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Organised Hypocrisy as a pattern of behaviour in the African Union's Peace and Security Architecture : The Solemn Declaration to 'Silence the guns in Africa by 2020'

Master of Arts Research Report

Submitted by

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A research report submitted to the Faculty of Humanities, University of the Witwatersrand, Johannesburg, South Africa, in partial fulfilment of the requirements for the degree of Master of Arts in International Relations ,May 2020

Declaration

I, Zimkhita Swana, declare that this research report is my own unaided work. It is being submitted for the Degree of Master of Arts in International Relations at the University of the Witwatersrand, Johannesburg. It has not been submitted before for any degree or examination at any other University

……..

(Signature of candidate, Zimkhita Swana)

8th day of May 2020 in Muldersdrift

For myself.

For my granny, so that she can tell the whole township that I have three degrees!

For us.

Abstract

A critical challenge arises when intergovernmental organisations are managed hypocritically at the expense of existing policy frameworks. The AU is recognised as having the most extensive continental peace and security institutions. However, conflict has remained a perennial issue in Africa and it is unlikely that the deadline that the organisation set to bring an end to violent conflict will be met by December 2020. Mainstream literature has provided challenges such as lack of political will, lack of resources or lack of opportunity as a few of the reasons why the AU suffers lack of implementation at times. However, the underutilised theory of organised hypocrisy aims to point out the structural, institutional incoherence which cause the organisation not to behave as expected.

Organised Hypocrisy is no moral judgement, rather it is an evaluation of the relationship between organisational structures and institutions which enable or disable the organisation to deliver on the promises it makes. Organised hypocrisy allows the AU to continue to operate even in unfavourable circumstances, such as continuing to exist on a large proportion of external funding, disharmony and disingenuity among member states or unclear organisational cooperation and coordination within the organisation, subunits, and partners.

Guided by the theory Organised Hypocrisy, this study uses process tracing as a method of inquiry to form an empirical basis for the analysis of the ways in which the AU did not behave as expected which may have promoted or prevented the achievement of the promise to Silence The Guns in Africa by 2020. Using the case of Burundi and citations of other cases of intervention in the African Union, the organisation does not yet have the operational capacity required to deliver on the promises. The organisational culture and the behaviour of member states do not cohere with all the principles of the AU and its predecessor; they are the biggest enemy of progress in the AU.

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Sandile, Boni, Phumelele Sr., Andani and Phumelele Jr. I did this because you said I could.

Marshall, I would not be a third generation Wits graduate if you did not dare to be the first.

Dear God, You make all things possible!

List of Abbreviations

ACCORD	**African Centre for the Constructive Resolution of Disputes**
Agenda 2063	African Union's Agenda 2063: The Africa We Want
AMISOM	AU mission in Somalia
APSA	African Peace and Security Architecture
AU	African Union
AUA	African Union Assembly
AU PSC	African Union Peace and Security Council
AU RM	African Union's Roadmap of Practical steps to Silence the Guns in African by 2020
CC	Completely Coupled
CEN-SAD	Community of Sahel–Saharan States
CEWS	Continental Early Warning
COMESA	Common Market for Eastern and Southern Africa
DC	Decoupled
EAC	East African Community
EASFCOM	Eastern Africa Standby Force Coordination Mechanism
ECCAS	Economic Community of Central African States
ECDPM	European Centre for Development Policy Management
ECOWAS	Economic Community of West African States
EU	European Union
ICGLR	International Conference of the Great Lakes Region
IGAD	Intergovernmental Authority on Development
ISS	Institute for Security Studies
LOA	Logic of Appropriateness
LCBC	Lake Chad Basin Commission
LOC	Logic of Consequences
MICEMA	Multidimensional Mission
MINUSMA	UN multidimensional stabilisation mission
OAU	Organisation of African Unity
OH	Organised Hypocrisy
OOH	Organisation of Hypocrisy
PC	Partially Coupled
PEDRO Political Economy Dynamics of Regional Organisations	PEDRO Political Economy Dynamics of Regional Organisations
REC	Regional Economic Communities
STG	African Union's 50th Anniversary declaration to Silence the Guns in Africa by 2020
UK	United Kingdom
UN	United Nations
US	United States of America

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1. Chapter 1: Introduction

1.1 Conflict in Africa: a perennial challenge and constant on the agenda

1.1.1 Conflict: A perennial challenge from OAU to AU

Will Africa be conflict-free by December 2020? Africa has been stigmatised to be the continent at war with itself since independence, citing the high levels of intra-state conflict, violence, and insecurity (Francis 2006) despite, the efforts by the Organisation of African Unity (OAU) and the African Union (AU). In 2013, as a sign of renewed determination to bring an end to all violent conflict in Africa, the AU Assembly of Heads of State and Government (AU AHSG) made a Solemn Declaration to 'Silence the guns in Africa by 2020' (STG) at the 50th Anniversary celebration OAU. This declaration forms part of the AU's vision for a conflict-free Africa by the year 2020, to create 'the Africa We Want'. It is also the 5th pillar of the AU's Agenda 2063, in which a conflict-free Africa is integral to the prosperous and peaceful future for Africa which the AU envisages. Conflict is one of the biggest obstacles to the implementation of Agenda 2063 (ISS 2019) and arguably to other continental and regional projects. This initiative forms part of a broader framework of policies and protocols for the end conflict in Africa and the creation of enduring peace and security on the continent. Conflict festers and fosters disunity on the continent as such is the main threat to the institutions of the unification of Africa.

1.1.2 STG is one of the many attempts to bring an end to conflict on the continent

The 2020 deadline of the project to silence the guns in Africa is nearing. Yet, according to some implementors and reports, it seems unlikely that this target will be met even though there is an implementation plan . The goal of a conflict-free Africa has not been achieved despite all effort: the previous deadline set by the UN in the Sustainable Development Goals (SDGs) of a conflict-free Africa by 2010 was not met and the conflict resolution, mediation, and prevention effort by the OAU and then the AU has not resulted in an end to all war on the continent. Although, Africa has experienced a reduced number of conflicts since 2004 (UCDP 2018). Scholars and policy makers have pointed out obstacles to peace such as lack of stable and sustainable funding, lack of political will, member states and foreign intervenors who are peace-spoilers, weak state institutions, lack of African ownership and agency in interventions, lack of conditions conducive to peace, the proliferation of illicit arms and the militarisation of civilians and others. As a result, an initiative such as ‘Silencing the guns’ includes and aims to address these concerns and lessons learned from the AU’s experience. Yet, a conflict-free Africa has not been reached as promised.

1.1.3 Can STG be implemented?

There are conceptual, and practical obstacles to clarity, measurement, and scale of the project. Firstly, the implementation plan does not refer to specific conflicts, specific actors, or specific arms stocks. In other words which guns must be silenced?

Secondly, it does not address the states and implementing actor’s approach to weapons. The state and its security and defence forces make use of and procure

weapons but in a conflict zone militarisation and armament of these entities poses a threat to peace and may spur conflict, especially when they were party to the conflict.

Thirdly, it assumes that the availability of weapons arms spur wars, violence, illicit trade, and militarisation of the population. It does not concede that the diversion of legitimate arms into illicit markets contributes potential availability.

Fourthly, it has a narrow definition of guns as the only weapons. It does not consider that violent actors are capable of improvising weapons and implements such as the use of gender-based violence as a weapon of war. If guns are used metaphorically for all tools used for violence, then a more comprehensive and effective end to violence can be pursued. Thus, the construct of violence also needs to be addressed. There are varying levels of progress in different conflicts and in different aspects of the policy. Perhaps there are normative or structural reasons for the patchiness of success in silencing the guns.

Furthermore, it is not the first-time commitment to achieve a conflict free Africa by the African Union. In 2005, the African Union made a declaration to review the goal to achieve a conflict free Africa by 2010. A conflict-free Africa is a norm which dates to the institutionalisation of Africa unity. The commitment to peace and security on the continent built on the principle and tradition in the African Union of Pan Africanism, which is enshrined in the Constitutive Act of the African Union (2000). This principle is also imbued in all AU structures and more specifically those relevant to conflict resolution and management, peace, and security: The AU's African Peace and Security Architecture (APSA), led by The African Union Peace and Security Council

(AU PSC). This principle and this commitment to silence the guns on the continent implies the support and determination of all AU member states. The commitment to silence the guns also reinforces the pre-existing protocols on arms control which date back to the OAU. However, it is unlikely that this target will be met. Hence the aim of this study is an inquiry into the origins and the process of forming this declaration and an assessment of its the political environment to ascertain indications of impediments of the fulfilment of this institution within the structures of the organisation.

There is a litany of norms, policies, decisions, declarations implementation plans and supporting implementing institutions to structure the conflict resolution and management, peace, and security effort on the continent. These form the structures of the organisation. Yet, with all the institutional support and basis, the OAU and the AU have not successfully brought an end to conflict in Africa in over 50 years of collective effort. The literature suggests lack of resources, political will, and weak institutions as some of the many justifications for lack of implementation. However, OH has the potential to offer an explanation which makes an incision into the inherent features of the organisation.

This declaration and the subsequent implementation plan promise to be the expediting agent of the existing continental conflict resolution and prevention institutions. It is not the first-time that the African Union set out to achieve a conflict free Africa. In July 2005, the AU general assembly made a ’Declaration on the review of the Millennium Declaration and the Millennium Development goals in which they resolved to achieve a conflict free Africa by 2010. The goal of a conflict-free Africa by 2010 was not met. In 2014, after STG was declared, a High-level retreat was held in Arusha under the

theme ‘Silencing the guns: the future we want’ which emphasised the need for the development of an implementation plan and to focus on the African Union’s implementation of the principle of complementarity between the AU and the member states national legal orders. The AU made a ’Solemn Declaration’ to ’Silence in the guns in Africa by 2020’ which by comparison is more pointed towards action and gaining momentum for conflict resolution and prevention, there is also a sense of urgency underwritten in this promise. It remains to be seen whether this declaration will meet the deadline and fulfil the mandate of bringing an end to violent conflict in Africa.

1.1.4 Obstacles in the way of the achievement of STG

Africa is plagued by various conflicts and pressured by a fine deadline within which to end them. Therefore, the declaration needed to be set up for success but there are several obstacles at face value.

Firstly, there is not enough time to achieve the goal. The declaration gives only 7 years to resolve protracted conflicts and prevent conflicts which were not even foreseeable at the time of the declaration. Yet there seems to be an urgent need to set this deadline. This may be due the urgent need for a conflict-free Africa and the dependence of other projects such as Agenda 2063 on the success of this initiative.

Secondly, the declaration sets a requirement which the African Union and its organs is not ready to meet. It mentions that the African Union is not ready but suggests the need to expedite processes and capacity building without mention of the preparedness and feasibility of the goal.

Thirdly, an accompanying feasibility study or implementation plan only became available three years after the declaration was made in 2016. As a result, the success of the initiative could be further undermined by lack of time for a coordinated and effective effort by multiple actors.

Lastly, a tool to measure the success of the implementation plan has not been operationalised. Thus, there is no empirical way to determine whether the objectives have been met. This is also a way to obscure where responsibility is attributable. When an organisation makes promises which are not realised, it is presents a necessary condition for organised hypocrisy.

1.1.5 The nearing deadline and no chance for the achievement of the goal

This study is conducted nearing the deadline of the promise, at a time when it is not clear whether it can be expected that the African Union will deliver on the promise a conflict-free Africa. It is 6 years since the declaration and 3 years since the implementation plan for the period 2016-2020 was released, most of the time to act under the directive to silence the guns has elapsed. Thus, there is availability of data about the organisation behaviour, to make probable inferences about obstacles to delivering on the promise. Furthermore, there is little evidence suggesting a drastic change in the conflict situation by the time of maturity of the project.

This study is also conducted at a time when there is an urgent need to enhance and optimise the operation of the African Union and its organs to achieve the broader goal of Agenda 2063 and the goal of being the organisation which can be entrusted with achieving the vision and future that Africa desires.

The main assumption of this study is that is pessimistic that Africa be conflict-free by December as there are many protracted wars which still need to be resolved whilst other conflicts and tensions have erupted even during the 7-year period of the silencing the guns initiative. Hence this study endeavours to justify this by pointing out normative and structural obstacles to a conflict-free Africa emanating from the African Union. Thus, showing that an indication or organised hypocrisy is not a moral judgement of the African Union. Rather, this study will recommend organised hypocrisy as a plausible explanation which may be considered among others for the African Union's behaviour of making promises and underdelivering on those very promises.

1.1.6 Organised Hypocrisy offers an alternative explanation for why organisations do not keep their promises.

Thus, this study applies an alternative explanation by looking at the AU's behaviour measured against the requirements of the declaration, the implementation, and the promise of a conflict-free Africa within the deadline. It is an inquiry into the normative and the structural reasons which indicate the obstacles and impediments faced by the AU which prevent the reaching of this target. It aims to offer an alternative to the mainstream explanations which exists in literature for insufficient implementation of projects or objectives by the African Union Peace and Security Council (AU PSC) such as the lack of resources, political will, and weak institutions as some of the many justifications for lack of implementation.

1.1.7 STG can be viewed through the lens of Organised Hypocrisy

For the purposes of this study the ‘STG’ initiative will be used as example. This will also help to indicate the way conflicting norms have impeded the effort against conflict in Africa and among Africans. Some of the normative dissonance stems from the OAU. Structural and normative issues cannot be solved by a ‘magic pill’, such as a ‘Solemn declaration’. This essay is an inquiry into AU’s organisational behaviour after making promises and declaring visions which sweep across the vast continent thus creating an expectation. But making a declaration does not guarantee meeting the target. The AU does not always deliver on upon the promises it makes. However, bringing an end to conflict is a long-standing item on the agenda which has been met with decisions, protocols and declarations from AU, its organs and regional organisations and partners.

1.2 Background to the study

The African Union made a declaration in 2013 that all violent conflict in Africa would come to an end by December 2020. The declaration by the African Union General Assembly ‘Silencing the guns by 2020’, mainly focuses on arms control and operationalising the AU organs and instruments to maintain enduring peace and security. Within the allocation, the African Union, its organs, and partners need to create capacity for and execute this plan. It is a pronouncement of the African leaders taking ownership and showing their ‘determination to achieve the goal of a conflict-free Africa, to make peace a reality for all our people and to rid the continent of wars, civil conflicts, human rights violations, humanitarian disaster, violent conflicts and genocide (AU 2013). In addition, it is a commitment to allow non-African allies and partners to strengthen the efforts of Africans pursuant of this project. More importantly, it is a commitment which is time bound, December 2020 is the deadline

to prevent, resolve and manage intractable wars and new tensions on the continent. For this project actions would speak louder than words, the success of this initiative requires more than a symbolic commitment.

1.2.1 Silencing The Guns

A) An expediting agent or reiteration?

This project requires the expedition of the existing effort against conflict in prevention and resolution and to bolster the capacity of the organisation to intervene with a specific focus on arms control and flows as implied in the declaration. Silencing the guns assumes the proliferation of arms among civilians in the context of violent conflict as a focus. The declaration provides institutional and technical basis for the conceptualisation of the problem of illicit arms circulation in Africa. It provides clear definitions for ‘silent guns and the weapons in question, according to this declaration, which are guns that are disposed of and no longer available to armed groups, dealers, illicit markets. The implication of silent guns would be:

- long lasting peace agreements to break the cycle of conflict.
- the state and formal organs would be uniquely allowed to have capacity for violence which forms practical support for the ideal of building ‘strong’ African states and institutions post-conflict.

B) STG: necessary, self-prescribed and ambitious deadline

As a precaution, many are doubtful and those who still work with December 2020 as a deadline do not deny that the deadline may need to be extended. The goal is ambitious, but it is a self-prescribed deadline, and the African Union has estimated that it can be achieved. Achieving below a self-imposed target would be a

disappointment which would spill over to delay the implementation of other plans which were contingent on the success of this one. It may also contribution to a negative perception of the organisation as one which does not deliver on its promises. Missing both the 2010 deadline and the 2020 deadline is starting to form a pattern of promising a conflict free Africa and not delivering upon that promise a cycle which may be tantamount to OH.

1.2.2 Case study choice

This study will trace the role of STG in Burundi, it may have had an impact on the behaviour of the AU with regards to peace and security and on the reality of conflict with regards to eruptions and resolutions. The other object of the study is to determine normative or structural processes and obstacles to achieving this project on time to suggest why the organisation seems to be ‘overpromising’ and ‘under-delivering’ ‘silent guns’. The AU department of peace and security and IR scholars have characterised, which suggests that this declaration as ‘ambitious’ but necessary pressure even if the targets are not met, perhaps less progress would have been made without a deadline. Hence the declaration could be the expediting agent on the effort for conflict resolution and prevention on the continent as the first policy regarding policy with a deadline. It is also indicative of the AU PSC to set measurable objectives for which it can be held accountable. This declaration seems to reflect a shift in approach and behaviour of the AU PSC with regards to achieving peace and security on the continent.

1.2.3 Choice of theoretical framework: Organised Hypocrisy

This study brings an underutilised explanation for organisational behaviour. There is an additional explanation for common behaviour of intergovernmental organisations of overpromising and under-delivering called 'organised hypocrisy'. This explanation has been underutilised on the AU and other African institutions. It has been tested on organisations such as the UN, EU, and the African Union's African Standby Force (Onditi 2019), which points out that the African Union is not exceptional in terms of poor implementation and organised hypocrisy. It will be useful to test the applicability of this explanation to this declaration. It associates the lack of predictability and consistency in organisational behaviour as a structural, normative configuration of the organisation.

OH views behaviour as a pattern. It is widely accepted that lack of resources is a real and ever-present threat to implementation. However, a pattern forms that the more organisations fall short of their projects, the further and higher they extend the target. Though their actions are below the bar, they do not lower the bar to legitimate their below par performance, of course this may create a problem of legitimated mediocrity. Rather they create the problem of hypocrisy, to set up for a foreseeable failure or shortfall. The situation of lack is only exacerbated, and the disappointment is perpetuated. The main ambition of the organisation is to remain relevant and legitimate by always creating a mandate and a proposition that is linked to Africa's issues, just like any other intergovernmental organisation would (Brunsson 1986).

The idea of OH also adds clarity the functioning of the infamous 'lack of political will' which is usually used as obscure rhetoric about lack of implementation. It is often mentioned to be a stumbling block to implementation of a project for which there was

once enough ‘political will’ to discuss, decide, form policies, and implement partially or not as expected but not enough to satisfy the expectation of completion of the project. Lack of political will is a rhetorical expression to describe the lack of consensus and coherence of interests. If the mobilisation of political interests in the first instance was not enough to produce a successful implementation then subsequent extended promises are only spreading this little political will thinner. These details are hidden in the mechanical aspects of the organisation which reproduce incoherence. OH interrogates political implements such as norms, policies, interests, and declarations that arise in international organisations which may be conflicting or incoherent. Thus, this study could suggest structural and normative explanations how the guns are unlikely to be silent in Africa by December 2020.

1.3 Statement of the problem

1.3.1 The endemic issue of not delivering on promises from OAU to AU

In Africa, organised hypocrisy may be endemic and especially attributable to constitutive value such as Pan Africanism. Firstly, the AU inherited the burden of lack of implementation from the OAU (Okhonmina 2008). For example, the AU is yet to achieve a long-standing objective to integrate Africa, it has been found that this is due to lack of policy consistency and the absence of organisational harmony (0 2008). In addition, African Union’s failure to achieve an end to conflict after an effort for an extended period and consistently placing it on the agenda suggests that there could be a deeper structural and normative impediment to implementation within the African Union.

1.3.2 The cycle of overpromising and underdelivering

The cycle of overpromising and under-delivering by intergovernmental organisations, is theoretically framed as ‘organised hypocrisy’ and the cyclical nature of this behaviour suggests that the normative structure of the organisation causes the persistent inconsistency in behaviour (Brunsson, 1986). The characteristic of hypocrisy is when the policy or political rhetoric that emanates from the organisation and the subsequent action are repeatedly inconsistent (Brunsson, 1986), such as the setting goal to end war and violent conflict on the continent of Africa and not achieving it. Thus, based on the paradigm of OH, the declaration to ‘Silence the guns in Africa by 2020’ may not match the action and implementation of the African Union and the reality of conflict, peace and security on the continent.

1.3.3 OH: A theory that has not been applied to AU PSC

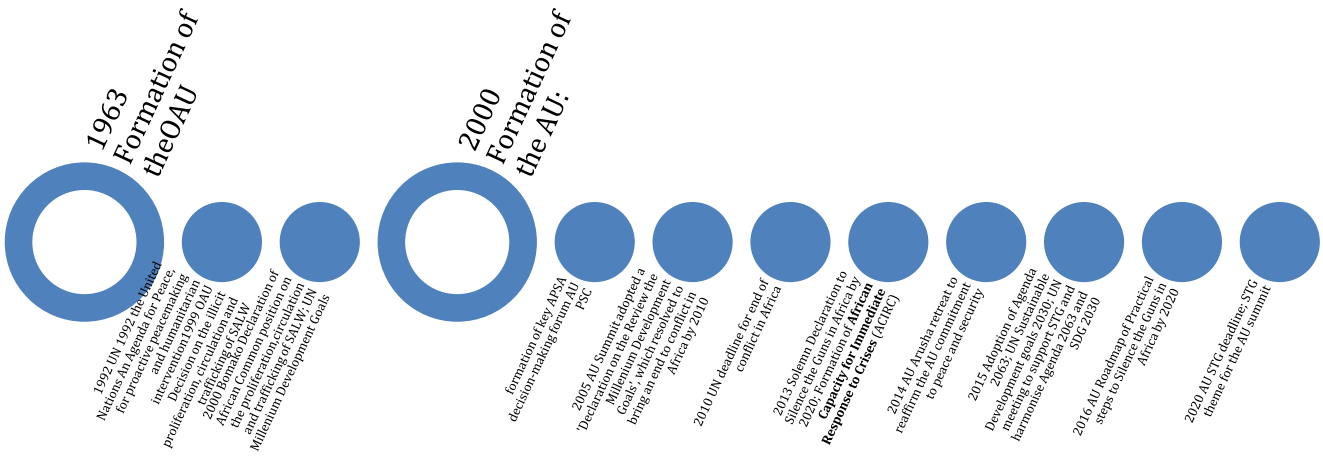
One may wonder how come this theory has not been applied to the AU PSC thus far, it could be due to the ’negative connotation’ associated with the word hypocrisy. This label could undermine, a highly respected and valued African organisation for which the fathers of African independence are responsible for creating and that the subsequent heads of state have contributed to. But, if organised hypocrisy of the AU and any of its organs is found, it would not be a moral judgement (Lipson, 2007), it is a theoretically perceived notion and not a condemnation or delegitimization of the organisation. It is also a statement limited to STG initiative, for the purposes of this study and not generalisable. It is an assessment of the structural and pragmatic implications and complications of the organisation juggling many, conflicting, competing norms and expectations of the organisation’s behaviour and approach to silence the guns in Africa by 2020.

1.3.4 OH: Applied to a promise given by the AU- to bring ‘an end’ to violent conflict in Africa by 2020

The most that this study may find is that organised hypocrisy is plausible or probable as an explanation for the behaviour of the AU in producing and implementing this policy. Superficially, this theory presents as a suitable candidate to explain how come the African Union PSC does not seem on track to achieving the goal of ending violent conflict in Africa despite an effort for a sustained period and even a deadline. This theory will be applied to the ‘Silencing the Guns’ initiative which exists in conditions which are conducive to organised hypocrisy: a pluralist, pan Africa, international, highly political environment with many actors whose contributions and expectations may impede this project.

1.3.5 A promise to resolve an issue that has persisted since African independence

Conflict has been a perennial problem in Africa, there has not been a year of peace and security across the continent, ever since independence. This has come at a huge cost to Africans: the loss of human life, the plunder of African natural resources, the militarisation of society, the destruction of infrastructure and the delay of development and consolidation of representative, democratic governance. Ever since the formation of the OAU, the resolution of conflict in Africa has been on the agenda. The resolution on conflict in Africa has also been on the agenda of the UN which is a front runner of the external legitimator and facilitator of the support that Africa receives .Ever since the OAU and increasingly under the dispensation of the AU, there have been institutions evolved for Africa’s capacity to respond and resolve conflict. However, for almost 60 years of effort, the continent is not yet peaceful. Many of the AU organs required to silence the guns still needed to be operationalised.



1.4 Research Design and Method

1.4.1 Theory guided inductive inquiry

This is an inductive inquiry guided by the theory of OH. Since this theory is sparely utilised in the Au context, this study may also expand the scope of applicability of the OH to include AU as Africa's continental intergovernmental organisation. Therefore, this study will not only yield empirical finding but in addition a method of operationalising of OH by observing the course of a specific policy (STG) through specific organisational structures (from AU AHSG, AUC, AU PSC and APSA to smaller

structures). This study will particularly process trace the formation and the implementation of STG thus there will an inquiry of the role of this policy on the demilitarisation and end to violence effort in Burundi. There will also be a general assessment of the organisations progress towards the goal, STG which may be indicative of OH. There are different types of OH but also OH is not always in operation and OH does not necessarily yield counterproductive outcomes. This will be further elaborated on in chapter 2.

1.4.2 Theoretical base for research model

OH is a paradigm which has been applied to at least three international organisations, in which structural and normative reasons are offered instead of well-established practical reasons which are already available in the literature such as lack of resources, capacity, political will or conditions conducive to intervention (Lipson 2007). As suggested in the statement of the problem the STG initiative does show the trappings of behavioural, structural, and normative issues which may result in missing of the deadline and patchy success. This study is taking the form of a process tracing plausibility probe of the applicability of organised hypocrisy in Africa as an explanation for organisational behaviour needs to be established.

There are three prominent scholars of organised hypocrisy, each of them suggests different aspects for inquiry. Firstly, from Krasner a normative mode of analysis can be derived. Krasner suggests the origins of Organised Hypocrisy are normative, the grand ideological structures which constitute the political world and its actors. More specifically, the norm of ‘sovereignty’ which not only constitutes the political real and its states as key actors and it causes competing and conflicting interests to arise which

have the potential to limit the capacity of an intergovernmental organisation to implement their mandate (1999). Krasner, , as a scholar of western political science, suggests that a principle which constitutes states, statehood and inter-state relations is fundamentally problematic, causing contradiction in contexts of international cooperation and coordination among states. For Krasner, organised hypocrisy is a problem, and it causes an obstacle to implementation due to irreconcilable differences.

However, Brunsson, proports that OH is a coping mechanism and a behaviour which positively enables IGOs to act and overcome politics, the contradiction, and the resulting paralysing stalemate. For Brunsson are caught between two activities which can have ‘mutually exclusive’ ideals: conducting politics and engaging in action. To survive and to remain responsive, organisations resort to behaviour which he characterises as hypocritical. Brunsson suggests that symptoms hypocrisy become ‘organised’, this is indicated by continuous, consistent, and repetitive processes which produce promises which will not be achieved. At times, these organisations produce rhetoric or actions which are contrary to that which is to be expected. Contrary to Krasner, Brunsson characterises OH as a coping mechanism which may produce unexpected behaviour and it allows organisations to act or decide when formal avenues are too congested by politics and interests. Brunsson’s states that organised hypocrisy is inevitable in political international/ intergovernmental organisations, it is also a trait which helps these organisations to maintain legitimacy even when they do not perform as expected.

Lastly, Lipson suggests that organised hypocrisy is perceivable in the initiatives undertaken by intergovernmental organisations. Hence the study adopts an analysis

of a specific project instead of making broad, general claims which are not rooted in empirical facts and specific instances. More especially, Lipson's analysis pertains to where principles of initiatives and stakeholders mingle and influence implementation and under this confluence, OH can be found. Lipson characterises OH as a disparity between policy and practice caused by an influence of incoherent principles and norms. A disparity between the policy, the principles thereof, and the actors whose enactment and implementation of a policy is tainted by their own principles.

1.4.3 Process tracing and data sources

This is a qualitative desk research which utilises process tracing to assess the extent to which the theory of OH applies to the AU's declaration. The study finds that OH may be a plausible explanation for the reasons why the effort by the AU to achieve a conflict-free Africa may fail to meet the prescribed deadline and implementation required by protocols and decisions of the organisation. Thus, the inquiry is to find whether there is a relationship between the promise of a conflict-free Africa and systemic non-delivery on the very promise. However, this relationship is not evident at first glance, rather the abovementioned and other theorists of OH prescribe that the evidence can be found in an analysis of structures, norms, processes, policies, and behaviour of the organisation. Thus, study is supported by anecdotal evidence which poses a need for a dynamic research method and design. The evidence used to support the empirical findings comes in multiple forms from multiple sources such as videos from the AU or news bulletins, policy documents, press statements, conference proceedings from the AU, AU organs and the United Nations, data from Uppsala data set, Sipri data set and reports from various think tanks and observers chiefly, ISS and ACCORD.

How process tracing was conducted
1. Desk research which involved reading all the official documents from the African Union regarding Silencing The Guns by 2020 declaration and implementation as well as civil unrest in Burundi from 2013 to 2020
2. Desk research of all academic publications regarding Silencing the guns and those pertaining to civil unrest in Burundi from 2013 to 2020
3. Observing the data on conflict in Africa since independence and the with a focus of the period since the declaration was made since 2013 to 2020

2. Chapter 2: Theory of Organised hypocrisy

2.1 OH an underutilised theory of behaviour of intergovernmental organisations

here is no specific and acceptable theory that points out structural and normative reasons for which conflict remains pervasive in Africa though the end of conflict has been on the agenda since the institutionalisation of African unity in the OAU. The theory of Organised Hypocrisy has been underutilised; however, it has the potential to be such a theory. The theory of Organised Hypocrisy (henceforth OH) suggests that an intergovernmental organisation must navigate three types of conflicting and competing sources and puts of norms and expectations from the environment and actors: the international system, the heterogeneous member states and the organisations itself. The intergovernmental organisation finds itself at the centre of influences as represented in the figure 1 below.

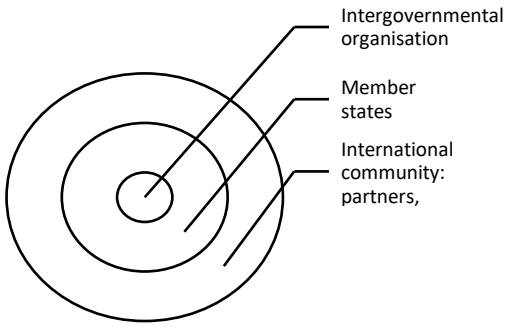


Figure 9 Concentric channels of influence on the hypocritical organisation

As a result of this conflict and competition, there is a disjuncture between the rhetoric and the enactment thereof. According to the theory, where there is hypocrisy, there is no foreseeable, automatic link or 'coupling' between the organisations dissemination of rhetoric and decided

action. As a simple disclaimer, OH, is not a moral judgement . Rather it is an assessment of the structural and pragmatic implications of the environment with which it operates. The AU is operating in an environment which is fraught with contradictions which inhibit the possibility of linear progression from norm setting to consolidation and effective implementation (Khadiagala 2015). As figured below, an intergovernmental organisation can be a highly contentious forum by mobilising a diversity of interests and actors. This is a minimum condition conducive to OH. An intergovernmental organisation can be figured as an intersection where OH is inevitable (Brunsson: 1989).

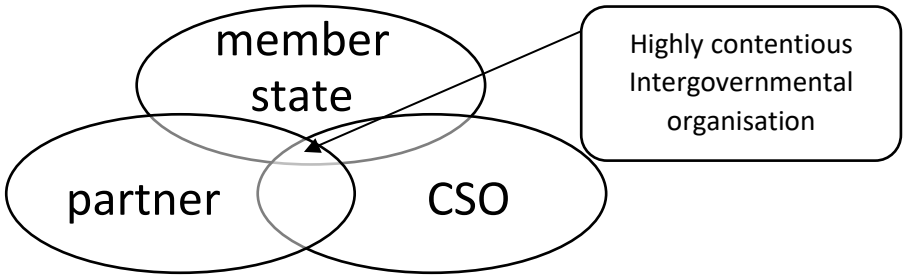


Figure 10 Venn diagram illustrating the intersection of actors and interests to form an intergovernmental organisation

Furthermore, OH, refers to when organisations do not cohere, coincide, and serve the perception and expectation of them. When organisations make promises that they have not met, only to make more promises it is indicative of OH.

2.2 Coupling: the links in the chain of promise-making and promise-keeping in intergovernmental organisations

This study supposes the idea of OH to explain of the behaviour of extensive promise-making and underwhelming delivery on promises. The idea is set up such that the source of this behaviour comes from normative and structural incoherence of the organisation. The inputs tend to be less observable than the outputs, the judgement of OH is more based on the general expectation and the perception which the inputs generate and the diverge of these with the

intervention or influence of the organisation on reality. This divergence is the most observable behaviour. It is associated to disjuncture in the organisations internal processes and functioning; it is animated by 'coupling' which forms the relationship between the inputs and the outputs of the organisation. The theory of **OH**, proposes that inputs to an organisation are norms, interests, and resources. The outputs can be categorised into three parts: 'talk', 'decision(s)' and 'action'. Talk is the rhetorical outputs of the organisation which includes speeches, press statements, conference proceedings documentation, declarations, meetings, summits, communiques, the documents of resolutions and policies. Decisions alludes to the method of the organisational actors to reach a consensus or agreement including voting, signing of a resolution or policy document. Action is the process of achieving an aim. The inputs and the outputs need to be reconciled to one another through coupling otherwise OH may be the case.

2.3 Intergovernmental are not what they seem to be

A norm of society is that organisations are not hypocrites, that normally what an organisation says, decides to do and does should cohere. More specifically political organisations such as intergovernmental organisations such as AU created with the intention and expectation to satisfy a particular purpose. The organisation is therefore, imbued with norms for which there are high hopes and expectations. Thus, there is an expectation that the 'talk', 'decisions' and 'actions' of an organisation are consistent with one another and the organisation's inputs-norms and interests. In an organisation each of these outputs are coupled or linked to each other to ensure coherence. The coupling of the input to the output is the challenge which OH seeks to account for. The inputs come from pluralist political, multilateral engagement. These inputs are constitutive of the organisation and essential to the survival and legitimacy of the organisation. The organisations aim to reflect the inputs, but the difficulty is to form coherence thereof, despite the inherent contention between the actors and their norms and interests. The organisations structural and normative coherence is necessary for 'action' to be possible, for the process of generating an output to actualise. That is, if the political activities and the

physical activities of the organisation do not obstruct each other then there is a rationale through which the organisation can act (Brunsson 1986).

Usually organisations, chose a specific area of focus or form subunits with a specific focus to reduce digressions or the influence of irrelevant inputs into the output progress which causes the disjointing of inputs and outputs. ‘Specialisation’ may help the organisation to focus, to aim and distil the expectation and clarify the required performance. Ultimately to more effectively mobilise collective action for which the organisation was formed initially.

2.4 Obstacles to organisational coherence

The main obstacles to organisational coherence are the ‘ politics ’ as identified by Brunsson 'the environment of inconsistent norms’, ‘a conflict structure’, ‘processes: problem oriented, rationalistic’ and ‘inconsistencies outputs of talk, decision and product’.

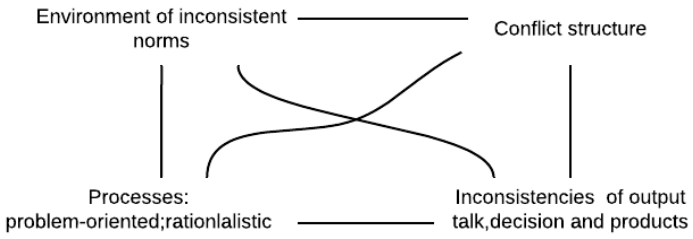


Figure 11 diagram depicting the structure of an incoherent organisation, adapted from Brunsson 1986

2.4.1 Coupling: link between the inputs and outputs of an organisation

‘Coupling’ can operationalise the extent of consistency in the outputs and structures of the organisation. In other words, there is a way to find rational (causal) consistency in which ‘talk’, ‘decision’ and ‘action’ have in common and they affect each other in an organisation. There needs to be logical productivity. If the products and the link between the products are not

linearly coupled. Then, a coherent and consistent path from talk to decision to action and the realisation of the organisation's objective (s) will not be evident. Then hypocrisy can be the case, a result of unproductive coupling such as 'decoupling', 'partial coupling' or 'inverse coupling' of the organization's outputs, where that which is produced does not achieve what is expected. OH, is when the inputs and the outputs are not mutually productive. OH, is the instance in which an organization's outputs do not cohere because of decoupled, partially coupled, or inverse coupling. OH, links structural and normative incoherence to a type of 'non-coupling', as figure 4 represents there are not structural links or unclear organisational chains of communication to form a process of implementation.

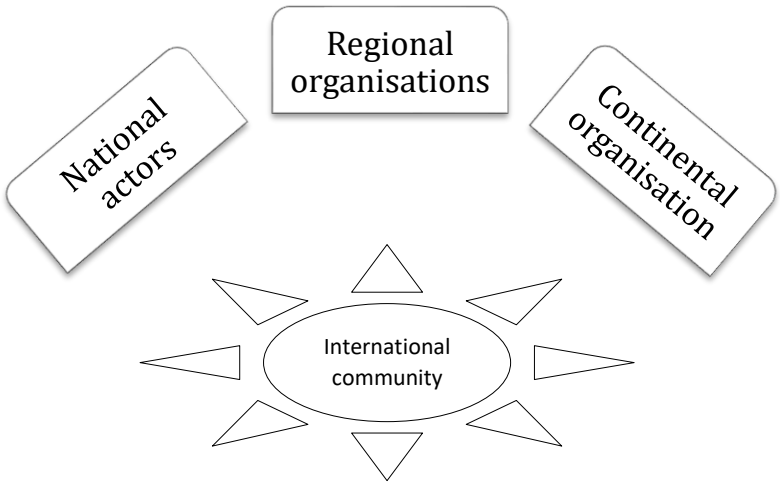


Figure 12 depicting uncoupled process of the levels of implementation and the influence of the international community, Adapted from African Union Commission (2015) Agenda 2063

2.4.2 Lack of coupling and time leading to hypocrisy

From the vantage point of 'meta-hypocrisy' (Brunsson 2007: 125), when an organisation recognises organised hypocrisy, an organisation is not a hypocrite. Rather, the organisation is faced with contradictory, multi-faceted and multiple sources of **inputs**. Inputs relate to the interests and the resources which influence the outputs of an organisation. When there is less consistency between talk and decisions on the one hand and action, on the other hand, an

organisation is likely to be accused of being hypocritical (Brunsson 2007: 125). An integral part of activities not accomplished, is the time which is considered reasonable enough for an organisation to complete the task or a time which was set. Organisations may have not achieved the expectation within an expected time, arguably not meeting deadlines, is symptomatic of OH. **Time** also plays an important role in the perception of an organisation as hypocritical (Brunsson 2007:127). For an intergovernmental organisation time can denote political will, it relates to the political dispensation, a specific configuration of actors. Some possibilities for an organisation are specifically characteristic or calibrated to a Time. A case of OH cannot be haphazardly established, time should be an additional consideration to structural or normative incoherence. An organisation may seem hypocritical. More especially concerning, old decisions which an organisation made in the past, may not necessarily be relevant or remembered. There may be a low chance of implementation of old decisions but there may also be an extended period before a decision can be realised, this may be a functioning of coupling, that the organisation is not at 'attention' ready to act.

2.5 The three outputs of the organisation: 'talk', 'decision' and 'action'

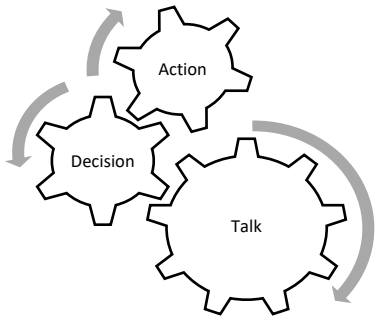


Figure 13 diagram showing the interaction between three organisational outputs: talk, decision and action

2.5.1 Types of 'Talk'

'There are things that we do and do not say' (Brunsson 2007: 124) and vice versa there are things that we do not do yet we do speak of them. Hypocrisy is the way in which organisations

manage the disparity between what is said yet cannot be one and what is done yet cannot be spoken about (Brunsson 2007:124). Where there is OH, as Arnold identified, the official truth and the rhetoric about organisations and institutions can deviate substantially from the way in which action is pursued by the organisation (1937). When Orwell critiques political language or speak, he states that it is used as a pacifier and it contains 'euphemism, question begging and sheer cloudy vagueness'. (1961) Political speak is characterised by sweeping statements and 'political quietism' (Orwell, 1961) in which case issues are not mentioned in the rhetoric. Silence is also a way of speaking, which will be raised later in the empirical analysis regarding the tensions and instances of conflict which were not raised in the forum. There are things that the organisation does not mention, a sort of 'non-talk'. This stands in strong contrast to popular topics which receive a lot of attention. There is repetition in the form of meetings or policies to cover a similar area also reinforces the aesthetic appearance of coherence by re-articulation. However, within 'talk' as an output there should be coherence, which also means forming comprehensive coverage of issues. Otherwise, instances of political quietism can be conducive to OH. Too much talk, repetition which is unmatched by activity to foster a corresponding reality is just as important as pointless rhetoric or silence which equally do not direct activity.

In the rhetoric this is noted as 'policy does not match practice', about the disparity between the requirements of action by a policy and what is done. Typically, there will be a litany of norms, institutions and policies which emanate from an organization. However, their rhetorical existence does not guarantee their translation into a decision, or into an action tantamount to enforcement. In other words, an organisation can make a commitment, promise, declaration, speech, or policy which is politically charged as important or relevant. But it is arguably, only preliminary in the outputs which an organisation makes before action and practical realisation of an aim.

The power of talk, according to Brunsson is that it is a method to mobilise support and resources of those who align with the ideals expressed in the rhetoric. The organisation continues and must produce rhetoric also to maintain its status and relevance to actors on matters of importance. As suggested above, 'talk' is not 'action'. A key tenet of OH is that ideas and actions are separate phenomena. It is possible to have many ideas on how to address specific issues without corresponding action, action consistent with the idea. An overemphasis on rhetoric, a litany of norms of institutions can produce more expectations which the organisation may fail to meet. More specific to this study, if only it would suffice simply for the AU issue rhetoric and the problem would be solved, to make a Solemn Declaration to Silence all the Guns in Africa by 2020 which directly results in an end to violent conflict in Africa. If only simply issuing rhetoric which is charged with urgency and nominal commitment of signatories as they did in 2013 would mean by 2020 would be conflict free. The 'talk' itself suggests and requires a logical next step, the bridge between 2013 and 2020, to enact what has been said. To further enforce that ideas and actions are different ideas, the AU issued, also by way of talk, an implementation plan, which will be discussed later.

2.5.2 Types of 'Decision'

The decision should have the sole purpose to result in an action. Most groups are more interested decisions than in upholding the norm of non-hypocrisy (Brunsson 2007:125-130). As the 'next step' in the process of generating an output, according to Brunsson, it is one of the first instances where OH could be observed. Organisations create decision-making structures and structures which mainly aim to enable the organisation to come to a common position to inspire a directive, common practice is a vote. If the decision-making process boils down to voting then the organisation must pursue symbolise one position, in terms of its intended or expected purpose. The rhetorical norms and interests of multilateral, intergovernmental organisations tend to be more 'reflexive' of plurality, driven by a politics inclusion and representation and equity, more especially the organisations formed by previously marginalised societies such as the post-colonial space. The decision-making

process intend to reflect this. Thus, decision making includes political symbolism in which the participation of the actors is emphasised.

In the interest of increased recognition and participation of formerly marginalised groups, the ceremony, this repetition can result in redundancy, the proliferation of talk, of promises unmatched by respective follow-up, productive action. The organisation endeavour to make more promises, arguably can result in the formation of weak institutions- those a policy with low possible 'implementability'. Again, in the interest of caucus, these organisations elect to produce more policies even when previous or other policies are not achieved. Rather, the goalposts are shifted, promises are expanded or reconfigured in pursuit of a political mission and not an implementation mission. Weak institutions are a sign of the organisation's dependence on external validation and support, that they are compromised by external determined values. Instead of validation and legitimacy emanating from the pursuit and accomplishment of measurable activities and meaningful, relevant objectives. In the multipolarity, the responsibility falls upon a collective which, for practical purposes, is an **anonymous personality such that taking responsibility, absconding or freewheeling are all unpredictably possible.** The organisation lacks autonomy and ceremonial self-determination, of organisations structures, such that it is apt to survive the political climate than to act or to be practical. Through their decisions, they able to demonstrate, to interest groups their convergence with certain norms and values to receive support (Parsons 1956).

2.5.3 Types of 'Action'

The analogy of the mind-body relationship in which 'talk' and 'decisions' could be taking place in the 'metaphorical' mind of the organisation and the body would be the one to carry out the actions which have been thought up by the organisation. OH, would be like the mind not knowing what the body is doing or not controlling the body. In a more practical sense, the organs and subunits of the organisation need to cohere and coordinate across all three products to avoid hypocrisy. However, arguably organisations tend to develop formal and

informal channels of action in which the unofficial channels lead to the increase of hypocritic tactics (De Lara et al 2015). There is a zero-sum relationship established between politics and practicality, engendered by the existence of formal and informal channels for the accomplishment of divergent factors which equivocally impact the survival and legitimacy of the organisation. Brunsson and Krasner, suggest the 'rationale' behind this organisations hypocritic behaviour on account of unreconciled 'demands. Demands can be politically relevant but impractical or practical but politically irrelevant or part of a political 'quietism'. Thus, the formal and the informal emerge to cause a rupture between what is expected or perceived based on talk and decision and that which is enacted.

The disparity between rhetoric or action is not necessarily a result of a kind of confusion on the part of the organisation, rather it is a rationalised act. The 'logic of consequences' or the 'logic of appropriateness' are the practical rationale behind the choice of use of organisational structures or prioritisation of norms when acting. OH, also produces parallel structures and processes as well as inconsistencies between rhetoric and action (De Lara et 2010).Organisations adopt formal structures to symbolise and enact conformity with legitimised standards and aim for a match between commitments and implementation (Di Maggio and Powell 1983). OH, may exacerbate or produce gaps between commitments and resources which may limit the organisations capacity for action, to deliver on the formally acceptable and expected mandate.

The formal policies can be aimed at mobilising support and legitimacy for an organisation more importantly they should be oriented to a specific problem or a solution which the organisation aims to produce through action. The formal policies stand in contrast with informally mediated actions. This is because organisations face a dilemma between **political and action orientation or between problem and solution orientation**. The behaviour of inadequate or non-implementation of policies, declarations, resolutions and institutional norms and values is of interest in this study. The scale of the issue at hand are also another consideration of OH.

Brunsson argue that hypocritic organisations tend to take on 'impossible' tasks (Brunsson 1989:168). The logic behind the behaviour can be influenced by different interests and forces which determine the method. As a result, the organisation, improvises an approach to action. As an action, an organisation can elect to **aggregate incidents** of with common characteristics into a category or a group, this is a wholesale, broad spectrum treatment of issues. For example, there could be a course of action specifically determined for an issue. Or the organisation can treat each incident **individually** and respond to the underlying causes and address them. A course of action such as 'Silencing the guns in Africa by 2020' is a broad project which includes many individual instances of conflict and armed violence throughout the continent. The organisation should choose between a **logic of consequences or appropriateness** of the choice of action.

The 'logic of consequences' is a calculation of consequences and alternative courses of action (2007). This type of logic would be a consideration of domestic and self-interest over the interest of others. Whereas the logic of appropriateness is a consideration of the norms, rules, the 'cognitive script' or proverbial 'conscience', 'ethical consideration' to choose and justify action. The logic of appropriateness is indicative of action that would be compliant with expected behaviour. The notion of logic is attached to the idea of thinking, a cognitive capacity and brain. As such organisations are animated by the thinking, cognitive capacity and brains of the people that participate. Thus, there are multiple 'voices' in the 'mind' of an organisation. These two logics and voices can be conflicting or in competition with one another. Furthermore, the logic of consequences consideration further complicates in a multilateral setting where domestic interests contend with collective, regional, continental, or global interests.

2.5.4 The problematics of choice which 'talk', 'decision' or 'action' to take

Thus, an organisation that is to act, goes through the 'problematics of choice' (March 1976), now when the organisation should be ready to act, there are still choices to be made; the

difficulty of navigating choices, actions or behaviours which have been institutionalised, a litany of contradictory and contradictor interests. Under ideal conditions, the behaviour of an organisation is resulting from matching organisational rules, norms, or institutions to situations. It can thus, be inferred that the actor does not act autonomously and that organisations are informed by and based on institutions, then either comply or violate given norms or preferences. Especially from the perspective of Brunsson which posits that organisations and not rulers-autonomous agents- face the demands and the inconsistent logics.

2.6 Hypocrisy

Hypocrisy does not always have to bear negative connotations like corruption or criminality. Hypocrisy can be a result of the ordinary functioning and operation of the organisation, considering the normative and structural sources obstruction, discussed above. It is the instance when talk and action do not correspond in the organisation, it is most likely to be facilitated during the decision-making processes of an organisation. Hypocrisy renders the decision-making process perpetual or not final even when it is the moment to act. This is when organisations can opt, for hypocrisy. More especially, when the 'talk' and the 'decision' do not point to a clear, practical, or desirable line of action, the organisation opts for something outside of the expectation or the formal channels. The environment in which the organisations operate can produce pressure for an organisation to talk, to decide and to act. Considering the pressure, the products of the organisation, may not be in accordance with the expectation, the structures of the organisation are not able to produce coherence. This situation can be described as organised hypocrisy.

2.6.1 Plurality of rhetoric complicates 'decision-making processes' and provides for potential OH

There are factors which contribute to the risk of hypocrisy particularly, in the decision-making processes, which seem to be continuous and exacerbated by the multiple inputs. Firstly, the

multiplicity of actors, interests and intentions which arise in talk can detract from a coherent decision being reached. Via the organization's formal structures and systems, actors have an influence on the organisation's decision of action. In the open-air forum, the actors in the organisation can contribute their interests and preferences during 'talk' which, during 'decision-making' need to be distilled to a coherent position. Arguably, decision-making should distil, this plurality into one voice, according to the vote by the majority. There are methods that intergovernmental organisations have improvised to build consensus among a multiplicity of interests and actors. In the spirit of consensus, which is a practice of the organisation, putting an issue to a vote provides an opportunity to aggregate the interest in a kind of majoritarian ruling system to find a compromise to reach a commonly acceptable policy (Nantulya, 2019) Ultimately, **the choice represented by the vote,** can be a decision for which actors lobbied and negotiated separately according to the organisational hierarchy, as alliances or influential voices (Brunsson 1989: 168). The vote homogenises, simplifies the nuances of 'talk' for practical reasons. The diversity of interests is not resolved by the vote. Rather, they reappear in the signing, ratifying, entry into force and implementation of the decision in which the actor's position can be represented. Thus, the multiplicity of actors, interests and intentions bring about the risk that the decision of the organisation will not carry because it is not fundamentally **consensual**. Thus, the decision cannot be categorically considered to be concluded in term of the actions that will follow.

2.6.2 Members of the organisation who themselves could be hypocrites

Secondly, the calibre of actors who can participate in decision-making can also threaten the decision of the organisation, more especially who observably do not espouse the values of the organisation. They can be spoilers who undermine unity but maintain 'the conflict structure'.(Brunsson, 1989:168) These actors could be hypocrites, who themselves exacerbate the issue up for decision (Brunsson, 2007:132).The organisation does not necessarily reciprocally exert influence over its actors and their interests. In addition to the

challenge that the organisation is comprised of individuals with different preferences and conceptions, the actors of the powerful majority-states- are not forced or controlled by any decision or mandate of the organisation. The participation of these actors could compromise the decision, especially when members do not share common values (Brunsson 1989, 168). There are also those with limited powers allotted to those with any sense of morality, legally binding commitment to professionalism which are the bureaucrats and technocrats in the organisation. OH, is a case of disunity of all the members which constitute an organisation (Brunsson 1989: 168)

2.6.3 Promises made not back up by resources required to keep the promise

Lastly, hypocrisy may arise because of the lack of appreciation that ideas and actions are separate. The task of providing ideas and the task of acting is carried out by different groups, the organisation should appreciate the control that each of its organs, subunits and actors have over the problem which they are trying to resolve. Thus, the control that the organisation ultimately exerts over the eventual action is mediated through subunits and actors structurally further away from the locus of authority in the organisation.

2.6.4 Environment of conflicting demands

However, Hypocrisy can also give the organisation freedom to facilitate action in an environment of conflicting demands which would have otherwise remained a stalemate. Though organisations do ‘talk’ and make ‘decisions’ it is not automatic that a corresponding action will follow. Rather organisations opt for hypocrisy in a case where there are conflicting, irreconcilable demands. Opting for hypocrisy would mean that the organisation is open to influence via its formal decision-making structures.

2.6.5 Difficulty navigating the political and practical ambitions of the organisation

Organised hypocrisy points to the way in which intergovernmental organisations make promises and do not deliver them. The promises of the organisation are captured in political implements in 'talk', a systematic process to produce promises. From a political standpoint it suffices to facilitate dialogue and rhetoric in conferences, summits, meetings, speeches, press statements, MOU's, resolutions, and declarations. Whereas administratively, to have an actionable position, technocrats and bureaucrats aim to generate measurable and achievable action and implementation plans with designated actors and timeframes. The two arms of the organisation do not have to be mutually exclusive. However, these structures are essential to the survival of the organisation. The environment in which the organisation operates is one of incoherent and inconsistent interests which influence the product of the organisation. The processes and procedures of an organisation are repetitive, under the influence of incoherent and inconsistent norms the organisation can produce inconsistent promises.

Formal avenues become congested by politics and interests of the actors. In this way, organised hypocrisy is inevitable, as a coping mechanism of organisations to maintain legitimacy even when they do not act as they are expected. Thus, organised hypocrisy is more perceivable when policy does not correspond to the practice or behaviour of the organisation. OH, explains that the disparity between policy or the promise and practice or expected behaviour of the organisation, is a result of 'decoupling'. Decoupling of structures and processes causes organised hypocrisy to be repetitive or cyclical producing persistent inconsistency in the products of an organisation. Hypocrisy and the conflict of interests becomes a 'substitute' or obstacle for action. The main way to solve the issues is to decouple the mechanism through which the organisation reflects inconsistencies. There will be inconsistencies, but the organisation should insulate itself be an environment when inconsistency and consistency coexist.

2.7 Coupling: Logical links in the processes of the organisation

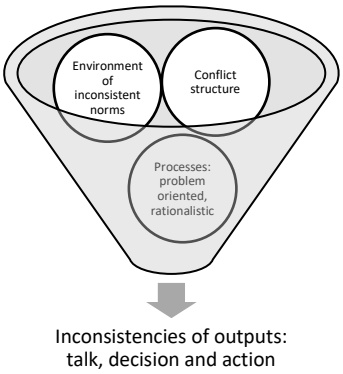


Figure 14 funnel showing how 3 structural incoherencies combine to produce organised hypocrisy

2.7.1 The spectrum of OH based on types of coupling

According to Brunsson there are four possible flows of norms through to implementation in an organisation, it suggests degrees of hypocrisy. The first would be the norms, structures and activities are consistent and 'coupled' which means that this organisation function formally and in accordance with expectations. In the second instance, the processes of talking and deciding, and acting are partially causally linked or 'coupled'. The third potential of the hypocrisy would be that the process is 'counter-coupled' which means there is an inverse relationship between the processes. The more 'talk' and 'decisions' in the form of conferences, meetings, consensus building activities, policies, declarations there are, the less action will be taken on the matter at hand. Lastly, the case would be that the organisation consistently be inconsistent, the processes are 'decoupled'. According to Krasner, this instance of OH is a problem, it represents when the organisation itself through this structure forms an obstacle to implementation, there are irreconcilable differences with itself which render it dysfunctional.

2.7.2 Coupling type and the legitimacy of organisations

It may be true that organised hypocrisy renders organisations unproductive, yet the organisation will still not lose its 'legitimacy' (Brunsson, 1986). This is because firstly, previous explanations do not posit the reason for lack of implementation as a direct fault of the organisation. Secondly, Brunsson describes the eventuality of OH as a survival mechanism of the organisation in which a determination to produce an output prevails above the congested political avenues. Lastly, in practice African institutions which have been formed by the 'founding fathers' of African freedom, tend to be 'above reproach' or the critique of them points to external factors such as lack of resources, lack of capacity, lack of conducive conditions or lack of political will (Lipson, 2007) to mention but a few factors which the organisation does not direct control over therefore it not a fault. Hence even the endeavour to establish OH in the AU, may not be well received.

2.7.3 OH is used by Intergovernmental Organisations as a productive way around bottlenecks and stalemates

In addition, without the utilisation of OH the incapacity to implement due to logical, structural ambiguity would not be shown as subliminal and endemic. For example, within the organisation the coupling between the action-oriented and the politics-oriented aspects of the organisation do not naturally cohere. Hence determining OH is a process which would require a close inspection of the processes underwent to produce and norm and the respective actions. According to Krasner, constitutive norms of politics such as 'sovereignty' bring rise to competing and conflicting interests which render limited capacity for the organisation to implement their mandate (1999). These norms create an environment for politics all over the world, they are big, foundational influences, hence they can hide in plain sight from the eye of inquiry. In this environment, organisations play the game of appealing to actors to mobilise

support, thereby producing outputs not for implementation's sake to address a crisis but for appearances (Di Maggio and Powell 1983).

2.7.4 The Organisation is saturated with norms

Organisations adopt formal structures to symbolise and to enact conformity with legitimised standards and aim for a match between commitments and implementation. In OH this behaviour is operationalised as the gap between rhetoric and action, the broken connection between these organisational products. Organisational theorist March (1976) and Lipson agrees that identity and context of the organisation are the main factors of its action which follows that the ambiguous structure stemming from an overly saturated identity. As a result, it produces inconclusive, undecided action. For this reason, one would not be able to generalise about the whole African Union but at least some core principles such as sovereignty, conflict, peace and security, pan Africanism will be included to make this study a worthwhile exercise and contribution to knowledge about the intention behind institutional set up. OH, can already take place at during the process of institutional set up. Most organisations have a litany of norms and policies for which the organisation must ensure coherence.

In this environment, one could also describe the logic behind the choice of approach that the organisations in producing an output. Townsley et al suggest that intergovernmental organisations have pressure to produce. The nature of the problem should be an important indicator of the approach. However, norms or policies based on norms can recall a divergent process or directive than to that required by the problem. This is already indicative of another potential area for OH at the conceptualisation of the solution based on norms.

2.7.5 OH is being used by organisations as an opportunity to be productive

Lipson introduces the OH which can result at the point of implementing a solution, whether the organisation acts based either on a logic of consequences or a logic of appropriateness (2007). The former pertains to calculation of action based on domestic and self-interest (2007). Whereas the latter is a calculation based on consideration of the norms, rules 'cognitive script' of commonly shared ethics and judgement (2007). If a solution emanates from the continental or regional level to the national level, then it would be up to the state to act materially. All material organs and resources of an organisation are animated and provided for by individual actors, this means the difference between ideas and action. The occasion of OH would be when the rationale of the state does not cohere with that of the bodies by which it should be 'subsumed'. But as figure 1 illustrates, the IGO is subsumed by member states and the international community. The organisation depending on member states and the international community to act 'on its behalf', presupposes the coincidence of interests and the capacity to do so. Thus, for the organisation to avoid hypocrisy it should successfully navigate the 'problematics of choice' such that the corresponding logic of appropriateness or consequences prevails (March 1976).

2.7.6 OH as an explanation for how the AU PSC goes about delivering on promises

Tentatively, OH could be a probable explanation for which the AU makes promises and underdelivers upon them. Brunsson points out that potential candidates for OH are organisations which resort to adopting reforms on the back of precedent of unsatisfactory implementation and realisation of norms, ideals, and projects (1986) .

Such is the case with the OAU for which the AU was formed to initiate reform in practice and commitment on the part of all the actors concerned in the business of the AU (Akokpari and Murithi 2008). There can also be more than one type of coupling can be the case in an organisation. Therefore, there can be multiple and diverse cases of OH within the organisation and even more across the lifespan of the organisation. Brunsson suggests that symptoms of OH are indicated by continuous, consistent, and repetitive processes which produce promises which are not completely achieved. Guided by this theorisation, this study uses process tracing as a method of inquiry to form an empirical basis for the analysis of the ways in which the AU did not behave as expected which may have promoted or prevented the achievement of STG.

3. Chapter 3:normative dissonance in AU conducive environment for OH

The AU has established itself as a repository of African governance principles. However it is not a perfect embodiment of its main organising principle, Pan Africanism and it is yet to operationalise its organs. This is mainly because of the struggle for consensus, coherence, and commitment from and among the member states. Sovereignty is a principle which acts as a stumbling block to the establishment of influence of the AU on member states and its optimal operation.

3.1 AU structure and norms

The structure of the AU stems from the initiative to reform the OAU. Quite simply, the AU is an institution of African unity which is geared towards enacting and implementing the norms and values and radically alter the post-coloniality of Africa. The AU is a graduation from the 1st wave of Pan African institutions. 2013, was a celebration 50 years of the OAU, founded on the 25th of May 1963. The establishment of the AU brought about the 2nd wave of Pan African institutions (Murithi 2007). Arguably, there is ideological continuity between the 1st and the 2nd wave of Pan African institutions, Pan Africanism is still a key organising principle of the AU. Below is an organisational structure, showing the ideological and institutional forebearers of the AU which was formed in 2002 (figure 15).

3.1.1 AU: a repository for African governance principles

From the OAU, there was already an assembly of states which continues to be the foremost decision-making and consensus mobilising forum of all the countries on the African continent as well as the regional economic communities which remain central to the reach, presence, and representation of the AU across the continent. The AU reasserts the goal of African control over African political, social, economic affairs and development (Murithi 2007). If it were not

for the Sirte Declaration (1999), Africans would have no continental legal framework and there would be no AU and if it were not for the Lomé Summit (2000), there would be no Constitutive Act of the African Union which enshrines all the values espoused by the AU. It is up to the AU structures, the members, and organisational organs to embed and uphold the organising principles of the AU enshrined in its policy documents.

3.2 The AU is not the perfect embodiment of Pan Africanism: a struggle for consensus and coherence

It was Tim Murithi who said that the AU is not the perfect embodiment of Pan Africanism, the main organising principle of the organisation (2007). Perhaps it is because the formation, adoption, entry into force and ratification of policies is only done by nominal commitment and not representative of reality and implementation by member states. Firstly, there is a lack of progress on the unification and integration Africa such as ACFTA. Secondly, Africa does not speak yet with one voice in other intergovernmental platforms such as the UN. Thirdly, the AU inherited the vice of inconsistent implementation from the OAU (Okhonmina 2008). Furthermore, according to Okhonmina (2008), that Africa does not have a common culture. Of course, Africa is a heterogenous group of 55 states. At a level of common practice and unity, African policies are not harmonising as would be the effect if consistent and comprehensive implementation were taking place.

As a forum the AU creates only the ceremony of unity and the representation of unity when member states make nominal commitments. Whereas African states are struggling for self-assertion, self-determination, and independence not for the integrity of the continental organisation. For example, members of the AU are not yet solely able to fund their own initiatives and organisations (Alusala and Paneras 2018).

Furthermore, Regional Economic Communities (RECs) have constituted themselves but, the link between them and the AU are MOUs and they do not look to the AU for legitimation or a mandate (ISS 2018).

3.3 Principle of sovereignty in the AU: difficulty creating coherence

3.3.1 Nominal commitment versus practical commitment by sovereign actors

'No state is an island and thus no country is absolutely independent from externalities as the Westphalian concept of sovereignty would have us believe' (Joffe 1999). Behind this concept, African countries hide and avoid their responsibility of African multilateralism, to provide the necessary resources for continental institutions to achieve full operational capability and capacity and to construct continental unity. There is a difference between nominal and practical commitment (Khadiagala 2015). The former is what the members of the African Union do, and the latter requires decisive and incisive actions from a member state which is what should be done consistently, instead of freewheeling and/or benefitting from the effort made by others.

3.3.2 A shift from sovereignty as impunity to responsibility is yet to be mastered

The AU's interventions have been punctuated by non-indifference, a shift from the non-interference which punctuated the dispensation of the OAU. Even 2 years before the Responsibility to Protect was popularised and proposed in the 'West' before the International Commission of Intervention and State sovereignty, the African principle of non-indifference was already institutionalised in Sirte 1999. Africa was the first to provide the legal framework for setting aside the principle of non-intervention by the international community under specific circumstances. Therein is the charge to shift from 'sovereignty as impunity' to 'sovereignty as a responsibility' (Khadiagala 2015)

which the AU member states must still master. Sovereignty is used to dismiss and repress opposition and critics. For example, there is prevalent use national and internationally sourced funds to finance neo-patrimonial political systems, to bolster their staying power in office (Bach 2011 and Brosig 2017) . A further example is when member states of the AU increasingly seek external international actors and partners to be the main source of funding and backbone of their initiatives. This comes in stark contrast with the AU priority of African ownership of the solutions to their own problems. It is the sovereign right of African member states to fund the operation of their own continental institution and not to misappropriate the funds which have been provided by international funders, donors, and partners.

3.3.3 How principles of complementarity and subsidiarity in the AU produce OH

Once the AU reformation process is complete, this will usher in a new continental legal order as all the African institutions will be fully operationalised. This process should be underwritten by the principle of complementarity in which all the AU structures and norms as discussed cohere, integrate, and communicate throughout the chain of command. H.E Paul Kagame gave recommendations on improvements which can be made to African institutions so that they are strengthened on the other side of reform these include improvements of the effectiveness of the AU court system, a clarification of the Pan African Parliament and the expedition of the AU continental integration initiatives such as the continental passport and the free trade area (AU 2017). This will empower the AU to have supranational jurisdiction and give more weight to its continental ambitions. The principle of subsidiarity should also be included in the reform process, it entails a check on the continental power, using the regional blocks as building blocks for continental ambitions and empowering the most local actors as

the preferred intervenor. As was the case in the role that ECOWAS played in the Gambia in 2017 to restore democratic governance (Amao 2018).

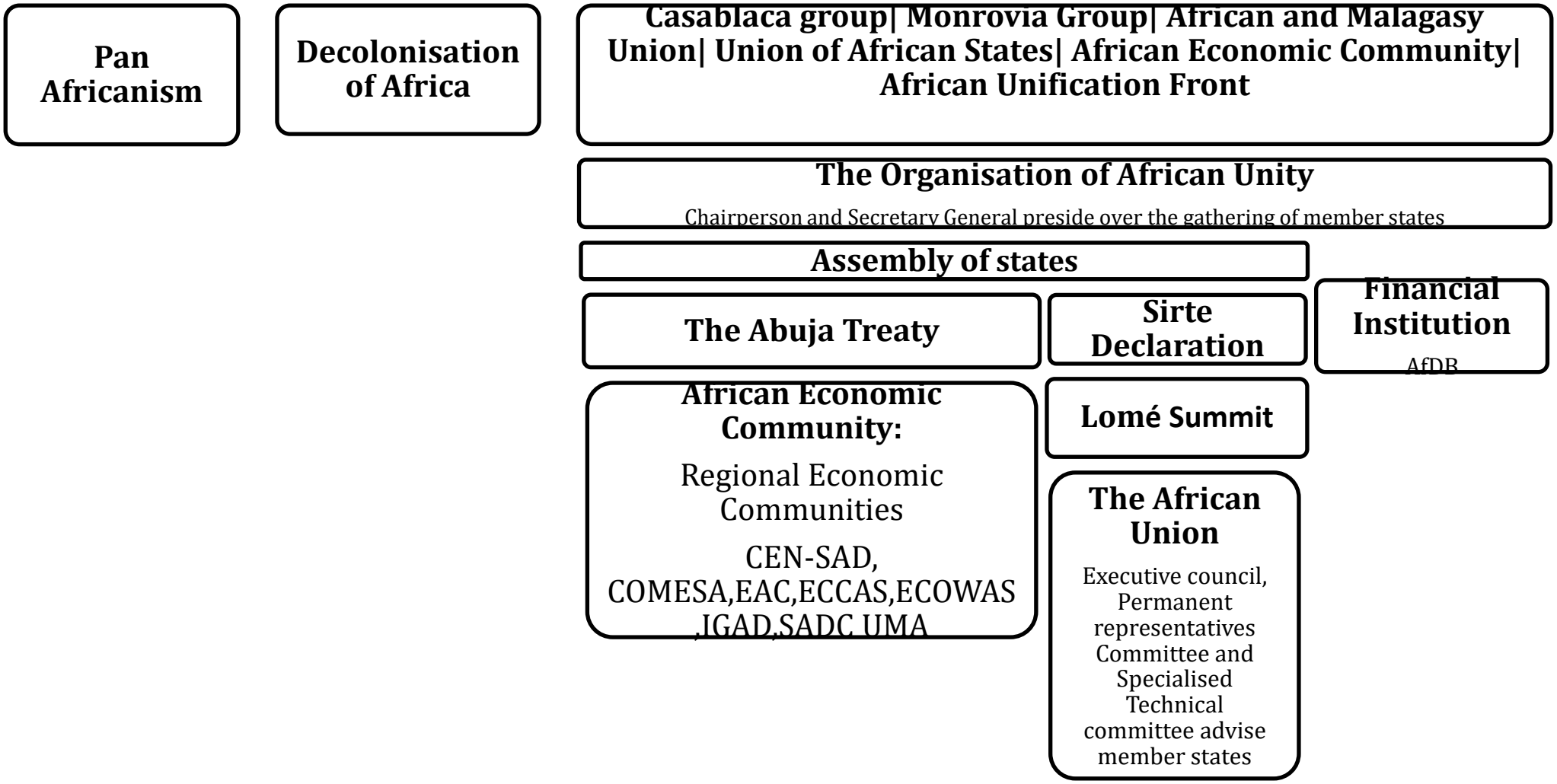


Figure 15 An organisational structure, showing the ideological and institutional forebearers of the AU

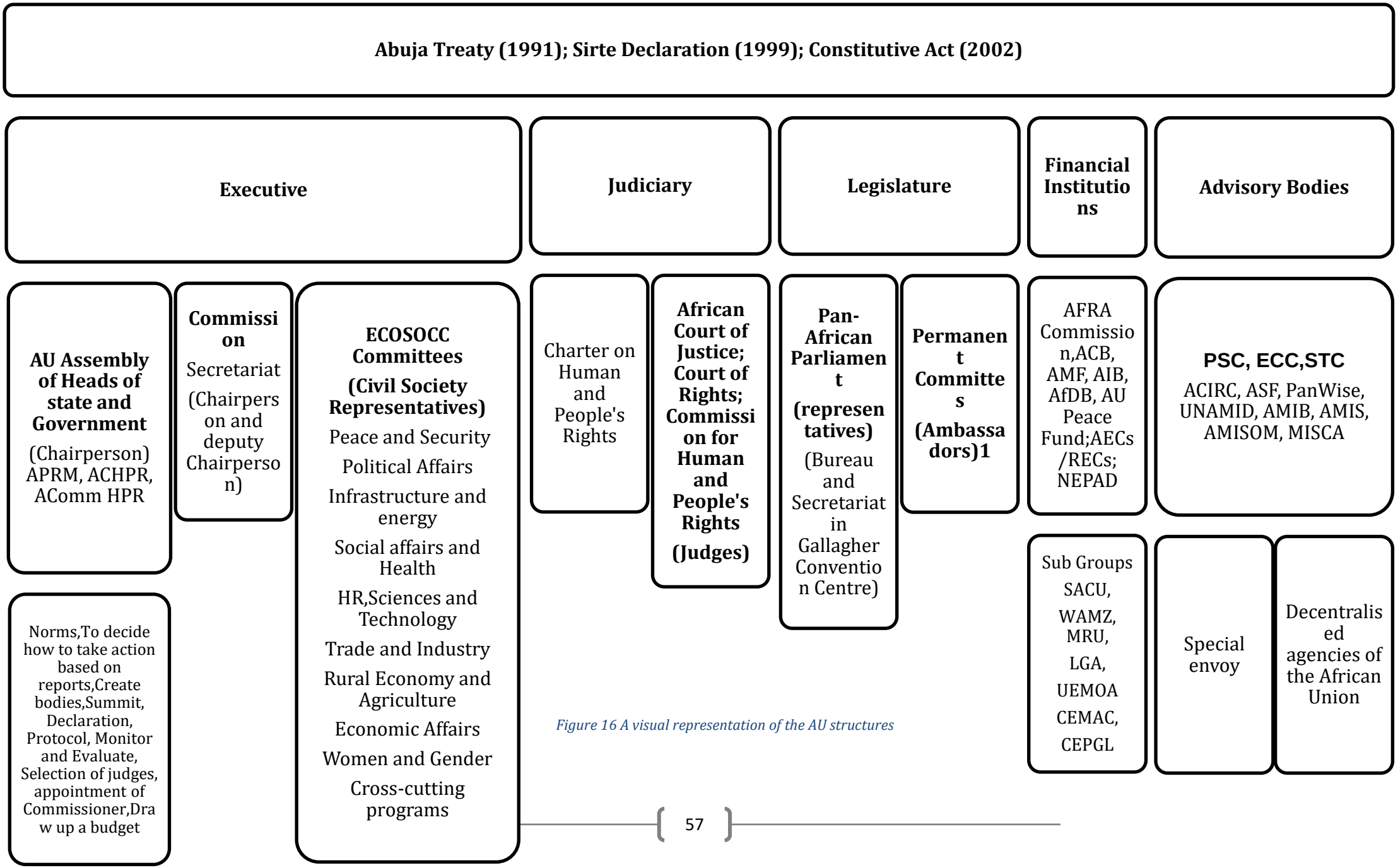


Figure 16 A visual representation of the AU structures

3.4 Multilateral cooperation and OH

The AU has become a noticeably big institutional structure, with a litany of norms, policies, and programs. In figure 16, above, the visual representation of the AU structures gives an idea of how broad and far reaching the Pan African has been expanded to be. One foreseeable challenge would be coordination and cooperation among each of the structures and the various actors. The AU faces challenges to the objectives set out in the declaration, the most prominent being an issue of coordination and cooperation among APSA organisations.

3.4.1 How the organisational structure produces OH

Since there is no official organogram from the AU, based on the Constitutive Act (2002) and the founding protocols of the AU, the figure below presents a proposed organisational hierarchy. Focussing on the executive arm, the AECs/RECs, the Financial institutions and the advisory bodies of the AU, the organisational structure suggests that the AU operates, and functions based on cross-coordination, cooperation, and consensus of all the actors involved in each other structures because of the flatness of the organisational hierarchy. The AU hierarchical structure would seem flat, requiring more horizontal cooperation. The link between the structures would be built through coherence and cross referencing which helps the organisation to operate as a well-oiled machine. Vertical coordination can also take place according to the principle of complementarity and comparative advantage of the actors which are involved. The two versions of working vertical versus horizontal creates room for OH, here policy and practice may differ.

Two ways of working: vertical coordination or horizontal coordination; official and unofficial

APSA was established at the same time as the AU as part of the reform of OAU, with objective of managing and preventing (violent) conflicts in Africa more effectively. Structurally, APSA would horizontally cooperate with the PSC, ASF and the Africa Peace Fund, decisions are reached by consensus (Vanheukelom and Desmidt 2019). In practice, there is more of a vertical coordination and cooperation in which even the ‘multilateral’ culture can be reduced at times to alliances, ‘swing states’ and unilateral, self-determination of each other member

states (Vanheukelom and Desmidt 2019). There is also a further disjuncture between heads of state and government and ministerial functionaries and diplomats. The smaller meetings among ministers and government officials can be juxtaposed with meetings among heads of state, there can be tension there. As a result, structural shortcomings and political will intermingled. This is how organised hypocrisy is produced.

Unclear chain of communication and command

The structural issue can be traced up to the helm of the organisation, the executive arm in the form of institutional bottlenecks. For example, the declaration was made in 2013. The silencing the guns was only put onto the agenda in 2014 at the 5th AU high level retreat on the promotion of Peace, Security and Stability in Africa. Then the Roadmap only became available in 2016. The time lapse could be because over the years the AU has had many issues on its agenda and activities. It has been recommended that the AU should minimise its priorities to focus the limited resources and capacity on a manageable set of tasks (AU 2017).

3.5 AU As a multilateral institution and typical case for OH

The AU is a multilateral organisation by nature mobilises all African states and it engages in partnerships with other intergovernmental organisations and states from the global order. As such an organisation, the AU faces challenges to implementation such as 'institutional bottlenecks and rigidities, lack of follow though as well as internal divisions and political blockages' (Jones et al 2019) all of which constrain their ability to play their role as a convening and coercive power. This is because of the imperative to reach decisions by consensus, without compromising sovereign interests.

Nonetheless the EU, AU and UN have convened to reinforce and reaffirm their commitment to effective multilateralism and to coordinate their synergies to overcome

these challenges (AU Joint Communiqué 2018). Multi-actor organisations face conflicting forces and pressures which may render the organisation incapable to deliver on its mandate (Onditi, 2019), this is a necessary condition of organised hypocrisy. For example, the AU's founding principle, Pan-Africanism, a form of multilateralism, which mobilises multiple actors including most African states, observer states and partner organisations such as the UN and the EU. The principle may not cohere with the principles espoused by the participants, assuming this coherence creates a situation where conflicting pressures and opposing directional pulls arise.

AU has a strong record of adopting policies and action plans however, it has an insufficient institutionalisation of norms, a slow pace of implementation and a lack of solid financial backing and monitoring and review processes (Kagame 2018). This critical challenge arises when institutions are managed hypocritically at the expense of existing policy frameworks (Answell and Weber). For example, even still at the celebration of the 50th Anniversary of the OAU, the initial continental Pan African institution, there were still questions of whether Pan Africanism is achievable, implementable (Kisangani 2013). There still needs to be a reconciliation of the ideals of state sovereignty and multilateralism. According to Jones et al thinking and acting continentally is still a bridge too far for many African states to cross (2019). As a result, within the institutional framework of the AU there could be competition or conflict, among the participants, objectives, principles, or organs of the organisation, which prevents the organisation from behaving in a coherent and predictable way in accordance with Pan Africanism. Pan African and regional institutions are only as strong as their sovereign member states allow them to be, as far as their political and domestic interests permit (Jones et al 2019).

In other words, Pan African objectives, such as a conflict free Africa, may not be achieved by the AU for a few reasons. Firstly, the symbolic institutionalisation of Pan African values does not guarantee their translation into reality and that this institution consistently corresponds to other actors' interests and actions. Even though by international standards the provisions of intervention in the domestic affairs of African states have been described as the 'most prominent' (Bach 2014). Secondly, the reformation process is not yet complete, the shift from the OAU to AU, such as the shift from the principle of non-interference to that of non-indifference due to the perception that inaction in the face of crises is immoral (Vogt 2009: 254-255).

Therefore, is that there is no guarantee that, when there is a threat that meets the requisite for AU sanctioned intervention, other member states will respond positively and intervene. Even when formal and legally binding agreements are reached, the AU is still a voluntary organisation. The AU prioritises pluralism which causes the interaction of a multitude of interests and perspectives, this difference suggests that conflict of interests and approach is possible. Lastly, policy is a weakened factor on reality and practice by ad hoc informal institution arrangements such as alliances and coalition.

3.6 Organisational culture

3.6.1 Incomplete records

The AU does not publish meeting minutes for public access, but communiques and press statements are publicised. Since 2004, the PSC has had 900 meetings, there are meeting communiques and press statements published for most meetings but, there are no meeting minutes available for public access. These communiqués and press statements are only summations of meeting proceedings and it does not indicate

how a decision was reached. Only a record on decisions of a procedural nature is kept. This presents a problem for the records, the archives for the continental nerve centre for decisions on peace and security, and for the creation and maintenance of institutional memory and continuity (ISS 2019). More importantly it proposes a challenge for analysis and research such as this one. Even dating back to the OAU there has been an aversion to scrutiny by African member states (ISS 2019). For the sake of security, to prevent leaks of information, the discussions of need to be kept classified and confidential. In the interest of preventing information and positions which states articulate in confidence. But for new members or researchers of the PSC it is difficult to keep track of the foreign policy positions of various foreign policy position which members articulate.

There is also no record of voting therefore it is not possible track attendance or voting behaviour. The emphasis on consensus or adoption of decisions through majority vote mean that individual preferences are blended into the majority vote. Furthermore, Kagame presented to the leadership of the AU that of the 1500 resolutions which the organisation has issued there is no clear way to trace and track their implementation (AU 2017).

3.6.2 Lack of operational capacity

There is also a delay in the generating the reports. For example, the APRM fact finding takes serval months and there is also further time to produce a report. In 13 years of the APRM, only 17 country reports are available (APRM 2016). This is due to variable and uncertain political and financial support which translates as a lack of staff capability and ability to attract experts. In addition, the AU has added many structures and often adopts ad hoc task forces rich require extra financial and human resource capacity. Even the AU fact-finding missions take several months to produce a report.

H.E. Paul Kagame remarked that the AU is a “dysfunctional organisation in which member states see limited value, global partners find little credibility and in which our citizens have no trust’ (AU 2017). This was to pontificate that reform of the AU is necessary and urgent.

4.1 Chapter 4: African conflict landscape- a conflict hotspot

From 2000 until around 2010, there has been a plateau in low levels of fatalities from conflict, even the genocide in Darfur did not negatively impact the decline in fatalities though it was the highest contributors to fatalities in the world for the period 2003-2004 (UCDP 2018). This was after the spike in the mid 1990's which saw Africa being the highest contributor of deaths in the world, due to the genocide in Rwanda and its spill-over in Burundi. The spike in the global deaths from conflict was recorded between the years 2011 and 2012, when the Arab Spring erupted in North Africa and the Middle East. But in general, the world and Africa are more peaceful than it has ever been in the past. As a result, the last 10 years has seen a decline in global cooperation on conflict and security as countries are increasingly becoming more inward facing and donors who fund this cooperation are growing fatigued. More than half of the world's population has had to live in contexts of political violence and disorder (Raleigh 2020). Violent political disorder is widespread across the world.

However, more than ¼ of the worlds political conflict takes place in Africa and 1/3 of these conflicts are highly violent (APSA impact report 2016; Heidelberg Institute for International Conflict Research 2017). But this still does not mean that Africa is the epicentre for violence. There is a form of political violence and instability in one form or another in almost every state across the world. More specifically in Africa, 27 of 55, less than half of African states are embroiled in conflict and political disorder, ever since the declaration to silence the guns in Africa only 4 of the 27 conflicts, 15%, have been resolved and progressing in terms of post conflict reconstruction and development (UCDP 2018). The 2013/2014 was a peak in the instances of global armed conflict, 52% of which took place in Africa. Africa represents 16% of the world's population, there the amount of armed conflict that Africans are participating in and experiencing is extraordinary by global standards (Adeniyi 2017).

There are some challenges to peace some are institutional others are behavioural. Some regions of Africa have precarious regional neighbourhoods in which there are worrisome undemocratic trends and democratic deficits such as manipulation of constitutions, no checks on power, ungoverned spaces, porous borders ,embryonic dictatorships, corruption and lack of transparency, illicit financial and resource flows, privatisation of security, militarisation of societies and electoral violence (Khadiagala 2015).

4.1.1 Conflict and gun culture and prospects for STG

So, as the initiative 'silencing the guns' draws to a close, does de-weaponization, disarmament, stringent control of SALW reduce the instance or de-escalate of conflict and violence? Nelson Alusala (2007) speaks of 'war hardened civilians' who have been engaging in protracted conflicts such that there is an emergence of 'gun culture' in which it is socially acceptable and legitimate for one to have a weapon, often artisan or untraceable and undocumented. Initiates into manhood in the border regions Somalia and Ethiopia to Kenya, must carry a gun as sign of rite of passage. In many ways, civilians have become more capable than security forces and the government to handle, manufacture, and operate a black market SALW especially in contexts of widespread insecurity, poverty and unemployment and governance deficit (Alusala 2007). Therefore, there is little motivation to cast down weapons for cash or any other incentive. The initiative of disarmament has patchy rates of success (Mules 2019). In some instances, old, unserviceable weapons are submitted, which are of no help to the programme as functional weapons remain in circulation. Where there has been successful participation of disarmament, governments

However there have been some success stories in bringing an end to protracted conflict on the continent under the auspices of the STG. The AU-sanctioned intervention for the period 2013 to 2018 has managed to quell interstate conflict between Ethiopia and Eritrea which had been a protracted conflict to the extend that the Ethiopian Prime Minister Abiy Ahmed was awarded the Nobel Peace Prize for the unprecedented determination to bring an end to a 'cold war' which had been simmering for nearly twenty years. The violent extremism in Tunisia

and the electoral violence in the Republic of Congo were resolved by 2017.The effort to quell secessionist agitation in Angola was successful in 2018.

4.2 STG in the context of conflict culture in parts of Africa

The table 1 below demonstrates the various types of conflict which exist in Africa however, it does not include all the political tensions which could lead to disorder and violence. Though the AU has an ambition to reduce all violence to peace, each of the conflicts have different root causes and dynamics which need to be considered according to each context. Though the declaration makes the wholesale statement that all violence and means of violence and victimisation will be silenced, the implementors must deal with specific contexts. The declaration and the roadmap make no specific mention of any conflicts or political tensions. Perhaps the vagueness allows room for those involved in peacebuilding and post conflict reconstruction, reconciliation, and development to interpret and implement the charge of the AU according to the requirements of their contexts, in the end, whatever was required, let the effort be the cause of 'silent guns'. This vagueness causes a challenge for formal planning, budgeting and decision-making and may require AU officials to make reactionary 'talk' or rhetoric, to take ad hoc decisions and subvert formal structures and to improvise 'action' in order words to perform OH.

Table 1 showing the forms of insecurity which African countries experiencing war are facing. Source: (Adeniyi 2017)

Country	Civil War or rebellion, insurgency	Violent extremism and/or terrorism	Interstate conflict	Organised crime	Ethno-political militancy	Secessionist agitation / electoral violence

Algeria (2002-present)		Y				
Angola(2017-2018)						Y
Burundi (2015-present)					Y	
Cameroon (2016-present)		Y				
CAR (2012-present)	Y				Y	
Chad (2002-present)		Y			Y	
Cote d'Ivoire (2010-present)		Y				
DRC (1998-present)	Y					
Djibouti		Y				
Egypt (2011-present)	Y					

Ethiopia (1998-2016)					Y	Y
Eritrea			Y			
Libya (2011-present)	Y	Y		Y	Y	Y
Mali (2012-present)	Y	Y		Y	Y	Y
Mauritania (2002-present)				Y	Y	
Niger (2012-present)		Y		Y	Y	
Nigeria (2009-present)		Y			Y	Y
Senegal						Y
Somalia (1991-present)	Y	Y			Y	
South Sudan (2013-present)	Y				Y	Y

Sudan (2012-present)	Y	Y			Y	Y
Tunisia (2015-2016)		Y				
Uganda	Y					Y
Western Sahara (1970-present)					Y	Y
Republic of Congo (2016-2017)					Y	

4.2.1 The overwhelming financial cost of war and requirement of external sources of funding for the African Peace and Security Architecture

For the period 1990 to 2005 it is estimated that the cost of war to Africa has been $300 billion and on average Africa loses an average of $18 billion due to conflict (Adeniyi 2017). Africa is losing money that it cannot afford to lose, and it is also struggling to get itself out of the trenches of protracted war, without external aid. Currently, most of the technical, financial, and material support for the African Peace and Security Architecture comes from external sources (Vanheukelom and Desmidt 2019). The biggest challenge to bringing an end to conflict on the continent are limited funding and other resources which originate from Africans, which limits the capacity to implement the plethora of policies, programs and strong institutions which are envisaged for Africa by Africans. In other words, there is a gap between the resources and the goals of the organisations which aim to bring an end to conflict (Lipson 2007).

4.2.2 There is a decreased occurrence of war but an increase in political unrest, disorder, and violence

Less and less polities collapse into war, but more and more, there is political unrest and disorder, this broadens the scope for the number of countries perceived to be experiencing crisis. Therefore, all forms of violence are on the agenda as sources of political unrest and disorder. The political situation in Burundi has been described as a political crisis and not a war (Aljazeera 2015). However, comparing the number of fatalities in relation to its landmass, Burundi has been one of the deadliest places to be. Where most of the fatalities have been by the state for the period 2013 to 2018 (UCDP 2018). The countries with the highest fatalities for the period 2013 to 2018 were the Gambia, Nigeria, CAR, Mali, and Somalia yet not all these situations are described as war in the rhetoric. Notably across the continent the number of deaths spiked after generally low levels of violence but a persistent atmosphere political disorder and crises.

There is a minority of states which are experiencing ‘war’ rather many countries are experiencing different forms of violence: political violence, electoral violence, domestic violence, gender-based violence, violent religious extremism and terrorism ,the presence of these has high levels of victimisation. There is also a market for violence and conflicts in which militias and gangs earn revenue from instigating and perpetuating violence and instability (Dowd 2016). In addition, there is rampant, illicit trade of small and light weapons which are used in aggression and antagonism among civilians, armed groups, militia, and the incumbent government. This is characterised as a crisis.

4.2.3 Illicit arms trade in Africa and STG

The declaration is a blanket, continental ceasefire, and disarmament initiative. But with the deadline nearing, many doubts that it would be met. As Dessu Meressa of ISS said, "we are now approaching 2020, but the guns are still there" (Mules 2019). These arms cause the proliferate the activities of political disorder such as insurgencies and terrorism. There are unverifiable estimates of 80 million illicit arms in circulation in Europe (Mules 2019) and 100

million in Africa, the slight difference compensated for by the aggressive way in which these arms are used to wage war in Africa. Since WW2 it is estimated that 640 million illicit arms have been in circulation, most of which were in Africa (Alusala 2007). According to the Small Arms Survey of 2017, illicit arms trade can represent an estimated 10-20% of the world's global trade. The availability of these weapons creates conditions conducive to a violent conflict, violent approaches to disputes , to create an environment of fear and armed groups to help leaders manipulate the state apparatus to stay in power (Alusala 2007). Even the increased presence of peacekeepers and increased government spending on military, bringing in more weapons and arms does not translate to more peace on the continent. Russia, China, and US are the top suppliers of arms and military training in Africa, these actors may be using this to express their presence on the continent and influence the decisions of African heads of state and government. The challenge is for African leaders to maintain their independence from these actors. More importantly, the supply of weapons onto the African continent needs to be aligned with the STG prerogative because illicit arms trade flourish in contexts of insecurity and ineffective governance.

4.2.4 Gender based violence (GBV)

Physical guns are not the only weapons used in perpetrating violence; rape is as well. In Africa, most women will experience GBV in cases of armed conflict, 45.6% of women experience rape during an armed conflict, as rape is used as a weapon against women and children. These are only the reported cases, there are those who may be too psychologically traumatised and/or may fear stigmatisation to report their experiences. Just as armed conflict peaked in 2013 so did the cases of rape DRC which was deemed the 'rape capital of the world' as an average of 48 women would be raped per hour by rebels and Congolese soldiers. In most contexts of political violence and disorder on the continent such as Mali, Sudan, South Sudan, and CAR, GBV is common. Of the women fatalities of war most of the medical reports indicate that there are signs of rape before the woman was killed. In this sense women suffer

a multifaceted vulnerability and jeopardy in times of armed conflict. Therefore GBV is also included in the STG priorities to eradicate the sexual violence.

4.2.5 Prevalence of electoral violence as a form of political violence

Contested election results, coups d'état and unconstitutional transfers of government have been the main triggers of conflict in the last 10 years (IPS 2017). The AU PSC has been instrumental in ordering sanctions against countries in which this is the case. 92% of the incidents of unconstitutional changes in government resulted in a temporary suspension of membership. It is even entrenched in the membership rules of the PSC that there will be no tolerance of such behaviour. ECOWAS has also shown a zero-tolerance on such issues. On the other hand, SADC does not have a perfect record, under it watch, the late former President Mugabe overstayed his welcome in office. He is indeed the one that got away with it.

Somehow even the impeccable record of the AU, was compromised by Burundi. Burundi refused the imposition of sanctions and intervention as proposed by the PSC in December 2015 by making the most of the AU principle of the sovereignty of African states. Burundi also mobilised support from the EAC, to reject intervention external forces and adopted a 'hardened' stance when western powers imposed their own sanctions. Even though Burundi is a prime example of electoral violence, it was invited back on to the PSC rotating 15 members Paul Kagame's critical comment was 'countries whose undemocratic practices converge, often provide cover for each other on the PSC, which is part of the reason that Burundi is able to return to the council so easily (ISS 2019; International Crisis Group 2019). Burundi is the prime example that the AU is not yet able to prepare to invoke article 1 of its Constitutive Act that allows for the supranational imposition of intervention. The way violence is perpetrated in Burundi is such that the state is not solely responsible, and it is low level violence, with few fatalities to ward off any humanitarian intervention. The PSC even rescinded on its decision to intervene because the situation was not a typical crisis, much to the despair of Burundians.

Burundi embodies a failure of the AU structures to prevent the situation from devolving into violence under the auspices of the STG.

5. Chapter 5: Background of Burundi

5.1 Burundi: a prime example of mixed forms of violence stemming from political unrest

Burundi appears on the map of conflicts, ever since conflict erupted as a dispute. On the continent it is one of the prime examples of election violence, impunity, lack of intervention by the AU and the region. On the maps below, Africa is one of the landmasses still plagued by violent conflict (Heidelberg Institute for International Conflict Research (2019). In figure 11 the case of Burundi is categorised as a dispute which is less than a non-violent crisis. However, compared to the landmass the number of fatalities has been one of the highest on the continent during election violence in 2015 as depicted in figure 12 and it has continued to

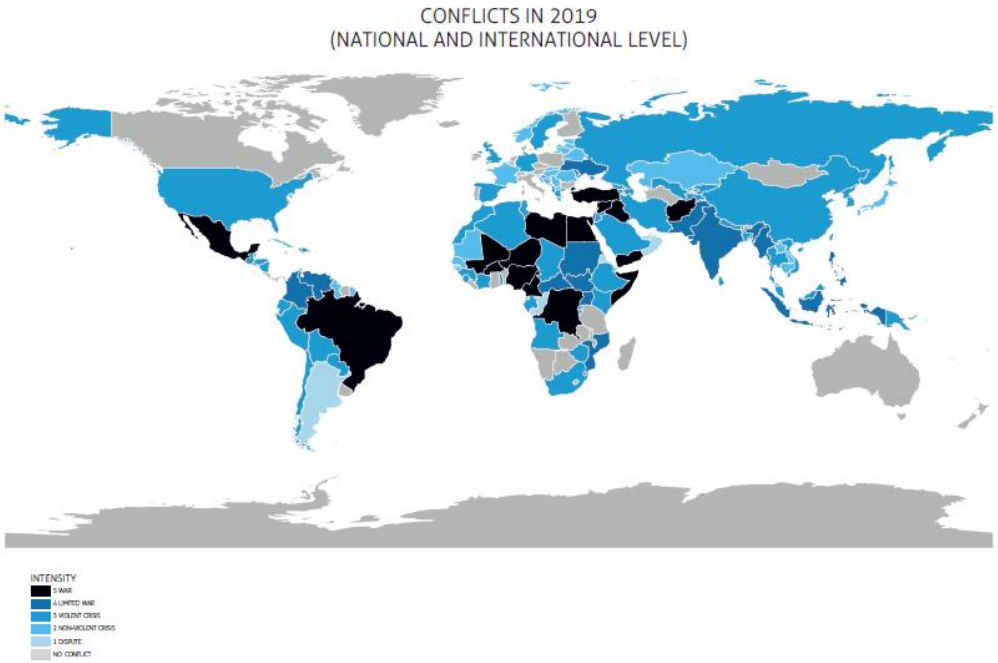


Figure 10 world map showing international and national level conflict (Heidelberg Institute for International Conflict Research 2019) accessed April 2020

experience political violence ever since. Burundi can hide behind the shadows for one main reason the state and the national armed forces are not directly implicated in the violence and the conflict.

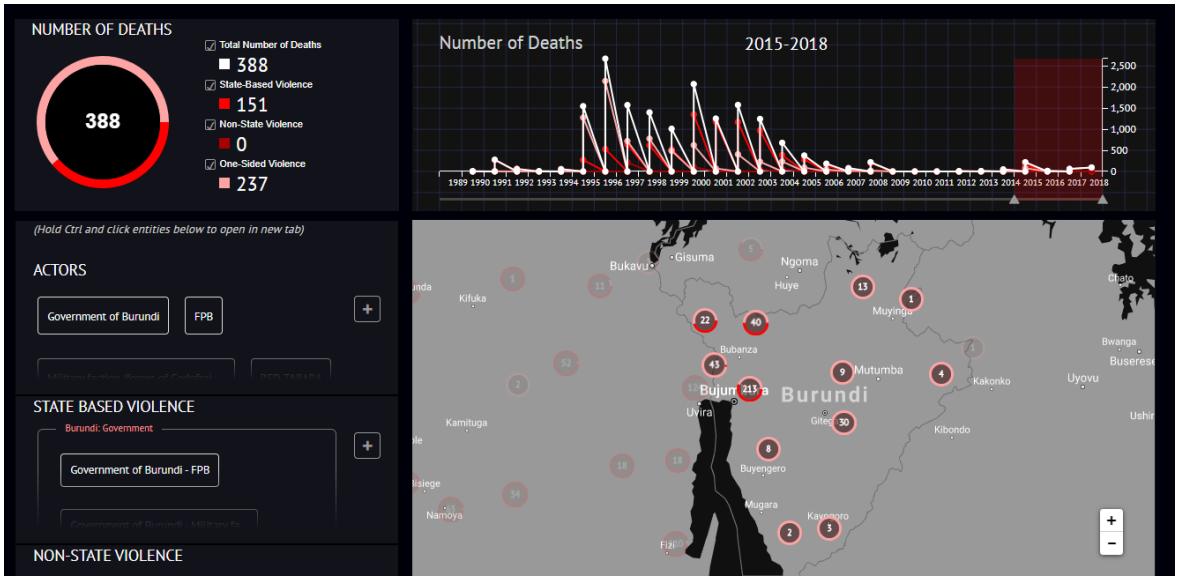


Figure 11 Number of deaths in Burundi 1990-2018 (UCDP 2020) accessed April 2020

The graph below illustrates for the first year of the crisis that mainly militias instigated violence. More importantly that some militias were affiliated to the government. The association with militia allows the state to incite violence, crimes, and human rights abuses without being causally linked to them. Hence later it will be seen that the police and the national armed forces play a small role in the violent activities during the crisis. The militias in Burundi are politized and the victimisation of civilians also aligned with their political affiliation. During this political crisis most of the events of victimisation and violence were against members who were affiliated to Nkurunziza's party the CNDD-FDD. The battles also adopted Sexual and Gender-Based Violence strategies, many of the female victims were raped before they were killed.

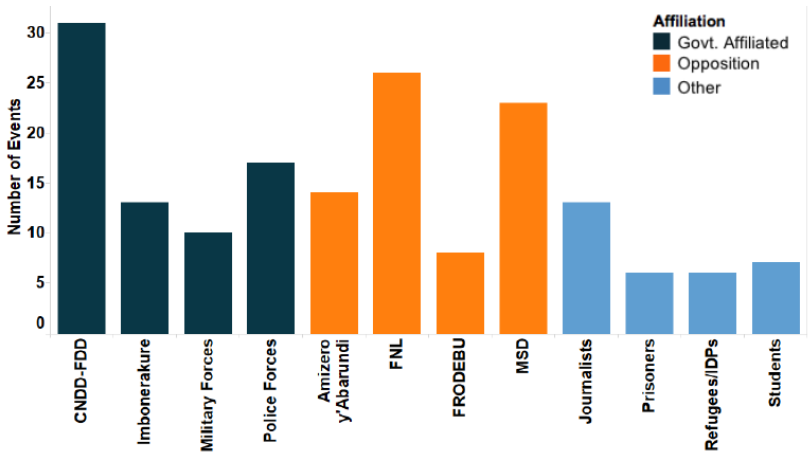


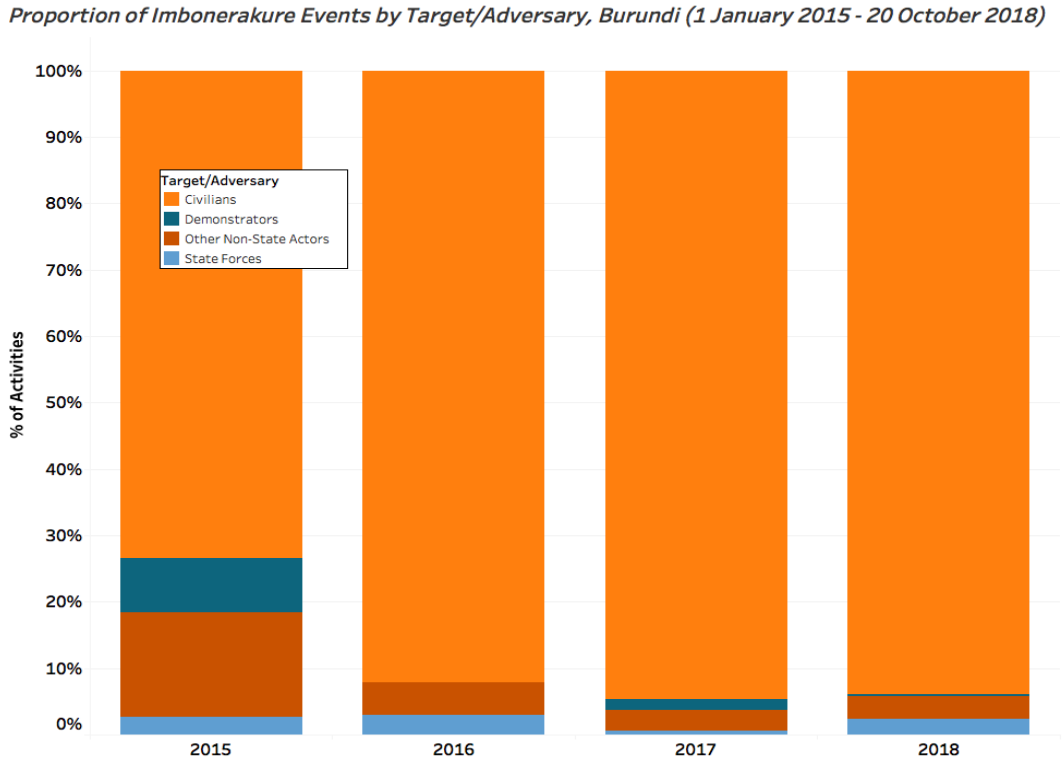
Figure 12 Violence against civilians by victim's affiliation in Burundi (ACLED 2016) accessed 20 April 2020

5.2 How Burundi could fly beneath the radar

There is a further less pronounced way in which Burundi avoided reproach. For countries embroiled in war and those who cooperate in the peacebuilding and peacekeeping effort also stand to gain from aid which comes from donors, which gives the actors involved in the conflict a perverse incentive to continue in violence because of the rents that become available in the form of aid. Burundi is one of the highest troop-contributing countries into the peacekeeping effort in Somalia. The Burundian government earns rents for sending troops to Somalia. For their concerted effort and applaudable contribution of troops, the international community is hesitant to act against Burundi and provoke them to withdraw troops.

5.3 Burundi financially incentivised conflict and impunity for perpetrators of violence

Burundi had an incentive to keep the violence going but at low levels to maintain the power of Nkurunziza. The demand for low-level intermittent conflict has been increasing, politicians tend to make deals with militias and gangs to make this possible (Raleigh 2020). Violence loses its grievance motivation instead it is used as a 'cheap,



transactional and shallow' financial exchange and a competition for patronage (Bruijne 2019). As a result, militias are at times more active than government in terms of enacting the violence and the conflict. For example, the 2015 election violence in Burundi perpetrated by Imbonerakure militias recruited from 'unemployed youth' by the regime's CNDD party (Raleigh 2020). The graph below demonstrates the spike in activity by Non-state actors which is mainly active militias.

The state has at least in some cases contracted violence against civilians to Imbonerakure (Raleigh 2012). The graph below demonstrates the increased targeting of civilians and the state's minimal engagement, which is ironic, if the state were actively seeking peace, order, and security. Civilians and demonstrators, the prime source of opposition to Nkurunziza were also primary targets of violence.

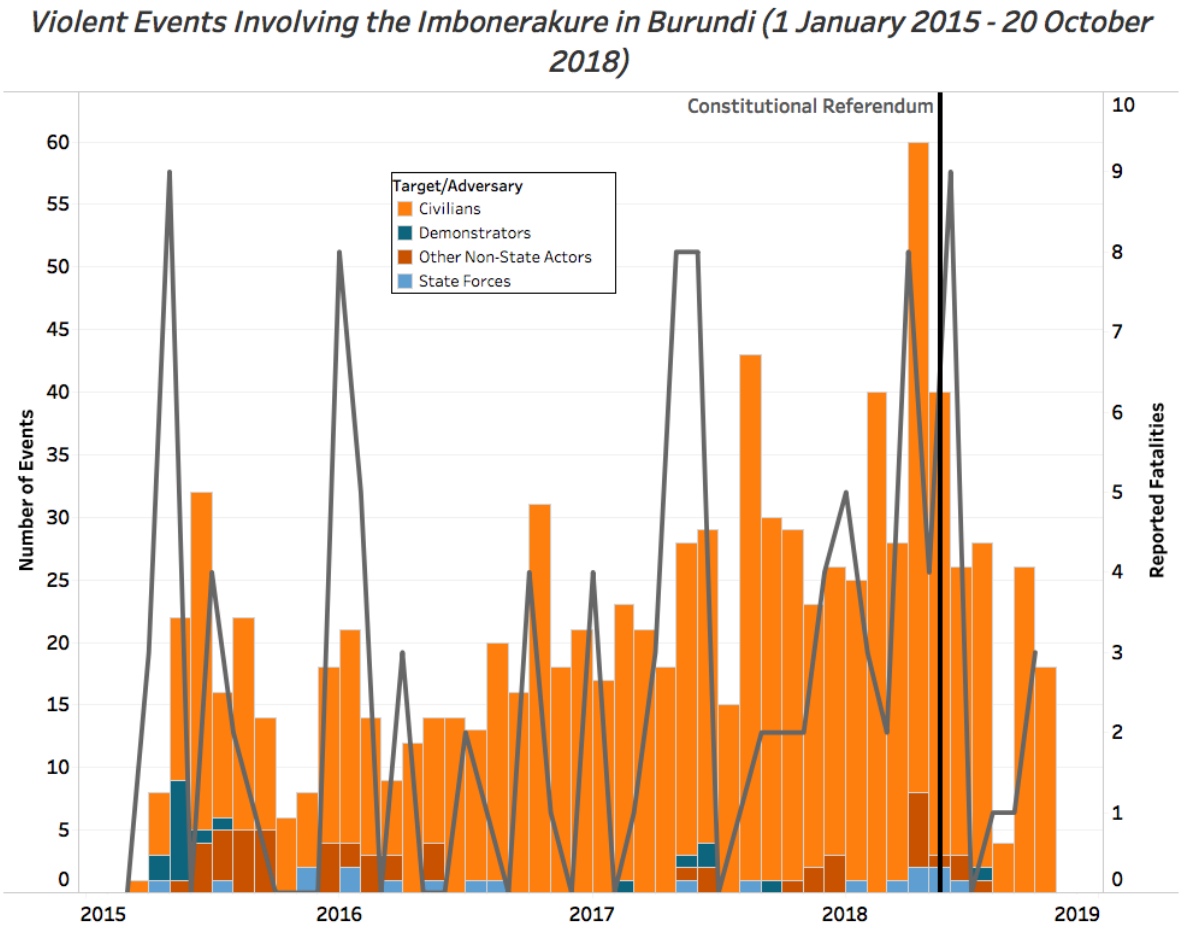


Figure 14 Graph showing Reported fatalities and the involvement of Imbonerakure in Burundi 1 January 2015- 20 October 2018. Source: ACLED (2018).

The government denies allegations that state weapons and arms are made available to this militia group and that they are receiving instructions from high-ranking officials from the National Intelligence Service. However, there is an increasing and bewildering impunity for the crimes and human rights abuses which Imbonerakure (government affiliated) members commit against civilians (UNHCR, 2018). Furthermore, those brought before the Commission of Inquiry in Burundi have not been arrested, charged, and tried for the offenses for which witnesses testifies (Human Rights Watch 2018). In Burundi, the security environment has several state and non-state actors, dominant and latent groups. Ever since 2015 violence against civilians has increased as can be seen in the figure below. More especially in 2018, there were increased battles, riots and protests by those civilians who opposed the referendum to increase Nkurunziza's term in office from 5 to 7 years and other provisions which would allow the president to remain in office until 2034 (The Guardian 2018), they were met with an upsurge of repression and violence as demonstrated in the figure below.

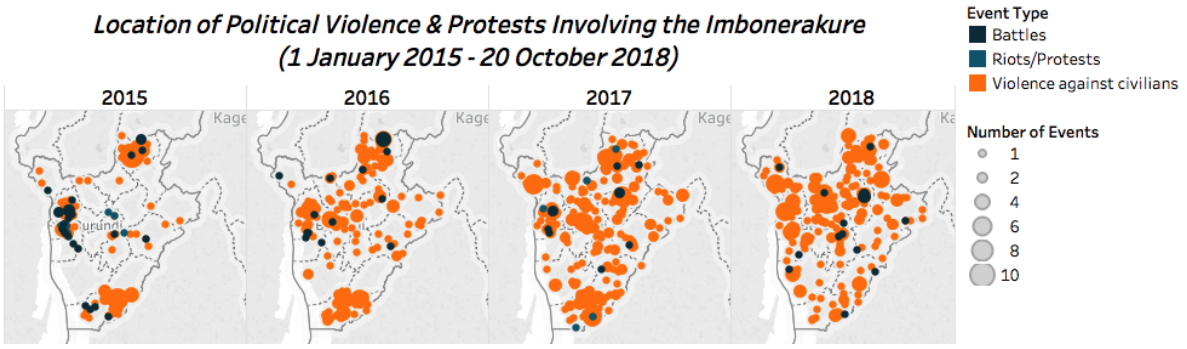


Figure 15 Map of political violence and protests involving Imbonerakure from 2015-2018. Source: ACLED (2018)

More specifically, there was coercive violence against civilians increased to achieve a 73% affirmative vote for the referendum. As visualised below, the militant wing of the CNDD-FD and vigilante militia were the most violent, followed by the military forces and the police forces to advance the agenda of Nkurunziza to legitimate his stay in power (Moody 2018).

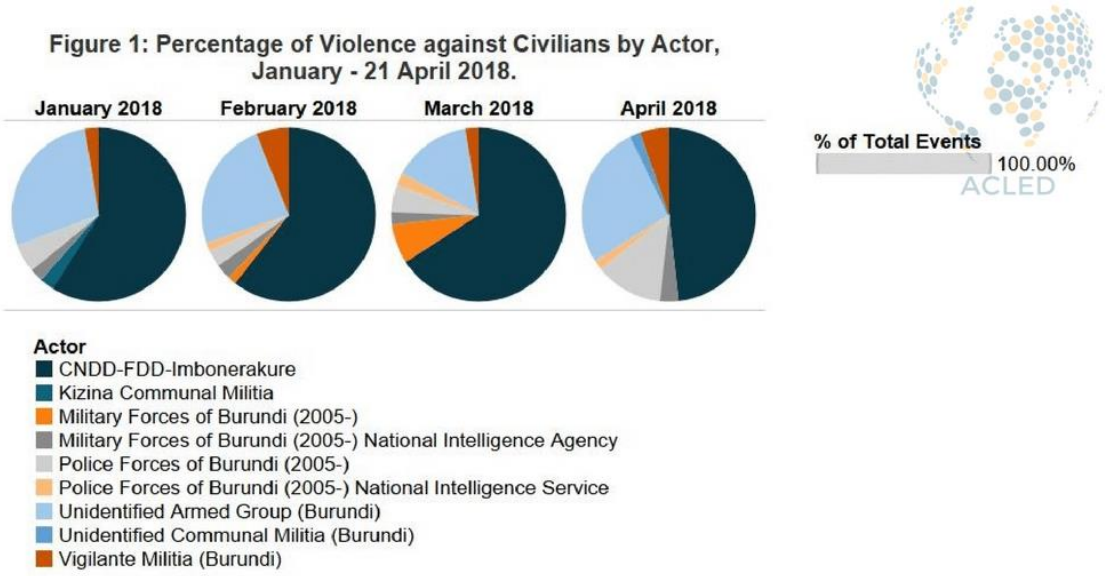


Figure 16 Pie charts showing the violence against civilians by actor in 2018, the year of the referendum. ACLED (2018), access April 2020

Burundi's case needs to be contained unless the militias and the militarisation of society to escalate to the extent of what it has in Mali. In Mali, an extensive organized criminal network operating in 2012, coupled with a serious national security crisis and active transnational political groups, generated the current Sahel crisis (Raleigh 2020). There are more than 100 militias groups operating in the Sahel region to date, which animate the crises in Sahel (Raleigh 2020). In this region militancy is a form of political activism and a source of income but this scenario should be avoided at all costs.

5.4 The extent of violence against civilians

Peaceful political and civic engagement by citizens has been on the rise in Africa, this has been mostly in response to autocratic regimes. Several African countries which are not experiencing war, have a range of disputes, non-violent crisis and violent crisis which remain isolated. However, these manifestations do not always have a powerful impact on the political structures to bring about the desired change, like in Burundi. Instead popular uprisings have been met by repression from the state, attacks by the police and excessive use of force from the state armed forces (ACLED 2016) . The state, politicians and government officials have been reported to incite violence by to placing vigilantes who attack those who oppose the rulers (ACLED 2016). The opposition has also been seen to perpetrate more instances of violence in response to the repressive state. More importantly more violence is seen around the time of the referendum for Nkurunziza to remain in office for yet another term. This provides yet another motivation for the non-government affiliated militia to be victims of more aggression at a critical time for the regime of Nkurunziza. In Burundi political engagement and affiliation are the showing themselves to be the fault lines because of the political source of the civic unrest. The Burundian conflict is a contestation between supporters and opposers of the Nkurunziza regime, it is not an ethnic conflict (ACLED 2016). It appears that the work done at the time of the Arusha Agreement to quell ethnic violence and tensions still holds together. The last political party with ethnically entrenched affiliation was neutralised in 2008, by the help of Nkurunziza.

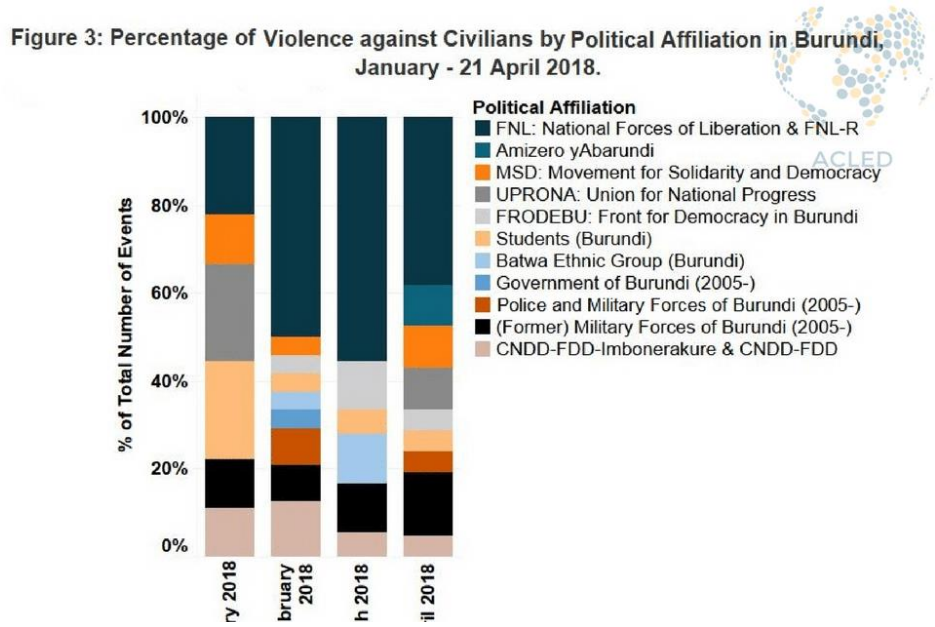


Figure 17 Bar graph showing the victimisation of Burundians according to political affiliation. Source (ACLED 2018), accessed April 2020

The peak of the conflict was in in December 2015, but it has since deescalated to targeted attacks, assassinations, torture, and intimidation of civilians more especially those who are attempting to leave the country and those who oppose the regime. The Nkurunziza regime is repressive and intolerant of external intervention or involvement. Protests have also been led against the intervention by the international community which is characterised as trying to 'invade Burundi'. Political militias are the most active perpetrators of violence against civilians as well as those of unknown affiliation who are said to be vigilantes. Whereas the opposition participate in strategic development initiatives as a means of opposition and participation in politics

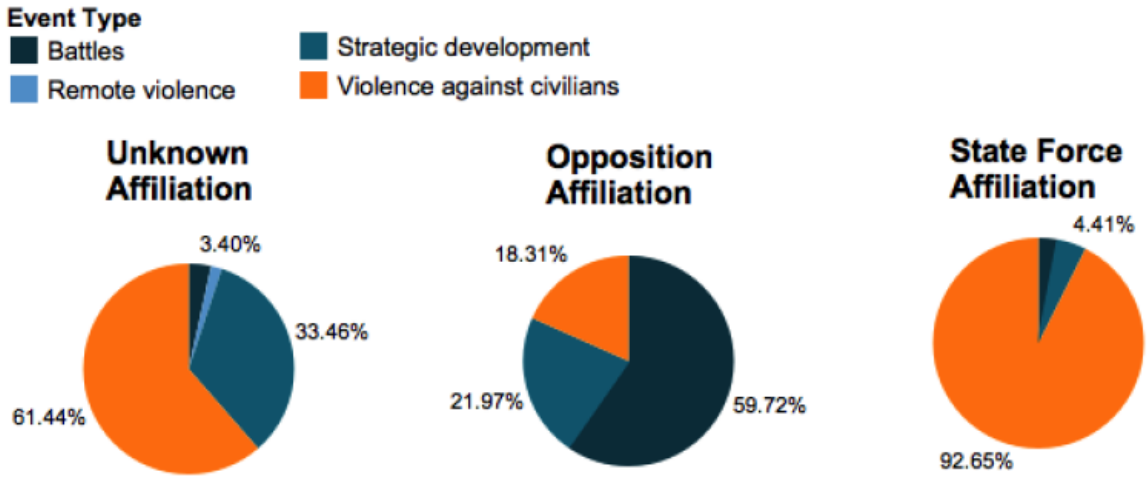


Figure 18 Event type categorised by group affiliation in Burundi 2016 (ACLED 2016), accessed April 2020

5.5 Burundi in the context of STG

After the declaration to silence the guns in Africa in 2013, violence against civilians spiked to

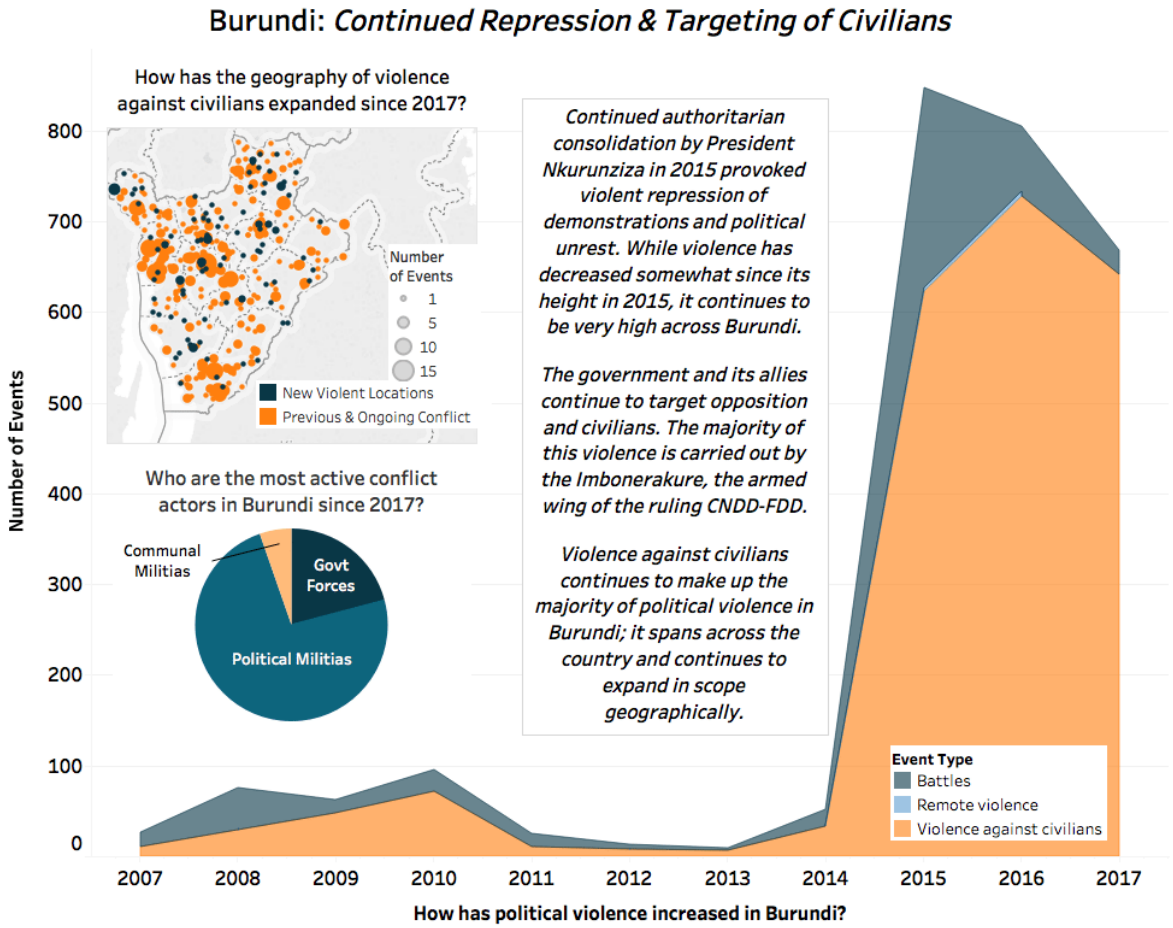


Figure 19 visualisation of the actors and the progressive increase in politically motivated violence against civilians since 2007. Source: ACLED 2018, accessed April 2020

levels that are higher than ever since the civil war in Burundi. Most of the violence is perpetrated by political militias so that the state is less visibly repressive, though government forces do have a hand in the violence. The repression and violence against civilians are more along lines of political affiliation than on ethnic lines. This shows that the previous sources of tension and conflict in Burundi were neutralised by the AU led mediation in the Arusha process. However, in terms of consolidating democracy, Burundi has fallen short as Nkurunziza has been and insists on being the only president since the consolidation of peace in 2005. The president has made strides extend his tenure by force and by seeking legal ways to legitimate his stay in office, this has brought Burundi to a state of perpetual political violence since 2015 and with no impactful intervention from the EAC, the AU and the international

community. Burundi stands to lose hard-won political peace because the AU is losing and Nkurunziza is winning this battle simply on principle: the strong principles of sovereignty, non-interference, mediation, and decision by consensus.

The AU Peace and Security framework is not weakened by the fact that conflict arose in Burundi, adding to the list of guns which need to be silenced by 2020 Burundi erupted after the declaration was made, there were already sparks of politically motivated violence against civilians in 2013, However, it is one of the cases which can be explored to highlight shortcomings of the APSA in the extremely specific case of electoral violence. If the norms of democracy and governance are consolidated on the continent and elections are regular then the African continent must overcome the risk of 'presidents for life', 'undemocratic changes to the constitution', the manipulation of state apparatus to press political opposition which have been the source of much political violence and escalation on the continent. If guns are to be silent, electoral violence, the need for election observation and a National electoral commission to supplement the constitution need to become issues of the past (Smail Chergui Press Conference 2018) . We cannot be worrying and wishing each time there is an election.

Burundi is an instance in which principles of non-interference and Responsibility should have been brought into practice by the AU. Burundi is not a failed AU mission, it is more disappoint as the AU did not deploy an intervention in Burundi, adding an example to the doubt that the AU will manage to silence the guns in Africa by 2020. Before Burundi collapsed into political violence and the militarisation of the society, the AU should have intervened pre-emptively, to prevent the escalation of the tensions. By the time the AU threatened an intervention the worst electoral and political violence of 2015 had been perpetrated. On the 17th of December, the AU threatened to forcibly deploy a military force this was an empty threat because the force had not yet been capacitated, financed, and mobilised. This was the opportunity for the AU to project the norms which it espouses instead the AU just added Burundi to the list of tensions which must be neutralised by 2020.

Chapter 6: Tension arising during era of the ‘Silencing the Guns’: Burundi

Background: the roots of the crisis

Timeline

28 August 2000	Signature of the Arusha Peace and Reconciliation Agreement (APRA).
16 November 2003	Signature of the Global Ceasefire Agreement between the transitional government and the CNDD-FDD movement.
18 March 2005	Promulgation of the new Constitution of Burundi.
26 August 2005	President Nkurunziza – indirectly elected – sworn in.
26 August 2010	President Nkurunziza – directly elected – sworn in.
February 2012	In a confidential handwritten note to the president, his spokesperson explains that as a guarantor of the Constitution the president should not aspire to a third term.
September 2013	CNDD-FDD chairman Pascal Nyabenda declares to a provincial party congress that Burundians have elected their president only once.
November 2014	In a letter to the president, most ex-FDD generals speak out against a third term.*
13 February 2015	A leaked note by SNR intelligence service head General Godefroid Niyombare (ex-FDD) warns of the consequences of a third term. Five days later, Niyombare is dismissed as head of the SNR.**
6 March 2015	The Conference of Catholic Bishops speaks out against a third term.
13 March 2015	A UN Security Council mission visits Burundi.
20 March 2015	In an open letter, 17 high-ranking CNDD-FDD cadres speak out against a third term. The letter is followed by a purge of party dissidents.
25 April 2015	The CNDD-FDD nominates Nkurunziza as its presidential candidate.
26 April 2015	Start of the anti-third-term protests in Bujumbura.
27 April 2015	CNDD-FDD senators petition the Constitutional Court for an interpretation of articles 96 and 302 of the Constitution.
4 May 2015	The Constitutional Court rules in favour of Nkurunziza’s third term.
13 May 2015	EAC Summit on Burundi and failed coup d’état attempt by General Niyombare.***
31 May 2015	Second EAC Summit on Burundi.
21 July 2015	Presidential election.
20 August 2015	President Nkurunziza – directly elected – sworn in.

* In accordance with the military power-sharing arrangement of November 2003, Burundi’s security forces are composed of former rebels (referred to as ex-FDD) and former members of the government army (or ex-FAB). Nkurunziza’s closest aides, ex-FDD generals Adolphe Nshimirimana and Alain Guillaume Bunyoni, did not sign the letter.

** SNR = Service National de Renseignements

*** EAC = East African Community.

Figure 20 Timeline of events in Burundi. Source: Vandeginste 2016

Burundi can be characterised as having pre-election and post-election crises. Since the elections in 2010, there has been a sense of angst regarding Nkurunziza’s term in office and the leadership of the CNDD-FDD. In 2012, opposition politicians still referred to the Arusha Peace and Reconciliation Agreement (APRA) as an institution which provides for the norm of presidential term limits, such that Nkurunziza would be reproached for taking up a third term in office (Vandeginste 2016). In 2013, the leadership of the CNDD-FDD, tabled in parliament, amendments to the constitution in

direct opposition to Arusha, the continentally mediated peace agreement. In 2014, members of parliament aired their suspicion of CNDD-FDD's desire to obtain full control over parliament after the elections in 2015. By 2015 "Stop the 3rd term" campaign was launched by civil society organisation (Vandeginste 2016). A fall-out ensued about the constitutional ambiguity about third terms. Alongside the opposition to the third term Nkurunziza launched an intimidation campaign. Those who opposed his third term within the CNDD-FDD were not put on the proposed party lists for election. In March 2015, 7 senior party officials had been expelled from the party and dismissed from their jobs in government.

6.1 Amendments to the constitution by referendum

While not every Burundian supported the coup d'état, it seemed like the only option to minimise the chance of Nkurunziza's extended stay in power. However, contrary to popular opinion, the Constitutional Court made a ruling that a third term is acceptable for two reasons. Technically the first term in office did not count as the president was appointed by an indirect vote whereas the constitution stipulates that presidents may remain in office for two terms based on a direct appointment by electoral vote, this is the first reason. Secondly, the constitution cannot overturn decisions made by the electoral commission which has already validated the president's candidature.

Within the region, there was no unity in terms of support of the third term, His Excellency Paul Kagame did not support Nkurunziza but had to condemn the coup d'état and call for a return to constitutional order in Burundi. However, President Kikwete of Tanzania boycotted the meeting of the EAC in solidarity with the third term. Challenges to his third term came in the form of Internationally, Belgium, France, the US, and the UN discouraged Nkurunziza from running for a third term and they

withdrew their aid. Belgium categorically stated in the bilateral meeting with Burundi that it will not recognise the outcome of Burundian legislative or presidential elections as many Burundians abstained from voting. On election day, there were grenade attacks. Despite the opposition president Nkurunziza secured a third term and the crisis in Burundi escalated.

6.2 The region and the AU: a hypocritical environment

The Great Lakes region has a mixed record of intervention by the AU of vigorously supporting democracy, governance, and elections as per the provisions of its norms and institutions .In Burkina Faso, during October 2014, there was the successful coup d'état of Compaoré. The AU was highly involved in the process of restoring peace and order in the country. This successful coup d'état was a precursor to the attempted coup d'état in Burundi in May 2015. It also put Burundi on the agenda as meriting as hands-on approach to restore peace and order as the AU has done before in the country and in the recent case of Burkina Faso.

6.3 The growing trend of ‘third termism’

Notably during the years 2011- 2017 several African leaders made attempts to amend the constitution for a longer term in power, such as Guinea-Conakry (2011), Mali (2012), Egypt (2013) and the record reflects a response by the AU in the form of targeted sanctions and suspension of membership of these states from all AU organisations and activities (Hengari 2015). The figure below demonstrates that extended stay in power in Africa.

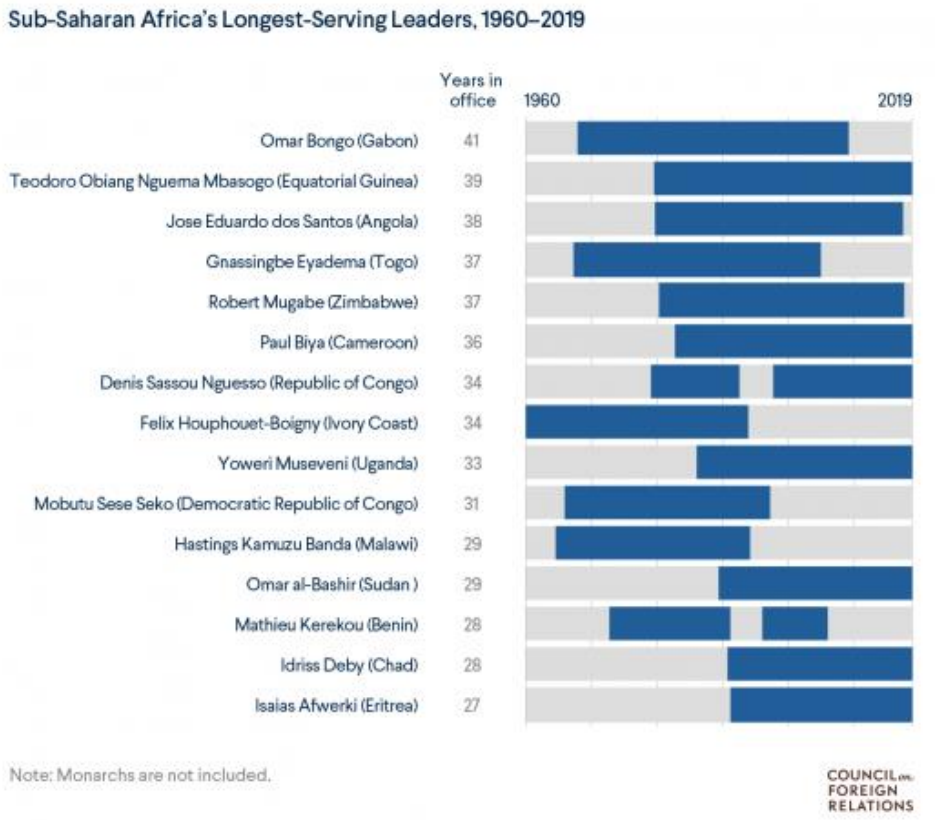


Figure 21 Graph of Sub-Saharan Africa's longest serving presidents , 1960 to 2019. Source: Feller (2019)

Some countries have never introduced term limits such as Lesotho, Gambia, Morocco and even the country of the AU headquarters Ethiopia (Hendricks and Kiven, 2018). Burkina Faso is not the only one to have a leader make a failed attempt to amend, abolish or ignore the constitutional term limit as demonstrated in the graph Togo,

Gabon, Chad, Cameroon, Djibouti, Sudan, and Eritrea have some of the longest standing presidents on the continent and in the world. In 2012 once the AU charter on Democracy, Governance and Elections was ratified, unconstitutional changes of government and undemocratic amendments to the constitution are rejected in article 23 (2). However, there is no stipulation about presidential term limits. Even by the time when this institution came about most of the current presidents for life had already abolished or ignored presidential limits.

Furthermore, African leaders have provided several reasons for extending their stay in power. Firstly, former president Mugabe remarked that presidential limits are imposed and targeted towards Africans by external actors. In other words, the choice of a president and his stay is a domestic issue concerning only domestic actors. Secondly, term limits may detract from the choice of the people and the right of people to stand as presidential candidates. Thirdly, the president may be able to keep the country united, create and maintain peace and stability. For example, in Rwanda, President Paul Kagame was voted into his third term 70% of the vote and Rwanda remains relatively peaceful and stable. Lastly, African leaders have indicated that presidential limits take away from the time that the leaders require to deliver on their mandate and their vision for development. Therefore, for these reasons, leaders would extend their tenure for more time. In West Africa, however, ECOWAS has enforced a limit of two terms per president as of May 2015 because of the experience of political instability which resulted in the Gambia and Togo without the term limit (Hengari 2015).

However, the AU did not respond as expected in the year 2015 with regards to presidents seeking to overstay the constitutionally permissible term in office. During this year Rwanda, Benin, DRC, and the Republic of Congo have mooted changes to the constitution to enable the leader to remain in power like the case of Burundi. In

Burundi, President Nkurunziza went to the extent of finding a legal loophole, a point of ambiguity within the constitution to form the basis of a legitimate and legal third term available to President Nkurunziza. He proceeded in a manner such that his third term could not be overturned even by the constitutional court. But it remains across all three different instances that electoral controversy and tension have the potential to cause instability and domestic violence have a perverse impact on regional stability, especially under the undemocratic, authoritarian, or military rule.

6.4 A struggle between principles and practice

This trend of extending terms in power and constitutional revisions threatens the democratic gains and peace that African countries have made. The tendency is not opposed by consistent counteractive response by the AU. As a result, eleven African Countries have presidents who have served upwards of 30 years, there are other budding presidents for life and Africa is on a slippery slope losing democratic gains and falling into authoritarianism. This is the case even though the AU provides in Articles 2-22 of the Constitutive act (AU 2000), that a coup d'état is no longer a viable or acceptable course of change of government.

The case of Burkina Faso includes collective action regionally, continentally, and internationally against the unconstitutional overthrow of government, the AU suspended Burkina Faso from all its institutions. In Burundi early signs of overstay could have been nipped in the bud early on. But as with many cases in Africa, the AU does not intervene swiftly and proactively thus presidents for life are left to their own devices. There seems to be little appetite operationalise the institution of presidential term limits in the AU and as a matter of foreign policy of the AU member states (Hengari 2015).

In practice perhaps it is a constitutional issue beyond the purview of the AU and under the jurisdiction of each of the sovereign states. According to Murithi, the AU PSC does not have the culture of proactive crisis prevention (2012). The regional structures have proven to be more effective instruments of conflict prevention and to diagnose situations, the AU is increasingly reliant on them (Schnabel and Carment 2003). As a matter of preventive diplomacy, the leading democracies on the continent should intervene (Hengari 2015). The AU is very reliant on the commitment and support of AU member states (ACCORD 2014). For example, South Africa was vocal, but it seemed like the only one willing to take a stand: both presidents Zuma and Ramaphosa discouraged the third term for president Nkurunziza as well as Dr Nkosazana Dlamini-Zuma as the AUC chairperson.

The AU 25th Summit in January 2015, did not discuss the case of Burundi, in the address of former president Robert Mugabe, he rejected the notion of presidential term limits as a concept imposed on Africans by western, external actors (ISS n. d). The elephant in the room at this summit was presidential term limits, DRC, Republic of Congo, and Rwanda were facing the same threat to domestic insecurity. However, this was overshadowed by the case of Omar Al Bashir of Sudan and the failure of South Africa to carry out the arrest warrant for him issued by the International Criminal Court. Former president Al Bashir had also been in power for 26 years. 2015 could have been an opportune watershed moment for the AU to exhibit and demonstrate its values of democracy, governance, and elections. Though these norms are documented in the norms and institutions of the AU, the practice and enforcement of these ideals is not observed at the highest level, as the AU chairperson himself was clung onto power, manipulated democratic instruments to posit him in power for 30 years. Even with the appointment of President Museveni to mediate the conflict in Burundi and as a

representative of the AU, he has been in power for 34 years. Clearly, His Excellency himself is not convinced of the enforcement of presidential limits and even the intervention of the AU in a sovereign state's domestic affairs hence he made little progress.

On the 25th of April 2015 Burundians protested after the announcement by former president Nkurunziza seeking a 3rd term. A nationwide debate ensued about the constitutionality of the 3rd term; it was a blatant violation of the Arusha peace agreement. Furthermore, then chairperson of the AUC, Dr Nkosazana Dlamini-Zuma, challenged the legitimacy of former president Nkurunziza's 3rd term. However, the AU condemned the coup attempt in May 2015 based on the 'African Charter on Democracy, Elections and Governance instead of castigating the regime's ability to engage in a 'constitutional coup' to maintain the stay of former president Nkurunziza in power. The AU did not have enough information and grounds to intervene, there was also a lack of systemic public reporting as Nkurunziza threatened and acted against all those who opposed him. The African Commission on Human and Peoples rights conducted a fact-finding mission from the 7-13th of December 2015. However, the findings of this inquiry were only published in 2016, whilst the tension and crisis escalated. By 17th December of 2015 there was an AU PSC Communiqué (section 13), to the effect that 5000 peacekeeping troops were to be deployed. However, deployment is subject to approval and acceptance of the Burundian government as a receiving country, which was not given ultimately. Since the AU did not have a MOU with Burundi, it could not monitor or make an informed decision to intervene.

The AU's various actions seem to cohere to one principle, subsidiarity. Initially the AU relied on the EAC, based on the principle of subsidiarity in which the most local and those with the most vested interest should intervene first. To this extent, the Ugandan

president Museveni was a regionally appointed mediator. This was the ironic appointment of the leader as he has remained in power for more than 30 years. The EAC had its own political and ideological battles. At an AU level a representative was appointed to maintain communication between the CNSS-FDD government and the AU, 3 weeks after the coup attempt. The Au has multiple layers of actors and interests to negotiate which impact the response that it gives to any given crises.

Burundi is an example of the testing of the respective principles of the OAU and the AU of 'non-intervention' and 'non-indifference' (Jones et al 2019). The former privileges state sovereignty through which states are protected from external intervention in domestic affairs. Under the auspices of this principle, there were more civil conflicts in Africa large scale violence extremism, genocide, gender-based violence, human rights abuses, injustice, militarisation of civilians and massive displacement of persons fleeing from war were prolific. The OAU had as little as six interventions in the member states affairs. However, the latter principle privileges intervention by the AU, continental and regional intervention and it forms part of the mandate of the AU to intervene under specific circumstances. Burundi is exemplary of the poor institutionalisation and low implementability of the latter principle and the preference for the former principle among member states.

6.5 AU involvement in Burundi

Date	Action
15 March 2015	AU PSC first meeting on Burundi following CEWS reports

28 April 2015	PSC urged Au Burundian stakeholders to respect decision of the Constitutional Court
14 May 2015	PSC endorse EAC Summit decision for the postponement of elections and the cessation of violence
31 May 2015	EAC Extraordinary meeting: elections must be postponed by at least 6 weeks.
13 June 2015	PSC Summit decision: immediate deployment of Human rights observers (100) and military experts (100)
6 July 2015	EAC Summit :Request for postponement of presidential elections until 31 July to allow for Museveni to lead the negotiations
9 July 2015	PSC support Museveni as the appointed mediator
6 August 2015	PSC 531st meeting took note of r the legislative and presidential elections that took place and endorsed the EAC's recommendation for an inclusive dialogue and the formation of a Government of National Unity.
17 October 2015	PSC decision to impose targeted sanctions and travel bans against

	Burundians and the PSC called upon the East African Standby Force to finalise plans for deployment (AU 2015a par 12)
7-13 December	Fact Finding mission
17 December 2015	AU Communique of the possibility of forcible deployment of MAPROBU and deployment of 5000 peacekeepers in the event of non-approval by the Government of Burundi (AU 2015c:3)
29 January 2016	PSC Summit at the level of Heads of State and Government: no longer support the deployment of peacekeepers (AU 2016a par 11)
July 2016	Report from AC

Table 2 Chronological tabulation of the involvement of the AU in Burundi

6.6 Unexpected turn of events

In May of 2014, the Chairperson of the AUC, Dr Nkosazana Dlamini-Zuma, received the Minister of External Relations and International Cooperation of the Republic of Burundi, Mr. Laurent Kavakuré. The Minister conveyed a message from President Pierre Nkurunziza regarding the situation in Burundi and the ongoing efforts to hold free, fair, and peaceful elections in 2015. This minister invited the AU to monitor their elections. Throughout 2015 the Chairperson and other AU representatives could conduct their initiatives and intervention in Burundi. Until the moved from the position of requesting permission from the government of Burundi to intervene to when the AU issued a threat of forceful deployment of MAPROBU, a cohort of peacekeepers and

military experts formed for this crisis. The threat of forceful entry and the deadline of 96 hours issued by the AU PSC lead to Burundi closing the door on any AU intervention. The President responded negatively, by stating that he would consider such a deployment as an invasion of Burundi and will react defensively against the forces. Even though the mandate of MAPROBU was to protect civilians, disarm militia, seize of illegal arms, and protect of Burundi's borders from infiltration by any foreign militia, it was not welcomed by the government of Burundi. The Inter-Burundian Dialogue has been disrupted by the escalation of violence and the refusal of President Nkurunziza to negotiate with the non-government affiliated militias and armed groups. The relationship between the AU and Burundi, took a turn for the worst. The PSC decision is described as a 'miscalculation and a misstep' (International Crisis Group 2016).

Shortcomings of PSC working practices were exposed in the case of Burundi. Unlike the UN Security Council, whose members draft resolutions, with one leading and consulting in varying degrees, the AUC mostly writes PSC communiqués, typically with little or no input from members. The PSC meetings hardly have enough time to frequently leave scant time discuss the content of communiqués. There is also no chance to work the consequences and the implications of deliberations into the final text. As a result, there is hardly any buy-in from the PSC member states for its own communiqués. The 17 December communiqué was no exception (International Crisis Group 2016). Yet the expectation, without due diligence, behind the communiqué was that troop sending countries, international partners with the means and the resources would report with the corresponding impetus. However, these actors were more cautious and conservative.

6.7 Emphasis on dialogue and consensus building: less confrontational approach to intervene

From the 25th to the 27th of March 2015, the AUC Chairperson Dlamini Zuma visited Burundi. To meet with government officials and President Nkurunziza, officials from the National Independent Electoral Commission, members of civil society, political parties, and religious leaders. By the end of this visit the Chairperson urged that all the stakeholders in Burundi try to adhere to the constitution, the Arusha Agreement and the regulations provided by the electoral commission and that the tension concerning the contentious issues of the election, be quelled through dialogue (AU 2015). In April 2015, the AUC Chairperson Dr Dlamini-Zuma, encouraged peaceful protest and non-violent demonstrations and the use of acceptable means of accessing redress for their grievances (AU 2015). On the 29th of April 2015, the Chairperson echoed the statement of the PSC which condemned the violent attacks on citizens and called for the urgent disarmament of militias and armed groups (AU 2015). Also considering the Burundi was at a critical juncture, if it were not to reinstate the rule of law, peace, and security, it stands to lose some of the gains made by the Arusha Agreement. Hence, since May 2015, there was the deployment of AU High-Level delegation, comprising former Togolese Prime Minister Edem Kodjo and Professor Ibrahima Fall of Senegal, which would facilitate the dialogue among Burundian stakeholders. The delegation met with President Pierre Nkurunziza, Foreign Minister Laurent Kavakure, and other Government officials, as well as with representatives of political parties and civil society organizations. It urged stakeholders to bring an end to acts of violence and intimidation. This would be necessary to facilitate the ongoing regional efforts to create the conditions required for the holding of free, fair, transparent, peaceful, and inclusive elections. Members of the international community such as representatives from the

United States of America, the European Union, Belgium, Germany, and United Kingdom, supported the AUC Chairpersons effort and engagement to quell the crisis in Burundi. However, only a few months later in August, the same Chairperson had to express her horror and their condolences for the assassination of the head of the Burundian National Intelligence Services, General Adolphe Nshimirimana, and his bodyguards (AUC 2017). The conflict is escalating, the AUC is issuing statements, pleading with the actors in the Burundian conflict to be non-violent, with no way of enforcing such a request.

On the 18th of May 2016, the AU ECOSOCC, condemned the attempted coup d'état as an 'unconstitutional and undemocratic attempt to change government and it also deplored the violence against civilians, civil society, civil servants, the media and public institutions. "We urge all political sides in Burundi to show restraint, end violence, embrace national dialogue and take all possible actions to restore constitutional order, rule of law, peace and stability while ensuring that the human rights of all Burundians are respected and protected […] The people of Burundi must be allowed to elect democratic, legitimate and constitutional government through inclusive, credible and transparent elections, held in a conducive environment," said Honourable Joseph Chilengi, Presiding Officer of ECOSOCC. On the 20th of November 2017, the AU hosted a regional advocacy meeting to promote ratification of the African Charter on the Values and Principles of Decentralization, Local Governance, and local Development for the Central Africa Region. The meeting was held Bujumbura, Burundi to discuss issues and develop a consensus for a plan of action to raise awareness on the importance of the ratification of this charter. The central African region is plagued with political instability and crisis, this meeting comprised of representative from DRC, Chad, CAR, Gabon, Republic of Congo, and

Gabon. By December 2018, the Charter was ratified, it remains to be seen whether this has a positive impact the strength and stability of governance.

On the 1st of December 2018, the Chairperson of the AUC, Moussa Faki Mahamat, commended President Museveni as a Mediator among the stakeholders of the conflict in Burundi and former president Mkapa as the facilitator of the Inter-Burundian Dialogue (AUC Statement 2018). The Chairperson notes the unfortunate circumstance that there is a stalemate in the dialogue but, he also recognises the need for all Burundian stakeholders to resist to take any political or judicial action which may aggravate the situation such that a resolution to the conflict cannot be found and a roadmap to peaceful and credible elections can be drawn (AUC 2018). The AUC, through this statement is commending the regional actors' efforts in the Burundian crisis. The AUC assumes that elections in 2020 are foreseeable and necessary?

6.8 AU: middleman, RECs and international partners fit the bill and do the work

The Chairperson of the Commission reiterates the AU's commitment, in close cooperation with the EAC and the United Nations, and with the support of other international partners, to continue to do everything in its power to contribute to the promotion of lasting peace, security, democracy and stability in Burundi. She expresses her appreciation to the high-level AU mission, led by Mr. Edem Kodjo and comprising Professor Ibrahima Fall, which is currently in Bujumbura, and urges all the Burundian stakeholders to continue to extend unreserved cooperation to the mission.(April 2017). Since 2016, the Secretary General of the EAC has been a Burundian diplomat Libérat Mfumumelo. It would be hypocritical for this official to speak against his own government in an international forum. It would also be unwise

as there is a high mortality rate for Nkurunziza opposition. As a result, the EAC was compromised. Furthermore, on many occasions, the Burundian government has proven that it can resist international pressure.

7. Chapter 7: AU conflict intervention landscape and record

Africa has a heterogenous conflict situation which varies across the continent. There are protracted wars, border disputes, eruptions of violent extremism, terrorism, insurgency, and electoral violence. The process and intervention of African conflict prevention, mediation and resolution varies according to the context, conditions, and the experience of the actors. The progress in the effort to silence the guns and expedite existing efforts is heterogenous. Progress has been made such as the resolution of the long-standing territorial dispute between Eritrea and Ethiopia, the PSC mediated peace agreements in Kenya and Somalia.. However, fighting is still observable in Libya, South Sudan, Central African Republic (CAR), eastern Democratic Republic of Congo (DRC), parts of the Lake Chad basin such as Nigeria and Cameroon, Sahel, parts of the Horn of Africa and Eastern Africa. Furthermore, there are also tensions (potential conflicts) which the AU has not yet included on its agenda. For example, election violence in Mozambique, the potential election violence and protests which may result in unconstitutional change in government or incumbents extending term limits to remain in power in CAR, Somalia, Guinea Bissau, Algeria, Togo, Burundi, Guinea, Cameroon and Cote d'Ivoire, Egypt, and Uganda. A report about the AU PSC by ISS suggests that it is doubtful that the conflict situation in Africa will change in the year 2020.

Though continental peace and security have not yet been consolidated, in some place's guns have been silenced. The direct impact of the declaration of the progress of conflict resolution and prevention on the continent is not measurable. More

especially because of many of the ad hoc processes which are utilised to while intervening which may not be attributable to the declaration. The interest of this study is the latter point, the difference between rhetoric or policy and the action or the actual intervention which results in a lack of fulfilment of promises or objectives set out by the organisation. In terms of the general conflict situation in Africa there are some hopeful and some disappointing scenario's but hardly a sense that the conflict situation would change drastically enough for the vision for 2020 to be achieved.

7.2 APSA

APSA is the framework developed by the AU to promote peace and security on the continent, it is perceived as one of the most extensive frameworks for cooperative intervention for peace and security (ECDPM 2017), it includes, AU members, AU organs, RECs, and non-African partners. It plays the role of legitimating institution and coordinating body. It has a decision-making body- the PSC, it has an analysis centre in the form of the Continental Early Warning System (CEWS), a military capacity in the form of the African Standby Force (ASF) and a military staff committee and an external mediation and advisory body in the form of Panel of the Wise (PanWise). There is no other continental framework like its kind which has strong instruments and mandates (APSA Impact report 2016). It requires synergy among these actors. It also embodies the principle of subsidiarity and aims to make the peace and security effort as a matter of delegation and the division on labour. The AU has MOUs with each other RECs to preside over the division of labour and the legitimate role of the actors concerned (ISS 2018). APSA is set up to drive the longstanding AU and international actors' effort to end conflict in Africa but driving a results-oriented approach using APSA instruments. APSA instruments have objectives which are measurable with indicators, milestones,

and timelines such that stakeholders can track progress. However, in practice it can be found APSA related interventions are more ‘crisis responses’ than pre-planned preventive interventions. The lack of investment of resources into the APSA framework causes difficulty in prevention.

7.3 Tensions between policy and practice

Notably, the AUs policies and protocol are the benchmark for continent peace and security legal frameworks, and they are made according to ‘best practice’ (ECDPM 2017).There are three types of conflictual contexts in Africa: single country contexts such as Somalia and Lesotho; regional conflicts such as Boko Haram in the Lake Chad Region, insurgency in Maghreb, Mali and Algeria are embroiled therein, Northern Uganda, CAR and Mali are faced with the persistence and proliferation of the Lord’s Resistance Army in the sub-region; political unrest and instability involving mediation and sanctions such as Sudan and Burundi (ECDPM 2017). No matter what the political context of a conflict, all conflicts in Africa merit an intervention from its surrounding region as the first and central point of intervention.

Lesotho experienced a government and military crisis since 2014, they received mediation from South Africa and from SADC (ECDPM 2017). Through the regional early warning system, the tensions were detected before the situation escalated into civil war. The region was instrumental by threatening to expel Lesotho from SADC and mandated a preventive mission in the Kingdom of Lesotho. As per the recommendation of the intervenors, a commission of inquiry was held, and a military oversight committee was, election observation and mediation took place and National legislative reform authority was formed in 2019. Though it is unlikely that SADC will meet the deadline, the reforms set to be concluded by May 2020. By comparison to

the rest of the continent, Lesotho has experienced a minor peace operation, the intervention did not extend beyond the region. In 2018, Lesotho was still experiencing political instability (Louw-Vaudran 2018). By January 2020, the situation was no better, the situation still points to political instability (Southall 2020).

Somalia on the other hand has been characterised as a ‘never-ending peace mission’ which extended beyond regional-level intervention to continental and international. At this point Somali political elites need to assume ownership over the peace, political stability, and developmental issues which the country is facing. AMISOM, is mostly dependent on external funding however, the UN and EU more especially are experiencing budgetary pressures, in other words Somalians and the AU cannot rely on external support for much longer. There is an urgent need for an exit strategy and hand-over to Somali authorities. The crisis in Somalia has grown to be the most expensive peace operation on the continent. These demonstrate the variety of scale and duration of interventions.

Mali is another example of regional intervention in which ECOWAS took it upon itself to try to restore constitutional order after the coup d’état in 2012. The special force that was formed to quell the rebellion was called the Multidimensional Mission in Mali (MICEMA). The region was torn, some countries refused to send troops, but the deployment was largely based on external funding. Both the AU and ECOWAS struggled to give a mandate to this organisation. Thus, the intervenors on the ground had to improvise even though there is a litany of policy which was available to inform a specific intervention. Mali was faced with an intractable combination of a military coup, separationist insurgency and terrorist insurgency in the region. ECOWAS and the AU were preoccupied with mobilising funding. In the absence of an intervention in Mali, spill over into the region resulted which also led to the multiplication of the need

for peace operations. In 2017, five Sahelian states received a mandate from the AU. From the front of external funding, Britain and the US were reluctant to fund the support package of the UN to fund their own initiative MIMSMA.

In the Lake Chad Basin, the issue is to find the perfect fit, the type of organisation which would be able to deal with Boko Haram. In 2015 the AU issued a mandate to deploy a joint task force. However, this task force had little military experience and no experience of operating as a regional, integrated force. As a result, the members of the task force simply acted from within their own national territories.

7.4 Deployment, Sanctions, Mediation Peace, and support Operations

Although APSA aims to use a holistic approach there is no clear prioritisation of issues and hierarchy and checks of power in the chain of command more specifically in AU peacebuilding. The APSA is mainly comprises of norms and institutions which provide a legal framework and mandate for each of the relevant organisations. But the APSA faces issues and challenges to deployment for the realisation of peace.

Firstly, there is the presence of ‘peace-spoilers’ as member states. There are Heads of State and government within AU which are instigators of political tension, trouble and disorder in African countries who have no incentive to participate or respond positively to the appeals made by other member states. However, some of the most influential states in the AU such as South Africa, Nigeria, Kenya, Ethiopia, and Libya (during the Gaddafi era) have played an important and positive role as exemplary states. For example, Ethiopia and Kenya are the highest troop sending countries in Somalia. Nigeria is instrumental in the safeguarding of security in the ECOWAS region. South Africa has also been an important mediator and facilitator in conflicts

across the continent as well as sending troops to countries affected by conflict. Gaddafi would pay contributions on behalf of member states who could not afford to.

Secondly, conflicts have unique contexts, and they evolve. Therefore, they need an adaptive and context specific response. This requires a profound understanding of the conflict and the actors involved. As a result, the policies and protocols address the intervention mandate with broad strokes then a specific force must be formed in response. The latter portion requires supplementary resources for the deployment of a specialised task force. This poses a challenge because APSA structures are already poorly resourced, and they lack discretionary, quickly dispersible funding for emergency or speciality interventions.

Thirdly, the APSA relies on a multi-organisation, multi-partner, multi-level consortium for strength and support. H.E Moussa Faki Mahamat mentioned two issues concerning the multilateral approach of the AU. Firstly, at the 30th Ordinary Session that 'multilateralism is in serious decline: evidenced by the multiplication of unilateral measures that have potential to dangerously weaken the capacity of the international community to respond effectively to the complex challenges that the continent faces '. This would mean that the AU has a challenge of mobilising collective action from all its actors who are increasingly inward looking. The AU has a touch and go. Secondly, at the 36th AUC Ordinary Session of the Executive Council said that the year 2020 is 'hinged on partnerships' (AU 2020). The immediate environment of any crisis in the ambit of the AU through the principle of subsidiary is the REC, these organisations and their structures are also poorly resourced. Which means that the APSA stands on a foundation which is not yet strong enough to successfully fulfil its mandate. Lastly the legacy of colonialism and the experience of interventions by non-Africans has demonstrated itself in the aversion of Africans towards non-African intervenors. As a

result, African countries need to mobilise troop to be able to deploy. The trend has been a meagre, insufficient deployment of troops or none.

The AU does not sequence an intervention as a result, there are long drawn-out peace support operations which depend on a limited number of donors who may grow fatigued or impatient with the lack of progress. To use the example of the African Peace Support Mission in Somalia (AMISOM) which has been in operation for over 20 years based on the help of specific donors. It also employs structures which are not completely matured or at full capacity. Instead, there are hybrid missions in partnership with the UN and others. The dependence of on external partners for funding compromise the uniqueness and the ownership, as such the AU must pontificate that it still owns hybrid missions and that the partners still channel their resources though the AU or sub-regional structures. It goes against an African proverb which idealised self-reliance, 'borrowed waters do not quench one's thirst' and the African Renaissance principle of African Solutions to African problems. As a post-colonial society which aims to rid itself of western influence, the reality of post-coloniality is that Africa is still struggling for independence. Even the dependence on the UN, which is the most inclusive global organisation, it can be a conduit of imperial design as dominant powers include everyone only to have a 'final say' which supersedes all voices which emanate from the general assembly, the P5 of the UNSC. More specific to the AU, if the EU or the UN do not provide the funding, then the AU initiative risks failure unless Africans mobilise their own funding. For example, in 2016 the EU has decreased the funding to AMISOM by 1/5 which directly impacts the income of the soldier's incomes. This dependence not only weakness AU autonomy and self-determination but exposes it to the risk of financial crisis.

Furthermore, the AU weakens itself by being a devise of the Heads of state, operating with their permission and willingness, with limited engagement of the polity, Civil Society Organisations at a macro level.

The APSA shows signs of potential institutional weakness in which, ratification, implementation and enforcement of its institutions, policies and projects is low or there exists a broad de facto discretion with regards to their application. Furthermore, the durability and impetus behind their institutions is limited to political will and preferences of member states, there does not seem to be an incentive for compliance such that sanctions for non-compliance do not have the intended efficacy. Institutional or systematic non-compliance and non-enforcement can be an important source of institutional weakness. More peace agreements and political settlements were reached in the late 90s to mid-2000s. For example in the region of central Africa, there had to be a workshop which would encourage the ratification and implementation of the African Charter on Democracy, Governance and Elections, to date only 30 states have ratified it, 45 have signed it but this does not mean that this policy is being enforce.

7.5 The paradoxes in AU Finance

Even in the days of the OAU and now the AU have a challenge of securing total contributions from the member states (Engel 2015). African Solutions to African Problems is a maxim which has been used in the AU, the AU needs to be a self-funding organisation for this maxim to have traction. Africans cannot rise to higher levels of responsibility, autonomy, and ownership without the budgetary support. AU members contribute only to 25% of AU peace and security efforts, the remaining 75% comes from UN assessed contributions, the EU, France, Germany, Norway,

Netherlands, Sweden, UK, China, Russia, and US (ECDPM 2017). However, the African governments have made a commitment to finance 75% of the Programme budget and 25% of Peace Support Operations (Pharatlhatlhe and Vanheukelom 2019). It took the withdrawal of a percentage of EU funds to AMISOM for the AU to realise that financial self-sufficiency is essential, more especially because the AU performs the worst in terms of financing programmes.

Kagame presented to the leadership of the AU that of the 1500 resolutions which the organisation has issued there is no clear way to trace and track their implementation, 'there is a lack of accountability for performance at all levels…limited managerial capacity… and inefficient ways of working in the AU AHSG and the AUC" (AU 2017). There is also poor publicly available documentation of AU budgets (Engel 2015), external audits of the AUC have indicated that the accounting system of the organ is substandard (AU Council 2003) until in 2010, when the AU instituted stricter financial controls (Engel 2015). However, as the bulk of the finances have external sources there has been a widespread misappropriation of finances. Perhaps the lack of controls creates a perverse incentive, an environment conducive to mismanagement (Engel 2015). Without significant African investment, the AU is vested in external influences and interests. According to Brunsson the confluence and conflict of interests among members and the addition of external interests and influence is one type of OH which can lead to inconsistent outputs from the organisation.

	2014	2015	2016	2017
Operating budget AUC - Planned	78	80.2	84.6	111.5
Operational budget AUC - Executed As % of planned	68.8 (88%)	55.7 (69%)	59.6 (70%)	67.6 (61%)
Programmes - Planned[14]	109.2	224.2	275.8	303
Programmes - Executed As % of planned	61.1 (56%)	110.6 (49%)	69.1 (25%)	83.1 (27%)
Peace Support Operations - Planned	434.2	372	354.5	336
Peace Support Operations - Executed As % of planned	390 (88%)	290 (78%)	244 (69%)	254.4 (76%)
TOTAL Planned for the AUC	**621.4**	**676.5**	**714.9**	**751.3**
TOTAL Executed for the AUC As % of total planned	**519.9 (84%)**	**456.5 (67%)**	**372.6 (52%)**	**404.9 (54%)**
TOTAL Planned for the whole of the AU (or budgeted revenue)[15]	--	--	--	**850.8**
TOTAL Executed for the whole of the AU	--	--	--	**545.4 (64%)**

Table 3 Table comparing planned and executed budget for operations of AUC, Peace Support Operations and for Programmes. Source Pharatlhatlhe and Vanheukelom (2019), accessed May 2020

The AU has always known that Africans should play a major role in the financing of Africa's transformation but many of the contributions were in arrears. They have also known since the time of the OAU that the lack of the availability of the full budget has impeded the organisation from achieving its objectives (OAU Council 1990). In figure 23 above, there is a clear demonstration that the AU in recent times, still suffers from budgetary shortfalls. This discrepancy articulates itself as a limitation of what the organisation can execute. Even though sanctions would be imposed, to pressure countries to make contributions, it is said that they were not consistently applied, according to special circumstances (Engel 2015). Some countries were exempted in cases where there was a domestic political or economic crisis such as Burundi, Sierra Leone, DRC (Engel 2015). This was because the assessment of contributions of member states is based on a formula which calculates the contribution according to

each country's capacity and capability, bigger economies are expected to give more, smaller economies are expected to give less but each has their respective share in the responsibility.

The Kigali decision of 2016 institutionalised the recommitment of member states to fulfil their assessed contributions to the regular budget and the Peace Fund which are streams of African finances into the organisation. As a result of this decision, since 2016, there has been a renewed effort to operationalise the Africa Peace Fund. This decision resulted in the creation of a new funding mechanism, most of the member states had a jaded appetite for the domestication of this instrument.

The latest funding mechanism of the Peace Fund is that member states contribute 0.2% of their import revenue to the fund, according to the AU AHSG decision 605.XXVII in July 2016. Only, 45% of member states have domesticated the decision and of these only 16 countries are collecting the levy on eligible imports, in compliance with the decision. This is the case even though, member states can choose from a non-binding, flexible basket of options of sources of funding according to their domestic interests as provided for by AU decision 578.XXV. Even some countries such as Mauritius, Seychelles and Malawi have been able to commit and fulfil their contributions within the existing funding mechanism, as they would not be able to fulfil the new mechanism. There are six countries which are now domesticating the levy however, this group is characterised by current arrears, contributions from previous years. The last group of 30 countries, includes some big economies and potential contributors such as South Africa, Botswana, have not begun the process of domesticating the instrument.

Despite the member states continuous and accumulating shortfalls for their assessed contributions remain at the same level. The finance gap exacerbates the difference between what is planned for and what is spent due to implementation. As a result, there is a limit on the predictability and reliability of the AU ‘s delivery of projects, programs and policies. The imperative to be relevant and responsive is opposed to the financial capacity of the organisation. The Peace Fund, continental organ, has a budget like that of the City of Johannesburg, a South African metropolitan municipality. The continental organisation’s finance is subsumed by the state, by being financed less that sub-state structures. The organisation should at least be financed to be able to have continental reach. But this is impeded by the intellectual framing of the AU, in the minds of those who animate it. As H.E Kagame noted, “we need to mobilise the right mindsets rather than more funding” (Mwai, 3 August 2018). In other words, the financing structures need to cohere with the institutional ambitions of continental reach and presence. The scale of the AU in the minds of those who are supposed to fund it, should cohere with the scale envisaged in the policies, programs and projects issued by the institution.

Even as the AU, APSA, comes up with ideas, Africans partially fund them instead, the organisation looks to the West and to the East. This tendency mobilises divergent political visions, approaches and orientations which weaken the AU model of consensus, cooperation, and coordination. The impact of financial dependence on external actors has a negative impact on the incentive environment of APSA, there is an incentive to sustain conflict and violence to get money.

The EU was the 1st donor of APSA and has short- and long-term financing available to APSA namely, the African Peace Facility and 3 Regional Indicative Programmes (Vanheukelom and Desmidt 2019). The financial dependence also extends to the day-

to-day operations of the AU. The EU, Germany, Netherlands, Norway, EU, and Sweden mobilised funds so that the Peace and Security Department of the AUC could fill 2/3 of its vacancies. EU and Germany also provide technical support such as in the drafting of the roadmap for APSA as a result, there is limited ownership of the AUC and its technical outputs by Africans (Mackie et al 2017; European Court Auditors 2018). But if donor interests change one could be pessimistic about the sustainability of APSA, especially if the AU member states do not deliver, in earnest, on their promise to shift towards gradual self-financing (Pharatlhatlhe and Vanheukelom 2018). The AU has made a commitment to reverse the financial structure such that, it could finance 100% of operational costs, 75% of programmes and 25% of peace support operations by 2020. Though this would be a positive development it would mean that the silencing the guns initiative would have to succeed based on external funding and buy-in. The budget for the Africa Peace Fund is $400 million by 2018, $79 million of the budgeted or expected $130 million had been contributed which is less than 25% with only 2 years remaining till the deadline (AU 2018).

7.6 Silencing the guns'

In May 2013, the African Union General Assembly made a Solemn Declaration called 'Silencing the guns: pre-requisite for realising a conflict-free Africa by the year 2020' as a commitment to bequeath a conflict-free Africa to future generations. According to the APSA Roadmap of 2016-2020, this declaration is an expression of the 'commitment' of African governments and states to end conflict in Africa. Normative frameworks, prior to this one, have been insufficient at ending wars in Africa. The 'Silencing the guns' initiative entails learning from at least 50 years of experience of combating conflict in Africa and applying the learned best practices (Khadiagala 2015). As of 2016, 25% of global conflict is in Africa (Institute for Peace and Security, 2017).

Clearly conflict is not unique to Africa, but it is an inherent feature of social relations. However, there are specific governance related sources of conflict which the AU aims to uproot. As such conflicts need to be qualified by the AU for intervention in accordance with the AU Constitutive act article 4(f). Thus the 'Silencing the Guns' initiative aims to end violent conflict, illicit arms flows, militarized politics, terrorism and extremism and dealing with complex emergencies of human security in Africa.

It is a collective enterprise which involves the integration of all the actors on the African continent concerning the resolution of conflict (Khadiagala 2015) . The main challenge for the AU would be to leverage African governments to bring a resolution to conflicts also to find a Africa-specific, locally responsive methodology and culturally embedded strategy to transform conflict into peace.

Despite recent declarations and political statements reiterating the need to focus on conflict prevention, the findings from 2017 show limited practical effort in actual structural conflict prevention. Instead, APSA related interventions continue to be 'crisis response', 'fire-fighting'. There are various instances of the AU's failure to respond in a unified and coherent manner. According to the APSA Impact report 2017, 'it is not possible that the lack of resources and investment in practical structural conflict prevention explains the limited use of PCRD'. The same report found that the AU and RECs within and outside the context of APSA need to demonstrate greater urgency and readiness to undertake practical conflict prevention through quick action, dedicated resources and investment focused on addressing the structural causes of violence and insecurity in Africa. Lastly, the report states that there is a need to develop a theme-based approach, the 'Silencing the guns' initiative is one such project.

As part of the talk of the AU the words ‘commitment’ and ‘effort’ are emphasised. However, it remains to be seen what impact that these words have on the results that the AU achieves. The president of Tanzania asked why the AU seems to be ‘waiting for 2020’ and not acting immediately to achieve this goal without further delay. Furthermore, the project has been characterised as overly ambitious. The AU is not in the position to make it happen by this deadline, which will be one of the many projects which have fallen to the wayside. This has an impact on the future-dated initiatives of the AU. This is not just a case of ‘empty promises’ rather, it could be hypocrisy. The AU runs the risk of being an indispensable ‘talk shop’ and inconsistent actor.

7.7 Arms on the continent

Sovereign actors have the right to buy arms and military supplies. The military and its strength seem to be at the centre of the conception of a modern sovereign state. It is the prerogative of these states to acquire arms. However, this right needs to be reconciled with the work to ‘Silence the guns’ on the continent. The proliferation of SALW in Africa is a contributing factor to conflict in Africa, they are mainly concentrated in regions of crisis. Currently the continent is awash with uncontrolled and illicit SALW, this keeps some regions trapped in a cycle of armed violence. Many of these arms and weapons are diverted from the state stockpiles and even peacekeeping forces. There is a need for strengthened continental arms control and transparency. As arms are increasingly escaping the control of the government, the figures of arms in circulated may be understated due to the prevalence of arms trafficking in Africa and the rest of world.

Regional arms control

It is recommended that arms should be acquired based on an assessment of needs. However, this seems like an unlikely proposition for states that perceive security maximisation as synonymous with capacity to exercise a monopoly brute force and violence. For example, the ECOWAS Moratorium could be extended across the continent. Erstwhile states work on democratisation and entrenching good governance by uprooting corruption and increasing transparency and accountability in the security sector.

7.7.1 Disarmament

The presence of uncontrolled small arms and light weapons (SALW) destabilises communities and can be attributed to the persistence of war (ACCORD 2014). In Burundi, the violent conflict is being sustained by SALW which is in the possession of non-state actors. Disarmament of fragile communities which have been exposed to persistent conflict is not straight forward. The community is unlikely to surrender their arms amid continued threats, the atmosphere of fear and suspicion. As a result, disarmament can take place when civilians are guaranteed security and justice. Especially in a context where impunity for human rights abuses, violence, and deficit of rule of law, weak political and economic conditions, the rise of terrorism and violent extremism (Haastrup n.d). To deal with conflict is to deal with the insecurities which made the conflict possible. The AU, tends to emphasise militarism, deploying the military as a means of conflict management, to deescalate the conflict and implement disarmament (Kinsella 2013: 105) as the military is valued as means to secure and bring security to society. There is irony to the threat and the use of violence to bring an end to violence.

The effort of disarmament seems to be counteracted by increased government spending on social goods instead of arms which can be subverted by non-state actors. Government spending on the military reflects the belief that security is linked to militarisation, military presence and capacity, government spending on the military in Sub Saharan Africa spiked in 2013 -2014 and 2017. These spikes coincide with that of increased armed conflict in Africa.

Operationalisation of disarmament is difficult because there is no organisation that has a precise number of weapons in circulation.

Every September is dedicated to arms collection. Some countries have made good success on collecting arms markedly during the month of September. However, there is a need to reduce military spending and instead these funds should be redirected to administration, strengthening rule of law, and increasing government's provision of basic services (Khadiagala 2015). There is no other substitute for a capable state to create conditions for peace. Militarised politics and a disproportionately powerful military which are stilted on patronage networks provide a perverse incentive for armament and violence and then impunity for actors who are elevated above reproach.

In terms of ending wars and working towards 2063, AU needs to push and provide real leadership for the enforcement of the norms of democracy and good governance. For the time being, there are enough frameworks but without the complementary enforcement, they fall flat. There needs to be a shift from norm setting to consolidation and implementation. APSA and AGA provide blueprints.

According to the African Development Bank High level panel on fragile states, these states experience scarcity and violent competition for resource, urgent need for service delivery and a crisis of rule of law and injustice. Therefore, for disarmament to take place in a fragile state, where most of the violence and conflict is concentrated, civilians need guarantee of security and justice. Africa is the continent with the most fragile states (Alusala and Paneras 2018).

In some cases, there are emergencies and in other cases there are protracted conflicts. The AU must reconcile and coordinate the interests of different groups of states and organisations to deal with the conflict situation.

7.7.2 Mediation practices

The African political landscape is complicated with limited development and eradiation of poverty, the rise of terrorism, violent extremism, the increasing economic effects of climate

change and the culture of militancy and militarisation which intensify the humanitarian crises and human rights violations. Therefore, the cessation of conflict requires a mediate and negotiated settlement of disputes. The AU has placed an emphasis on inclusive dialogue to mediate conflict among all the concerned stakeholders. Especially because it allows room for African ownership of the solution and a bottom-up approach to conflict resolution, and it allows for partners to support the effort. According to Agenda 2063, aspiration #4, by 2020 'all the mechanisms for peaceful prevention and resolution of conflict' will be functional at all levels, promoting a culture of peace and tolerance which replaces the culture of violence and militarisation which exists in many tense political contexts in Africa. If there were to be harmony and synergy with regards to good governance, democracy, social inclusion and respect for human rights, rule of law and justice, this would be a condition conducive for a conflict free Africa (AU, 2013). The 'Africa we want' document reinforces the mandate of the AU, not only to bring an end to violent conflict but to uproot violence as an approach to dispute resolution or as an expression of grievance, intolerance, or intention. The lack of peace and security in Africa is not due to the lack of policy rather it is a behavioural issue which is only exacerbated by the availability of uncontrolled arms which make unruliness possible. The AU's mandate extends to the promotion of human and moral values (AU 2013).

7.8 Dealing with conflict?

Even though the AU intervention in Burundi had little to no success. On the rest of the continent some progress is being made. The AU developed a roadmap, a 5-point plan for the Libyan authorities to resolve their conflict. However, this plan was side-lined by the suggestion by the international community to pursue a military intervention. This was a critical point in AU interventions in which the AU had to assert that it is the lead on interventions on the continent. The AU, more especially APSA's relationships and partnerships have been difficult to manage. However, some donors have chosen to

be based in Addis Ababa, 7 have agreed to pool their funding for certain initiatives, to harmonise reporting requirements which reduces the administrative load of the AUC. Donors and partners have joined the dialogues regarding AU interventions to establish the principle of complementarity and competitive advantage for the division of labour.

Harmonisation among the AU structures, donors and partners affords them a higher chance of a successful intervention. The UN took it upon itself to have a meeting regarding the Silencing the guns to highlight the ways it can support the AU. This is helpful to create a coherent and impactful strategy for intervention. Harmony is important because it mobilises the interests in advance such the resources and the course of action can be deployed speedily. APSA usually experiences delay which are related to its capacity to respond, therefore harmonisation would be beneficial.

The declaration does not make a specific mention of any protracted conflicts on the continent, but it had success on mediating the conflict between Ethiopia and Eritrea. Within the AU Roadmap, the AU expressed the objective to death with the grassroots causes and sources conflict. The AU has a strong record of imposing sanctions and encouraging mediation and negotiated settlement . In addition, the Peace, Reconciliation, Reconstruction and Development interventions in the early days of the AU have been quite successful. In its earlier days, the AU played an integral role in decreasing conflict and addressing risk factors. The AU also inherited conflicts which the OAU was not able to resolve. However, there exists mostly political tension and disorder more than war.

7.9 Challenges for African ownership

There are only 5 conflicts which are classified as war remaining on the continent and there is an intervention by the AU in each of them. APSA still competes with the UN in some cases when it relates to intervening in terms of counterterrorism and

counterinsurgency. For example, in the Sahel, there is the regional formation of the G5 and there is a UN mission MINUSMA which appear to have competing interests in the region. MINUSMA has a mandate to establish a counter terrorism effort in the region. Whereas the G5 also includes counterinsurgency as part of its mandate. Neither ECOWAS as an REC nor the AU could mobilise an intervention in Mali. APSA failed to be a coordinating agent and to provide structure for an intervention by the G5 and the MINUSMA. Meanwhile the situation in Mali degenerates. Whereas in the Lake Chad region, APSA was able to play the role as a coordinating agent. It legitimated the formation of the Lake Chad Basin Commission. The AU supported their call for military reinforcements. However, the joint task force which was deployed has limited military experience, especially in counterinsurgency and counterterrorism. They had also not been coordinated to operate as a regional task force, as a result the members of the task force acted only within their territories.

H.E the late Muammar Gaddafi was killed by foreign intervention. The implementation of the UN resolution lead to the assignation of an African president. With regards to western values such as the Responsibility to protect and international humanitarian law Africans have grown to mistrust external actors who aim to intervene in domestic issues. As a result, there is an increasingly reliant on African and non-western troops and peacekeepers. The African Capacity for Immediate Response in Crisis (ACIRC) was set up as an interim body while the ASF is being operationalised. There are also special forces in five RECs as well as the possibility to form a team for a specific intervention with the support of AU member states. Not all conflicts qualify for AU intervention, rather the regional actors are the preferred first point of all, which the AU will support as need be (APSA 2016).

7.10 The top-down approach to policy and dealing with root causes

Affected governments tend to be recalcitrant and rebel groups continue to perpetuate violence and conflict. The AU tends to appoint respected and important figures as mediators of conflict, for them to use their political and social capital to mobilise the actors involved in a conflict. The AU has been successful to achieve multiple peace agreements and the cessation of violence across the continent. However, the nature of violence, conflict and actors is changing.

Furthermore, mediated talks and dialogues have tended to have protracted, partly because the actors concerned have been unwilling to come to the negotiating table, also, poor coordination among the intervening actors. The AU approach is different from that of other powers' interventions. The African experience produces an authenticity, approach, reality, and orientations even so, there is not one consolidated experience. There are experiences of prevention, peace-making, keeping and building. Western actors impose embargoes and sanctions whilst African actors are seeking to find a political settlement, incoherent interventions stifle the potential for peace to the post of frustrating the parties to the conflict (Leriche 2015)

8. Chapter 8: Analysis, a case for OH in AU?

8.1 AU: first in the chain of partially coupled links

After the AU has gone through the formal channels of talks and arrived at a decision and then it issues an instruction to act, this is only the first step. The target organs and organisations must prepare themselves to follow through on the plan of action by mobilising actors and resources. Then the target region and country need to approve and mobilise actors and resources to operationalise a plan. The AU organs success is ‘hanging in the balance’ dependent on political will and agreement at the local level wherever the AU is targeting.

Silencing the guns and the case of Burundi can demonstrate this distance or mediated reach of the AU. The AU made the declaration in 2013 but it does not necessarily translate to everyone doing everything possible to maintain peace and stability in their countries and in their respective regions. Such as avoiding behaviour that would spark political unrest and disorder.

The fact that there cannot be a directly traceable trajectory from the AU HSG declaration to the implementation of the STG at a local level shows partial coupling. There is not a consistent adherence to the initiative by member states. More importantly the way in which member states contravene the values of the AU which are enshrined it its policy documents is ironic. The AU has opted to reform the organisation to address this kind of hypocrisy. However, Brunsson noted that

organisations which opt for reform are often reforming to address instances of organised hypocrisy. Though these organisations do not use the exact term however the references such as ‘lack of implementation, ‘lack of transparency and accountability, ‘tensions between policy and practice’ are indicators of organised hypocrisy. Organisations undergoing reform are addressing instances of hypocrisy.

A year after the declaration had been made, when crisis was already brewing in Burundi, the President made a commitment in 2014 to quell the tensions and instances of violence which were ongoing at the time. The same leader lanced at a third term in office which has been attributed to the devolution of the peace agreements which held peace, neutralised armed groups and militias, depoliticised ethnicity, and democracy in place. He was not dissuaded by the link between his ambition for an extended stay in power with a compromise of political stability for which there is precedent throughout the continent, more especially in the central African region where there are protracted political crises which are presided over by Presidents who have overstayed their welcome in office.

He had an ambition to repress the Burundian polity into peace and submission, to silence his opposition. Instead of conducting himself according to the principles which exalted Burundi into peace and order. Counterfactual statements do not carry much weight but, without this extended stay in office, Burundi would not have a political crisis of this nature. Much of the pre-election, election period and post-election period violence orbit around his attempt to be in power and to continuously extend his stay. Even the 2010 election result, was an issue of contention. His election victory in 2015 was highly contested to the point of attempted coup d’état. The hope for 2020 election in which according to the constitution, he cannot contest has been annihilated by the 2018 referendum to extend his stay in office by 2 more years and for provisions for

him to be a candidate for office until 2034. The battles, armament of militias and armed groups and the perpetuation of violence in Burundi is between supporters and opposition to Nkurunziza's regime. Before his time in office, Burundian sources of civil unrest had been neutralised. If anything, the Silencing the Guns declaration should be an inditement, if taken up by African leaders would be a commitment not to provoke and then incite political violence. Even the leaders in the region should also hold each other accountable in this regard. However, this is particularly not possible in the case of central African leaders if they were to condemn Nkurunziza would be hypocrites.

Therefore, the reliance of the AU on the RECs and the actors who are most local to the target country or issue to intervene assumes that the environment and the surrounding actors are not 'incubating' and perpetrating the very issues against which they must act. In earlier times of the AU and under the auspices of the OAU, the countries with credibility and ability to intervene were called upon. At the time of the Arusha agreement, President Mandela and President Museveni were facilitators though they may not necessarily be relevant and viable mediators in recent times. Mandela had since retired from politics and succumbed to illness. Museveni is one of the leaders who have had an overextended stay in power and is therefore not in the position to advise Nkurunziza to disabuse himself of his ambition to remain in office, Yet the AU sponsored Museveni to facilitate the Inter-Burundian Dialogue. As could have been foreseen, nothing came of this intervention. President Nkurunziza was not willing to come to negotiate with the militia groups but even if he had come, how could Museveni advise him otherwise. Museveni gave Nkurunziza a 10-point exit plan, which would entail a two-year transitional period after which he would not run for office again, Nkurunziza refused the offer. Even as the international community supported the AUC Chairperson in discouraging president Nkurunziza, the South African government took

every opportunity to articulate its opposition to his third term and the negative consequences which it has for political stability, peace, and security in Burundi, this was to no avail. AU Chairperson in 2016, H.E Idriss Déby of Chad did show concern for the situation in Burundi and made an interesting remark directed at Burundi, “you are a sovereign country, but you cannot tell us that everything is ok”. His comment reflects the predominant dilemma in the AU to observe the sovereignty of the member states and the moral obligation to intervene in the case of crisis.

8.2 Roots of hypocrisy in the AU run deep

Non-aggressive non-military means of coercion are prioritised in the AU; sanctions are one of them. APSA uses them as an enforcement mechanism to ensure compliance of member states. But through networking and the formation of alliances, member states use informal power games and play the solidarity card to resist coercion. Sanctions are also applied in uneven ways.

The stance of the AU on presidential term limits does not have a clear record, 7 out of the 18 Chairpersons of the AU, 40% of them were presidents who were in power for an average of 29 years. The culprits include the following former AU Chairpersons : #2 the late H.E Joaquim Chissano of Mozambique (19 years), #4 H.E Denis Sassou Nguesso of Republic of Congo (incumbent, 23 years), #7 the late H.E Muammar Gaddafi of Libya (42 years), #9 Teodoro Obiang Nguema Mbasogo of Equatorial Guinea (incumbent, 41 years), #13 the late Robert Mugabe (30 years), #14 Idriss Déby of Chad (incumbent, 30 years) and #16 H.E Paul Kagame (incumbent, 20 years). 4 of these 7 are central African countries, some are members of the EAC and ECCAS, just to show that the region is fraught with the frustration of presidents with overextended term limits. 3 out of the past 6 years of chairpersons have been leaders

of extend terms in office. Clearly, the AU exalts and does not exclude leaders from the topmost leadership position in the organisation even when they are in direct contravention with a principle of the AU and with the effort to minimise threats which could spark political unrest and violence. This is an instance of institutionalised hypocrisy, to which the AU itself is blind.

To ground the consequence of this hypocrisy, while the conflict in Burundi escalated, and Nkurunziza continued with elections in 2015 and the referendum in 2018, spurring on the grounds for political violence, these chairpersons were at the helm of the AU, in no place to take the moral high ground and condemn Nkurunziza of their same actions. Nkurunziza took advantage of the incoherence and disunity among the EAC, AU and UN (International Crisis Group 2016). The President avoided the lacklustre mediation effort by the EAC, and he rebuffed the deployment of human rights and military observers which was sanctioned by the AUC and the deployment of UNSC-sanctioned police forces. The facilitator of the Inter-Burundian dialogue had to ask H.E Museveni as the chief negotiator to engage himself more seriously and critically. But he was engaged in his own contentious election so, he delegated responsibility to Defence Minister Crispus Kiyonga. Due to the principle of subsidiarity, without the permission of Museveni and/or the consent of the other regional leaders the AU could not intervene (International Crisis Group 2016). Its problematic that the AU has devised this system such that it is locked out of a system which it is presiding over as a continental body.

The AU and the UN should expedite the deployment of human rights and military observers, quickly mobilising consensus, financial resources, technical and logistical assistance.

Even in the AU PSC, Republic of Congo, Equatorial Guinea, Gabon, and Rwanda have been members from 2017 to 2019. In addition, the AU PSC elected Burundi to be a member for the period 2019-2021. AU PSC is the decision-making organ of the AU charged with the responsibility of conducting early warning and preventive diplomacy, to facilitate peace-making, to establish peace-support operations and to recommend intervention in the member states to promote peace, security, and stability. Burundi is on board the PSC, but it rejected the recommendations by this body to deploy the MAPROBU peacekeepers and military experts, to postpone the elections until a time where there is a cessation of violence, also the recommendation against a third term for Nkurunziza. It would seem hypocritical to elect a state which does not respect, observe, or acknowledge the role and the recommendations of the body. It is also unlikely that from this role, Burundi would sanction itself or even countries with presidents who behave in the same fashion as Nkurunziza, just as Rwanda did not condemn itself as H.E Paul Kagame went onto his 4th term in office.

8.3 Challenges meeting the prerequisites

The MAPROBU was in need significant funding and operationalisation, Nkurunziza called the bluff of the PSC communiqué, to pressure the president into a dialogue. During the AU summit of January 2016, it was clear that not all states were averse to violate the sovereignty of Burundi. The AUC also lacked the capacity and the resources to mobilise consensus and resources for backing from the member states for the deployment of the MAPROBU forces. The AUC and the AU HSG were not in agreement and member states among themselves were not in agreement, this was evident in the contradictory communiqués. There were two main institutional obstacles in the APSA which would have to be overcome for the deployment to be successful. Firstly, the

relevant APSA structures would have to gather the data and information as evidence that shows that the crisis in Burundi is such that it warrants forcible intervention. Secondly, the political will among the member states, the partners and all the actors concerned to mobilise support and resources for the deployment would need to be readied. Thirdly the PSC would require the permission of the Burundian government for the intervention. It only took one PSC Summit to shut down the proposition of MAPROBU in which it was suggested that its presence would counteract the effort for dialogue. As it was suggested by the PSC chairperson H.E Mbasogo, that the presence of foreign troops tends to exacerbate the violence and conflict. By the time the final communique on the 6th of February 2016 became available, all traces of military intervention and MAPROBU were removed.

There is an unsettling incoherence between the AUC and the PSC as AU organs, clearly visible in the case of Burundi. Failing to act decisively, the AU sacrificed its moral authority to speak out about incumbents manipulating or eliminating constitutional term limits. The issues pertaining to the incoherence need to be resolved if the guns in Africa were ever to be silent.

The continents implementation capacity is unsatisfactory especially in seeking to silence the guns by December 2020 (ACCORD 2014).The promise to silence the guns by 2020 was made without consideration of how long planning, preparing, and operationalising would take. The progress so far is that the AU has adopted 'Silencing the guns' as a theme for the year and not necessarily as a deadline. Within the proposed roadmap, the sequencing of activities is not clear.

8.3.1 The Master Roadmap to Silencing the guns by 2020

The roadmap specifies the need for operationalisation of the major APSA structures such as the ASF and Pan-Wise and further assigns responsibilities to these

organisations. The Silencing the guns calls upon the coordinated action of organisations which are not yet operational. In other words, their operationalisation must be expedited before fulfilling their role in silencing the guns. This is setting up these organisations for failure. Funding is already a challenge in the AU, the initial commitment to was for member states to contribute $400 million by 2020. However, there has not been a budget drawn up for the silencing the guns or a clear indication as to where the funding for silencing the guns comes from. Implementation depends highly on continental coordination which the AU has not yet mastered. The plan gives a mandate to ECOSOCC and CSO members which have never been operational. There is only a draft monitoring and evaluation framework to date which means there is no way to track the progress of the project and to adjust the strategies which are not working and give a realistic assessment.

9. Chapter 9: Concluding remarks on incoherence in the AU

According to policymakers and practitioners, the initiative to Silence the Guns by 2020 is ‘immensely ambitious. The main reason for this, is that the implementation plans only became available halfway through the build-up, in 2016. This was setting the goal up for failure because there would not be enough time to operationalise the relevant organisations, to do the necessary work and to inspire a continent-wide behavioural shift.

The implementation plan also does not make specific reference to pre-existing conflicts on the continent at least to show there is a list of target conflicts. As a result, the implementation plan does not make a specific reference to root causes of conflict which obviously need to be addressed under normal circumstances. In other words, the implementation plan is not detailed enough to be actionable. It would necessitate follow-up meetings, more talk, and less action. For example, it is only at the 824th meeting of the AU Peace and Security Council when members made a commitment to full implementation of the AU Master Roadmap (AU Press Release 2019).

The ‘Silencing the Guns’ is only mentioned in passing. Just as Kagame noticed, this is likely because of the multidimensional and multifaceted nature of the work of the AU, that it hardly has time to focus on one thing. Another more problematic proposition is that the PSC engages in self-censorship by avoiding to table intra-state conflict or even rescinding on decisions as they did with Burundi (ISS PSC Report 2019).

In a way the project seemed like an additional project instead of integrating the existing and continued work of the AU on Peace and Security. There is a primary need for member states of the AU to domestically implement the policies related to Peace and Security (AU Press Release 2019). The 'PSC needs to do more to respond to conflicts in 2020' (ISS PSC Report 2019) in other words, to be proactive. This can be achieved in the consistent use of the CEWS Reports and a consideration of risks factors. For example, CAR, Somalia, Guinea Bissau, Algeria, Togo, Burundi, Ethiopia, Cameroon, C'ôte d'Ivoire are due to have elections in the 2019/2020 period. It would be prudent to pre-emptively observe the tense and fragile political situations in these countries. The PSC should build an understanding of what is going on in a conflict situation by paying visits and work in collaboration with the experts in the AU Peace and Security department, independent think tank and civil society organisation. This will help the organisation to develop rapid and appropriate interventions ISS PSC Report 2019).

Though it is in line with the requirement for implementable, realistic and timebound plans. The AU is dropping the deadline and running with another idea that 2020 is the year of focussing on silencing the guns. This is a likely result of a sense in the organisation that this project is unlikely to be fulfilled as promised. The project has denatured.

At a minimum, organised hypocrisy in an organisation is inherent in the structures and behaviour of an organisation such that it can become blind to it.

As the AU lacks leverage against its member states, especially in the case of intervention in Burundi, the organisation to create leverage. In the first instance there

should be strict requirements of compliance for those states which assume leadership roles in the organisation.

Without the help of the international community, the referendum of 2018 to keep Nkurunziza has been rescinded, elections will be help in May 2020. He has promised to step down from office and parliament has made him an offer to ‘buy’ him out of office: $530 000, a luxury villa, a lifetime salary, and the title of ‘supreme leader’. He has also said that he will ‘not go back on his word’ to step down from office. There is an atmosphere of fear and continued low levels of violence which could potentially escalate if he were to remain in office.

9.1 Recommendations

The AU should have the implementation plan at the ready when a declaration with a deadline is made such that a project can be given a fair chance. From the outset it was clear that this deadline would be an unrealistic target because it was not based on an empiric understanding of the capability and the capacity of the organisation. This is unfortunate because the success of this plan is the first domino in a row of other continental plans which will be delayed if this projects target is not made.

The structure of the financing for AMISOM should change for the payment of incomes be made directly to the Burundian soldiers instead of the money being channelled through government, in this way the money cannot be syphoned by the Burundian government.

The AU, UN and EU should expedite the mobilisation of the resources which would be required for a specific project. Member states must meet their financial commitments such that the AUC and its organs are fully staffed and operational.

Though the primacy of the AU in leading successful peace and security interventions, is recognised by the UN and EU, AU member states need to step up by animating the AU Peace fund with finances. The AU needs to at least fund its own operational and administrative functions without the help of international partners, so that more resources and technical assistance can be freed up to interventions on the ground. Otherwise the goal to 'silence the guns in Africa' will 'out script action' by being beyond what is possible with the current dispensation of resources (International Crisis Group 2016).

The AU structures should empower and exalt credible leaders, instead of the uninspiring decision to remove Dr Nkosazana Dlamini-Zuma from the position of AUC Chair. It is simply indicative that the member states want to put a limit on the strength and robustness of the AU. The AU also recalled 'outspoken special representative for Burundi and the Great Lakes, Boubacar Diarra, in April 2015. As a result, the AU had no emissary for three critical months as the crisis rapidly escalated. This was detrimental to the access, the presence, and the leverage of the AU on the region and Burundi. Ibrahima Fall came in as a replacement, however he was unable to conclude a MOU to allow human rights and military observers to permission in Burundi. Therefore, the AU could not advance its decisions in the region.

The unconstitutional change of government must be clarified and must include those presidents that manipulate or make amendments to the constitution or simply to do

not hold elections to maintain their tenure. Ambivalence on this issue on the part of the AU has caused for there not to be a decisive and incisive intervention in Burundi.

The unprecedented PSC decision to invoke Article 4(h) for MAPROBU can be seen stride, a graduation from the principle of non-interference, the bedrock of the OAU, to that of non-indifference. It threatened to recommend that the AU HSG to invoke Article 4(h) of the Constitutive Act, which allows intervention in cases of war crimes, genocide, and crimes against humanity. However, the struggle to follow through and forcibly intervene shows that the organisation is still straddling the two principles. Whereas, some member states prefer a non-confrontational approach, which allows for lesser risk and cost to the resources and the personnel of the sending countries. It is recommended that member states are consulted during the process of drafting communiqués, policies, statements, and positions of the AU, such that the corresponding backing is varied and more likely to have follow through.

10. References

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