, is imperative to safeguard and promote African interests on the international stage.

Inclusive Commissioning: A paradigm shift beckons towards a more inclusive commission, wherein the voices of diverse

stakeholders, including private sectors and civil society, resonate alongside governmental representatives, fostering a holistic approach to governance.

Infrastructural Cohesion: The burgeoning proliferation of infrastructure projects mandates the establishment of a high authority or commission tasked with rationalising and harmonising these initiatives across national boundaries, thereby fostering continental cohesion and efficacy.

Pioneering Space Ventures: The union must espouse a visionary outlook towards space exploration and technology, spearheading initiatives to cultivate interest and devise programmes that entwine Africa's burgeoning technological prowess with the exigencies of the global space discourse, thereby positioning Africa as a pioneering force in this epochal frontier.

Conclusion

The imperative for reform within the AU remains intertwined with the essential tasks of fortifying legal frameworks, bolstering regional integration mechanisms, and innovating financing strategies. Furthermore, as the AU confronts global challenges like the democratisation of space exploration, it must seize the mantle of leadership in shaping the trajectory of the 21st-century global order. The trajectory of reform within the AU serves as a testament to Africa's resilience and collective yearning for a more prosperous and integrated future. Embracing the imperatives of change and innovation, the AU stands ready to embark on a transformative journey towards realising the continent's aspirations in the 21st century and beyond.

While the Kagame Reforms aimed to prioritise continental-wide objectives, discussions surrounding AU reform should extend beyond the scope of the Kagame-led initiatives. The realignment of AU institutions to effectively address these priorities has proven challenging. One significant criticism levelled against the AU is its perceived disconnect from the African populace. Addressing this issue must be a paramount focus for any meaningful effort to fortify the AU. The reform and restructuring of the AU should not be viewed as a one-time

undertaking but rather as an ongoing process aimed at enhancing the efficacy of the continental organisation, which stands as the foremost agency for African interests.

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