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NEPAD and Transnational Governance Strategies in Africa: an analysis of the implications of responses to the Zimbabwean crisis for continental governance

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Abstract

This research explores the various strategies being proposed to address the perceived governance crisis on the African continent. It identifies The New Partnership for Africa's Development (NEPAD) as the most recent African transnational initiative with a stated continental governance strategy. It is argued that in many respects NEPAD represents the best possible alternative for African rejuvenation, providing a valuable blueprint for continental reform and development conceived and developed within the continent itself. The potential of NEPAD to meet this objective is evaluated through an analysis of its response to the Zimbabwean crisis of governance. The research suggests that firstly, NEPAD has failed to meet the expectations of those Africans who were hoping that NEPAD would represent something radically different to earlier transnational initiatives. Secondly, NEPAD has failed to respond to the demands of democratic activists in Zimbabwe. The dissertation argues that these findings stem from the lack of political will among African leaders to fully implement NEPAD; their reluctance to fundamentally alter their understanding of sovereignty away from individual towards increased collective responsibility and finally the failure of NEPAD itself to make provision for the active involvement of civil society in all areas of the governance process.

List of Abbreviations

AAF-SAP	The African Alternative Framework to Structural Adjustment Programmes for the Socio-Economic Recovery and Transformation
APPER	Africa's Priority Programme for Economic Recovery
APRM	African Peer Review Mechanism
AU	African Union
CMAG	Commonwealth Ministerial Action Group on the Harare Declaration
CPS	Centre for Policy studies
CSSDCA	Conference on Security. Stability, Development and Cooperation in Africa
DFID	United Kingdom Department for International Development
DPGI	Democracy and Political Governance Initiative
DRC	Democratic Republic of Congo
EU	European Union
IMF	International Monetary Fund
LPA	Lagos Plan of Action
MAP	Millennium Africa Recovery Plan
MDC	Movement for Democratic Change
NAI	New African Initiative
NEPAD	The New Partnership for Africa's Development
NGO	Non-Governmental Organisation
OAU	Organisation of African Unity
OECD	Organisation for Economic Cooperation and Development
SADC	Southern African development Community
SAP	Structural Adjustment Programmes
UN	United Nations
UNDP	United Nations Development Programme
UN-PAAERD	United Nations Programme of Action for the Economic Recovery and Development
USAID	United States Agency for International Development
ZANU-PF	Zimbabwean African National Union Patriotic Front
ZAPU	Zimbabwe African Peoples Union

Chapter One

Introduction – The Crisis of Governance in Zimbabwe

The launch of NEPAD in 2001 was accompanied by much optimism as it was described as a blueprint for Africa's regeneration (Taylor, 2005:810). NEPAD was initiated by a group of progressive African leaders, most notably, South Africa President Thabo Mbeki, who conceived of NEPAD as a plan better suited to deal with the challenges of the twenty first century. For Mbeki, NEPAD is better suited to meet these challenges than earlier initiatives under the banner of the OAU, for example, the Lagos Plan of Action.

NEPAD was devised with the following intention in mind:

> "The New Partnership for Africa's Development is a pledge by African leaders based on a common vision and a firm and shared conviction that they have a pressing duty to eradicate poverty and to place their countries, both individually and collectively on a path of sustainable growth and development and at the same time to participate actively in the world economy and body politics. The programme is anchored on the determination of Africans to extricate themselves and the continent from the malaise of underdevelopment and exclusion in a globalizing world" (NEPAD October 2001, pg:1).

The document further claims that "African people have begun to demonstrate their refusal to accept poor economic and political leadership" (pg: 2).There is according to the document a "new resolve to deal with conflicts and censure deviation from the [democratic] norm" (pg: 10). This comes from the understanding that "development is impossible in the absence of true democracy, respect for human rights, peace and good governance (pg: 17)". NEPAD makes the bold claim that "Africa undertakes to respect the global standards of democracy, which core components include political pluralism, allowing for the existence of several political parties and workers unions, fair, open, free and democratic elections periodically organised to enable the populace to choose their leaders freely (pg:17)" (cited in Taylor, 2005:81). In short, NEPAD can be seen as a programme anchored in a determination to overcome years of Afro-pessimism and one that embraces the vision of a truly unified and prosperous African continent.

Few would disagree with Guest's characterization that, for the most part, Africans are poor people. They tend to live under predatory and incompetent governments, who, through corruption and bad economic policies serve only to further impoverish an already vulnerable populace (Guest, 2004:29). Yet to speak of Africa as a homogenous bloc is problematic, given the sheer size, complexity and diversity of the continent. The literature on the subject matter shows a general tendency to view Africa as vast but pretty much the same. However the truth is that Africa is enormously diverse in terms of language, social organization, religion, environment, cultural expression, political orientation and political institutions (Nugent, 2004:1). Thus in order to refine the analysis Zimbabwe has been chosen as the case study for this dissertation. The intention is not to reproduce a history of Zimbabwe which has been detailed extensively in numerous other works (Stiff, 2000, Blair, 2002, Peron, 2000, Meredith, 2002). Rather, Zimbabwe is used firstly as a reference point against which the crisis of governance can be measured and analysed. Secondly, Zimbabwe will be used as a test case against which the NEPAD initiative can be evaluated.

Zimbabwe was chosen as a case study for a number of reasons. Firstly, it demonstrates a good example of poor governance, although it is by no means the only example in Africa. Secondly, South Africa shares a border with Zimbabwe, and in geographical terms the unfolding political crisis in that country poses the greatest danger to South Africa. This factor would suggest that, in addition to the leadership role President Mbeki has taken in relation to the development of NEPAD, South Africa has a vested geopolitical interest in ensuring that NEPAD succeeds. Finally its has been argued in popular media circles that Zimbabwe was NEPADs first real litmus test of the extent to which transnational initiatives would be able to halt the fast deteriorating political and economic situation of a once rich and diverse country. The response of African political leaders to the Zimbabwean crisis has been heavily criticized for their lack of commitment towards the NEPAD principles raising profound questions around the potential of NEPAD to address the governance crisis in Zimbabwe.

Zimbabwe thus provides a clear test case for the NEPAD sentiments to be measured against and an oppportunity for leaders such as Mbeki to turn rhetoric into action. This holds true even though, to date, Zimbabwe is not a signatory to NEPAD. Acknowledging that the Africa continent is riddled with conflict and disaster areas, few of these events, however, have so captured world opinion as much as the downward spiral and years of chaos and terror under Robert Mugabe. The crisis has been the stuff of many editorials and commentaries in all major newspapers in Africa and the west (Taylor, 2005:810).

The Zimbabwean case

Rotberg described Zimbabwe as being a corrupt tyranny – bankrupt both financially and morally (Rotberg, 2000:226). Zimbabwe is a state in which few citizens have the freedom to seek out their fortunes without official harassment. The government as a matter of routine violates the rule of law, private property rights and contracts. The ZANU-PF government, it is argued, is predatory and its small group of elites work to extract rent from everybody else (Guest, 2004:12). To take a recent example, the world and especially African neighbours have been concerned about 'Operation Restore Order'. The operation was designed and implemented by the ZANU-PF government to 'clean up Zimbabwe' but had the effect of leaving hundreds and thousands of Zimbabweans destitute. Reflecting on the consequences of the operation, commentators such as Mathula Lusinga concluded that Zimbabwe today is a dictatorship and constitutes a betrayal on the part of those who say they fought for freedom. This raises concerns about the commitment of Mugabe's government to the essential elements of liberal democracy (The Citizen, 14 September 2005). To clarify this point still further requires a brief narrative of Zimbabwe's history since independence. The purpose of the narrative is to show the crisis of governance currently being experienced in that country.

Zimbabwe appears to have so much on offer. Zimbabwe enjoys a warm and gentle climate and is so beautiful it should be streaming with tourists. The people of Zimbabwe are incredibly open, friendly and hospitable and are amongst the best educated in Africa. Judging by this they should be rich as the country boasts plenty of arable land ideal for

raising cattle or growing crops such as wheat, maize and tobacco. Under the ground lie rich pockets of gold, platinum and other precious ores. The country can point to a modern banking system, skilled manufactures and adequate transport networks. Yet Zimbabwe is in an economic and political mess of seemingly unprecedented proportions (Guest, 2004:29).

Robert Mugabe, at the helm of the ZANU-PF, following a protracted anti-colonial struggle, ushered in Zimbabwe's independence in 1980. Independence was accompanied by high hopes of a prosperous political and economic future (Sachikonye, 2002:15). Ordinary Zimbabweans rejoiced in the hope of achieving improved living conditions, better education, better jobs, democracy and freedom from imperialist oppression (Zunga, 2003:7). This was not an altogether unrealistic set of expectations as Zimbabwe was one of the top four industrialized countries in Sub-Saharan Africa with a diversified economy and superior human resource capacity. Seen from a comparative perspective Zimbabwe had a greater chance for political and economic development than many other countries on the continent. In fact during the first few years of independence it seemed to live up to these expectations (Sachikonye, 2002:15). During the early post-independence years a number of measures were introduced to promote growth and equity, promote land reform and increase workers' rights and extend mass education and health provision (Pankhurst, 2002:116). In fact during the first decade of Mugabe's rule many remarkable improvements were achieved. To take just one example to illustrate the point, in 1980 Zimbabwe had 177 secondary schools serving 66,000 pupils. By 2000 this had grown to 1,548 schools with 700,000 pupils. During this time literacy of the adult population rose from 62% to 82% (Blair, 2002:37).

Nevertheless, Robert Mugabe demonstrates a somewhat limited understanding of democracy. Admittedly, democracy itself is a loaded term, so for the purposes of this research democracy is defined as comprising a set of principles, institutions and processes all of which work together to promote the democratic ideal. The principles most commonly associated with democracy are: power emanates from the people, the rule of law prevails, rulers are chosen by and accountable to the people, citizens have a

right to participate in public affairs. The institutions and procedures of government serve to promote democratic principles. These institutions are charactersied by high levels of accountability, transparency, participation and equality under the law. Importantly, the institutions should empower civil society and encourage participation in the democratization process. However, according to Stiff (2000), Robert Mugabe manipulated democracy to guarantee that political power remained firmly in the hands of the ZANU-PF. In a manner of speaking, Robert Mugabe 'invented' and pursued his own understanding of democracy which fell well short of the liberal democratic model. Rather democracy became a tool used to further the interests of the ZANU-PF government. Mob attacks, riots and widespread intimidation were orchestrated to ensure the 'will of the people' coincided with the will of the ZANU-PF government (Stiff, 2000:229:233).

So successful were his politics that in December 1987, Zimbabwe became a de facto one party state. In a ceremony held in the same month Mugabe was declared executive president, combining the role of head of government and commander-in-chief of the defense force, with the power to dissolve parliament and declare martial law and the right to run for an unlimited number of terms in office. He single handedly controlled all appointments to senior posts in the civil service, the defense force, the police and parastatal organizations, giving him a stranglehold on all government machinery and unlimited opportunities to exercise patronage. Mugabe was prepared to be ruthless to suppress any sign of opposition, through violence, intimidation, assaults and contempt of court. To cite just one example, ZANU-PF's youth brigade carried out attacks on those suspected of being opposition supporters. The youth brigade beat, intimidated and subjugated opposition party supporters. In February 1985 it was claimed that the youth brigade shot dead five opposition supporters while boarding a train in Hwange (Stiff, 2000:230-235). According to Meredith by the mid 1990s Mugabe had become a petulant dictator with no regard for the rule of law and human rights and indifferent to incompetence and corruption (Meredith, 2002:89-131). Mugabe had completely disregarded those principles most commonly associated with liberal democracy and pursued his own manipulated interpretation of democracy.

Luke Zunga, an ex-Zimbabwean now residing in South Africa, argues that the independence that was fought for with such perseverance fast became the property of one person and a few of his closest allies. As a result the country descended into abject decay. The electorate was reduced to poor starving and vulnerable people who were easy to manipulate and overwhelm. The economy of Zimbabwe has been devastated. To cite just a few indicators, since January 2000 unemployment has run at 50% with 200,000 jobs being lost in the agricultural, manufacturing and tourist related sectors. GDP has fallen and inflation was expected to top 85% by the end of 2000 (Stiff, 2000:470-471).

By 2000 Zimbabwe was officially bankrupt, with no foreign currency and a shortage of petroleum, kerosene and on occasion staple food commodities. The combination of these difficulties and their effects on ordinary Zimbabweans has been cited as the cause of the 1998 food riots, a protest aimed at highlighting the gross mismanagement of the economy (Rotberg, 2002:232). In 1998 Mugabe dispatched 6,000 troops to the Congo without allowing cabinet or parliament a say in the matter. This was not a popular decision as the price of the already scarce fuel rose and the prices of bread, cooking oil and bus fares increased 100%. Zimbabweans had great difficulty accepting the increase in the cost of living since they knew Mugabe was in the process of constructing several expensive mansions for his second wife, and that the mayor of Harare was building a $1.5 million home for his personal use while the city of Harare could not afford a $685,000 water pump. During the same year Mugabe clamped down heavily on what he termed dissident journalists. It was reported that the journalists were tortured by electric shocks and multiple beatings. The High Court of Zimbabwe ordered the harassment to stop, to no avail; Mugabe completely disregarded the high court order (Rotberg, 2002:232-234).

Yet Zimbabwean citizens appear divided in their views on Mugabe's actions. For government supporters Mugabe was and continues to demonstrate freedom from imperialist forces. For Zunga and those opposed to the actions of the government, on the other hand, freedom is no more. What was once regarded as an assertion of sovereignty fast became a license to force ordinary Zimbabweans into subjugation. Any inkling of liberal democracy has been trodden under the feet of those people who were "armed,

resourced and directed to inflict crude justice by kidnapping, beating, killing, torture, harassment of civilians or anybody who did not support and shout praises for Robert Mugabe and his ZANU-PF" (Zunga, 2003:7). The obvious political mismanagement was overshadowed by a mounting economic crisis which made Zimbabwe increasingly vulnerable to the externally imposed Structural Adjustment Programmes (SAPs).

In 1991 Mugabe reluctantly accepted a Structural Adjustment Programme prescribed by the IMF. In accepting the programmes Mugabe pledged himself to adopting a free market economy, and about-turn from the socialist vision that Mugabe has consistently aligned himself with. Seeking the support of the IMF was seen as the only solution to meeting his mounting budget deficit. In return for IMF support Mugabe agreed to an ambitious package of economic reforms - the Zimbabwean dollar would be floated on the stock market, import tariffs reduced, state industries privatized and the vast array of controls lifted. Mugabe later argued that adopting SAPs marked the beginning of Zimbabwe's decline and the subsequent crisis was primarily the fault of the IMF. Many commentators would agree with Mugabe's argument, that SAPs actually accelerated the economic decline rather than encouraged development. The argument carries a certain amount of weight as numerous other African countries suffered a similar fate as a result of SAPs, raising concern over the political legitimacy of western imposed alternative development strategies. Mugabe is vehemently opposed to what he calls imperialist intervention. However the fast collapsing economy was beginning to undermine Mugabe's grip on power (Blair, 2002:37). This led Mugabe to take ever more decisive action to reinforce his political hold.

Mugabe consistently claims that any decision he makes cannot be overruled or ignored. For example, when the courts ruled against the escalating land confiscation, he appeared to deliberately ignore the courts by continuing to sanction the land confiscations. In 1991 Mugabe stated that any judge who did not support his laws should resign. To quote Mugabe:

> "If certain laws are revulsive to a judge's conscience then that person should not sit as a judge…once government had decided what is fair and reasonable compensation, that's it. No one can go to the court on what is fair and reasonable.

> Once parliament had made up its mind and put an idea into statute then that's it" (cited in Peron, 2000:10)

In 1997 Mugabe was asked whether or not he thought land confiscation was constitutional or not. He responded by saying, "forget what the constitution says, if it does not indicate that we can take the land, then it will be changed" (Peron, 2000:10-11).

Partly in response to the international furor over land confiscations Mugabe decided to hold a referendum in February 2000, the first ever in the history of the country. The citizens of Zimbabwe were asked whether or not the constitution should be changed to allow for land confiscations. Mugabe had never lost an election and the universal belief was that he would prevail in the referendum. Surprisingly, Mugabe was defeated (Blair, 2002:52-76). The referendum had shown a low voter turnout with only twenty-six percent of the voters – 1312,738 out of a potential five million, turning out to vote. Fifty-five percent of those who voted (967,754) rejected the proposed constitutional amendment. Forty-six percent (578,210) voted in favour of the change (Stiff, 2000:310). The constitutional change was rejected on the grounds that it did not shape a bright future for the country. It failed to provide political and economic direction and also failed to reduce the autocratic powers of the president (Zunga, 2003:45). Nevertheless, Mugabe moved swiftly ahead with his plans and altered the constitution accordingly, making way for land seizures without compensation and with the full support of the state. His actions revealed the scant respect he had for the voices of the people. The High Court of Zimbabwe simultaneously declared such behaviour unlawful. However the law was simply torn to shreds revealing a complete breakdown of the rule of law (Blair, 2002:52-76). As Enoch Dumbutdhena, stated, a former chief justice: "We have a president who does not believe in the rule of law, who disregards the tenancy upon which the rule of law is built" (cited in Meredith, 2002:93).

In the run up to the June 2000 parliamentary elections the most extreme cases of state sponsored violence were witnessed. The violence included the attacks on schools, clinics, businesses and the brutal beatings of opposition party members and supporters. The election was, according to Zunga, blatantly rigged (Zunga, 2003:87). Despite

accusations of obvious electoral corruption and political repression Mugabe continued as president. Rather than attempt to regain an element of legitimacy, Mugabe moved to accelerate the invasion of farms, despite the Supreme Court's ruling that the attack on farms was illegal. He further declared it illegal to contest the election results and attacked the independent press for spreading sentiments that the election was in any way rigged (Rotberg, 2002:236). The situation was described in the following terms by the Zimbabwean Council of Churches:

> "The economy is in tatters, unemployment has soared, health and education services had deteriorated – collectively all of this has left the average Zimbabwean on the verge of utter destruction and hopelessness. All of this points to a very obvious deficiency in the leadership and governance of our country. Those who have been entrusted with authority have abused it. The various arms of the state have become rotten with corruption, nepotism and self-interest. The law has become a farce used only to further the interests of a selected few" (cited in Meredith, 2002:221-222).

By 2000 Zimbabwe had descended into political and economic turmoil. Between 2000 and 2002 the crisis in the political and economic sectors deepened and raised the concern of regional groupings such as SADC, the Commonwealth and the EU (Sachikonye, 2002:13). However even a show of concern was met with heavy resistance from Mugabe, who continually resorted to the argument that Zimbabwe was a sovereign nation and by implication no outsider could or should attempt to interfere in the affairs of his state. More than any other continental crisis, the Zimbabwean crisis has focused considerable attention on the issues of sovereignty and democracy, often placing these discourses in opposition to each other. As Bush and Szeftel (2002) explain, on the one hand the Mugabe government condemns international critics for meddling in his country and attempting to undermine the country's national sovereignty. The ZANU-PF government asserts that local and international interests oppose the popular programme of land redistribution which lies at the very heart of its control over the economy, and seek to replace the current government with stooges they have financed. The government's attack on its opposition is therefore presented as an anti-imperialist struggle to defend the sovereignty of Zimbabwe (Bush & Szeftel, 2002:8).

On the other hand the opposition MDC and much of Zimbabwe's urban and civil society have condemned Mugabe for his authoritarianism, inefficiency and corruption over his twenty year rule. They call for political change along the lines of liberal democracy and for government to become more accountable to the people and its actions to be limited by the rule of law and institutions such as an independent judiciary that is both honest and accountable and respects human rights (Bush & Szeftel, 2002:8).

How these tensions between national sovereignty and democracy are eventually resolved and how African leaders respond will, according to Morris and Szeftel, directly influence Africa as it moves into the twenty first century. To the disappointment of many observers, by and large African leaders, with the exception of a few prominent leaders, like Nigerian leader Olusegun Obasanjo, have chosen to defend the actions of the Zimbabwean government and hence its sovereignty (Bush & Szeftel, 2002:5-12). Thabo Mbeki has repeatedly stated that:

> "Zimbabwe is a sovereign country, not a province of South Africa. President Mugabe does not take instructions from me. I discuss matters with him as a neighbour" (cited in Gumede, 2005:185).

For many commentators this raises profound questions regarding the credibility of Africa's transnational governance strategies. The Zimbabwean crisis has raised questions about the mechanisms through which political change along the lines of democratization can be encouraged from outside the state concerned. Western alternatives were criticized on the grounds that they lacked political legitimacy and violated the sovereign rights of postcolonial nation states. In the context of transnational institutions like NEPAD and its corresponding governance strategy, the notion of sovereignty is once again placed in the spotlight. Arguably, sovereignty has come head-to-head with the promotion of democracy and in the case of Zimbabwe turning the optimism of NEPAD into implementation has become an altogether trickier exercise (Pankhurst, 2002:175).

The months preceding the 2002 presidential elections was characterized by an electoral battle between Robert Mugabe and the MDC's Morgan Tsvangirai. The importance of this election is that it demonstrated the possibility of a shift away from a dominant party

system where one major party has an overwhelming majority in parliament. Moreover it has highlighted the clash of political values and traditions where the MDC stressed the need for a peaceful campaign under the conditions of respect for the law, whereas the ZANU-PF adopted a campaign of violence and intimidation, used in part to test Mugabe's popular support. In this scenario civil liberties and human rights were the first casualties, press freedom was assaulted and the presses of the opposition- inclined newspapers were bombed, dissident journalists were either detained or deported. For those opposed to the actions of the Mugabe government these developments showed the shakiness of the post-independence democracy. The use of political terror for electoral advantage is a sad illustration of the governments' democratic weakness (Sachikonye, 2002:17-19). All of this clearly runs counter to the supposed democratic and governance foundation of NEPAD, which according to Taylor, claims to push for Africa's development and to protect human rights and democratic principles (Taylor, 2005:38).

It came as a shock to observers that many AU leaders failed to criticize the illegitimacy of the 2002 elections. The AU observer team reported the election as being transparent, credible, free and fair. Nigerian observers endorsed Mubage's victory, claiming that it witnessed no incident sufficient to threaten the integrity and outcome of the election. Kenyan and Tanzanian leaders praised Mugabe's victory and Namibian observers claimed that the elections were water-tight and without room for rigging. Similarly, South Africa claimed that the elections were free and fair (Taylor, 2005:85). The only dissenting African voice was the SADC parliamentary observer team who found that the election did not meet SADC standards (Mail & Guardian, 15 March 2002).

In condemning the AU response, Morgan Tsvangirai, leader of the opposition stated:

> "You know this is the saddest thing about Africa, all these flowery declarations and all without commitment. There is no commitment because there is no holding to account…the declarations are not worth the paper they are written on. Releasing such paper creates a feel-good atmosphere and when leaders are reminded of what they have signed, they retreat in to the defense of the sovereignty of the nation" (cited in Taylor, 2005:83).

For Taylor, the Zimbabwean crisis highlighted the general reluctance on the part of many, not all, African leaders to criticize each other. This raises profound questions around the credibility and seriousness of NEPAD (Taylor, 2005:80). If one judges NEPAD on it response to the Zimbabwean crisis, what are the long-term implications of its continental governance strategy?

Chapter Outline

Chapter two analyses democracy as a process or system which incorporates a set of institutions, principles and procedures which work together to promote liberal democracy. The chapter argues that many African states lack the correct mixture of principles and institutions and, as a result, liberal democracy in many African states has tended to remain underdeveloped. The chapter adopts a historical perspective to understanding why democracy remains underdeveloped in Africa. I argue that the origins of the contemporary crisis of many African states can be traced back to the legacy of the colonial state. Finally the chapter outlines the mechanisms that are currently being developed to promote democracy. It pays particular attention to arguments couched within the framework of good governance.

Chapter three focuses almost exclusively on African transnational initiatives as an important political phenomenon. I argue that transnational organizations play an important role in fostering democratic governance on a continental level. Over the years African leaders have designed a number of regional organisations designed to embody the dream of African unity and stability. However, genuine integration has tended to remain vague and elusive as many African states maintain a rigid and uncompromising attachment to the principle of the sovereign rights of the nation state. The notion of sovereignty was grafted into the OAU charter, which, for many commentators resulted in the OAU being deemed ineffective in promoting either good governance or economic development. With the recent transformation of the OAU into the AU much hope has been placed on the 'new' transnational organization to foster governance reforms. It remains uncertain whether or not the AU has managed to release itself from the shackles of sovereignty. The AU's relationship with sovereignty will directly affect its

implementation. Such arguments will be highlighted by making reference to NEPAD and its much criticized response to the Zimbabwean crisis.

Chapter four focuses on the African Peer Review Mechanism and the challenge of the Zimbabwean crisis for NEPAD. Many commentators have described Zimbabwe as being the first real test NEPAD has faced and its potential is measured against the extent to which its leaders are prepared and committed to speak out against deviant leaders like Mugabe. I argue that many African countries have seemingly refused to commit themselves to the NEPAD criteria by their remaining silent on the Zimbabwean crisis. Some commentators argue that the reason for the silence is due to a lack of political will on the part of certain African leaders. In this chapter I analyse the credibility of these arguments.

Chapter five looks at NEPADs internal political differences. I make the claim that NEPAD was devised on the basis of a partnership characterized by a common vision and a shared conviction to promote continental governance. Whether or not this founding statement holds strong is the subject of much debate. Attention will be drawn to the Commonwealth's reaction to the Zimbabwean crisis. The Commonwealth is a transnational organization with a prominent African presence and who following the 2002 election publicly condemned the actions of that government. The chapter argues that NEPADs response was far from unified. NEPAD leaders offered differing views on the appropriate action to be applied to the Zimbabwean crisis. Is NEPAD, and should it espouse a unified response? If these political differences are indeed real what are the implications for the long-term saleability of the initiative?

Chapter six looks at civil society. I argue that civil society plays an important role in the democratization process. Transnational organizations, like NEPAD, are founded and aim to promote democracy and good governance across the African continent. Furthermore, both democracy and good governance are essentially people driven processes and should therefore involve citizens far more closely in the process. It will be argued that civil society should be empowered and encouraged to participate in the political process. Yet

the major criticism being leveled against NEPAD is that it is a top down, elitist and leadership driven process. Was NEPAD ever designed to include civil society as the document clearly states, ‘a pledge by African leaders’, or can this be construed as a fundamental flaw in the design of NEPAD? What are the implications of excluding civil society in terms of promoting continental governance?

Chapter Two

Exploring the Concept of Governance in Africa

Introduction

Any link between democracy and Africa seems tenuous at best and unlikely at worst. It has become common to equate democracy with rule by the people. However, as Luckham and White point out, democracy encompasses far more than people actually governing. Rather democracy is comprised of a set of institutions and procedures both of which ensure plural centers of power and competition for office between contending political elites (Luckham & White, 1996:3). Important here is that democracy is defined as a form of rule in which the manner of organizing and exercising power is carried out in accordance with certain universal norms and principles (Nzongola-Ntalaja, 1997:10-13).

For the purposes of this discussion it is important to note that democracy is also about political participation where ordinary people have a voice and agency in the political decision-making process. As Luckham and White note, democratic institutions are hardly worth struggling for if they do not enable citizens to exert control over the governing process. The characteristics of democratic governance – transparency, responsiveness, accountability and tolerance cannot be achieved without high levels of public awareness and participation. Thus the participatory notion of democracy should be seen as a complementary facet of the democratization process which in many important ways goes beyond the characteristic institutions of liberal democracy to embrace the broader practices of participation, social empowerment and popular sovereignty which breathes life into formal institutions (Luckham & White, 1996:3-4).

This chapter is informed by four primary objectives and is divided into as many sections. Firstly, an in-depth analysis in to the kinds of institutions and procedures that are necessary for democracy to take root and flourish in Africa. Secondly, an investigation into the extent to which African institutions are consistent with democratic principles. Thirdly, the colonial legacy provides a contextual argument as to why the institutions and

procedures are underdeveloped and why they failed to emerge organically. Fourthly, in the absence of the core institutions and procedures what role, if any, can the international community play in fostering the emergence of these values? Can the institutions and procedures be successfully imposed from the outside? History has shown the political illegitimacy of externally imposed alternative development strategies. The final section will highlight the emergence of governance as a more recent response to the institutional African problem and increasingly its promotion has come from within the African continent.

Nzongola-Ntalaja (1997) suggests that Democracy can be examined at the level of principles as well as at the level of institutions and procedures of government (Nzongola-Ntalaja, 1997:10-13). Referring to the first level, the universal principles most commonly associated with democratic government are: power and authority emanates from the people, the rule of law prevails, rulers are chosen by and accountable to the people (government by the consent of the governed), citizens have the right to change a government that no longer serves their interests (Nzongola-Ntalaja, 1997:15).

Examining democracy at the level of institutions highlights the importance of institutions and procedures of government that are both compatible with and serve to promote democratic principles (Nzongola-Ntalaja, 1997:15). These institutions are characterized by high levels of accountability, transparency, participation and equality under the law. At the same time institutions should work to prevent unaccountable elites from manipulating democratic institutions to their advantage. Moreover, the institutions should empower civil society to ensure that democratic institutions serve the interests of broader sections of the population (Luckham & White, 1996:7).

Democracy and its corresponding set of political institutions, procedures and principles vary both in time and space. However, in terms of this discussion it is important to measure whether or not African institutions are consistent with democratic principles (Nzongola-Ntalaja, 1997:15). Perhaps with the exception of a few countries, such as Botswana and Mauritius and some emerging democracies including, Benin, Madagascar

and South Africa, Africa for the large part has deviated from democratic norms and principles. Rather than representative government and the rule of law, arbitrary rule by military and civilian dictators characterise many parts of the continent. Furthermore in many countries neo-patrimonialism pervades the entire political system and erodes the formal institutions of government (Nzongola-Ntalaja, 1997:15).

Luckham and White note it is common to equate liberal democracy with western political institutions. These political institutions have a particular historical and cultural heritage and it becomes increasingly difficult to transfer these models into an alien historical and cultural environment. Societies in the south and particularly in Africa retain a distinctive socio-economic and cultural profile which differs vastly from those in the democratic heartland of Europe and North America. The implication is that democracy will necessarily operate differently in different countries. One has to appreciate the variations between advanced democracies and developing democracies (Luckham & White, 1996:4). Such an analysis informs the argument that there is in fact an 'African' form of democracy. Whether or not such an argument is justified is the subject of another discussion. The issue here is that many parts of Africa lack even the basic components of liberal democracy and why this is the case is the subject of much debate.

The most convincing argument is one that rests on the legacy of the colonial state. The general thrust of the argument is that the origins of the contemporary state can be traced back to the beginning of the colonial era, the time at which all major institutions and social groups of colonial society came into being (Filatova, 2000:15-18). This argument necessarily rests on a historical perspective but nevertheless provides an important contextual answer as to why democracy remains underdeveloped in Africa and more importantly why the necessary institutions and procedures of democracy failed to emerge organically.

To a large extent the African state system was created by colonialism. Colonialism not only imposed artificial boundaries but also influenced the political environment in a profoundly authoritarian manner. Colonialism was never intended as an exercise of

democratic self-government. It was rather military occupation and administrative rule. The most salient characteristics of colonial rule can be summarized as military occupation and administrative rule that manifested in central control, the imposition of taxes and the need to profit from the mercantilist operations of chartered companies (Breytenbach, 1996:5-6). In a similar vein Filatova describes the introduction of colonial rule into Africa as an altogether political act where the main goal and function was to create social conditions for the economic exploitation of the conquered territories (Filatova, 2000:18). Thus the trading ties between the colonial powers and their African colonies were of primary concern. In the Portuguese and French territories civilizing the indigenous inhabitants also formed a core focus (Breytenbach, 1996:5-6).

The British, to some extent, emphasized the development of political institutions – representation and elections – which may have contributed towards state-building. But even here democratic self-rule was hardly pursued except that there was limited exposure to western institutions and its attendant practices (Breytenbach, 1996:6). But even this proved insufficient as Soremekun argues:

> "Colonial rule did not promote the values associated with good governance in Africa despite the fact that the main colonial powers in Africa were themselves democratic countries. The institutions they created were first and foremost instruments of domination established to provide the means of control over vast areas containing disparate populations, they stressed functional utility, law and order but not participation and reciprocity. The colonial state also exemplified western concepts of sovereignty and territoriality at the expense of notions like nationality and legitimacy [themselves western concepts]. Within this highly authoritarian structure connections between ruler and ruled were strictly vertical. The definition of government lacked a popular component, access to the colonial order was generally blocked and removed from scrutiny of the people it purported to govern. The remote bureaucratic and patrimonial form of politics emerged under a state which violated as a matter of routine the values of the normative dimension of governance" (Soremekun, 2000:272-273).

The decolonization process began in 1956 in North Africa and 1957 in Sub-Saharan Africa and insured the transfer of political sovereignty from the metropole to the majority. It proved to be a far cry from an experience in political tolerance or in capacity-building of African democratic institutions (Breytenbach, 1996:9-10). Politically speaking, decolonization never properly dismantled the authoritarian colonial

state. Rather in-coming administrations strengthened the unitary state apparatus and greatly expanded its scope. Even the various repressive colonial measures were retained. In case after case new African leaders misused the parliamentary majority to subvert the independence constitutions and declare their countries one-party states and presidents for life. Opposition parties were subsequently outlawed and dissidents arrested. Soon the economic system came to be characterized by the concentration of power in the hands of the state resulting in the formal sector becoming non-existent or underdeveloped (Ayitley, 1997:323-324).

Many African countries were beginning to show signs of economic collapse making reform efforts vital. What types of reforms are suitable and sustainable in Africa? (Ayitley. 1997:325).

The World Bank's initial response during the course of the 1980s to emerging crises in Africa focused primarily on the economic aspect of the crisis and informed their subsequent policies toward the south and what was referred to as Structural Adjustment Programmes (SAPs) (Abrahamsen, 2000:38). However by the late 1980s it became increasingly obvious to many in development circles that SAPs had not produced the level of development anticipated at the outset and were subsequently altered in favour of promoting democracy. The change in focus reflected a growing realization of the importance of 'getting the state right' as opposed to focusing exclusively on 'getting prices right'. The change in focus coincided with the observation that the problem in Africa has less to do with a lack of capital or ideology but more to do with deficient institutions (Ayitley, 1997:325-333). Thus a major area of concern in the prospect for the deepening of democracy, which implies the strengthening of democratic institutions and the extension of democratic processes requires the consolidation and reconstruction of the state along democratic lines through reforming the institutions in both the state and political society, free and fair elections, the formation of political parties capable of governing and willingness to accept electoral defeat, enforcing legal restraints on state power, protection of civil rights, establishment of uncorrupt and effective bureaucracies (Luckham & White, 1996:7). Central to any discussion on democracy is the idea of civil

society. Civil society plays a fundamentally important role in defining, controlling and legitimating state power. Civil society fosters democracy and improves the quality of governance (Luckham & White, 1996:185).

Having identified that many Africa countries lack the necessary institutions and procedures of democracy, what sort of strategies or response mechanisms are being mobilized to build institutions, reinforce the rule of law and empower citizens along with sound economic policies and management? (Gyimah-Boadi, 2004:1).

The response from many quarters in Africa and indeed across the greater donor and international community is governance. Governance, in the broadest possible sense, refers to the task of running a government or any other appropriate entity of either a political or economic nature. However, for the purposes of this discussion the political definition will be exaggerated where governance refers to the practice and exercise of good government. Governance – in the political sense – remains a relatively fragile process, relying as it does on the restraint of the ruler and the tolerance of the ruled. The concept itself is not new; it has been prevalent in both academic and political discourse for quite some time. However, its entry into the discourse on the nature of government in Africa is relatively new (Okoth-Ogendo, 2000:38).

Governance has gained a particular significance in the context of the World Bank as a conditionality for lending to poor countries. The World Bank first introduced the term in its 1989 World Development Report, *Sub-Saharan Africa: from crisis to sustainable growth.* The World Bank described governance as being comprised of the following; (1) the form of political regime; (2) the process by which authority is exercised in the management of a country's economic and social resources for development; and (3) the capacity of governments to design, formulate and implement policies and discharge functions (Nkiwane, 2003:53). Since then governance has enjoyed enormous currency in both developmental discourse and popular debates becoming a buzzword of development discourse (Abrahamsen, 2000:5). Increasingly the lack of governance was cited as the cause of Africa's social, political and economic predicament.

Although governance is a ubiquitous term the concept is put to use for several different purposes. The World Bank's governance agenda has become the standard of comparison and a framework against which governance is measured. The World Bank's governance agenda sees liberal democracy as the necessary political framework for any successful economic development to occur (Abrahamsen, 2000:51). Good governance is also seen to be a contributor to economic growth, human development and social justice. Governance encompasses notions of participatory, accountable and transparent government. Moreover governance stresses an effective and equitable state, that adheres to the rule of law, and a society in which social, political and economic priorities are based on broad consensus and the voices of the poorest and most vulnerable are heard in all aspects of decision-making (Chanda, 2003:58). Conversely, bad governance is accompanied by a lack of transparency, accountability and social justice (Barclay, 1999:5). Thus governance is seen as encompassing a set of institutions and procedures all of which are necessary for genuine democracy to take root and flourish in Africa.

2.1 Democracy and the African State

Sandbrook, in his analysis of democracy in Africa refers to the conventional usage in which democratisation involves two interrelated phases. The first phase begins with a breakdown of an authoritarian regime and ends with the holding of free and fair elections from which a new government is installed, more generally referred to as a process of political liberalization. Sandbrook's first phase of the democratization process relates to what Nzongola-Ntalaja, earlier referred to, as the principles of democracy.

The second phase is somewhat lengthier and involves the consolidation of democracy or more specifically the growth of widespread support for the formal institutions of democratic competition and governance. The institutions referred to should be characterized by high levels of accountability, transparency, participation and equality under the law. Measures must be put in place to prevent unaccountable elites from manipulating the institutions to their advantage. Institutions should also work to empower civil society (Luckham & White, 1996:7). Democracy is meaningless if,

between elections, rulers govern autocratically. Thus the consolidation of democracy involves the internalization of rules governing the exercise of power on a day-to-day basis as well as the rulers underpinning free and fair elections (Sandbrook, 2000:4). Moreover, democratization is not a once-off event where one set of political institutions and procedures are replaced with another but rather is a prolonged process in which procedural changes are just the first crucial step.

Although the second stage necessarily follows the first, the two must be seen as complementary and mutually reinforcing. The existence of democratic principles in society and the state will reinforce and strengthen political institutions based on democratic processes. As Luckham and White so aptly argue, entrenching democracy implies the strengthening of democratic institutions and the extension of democratic processes required the consolidation and reconstruction of the state along democratic lines through reforming the institutions in both the state and political society, free and fair elections, the formation of political parties capable of governing and the willingness to accept electoral defeat, enforcing legal restraints on state power, protection of civil rights and the establishment of uncorrupt and effective bureaucracies. This process of democratization further involves infusing formal institutions with the principles commonly deemed essential for the successful operation of a democratic polity; accountability, transparency, participation and equality under the law (Luckham & White, 1996:7).

Reflecting on the state of democracy in Africa and the perceived incompatibility between the state and democracy it is well documented that many African governments do not comply with the norms of democratic governance. One of the most obvious aspects is that democratically elected governments have been the exception rather than the norm on the continent. Civil wars are a common feature of the African political landscape (Angola, Somalia, Mozambique, DRC). Coups, military interventions, civil wars and massacres are the most obvious but not the only examples that many African countries have departed from what is perceived as the norms of democracy. Military or authoritarian regimes and one-party systems, flawed or fraudulent elections, intolerance

towards all kinds of opposition and the media, physical assaults and assassinations of opponents, the denial of basic political and personal freedoms, the suppression of human rights, embezzlement of state funds and assets by state office holders and corruption on the part of state employees seem to characterize a number of states. Economic incompetence and the inability or unwillingness of state institutions to stimulate economic growth, the decay of social services and of the economy as a whole and a failure on the part of the state to exercise control over its own territory are all common features of many African states. In extreme cases this has lead to a complete collapse of state structures as was the case in the DRC and Somalia (Filatova, 2000:12-15).

Huge swathes of the continent are characterized by a never-ending cycle of civil wars, carnage, chaos and instability. Poverty is on the increase and malnutrition rife is rife. Together with media censorships, persecution, detention, arbitrary seizures of property, corruption, capital flight, tyranny and political instability, poverty and disease plague the continent. Infrastructure has, in many countries, completely decayed and one African country after another imploded. Ethiopia (1985), Angola (1986), Mozambique (1987), Sudan (1991), Liberia (1992), Somalia (1993), Rwanda (1994), are all characterised by and experienced a similar story. Various explanations have been advanced to explain the collapse, ranging from slavery to the legacy of colonialism to an unjust international system. However, by far the most convincing is an institutional or systemic approach. "The failure of Africa to develop in the post-colonial era has little to do with alleged racism but rather more to do with the defective economic and political systems established by African leaders after independence" (Ayitley, 1997:321-322).

Reflecting on the enormity of the problems confronting African countries today and the obvious failure of some thirty years of independence to improve the lives of many Africans, Basil Davidson, concluded his lifetime of committed scholarship to the continent by contending that the African crisis is little more than a crisis of institutions borne out of what he describes as the particular nation-statism of the post-colonial years. For Davidson the crisis of the post-colonial nation-state project derived from its construction on the basis of European models, rather than on the basis of Africa's own

rich and varied history and experience. To this, Laakso and Olukoshi added the absence of enduring structures of democratic governance and popular political participation with the consequences that any efforts at tackling the national question were not linked to the question of democratization (Laakso & Olukoshi, 1996:9).

Together these conditions have served to damage democratization. In its place we have witnessed the emergence of what Sandbrook refers to as pseudo-democracy (Sandbrook, 2000:23). A pseudo-democracy is the kind of political regime that occupies a hazy terrain between genuine representative or multiparty democracy on the one end and authoritarianism on the other end (Sandbrook, 2000:25). Moreover pseudo-democracies mimic representative democracies in that they tolerate opposition parties and periodic elections. However their electoral contests are a mere façade behind which governments intimidate and harass opponents, enforce legal restrictions on the opposition and rig the vote.

> "Key institutions that should channel mass participation, resolve conflicts and enforce accountability, such as party systems and legislatures are weak and fragmented. Parties for example, evolve into fractions engaged in personalistic or ethnic power struggles. The state in a pseudo-democracy also affords limited protection of civil and political rights: governments repress oppositional groups, undermine the critical organs of the independent media and manipulate the judiciary" (Sandbrook, 2000:25).

Democratization is necessarily a long-term process and in Africa the process is of recent origin, beginning in the 1990s. However, it is already clear that some of these democracies have failed. Why have many African democracies proved unsustainable? Is it simply a lack of participation, the incomplete institutionalization of the rule of law, the lack of accountability, or is it unfavourable social, ethnic, economic factors, or a combination of these many factors? Breytenbach argues that explanations can be sought by looking at the nature of the African state as it emerged out of colonial rule. For Breytenbach and others, adopting a historical perspective is important as to a large extent the African state system was created by colonialism. Colonialism not only imposed artificial boundaries but also influenced the political environment in profoundly authoritarian ways (Breytenbach, 1996:4-5).

2.2 The Colonial Legacy

> "For a century, perhaps since 1885 when it was partitioned, Africa has been ruefully nursing the wounds inflicted on it by its colonial past. Remnants of this inevitable colonial heritage intermittently erupt into discordant social, political and even economic upheavals which, some say, are better forgotten than remembered. But this 'heritage' is difficult, if not impossible to forget, aspects of it continue, like apparitions, to rear their heads and haunt their entire continent in various jarring and sterile manifestations: how do you forget unhealed wounds" Abijola, 1994 (cited in Griffiths, 1995:1).

Jackson and Rosberg argue that African independence from colonial rule was of profound political significance (Jackson & Rosberg, 1982:15). The significance of this process is mostly due to the indisputable fact that colonialism left behind a legacy that has endured beyond independence and continues to resonate at the start of the 21st century (Nugent, 2004:7). Thus the aim here is not to reproduce an account of colonialism or decolonization both of which have been detailed exhaustively in other works, rather the aim is to get a sense of what the new rulers inherited or what Nugent refers to as the 'baggage of colonialism' (Nugent, 2004:7). On one level the new rulers inherited what Guest refers to as 'useful things', roads, clinics and laws (Guest, 2004:9). Although at times alien, the new African rulers inherited a set of political institutions as well as procedures to operationalise the various institutions. However at the same time they inherited a deeply ingrained political and economic legacy which in various ways lacked the values most commonly associated with democracy, such as, accountability, legitimacy, predictability, transparency and a high regard for the rule of law and respect for human rights.

The road to independence, for some, began in the late 1950s when the administrative system introduced into Africa by the various European colonial powers during the course of the 19th century was gradually, although some commentators argue rather hastily, being transferred into African hands (Jackson & Rosberg, 1982:15).

The first wave of independence saw the emergence of North Africa and Ghana from colonial rule. The 1960s witnessed the dismantling of the French colonial empire as well as Nigerian independence. By the mid 1960s well over 30 states had experienced decolonization. The mid 1970s saw the Lusophone (Portuguese) states of Guinea-Bissau, Cape Verde, Mozambique and Angola overcome decades of colonial domination, following a far more violent wave of independence than that which had characterized earlier independence struggles. In 1980 Zimbabwe – former Rhodesia – gained independence bringing to an end the British colonial presence in Africa (Chazan et al, 1992:6). By the late 1980s this process of independence was virtually complete with approximately 40 sovereign states in Sub-Saharan Africa.

African independence was won on the backbone of nationalist slogans essentially created by a 'new African petit-bourgeoisie' who wanted to take over the colonial state, virtually in tact (Breytenbach, 1996:8). Transferring power to African leaders was seen as necessary by this new class not only to end political oppression but also to enable rapid economic growth and a reduction in poverty (Gordon, 1992:51). However within a relatively short period, 20 years in the case of Zimbabwe, it was growing ever more apparent that achieving political sovereignty did not itself create the conditions in which to address the deep economic inequalities and structural legacies of colonialism (Griffiths, 1995:1). Zimbabwe, like many other African countries, was transformed from being a bread basket into a basket case (Sachikonye, 2002:13). From being a democratically promising nation of great economic and social potential, Zimbabwe was transformed, over approximately a fifteen year period into a corrupt tyranny, bankrupt both financially and morally (Rotberg, 2002:226). Everyday life in Zimbabwe is overwhelmingly characterised by famine, starvation, civil war, crippling debt, crumbling infrastructure, plummeting economic performance, soaring population growth and a devastated physical environment (Griffiths, 1995:1). The general tendency is to attribute these effects to immediate causes: political corruption on the part of leaders, flawed democracies and power hungry military dictatorships. This may very well be and indeed is part of the explanation; however, the unhealed wounds of Africa's colonial past cannot be forgotten. To quote Griffiths

> "The immediate causes of African misery must be put in the context of basic structural defect, both economic and political, deriving from the comparatively recent and short-lived colonial period when almost the whole of Africa was divided between European powers. This context is by no means the sole cause of Africa's present plight but the colonial inheritance is crucially important and not easily disowned" (Griffiths, 1995:1-2).

The problem in Africa then has far more to do with the legacy of colonialism than it does with colonialism itself. If colonialism itself was the problem one would have expected that when the colonialists left the continent would boom, however this never transpired. Thus the core challenge is the enduring legacy of that epoch (Guest, 2004:9). Dealing with this very same legacy of colonialism has been a central challenge for many post colonial leaders on the continent.

When assessing the colonial legacy it is imperative to bear in mind that there was no uniform inheritance (Nugent, 2004:65) and moreover, that the meaning of independence varies enormously from one state to another. The different states, peoples and groups have vastly different experiences rendering Africa far more heterogeneous than Afro-pessimists concede in fact making the argument for the existence of many Africas' far more viable. "The continuity of separate heritages coupled with different experience and patterns of change, have worked to differentiate African states from one another" (Chazan et al, 1991:6-14). The various colonial powers all had their own form of administration. As a direct result the various African states have surprisingly little in common (Segun Odunuga, 1999:41). Striking evidence of this dissimilarity lies in the variety of governmental structures and regimes across the African continent. By the 1980s a bird's eye view of more than 50 African states highlights examples of monarchies, dictatorships, military regimes and civilian governments, revolutionary systems and democracies, populist administrations and authoritarian modes of rule. As Naomi Chazan characterise it, "African politics constitutes a microcosm of political forms and contents, experiences and patterns, trends and prospects" (Chazan et al, 1991:6).

Yet despite the diversity of structures, variations in political style and ideological differences, the newly independent African states share a common and troubled

inheritance at the time of transition from colonial rule (Gordon, 1992:51-52; Chazan et al, 1992:25), and several common features of the legacy are worth mentioning and elaborating on as it is precisely this legacy that has informed and shaped Africa's current predicament and more importantly prevented the right kind of institutions and procedures from emerging organically from within the African continent.

Referring to Nugent's long-range perspective it is important to briefly, while not making it the core focus, elaborate on the central features of the colonial state. Such features will be presented in a broad and general framework.

Claud Ake argues that the colonial state was both powerful and arbitrary. Referring to the former, he argues that the colonial state was a state of occupation and as such it had to subordinate people, create an economy and the means to exploit it. At the same time it had to maintain law and order and ensure that the colonized people were unable to resist. In order to do this it had to have absolute power while at the same time it showed signs of being arbitrary. The process of colonization amounts to an arbitrary claim on the rights and resources of the people. The colonizers assumed that the colonized had no rights and therefore the question of rights never entered the equation.

> "The politics that were engendered by these circumstances were simply politics as warfare, politics in which people's rights were co-extensive with their might, in which the strong took what they could, leaving the weak to suffer what they had to. It was politics of a zero sum game, in which the question of governance was not even relevant. Politics was reduced to a single issue – the right to rule" (Ake, 1992:29-30).

Under colonial rule all economic decisions were profit centered and the promotion of African development was of secondary or very little importance. The European colonizers rarely invested in rational programmes designed to make the various African countries self-sufficient. Moreover, the colonial rulers were unconcerned with the needs and wishes of the indigenous population and created governing apparatuses primarily intended to control the territorial population, to exploit natural resources and to maintain themselves and the European population. In addition, the colonial states were characterised by a centralized hierarchical, bureaucratic and authoritarian system of control (Gordon, 1992:55), all of which was supported by a well developed coercive

apparatus [police force] endowed with the responsibility both to maintain order and to ensure compliance with their colonial dictators (Chazan et al, 1991:43). "Behind every colonial government stood a strong security service" (Chazan et al, 1991:42).

The long term consequence was that political power did not rest in the legitimacy of public confidence and acceptance but rather lay firmly in the hands of the political authorities (Gordon, 1992:55). Where colonial rule varied in intensity and intrusiveness from one part of African to another, it was on the whole fundamentally authoritarian and imposed, as opposed to being participatory and consultative (Chazan et al, 1991:28). The administration undertook activities that it deemed appropriate without widespread consultation (Chazan et al, 1991:42043). In sum, the colonial system lacked many of the core values associated with good governance and democracy despite the fact that the colonial powers were themselves at least nominally democratic.

This form of rule controlled every aspect of social and political life and it is not surprising then that since independence very few radical changes have been made largely due to the strength and pervasiveness of the colonial system (Griffiths, 1995:2). Where the colonial system was all important and all pervasive, its durability tended to be somewhat limited, which in political terms, was surprisingly short. For the best part of Africa it survived a mere 75 years (1885-1960), although slightly longer in the case of Zimbabwe (Griffiths, 1995:2). If the colonial period itself was short lived so to was its preparation for independence, a process which according to Chazan, tended to be hasty and incomplete (Chazan et al, 1991:43). Hence independence was not the culmination of a long process of preparation in which the end was far and the plans carefully developed (Gordon, 1992:54-55). Decolonization was tantamount to the transfer of sovereignty from the metropole to the majority, it was far from an exercise in political tolerance or in capacity-building of African democratic institutions (Breytenbach, 1996:10).

In much of French and English speaking Africa, western style democratic institutions were only designed on the eve of independence. These efforts to democratize Africa lay in stark contrast to the authoritarian pattern of governments that had dominated colonial

rule. Thus the new leaders had very little time to internalize this new mode of government (Chazan et al, 1991:43). To quote Chazan:

> "The aspects of decolonization – devolution of the administrative apparatus and the transfer of the political apparatus - were not always integrally linked. The bureaucratic structures and the concepts that guided their creation and operations reflected the concerns of the colonial designers. These institutions together with their underlying assumptions were handed over virtually intact and constituted the organizational legacy of African states at independence. The political inheritance however, was far more ambiguous. New rules had been devised – although hardly tested – just prior to the African take-over of decision-making roles. The political arena was, virtually by definition, in flux. Economic decisions were hardly favourable to smooth government and anti-colonialism was not necessarily accompanied by the formation of a national consciousness in countries that encompassed an ensemble of different groups, with many diverse interests" (Chazan et al, 1992:45).

Nevertheless the early days of independence were characterised by a sense of excitement and hope as the obvious burden of racist imperial rule was eliminated. New flags flew over government offices as Africans now held the seats of political control and the world recognized the new states as sovereign. In the case of Zimbabwe, when Robert Mugabe took over the reigns of power (in 1980) the world applauded and praised him, in what appeared to be universal admiration for him (Peron, 2000:1). Yet this general feeling of excitement at independence was over-shadowed by an enormous set of problems that the leadership had to confront promptly. The new governments had meagre economic resources, were extremely vulnerable and were under intense pressure to deliver and meet a heightened set of demands and expectations. In addition to this the new governments were characterised by high levels of inexperience (Gordon, 1992:62-63). The civil servants had a general lack of skills and their experience was too limited to master the task of governance (Chazan et al, 1992:43). As Chazan states "the new leaders themselves had earned their positions as a result of their ability to organize and capitalize upon colonial protest. They had little, if any, experience in governing even a small area let alone an entire country" (cited in Gordon, 1992:63). To add to the already depleted situation, the African leaders were left with weak, malintegrated and severely distorted economies (Gordon, 1992:54). The system of power was aloof and weak and affected only portions of daily life and managed to bring about change in a limited number of spheres. The institutions transferred to African hands were alien, bureaucratic,

authoritarian and concerned primarily with domination and authoritarianism as opposed to legitimacy (Chazan et al, 1992:43). It is this legacy of domination and authoritarianism that carried over virtually intact that has permeated and become further entrenched in many post-colonial African states, to a lesser extent in far fewer states.

It warrants mentioning that contrary to popular belief, the newly inherited African state was not simply the colonial state in a new dress. Rather, the transfer of authority from Europe to Africa and especially the transformation of that authority made it a very different kind of state than its European predecessor had been (Jackson & Rosberg, 1982:15). Where it may be true that aspects of colonial rule carried over virtually unchanged into the post-colonial phase, the nature of that rule was altered significantly. In Africa, colonial rule was, generally speaking, bureaucratic rule. Colonial governments were run by administrative officials appointed by imperial European authority and power was delegated to them by the imperial authority and to whom they were ultimately responsible. As such the colonial officials were merely officeholders or imperial servants and never fully independent statesman or leaders. Independence, however, implied a fundamental change and reorientation of political authority. The new African leaders would not occupy an office whose authority and power were determined by a higher authority. Rather this authority and power would be determined either by a new constitution or by the rulers' personal domination. In many cases the latter prevailed (Jackson & Rosberg, 1982:16). On one level African leaders inherited a distinct structure of control in comparison to that which had characterized the colonial period, although the essential features remained virtually unchanged. On another level, the new leaders lacked a strong power base from which they could establish priorities and pursue policies. This mixed inheritance defined the central problem of African governments at the time of independence. They had to deal, in one way or another, with the issue of power consolidation in a situation where their own legitimacy was tenuous, demands and expectations were heightened, resources were meagre, external vulnerability was pronounced and allegiances were uncertain (Chazan et al, 1992:26).

As a result the first few years of independence were accompanied by efforts on the part of the new state leaders to overcome the constraints of the colonial legacy by reorganizing the public institutions and concentrating power at the political centre. Almost uniformly in Mali, Sierra Leone, Kenya, Tanganyika, Zambia, Algeria, Tunisia, Uganda and Senegal, to name but a few, political opposition was curtailed, political parties fortified, administrative structures greatly expanded and decision-making centralized around the head of state and his closest allies. A process of power consolidation with strong authoritarian overtones occurred across large sections of the continent (Chazan et al, 1992:46). These and other similar changes introduced during the early years were a means to increase the concentration of power and at the same time reducing or removing all together any form of competitive opposition (Chazan et al, 1991:47). A number of factors contributed to their decision to follow such a path. Firstly, as a result of their successful role in the achievement of independence most leaders enjoyed an element of leeway. Secondly, these leaders were not committed to upholding the independence constitutions. They felt that the constitutions were merely a means to speed up the transfer of power and were an obstacle to efficient government (Chazan et al, 1992:46-47). The constitutions were simply unacceptable to local populations and functioned simply as a costly irrelevance which was best gotten rid of. The newly instilled elites moved to dismantle the independence constitutions claiming they hampered the operation of governmental functions (Okoth-Ogendo, 2000:40-41), and in doing so hoped that this would facilitate their quest for state hardness (Chazan & Rothchild, 1993:184). Many Africans were of the opinion that a strong central government was essential to build national unity and hence result in economic development (Gordon, 1992:65). Thirdly, the Westminster style model of the Presidential Francophone counterpart provided few answers to the very real issues of the time (Chazan et al, 1992:46-47). The new leaders were of the opinion that liberal democracy would hamper their attempts at reform and development.

Hence all changes introduced during the early years of independence were a means to further entrench the concentration of power and reduce any form of competition. This was achieved one of two ways: either by weakening or eliminating participatory

institutions inherited from the colonial period or by strengthening and enlarging the bureaucratic structures. This by no means implied a total transformation of public structures. Rather any institution in direct competition to the ruling coalition was either reshaped or eradicated and those that enhanced the central leadership were sustained and elaborated. The first step in the pursuit of this goal was to limit the opportunities for opposition. One method of achieving this was to denounce localism and local structures and place local government under the aegis of central institutions. This was the path followed in Kenya, Uganda and Ghana, whereas in Nigeria a federal type structure was maintained.

A second method of eliminating opposition was to outlaw rival political organizations. Leading the pack in this regard were Ghana and Guinea. In both cases local political parties were declared illegal and contrary to national interests. The opportunities to voice discontent were also reduced, more often than not through incarceration. By the early 1960s in countries such as Kenya, Algeria, Ghana and Guinea leaders of opposition parties were either in jail or had gone into exile to pursue their political struggles from abroad. "Where the insecurity of the new regimes was especially apparent, the notion of opposition itself was considered to be immoral, unity was equated with uniformity, disagreement with treason" (Chazan et al, 1992:47-48). In many cases the elimination of opposition involved the dismantling of the multi-party system. The creation of the one-party system constitutes the most notable political changes introduced at independence and furthermore was supported by many of the new leaders. Most notable of which, Kwame Nkrumah, who in defense of the one-party system suggested that multi-party politics was both divisive and anti- ethical to the needs of economic development and national integration. Similarly, Julius Nyerere of Tanzania saw the one-party state as essentially democratic and reflective of African culture and deep- rooted norms of consensus (Chazan et al, 1992:49). Robert Mugabe of Zimbabwe pursued a similar line of action, although his motives appear to be directed at retaining power.

Virtually from the moment he took over the reigns of power, Robert Mugabe, appeared determined to transform Zimbabwe into a one-party state. His bold intentions

materialized a mere seven years into his rule when, during the course of 1987, Mugabe pushed through a series of constitutional amendments that fundamentally transformed the way in which Zimbabwe was governed. The independence constitution agreed to during the Lancaster House agreements was abolished and various forms of opposition removed in his efforts to create the ideal of a one-party state (Blair, 2002:36). Moves in this direction came to a head when, on 27 December 1987, Mugabe as head of ZANU and Nkomo, leader of the opposition ZAPU signed the unity accord, forever merging ZANU and ZAPU into a single party and would from this moment on be referred to as ZANU-PF (Meredith, 2002:73). After demolishing his strongest rivals, Mugabe went on to accumulate even greater powers. In a ceremony held on 30 December 1987, Mugabe was declared Executive President of Parliament, combing the role of head of state, head of government and commander-in-chief of the defense force with the power to dissolve parliament and declare martial law and the right to run for an unlimited number of terms in office, cementing his intention to 'rule forever'. He single handedly controlled appointments to all senior posts in the civil service, the defense force, the police and parastatal organizations, giving him a stranglehold on all government machinery and unlimited opportunities to exercise patronage (Meredith, 2002:79).

It holds true that by far the most common from of political organization following independence in the various parts of Africa was the single-party state, with the notable exception of Botswana and Gambia who both maintained their multi-party systems. In both these countries, however, although one party remained in power, opposition parties were able and permitted to organize and compete in elections and have their voices heard. In total contrast, Mauritius developed into a thriving multi-party system that allowed for the frequent change in governing parties through the ballot box (Chazan et al, 1992:63).

For the vast majority of African countries, Zimbabwe being a notable example, the motive behind dismantling democratic structures was a direct attempt on the part of ruling elites to retain power. However blatant moves in this direction did not have the desired effect of dampening opposition. Therefore in order to maintain power African leaders were forced to construct stronger bases of social support. They sought to achieve

this through the distribution of patronage and the development of clientalistic ties to key individuals and groups. Key individuals were co-opted in to the government by being appointed to high political offices (Gordon, 1992:68-69).

The political process in which government office is bestowed in return for political support and personal loyalty is generally referred to as patrimonialism. This, together with clientalism emerged as the main form of political control. Hence, much needed state resources were drained away and used to co-opt opponents into the system and furthering their ideal of consolidating power over the political arena, rather than being committed to development initiatives. To quote Gordon, "private appropriation of state resources and the use of government money to build and expand personal rule lay at the very heart of the process by which most post-colonial regimes sought to govern" (Gordon, 1992:68-73). A direct outcome of the patronage based rule of the 1960s and 1970s was the rapid expansion of the political branch, so much so, that by 1980 almost half of government expenditure was allocated to paying the salaries of government employees. During the 1960s the civil service in Africa grew on an average of 75 per annum. By 1970, 60% of wage earners were government employees. A decade later almost 50% of government expenditure was allocated to paying salaries. Tanzania provides a glaring example of this immense growth; state posts in Tanzania increased from 65,708 in 1966 to 191,046 in 1979 and 295,352 in 1980. The bureaucratic expansion greatly increased the networks of administrative institutions in African countries, yet this all encompassing administrative apparatus has not assured increased efficiency or responsiveness (Chazan et al, 1992:55-57). Rather the expansion of the state and the huge costs of patronage and the non-productive and wasteful use of public resources by the elite in many African countries have resulted in them declining into a state of crisis (Gordon, 1992:73-75).

> "When taken together, bureaucratic expansion and the proliferation of state-owned enterprises vastly augmented the networks of administrative institutions in African countries. Yet this sprawling and often unweilding administrative apparatus has not assured efficiency or responsiveness. Bureaucratic roles have been ill-defined and the pressures upon public servants for personal favours have been especially intense. Corrupt practices have permeated the civil service in most African states and the relations between government officials and civil servants have frequently been strained…thus structures intended as institutional

> vehicles for development by their inefficiency, became obstacles for effective growth…" (Chazan et al, 1992:57-58).

By the start of the 1980s, virtually every African country was showing signs of acute economic distress reflected in a mounting and unsustainable debt burden, a seemingly permanent trade deficit and an acute fiscal crisis which meant that the state was unable to maintain basic infrastructure or fund essential social services. The state and the post-colonial nationalist project started to weaken. The weakness built into the nation-state project began to be brought into sharp relief when the model of state expansionism and patronage that underpinned it was called into question by the economic collapse experienced in the late 1970s and early 1980s. The deep seated domestic economic problems meant that the post-colonial social contract and the alliances and networks built to create relative political stability became increasingly unsustainable. As the economic crisis worsened the capacity of the state to provide welfare services diminished, as did the capacity to provide patronage to political and economic elites. The legitimacy of the state and the model of nation-building that it pursued were called into question (Laakso & Olukoshi, 1996:16-18), initially by the international community.

2.3 Structural Adjustment Programmes

The World Bank was one of the first international organizations to respond to the crisis (Hyden, 1992:5). Their initial response during the course of the 1980s focused primarily on the economic aspect of the crisis and informed their subsequent policies toward the south and what came to be referred to as Structural Adjustment Programmes (SAPs). SAPs were an attempt on the part of the World Bank and IMF to rejuvenate slumping African economies (Sandbrook, 1993:9). The Adjustment Programmes entailed currency devaluations, exchange and interest rate liberalization, privatization, the withdrawal of all state subsidies and the introduction of user charges on a variety of social welfare and other services, trade liberalisation, retrenchment of public sector employment and a generalized curb on state intervention in economic processes (Laakso & Olukoshi, 1996:18). According to Sandbrook the reasons for adopting the overly market approach are somewhat complex (Sandbrook, 2000:11).

SAPs were a market-orientated developmental response to the severely underdeveloped African countries. By the 1970s and early 1980s all but a handful of Sub-Saharan African countries had succumbed to economic decline; a rise in inflation, a drastic fall in output export revenues and private capital inflows. This created a desperate need for foreign credit, pushing African governments directly into the hands of the IMF and World Bank. The former had long been a bastion of neo-liberal thinking, the underlying assumption of which is that market exchange is the natural form of economic behaviour (Sandbrook, 2000:11), and furthermore, are better geared to deal with underdevelopment problems (Abrahamsen, 2000:38). Moreover, market forces are ever present and therefore simply need to be released from the hold of the interventionist state which in various ways prevents economically rational behaviour (Sandbrook, 2000:11). Thus the aim of SAPs was to remove state interference from the economy and thereby allowing the economy to assume it natural state – allowing for increased efficiency, sustained growth and eventual prosperity (Sandbrook, 2000:11)

The market-led development approach pursued through SAPs assumed that economic reform, on its own, was sufficient to address the mounting problems. By the late 1980s however, many analysts began to see that the approach was inadequate largely due to the fact that policy prescriptions had failed to stimulate the desired level of growth (Gelb, 2002:23-24). Indeed the World Bank started to articulate the possibility that there was something unique about African economies which implied that their earlier policy prescriptions had failed to generate the level of growth previously anticipated. The World Bank began to shift their focus to the state and the ability of the state to provide the right kind of environment for economic growth, particularly in those states where the private sector was small and not well developed. This shift in approach reflected a growing realization that economic decline reflected the weakness of the state which was simply unable to establish and maintain an institutional framework that allowed for the effective regulation of economic and political activity (Gelb, 2002:23-24). Realizing that the crisis in Africa is as much a crisis of politics and institutions as it is a crisis of the economy and society itself. This realization has shown the limits of the liberalization

process and the political illegitimacy of externally imposed development strategies (Laakso & Olukoshi, 1996:20-33).

According to Pankhurst, this startling realization resulted in an important shift in approach for the World Bank, who suggested a need for donors to support state capacity-building (Pankhurst, 2002:111-112). Africa remained underdeveloped and would continue to do so unless the correct democratic institutions and procedures were encouraged. There is a need to promote social equity, a minimum standard of human welfare, a viable economy, human rights, political pluralism and effective public institutions, all of which need to be recognized as urgent. As Laakso and Olukoshi state, if the current crisis is to be tackled, a strong and effective democratic state apparatus is essential (Laakso & Olukoshi, 1996:33).

Thus the international response to the crisis in Africa adopted a fundamentally different stance with the IFIs and the World Bank in particular began to articulate visions and assumptions about good governance, good government and the connection between democracy and development (Pankhurst, 2002:111-112). The reason for the lack of economic growth in Africa was due to what the World Bank termed 'poor governance' (Abrahamsen, 2000:40-41).

Governance, although only one such response, is nevertheless the most recent response to the crisis in many African countries. Governance is being pursued not only by the IFIs and World Bank but also by Africa's homegrown transnational initiatives. The final section of the chapter will firstly define governance and secondly, place it within the African context.

2.4 Governance

The Bank's new found vision was elaborated on in their 1989 report, *Sub-Saharan Africa: from crisis to sustainable growth.* According to Nugent, this ground breaking-document added a new ingredient to the development pot, what the World Bank referred to as the crisis of governance in Africa (Nugent, 2004:331). In this document the state

was still treated as a major part of the problem but it also acknowledged that the state needed to be part of the solution. On the one hand the report argued that the state stifled entrepreneurship and investment. State interventionist policies favoured rent-seeking behaviour, encouraged waste and capital flight. On the other hand if the state was to play a role in economic recovery, the state, its institutions and procedures had to be re-orientated and rejuvenated. The report argued that improved governance was essential to economic recovery. More importantly the state needed to create an enabling environment in which the private sector could flourish (Sandbrook, 2000:11-12). Sandbrook argued that:

> "If certain institutional conditions for the efficient operation of markets were absent, downsizing overextended governments and removing constraints on market forces would not suffice. Markets could not work their magic in the absence of social peace and political stability. A range of reliable physical and social infrastructure, a disciplined and expert Weberian-type bureaucracy, functioning financial institutions, the rule of law and a predictable and non-confiscatory tax system. If these conditions did not exist, the state must create them" (Sandbrook, 2000:12).

The 1989 document was the culmination of a long-term perspective study and it was, according to Callaghy, initially well received by many Africans. The documents emphasis on governance grew out of the importance of creating a more facilitative socio-political context for Structural Adjustment in Africa (Callaghy, 1993:477). It was in this document that governance was, for the first time, raised as a major area of concern. The document defined governance as "the manner in which power is exercised in the management of a country's economic and social resources for development" (cited in McLean et al, 2001:12). The document in defending their new approach to development stated the following:

> "Efforts to create an enabling environment and to build capacities will be wasted if the political context is not favourable…ultimately better governance requires political renewal. This means a concerted attack on corruption from the highest to the lowest levels. This can be done by setting a good example by strengthening public debate and by nurturing a free press…" (cited in Callaghy, 1993:477).

After 1989, the rebuilding of African states assumed a high priority of the World Bank who set up a number of programmes aimed at this objective. One set of programmes aimed to enhance the government's administrative and technical capacities. However

these public sector assistance programmes tended to be narrow in scope, focusing on reducing the civil service, devising appropriate salary policies and imposing better financial management. After 1990 the World Bank deepened its commitment to improving the capacity of the African state apparatuses. The World Bank established a capacity-building and implementation division in its Washington headquarters and with the support of the United Nations Development Programme (UNDP), an African capacity building foundation in Harare, Zimbabwe. This foundation aimed to improve the potential of policy analysts and managers in Africa's public and private sectors (Sandbrook, 2000:12).

Better governance for the World Bank referred to less unpredictability and uncertainty in policy and administration, more rule of law, maintaining judicial independence and transparency and accountability to representative bodies (Callaghy, 1993:478). In April 1990, Barber Conable, President of the World Bank laid out the bank's argument:

> "The development of many Sub-Saharan African countries has been quite unnecessarily constrained by their political systems. Africans can and must tackle this issue…indisputably three decades after independence too many African countries have failed to produce political and economic systems in which development can flourish…people need freedom to realize individual and collective potential…open political participation has been restricted and even condemned and those brave enough to speak their minds have too frequently taken grave political risks. I fear that many of Africa's leaders have been more concerned about retaining power than about the long term development interests of their people. The cost to millions of Africans…has been unforgivably high" (cited in Callaghy, 1993:478-479).

The World Bank in its 1992 Report, *Governance and Development,* equated good governance with sound development management. This improvement would flow from enhanced accountability within the public sector, transparency and openness in decision-making, the rule of law and more efficient public management. The World Bank linked better governance to democratization, the protection of human rights, especially freedom of expression. If economic recovery demands a structural adjustment of politics and economics then the neo-liberal thinking was that democratization might be the vehicle of such an adjustment. Democratization could re-establish the rule of law, open up policy

debate, reduce governmental waste through enhanced accountability and empower coalitions supporting market based reforms (Sandbrook, 2000:13).

Governance then became the central policy response to the growing developmental problems confronting many African countries. The lack of governance destroys a country's ability to develop an enabling environment conducive to sustainable growth and intensifies people' suffering. The Bank's early understanding of governance was comprised of four main dimensions; (1) public sector management; (2) accountability; (3) a legal framework for development; and (4) transparency and information accessibility (McLean et al, 2001:13). Scholars, activists and policy makers alike argue that the World Bank's understanding of good governance tends towards the promotion of market economies at the expense of human security and human rights (McLean et al, 2001:13). Pankhurst is one such critic who argues that the World Bank's articulation of governance tends towards a narrow administrative meaning referring as it does to an efficient bureaucracy. For Pankhurst an efficient bureaucracy free from corruption will assist in development efforts regardless of the political system it serves It is not necessary, in her mind, to have a democratic political system (Pankhurst, 2002:113). This has led authors such as Abrahamsen to argue that while the good governance agenda of the World Bank acknowledges the importance of the state in the development process, it does not however represent a complete break with neo-liberalism. Rather governance was grafted onto the existing neo-liberal policies with the intention of giving them a more democratic face, in doing so constructing a new legitimacy for the heavily criticized SAPs (Abrahamsen, 2000:41-42).

Partly in response to such criticism the World Bank in its 1997 World Development Report, *The State in a Changing World*, began to revise their conception of good governance. The 1997 document argued that it is possible "to make every state a more credible, effective partner in its country's development through a two-part strategy" (cited in McLean et al, 2001:13). The first part of the strategy focuses on matching the state's role to its capability and recognizing state capacity in fulfilling its responsibilities effectively. The second part involves capacity building through partnerships with the

business sector and civil society. The two-part concept of governance was further elaborated on in the 1999/2000 World Development Report and it is according to McLean et al far more progressive as it included civil society as a partner with the state (McLean et al, 2001:13). Thus where the World Bank initially excluded civil society it was now shifting its attention to include civil society as an important actor in the development process. Civil society refers to the presence of a rich and varied associational life and increasingly the World Bank began turning to civil society in an endeavor to promote political change and improve economic performance while at the same time checking against the growth in the power of the state. The expectation is that a strong civil society has the potential to limit the role of the state at the same time an active civil society will ensure participation in the political process and this participation is required to provide an enabling environment for economic reform and growth. However the reality is that civil society is used to refer to contradictory things and while the World Bank has been holding think tanks to explore the means of strengthening civil society the objective is less clear than that of promoting democracy. As a result the World Bank has not intervened to support these activities or even to strengthen civil society, whereas other donor agencies are making civil society the focus of their attention (Pankhurst, 2002:113-114). The importance of civil society in the democratization process will be dealt with more extensively in chapter six.

By the end of the twentieth century the concept of governance increasingly came to mean the sharing of power and responsibility among three broad groups of actors: state, market and civil society. Its emphasis was no longer limited to the management of development resources by the state alone. Instead many development agencies now realize that good governance cannot be achieved without ensuring an equitable distribution of power and resources within and between societies and without creating an environment for popular participation in decision-making. Hence donor policies are beginning to identify the need to create a framework in which individuals, civil society, market forces and government's interact with one another at all levels: from local to global through national and regional (McLean et al, 2001:27-28).

One such example is the United States Agency for International Development (USAID) programmes of good governance. USAID is primarily concerned with strengthening the institutions of what they refer to as 'free societies'. In addition to promoting pluralist, multi-party democracy, its programmes aim to develop an enabling environment for civil society. They consider the latter as the forum for protecting and advancing basic individual freedoms and furthermore provide financial and technical assistance to the development of a vibrant, autonomous civil society in the developing world (McLean et al, 2001:14).

Similarly the good governance programmes of the UK Department for International Development (DFID) are designed essentially to improve governmental accountability in order to enable ordinary citizens to play a role in choosing their leaders and policies. In particular DFID seeks to develop a structure of governance, which is legitimate, efficient and transparent and moreover directs its development assistance towards the protection of basic human rights such as freedom of speech, religion and organization. Like USAID its policies encourage civil society organizations to participate effectively in various socio-political activities (McLean et al, 2001:15).

Despite all the progressive rhetoric the Bank has not set a good example. The Bank's view of governance remains orthodox with its focus on the national level and the state. Thus while it appears that the bank is moving in a positive direction it remains trapped in a specific model of socio-economic development. "Strong criticisms notwithstanding the World Bank's good governance project has been responsible for focusing considerable analytical attention on the problematic of governance" (McLean et al, 2001:13-14). Despite the fact that evolving definitions employed by the bank have become standards of comparison, different perspectives have merged from the likes of bilateral donors, NGOs and critics (McLean et al, 2001:13-14), all of which in one way or another sought to link governance to legitimating processes and free the concept from the fuzziness that had begun to settle around it (Olukotun, 2000:97-98).

An important contribution in the direction of concept clarity is the pioneering book *Governance and Politics in Africa* edited by Goran Hyden and Michael Bratton (1992). These authors located the concept in comparative politics and applied it to various dimensions of state-society relations in Africa (Olukotun, 2000:98). Hyden argues that there is little consensus regarding the meaning of the term governance. To avoid simply applying the term loosely, Hyden contends that it is far more beneficial to apply the concept at the level of regime or at the level of rules that guide behavior and action in politics. Hyden argues that applying the concept of governance at this level is important as regime refers to the formal and informal organization of the centre of political power and its relation to the rest of the political community. A regime directly determines who has access to political power and how those in power relate to those over whom they rule (Hyden, 1998:38-39). Apart from this, regime is also distinct from both state and government. A regime is a more permanent form of political organization than is a government and at the same time less permanent than a state. A state is an "institutionalized structure of domination and coordination of both law and order and development activities" and may remain in place as regimes come and go. Whereas a regime on the other hand is a set of rules that govern the organization of politics. A regime "provides the structural or institutional framework within which resources are authoritatively allocated or the rules within which politics are made" (Hyden, 1998:39).

Hyden defines governance as "the conscious formation and management of regimes structures with a view to increasing the legitimacy of the political system" (Hyden, 1998:39). This definition sees governance as a "systematic and processional framework within which legitimate public enterprise activities are conducted. More specifically, it implies creative interaction designed to promote full and effective participation by the citizenry in public affairs, accountability by the state to civic activism, continuous state-society and intra-society nexus and ultimately the existence of institutional arrangements founded on and designed to sustain those values" (Okoth-Ogendo, 2000:38). As an analytical concept governance acts as both a standard of measurement and an outcome of what constitutes acceptable behaviour of public officials at all levels. In terms of political decision-making governance is an important variable in the distribution of power

and the allocation of resources. Governance is also about how the society builds and sustains structures and institutions that are necessary for the management of its affairs (Okoth-Ogendo, 2000:38).

According to Hyden, governance embraces the concept of accountability and responsibility, both of which are of equal importance in the governance equation. Hyden has added a third dimension, civic peace. Accountability refers to the extent to which citizens can hold public officials accountable for their action and decisions. Responsibility refers to those rules that influence the behaviour of public officials and encourages them to be more responsive to public demands and act in responsible ways in fostering the welfare of citizens. Finally, civic peace refers to the rules that govern relations among groups in society (Hyden, 1998:39-40).

Hyden goes as far as to suggest that there exists a governance realm and identifies four properties that should be seen as prerequisites for effective governance (1) authority or power that is both creative and legitimate; (2) reciprocity or exchange, meaning a mutually rewarding or beneficial relationship between members of a political community; (3) trust or compliance with the rules of the game; (4) accountability, the effectiveness with which the governed can influence the governors. Venter, leaning heavily on Hyden's prescription argues that governance is regime management and is directly concerned with how rules affect political action and the prospect of solving given societal problems. However, the real test presents itself when regime changes are needed to meet new demands or solve new problems. Governance also involves identifying the conditions that facilitate good governance and by implication effective problem solving (Venter, 2003:235-236). For Hyden these conditions are facilitated by the following three factors;:(1) citizen influence and oversight – the means and extent to which individual citizens participate in the political process and in doing so express their ideas and preferences about public policy; (2) responsive and responsible leadership – the level of respect the leaders have towards the civic public realm, their degree of openness and willingness to share information with citizens and finally their adherence to the rule of

law; (3) social reciprocity – the degree of tolerance towards each other in the pursuit of politics and the level of inclusiveness (Hyden, 1998:15-16).

By implication, governance is performance orientated in that it offers a meaningful way of relating to the ongoing efforts on the African continent to reverse autocracy and build democracy. The prime challenge in Africa is to restore the civic public realm, deliberately eliminated under post-colonial politics, the result of which has been major shortcomings in terms of economic development of political renewal. The primary cause of the multi-faceted crisis in Africa is bad governance in the form of personalized rule, frequent human rights violations, centralization of power and citizen withdrawal from politics (Venter, 2003:237). In short Africa lacks the necessary mix of institutions and procedures required for democracy to be both established and sustained over the long run.

Conclusion

The chapter has shown that the nation-state as it emerged in independent Africa severely lacks the necessary institutions and procedures for democracy to take root and flourish. Furthermore, it argues that many African countries and Zimbabwe in particular lacks those factors most commonly associated with good governance; transparency, accountability, predictability, judicial independence, rule of law, respect for human rights and citizen participation in decision-making. Moreover, that state-building carried with it the legacies and baggage of the former colonial period. This fact is indisputable. At the outset it was asked whether or not the kinds of institutions and procedures necessary for democracy to take root and flourish in Africa could be imposed from the outside? History has shown this not to be possible. As Laakso and Olukoshi argue the crisis in Africa cannot be solved by resorting to western forms of liberal democracy. "The experience of political reform and the problems associated with them have shown the limits of the liberalization process. There is a need to promote social equity, a minimum standard of human welfare, a viable economy, the promotion of civil liberties, human rights and effective public institutions, all of which should be recognized as urgent and brought to the centre stage of national political and policy discourse. These issues are too

important to be left to a small unrepresentative political elite, foreign agencies/donors or market forces (Laakso & Olukoshi, 1996:33).

Basil Davidson in an interview with Barry Munslow (1990) argues that the answer to Africa's crisis lies in the decentralization of power from the strictly centralized bureaucratic kinds of state that Africa is accustomed to. This would involved decentralizing down to local government and on a larger scale moving towards regional confederations of power. "The way out of the nation-state collapse is going to be through increasing decentralizations of power and increasing regionalisations of power…we need a return to Pan-Africanism which is no longer as unrealistic, utopian and romantic as it used to be…" (Davidson, 1990:189-191). Regional confederations of power or what is referred to as transnationalism is gaining increased prominence amongst many commentators as the answer to Africa's woes. Chapter three focuses on transnationalism has it emerged in the African context and the potential and challenges thereof. It suggests that one of the challenges to transnationalism in Africa is a strong adherence to the notion of sovereignty on the part of African leaders. Sovereignty has the potential to threaten the future success of transnational initiatives and NEPAD more specifically unless African leaders can transcend the notion of sovereignty towards increased collective responsibility.

Chapter Three

Transnational African Initiatives

Introduction

Chapter two argued that at least, since the 1980s Africa has been grappling with a socio-economic crisis with economic, political, social, environmental and various other components. Special mention was made of the overall lack of good governance involving a pervasive lack of democracy, denial of human rights and illegitimate and unaccountable authority, which together encouraged military dictatorships, political instability and widespread conflicts. There are also problems associated with poor resource management, rampant corruption, looting of the state by elites and internal policy failures. In the latter part of the 1990s additional elements were added, the failure of SAPs and the economic and political marginalization of Africa. This makes the search for new and more effective development strategies all the more important (Onimode, 2004:20-21).

A relatively new development paradigm has been found in regional integration initiatives. African countries not only stand to benefit from regional integration, moreover is currently the best paradigm for responding to the challenges of development and transformation (Agubuzu, 2004:203).

Agubuzu argues that transnational organizations play an important role in the democratization process. However the role and potential of such organizations has generated an intense debate. On the one hand the debate revolves around whether or not transnational institutions have a role to play, or whether the push for democracy should originate from within the state concerned. The chapter will argue that transnational organizations have an important role to play in the democratization process. However the potential of African transnational initiatives is overshadowed by a strong adherence to national sovereignty.

This chapter is premised on the notion of sovereignty. Sovereignty is important for a number of reasons. Firstly, the OAU while an important organisation was criticized on the grounds of its devout adherence to the principle of sovereignty, which many analysts argue rendered the organisation ineffective by imposing serious constraints on Africa's efforts to overcome its political and economic backwardness. Secondly, it is important to consider whether the transformation to the AU altered the understanding of sovereignty away from individual states towards increased collective responsibility at the transnational African level. It will be argued that the extent to which sovereignty has been altered will directly impact on the success of the recently adopted NEPAD and its operational arm APRM. With specific reference to Zimbabwe and the response of many African leaders thus far there exists little to suggest that African leaders will be prepared to allow scathing attacks of their own and fellow government's performance (Diamond, 2004:276-277). What are the implications of this for the future potential of transnationalism in fostering greater continental governance?

More than any other crisis, the Zimbabwean crisis has focused increased attention on the interaction of ideas about national sovereignty and democracy often placing these discourses in opposition to each other. In this tension between democracy and sovereignty the majority of African leaders have chosen to defend Zimbabwe against international criticism as opposed to defending Zimbabwe's citizens against their government's repression. How these tensions are eventually resolved will directly influence the direction Africa will take as it moves into the implementation phase of NEPAD (Bush & Szeftel, 2002:7-11). The chapter argues that a strong adherence to national sovereignty has the potential to undermine NEPAD as a transnational governance strategy.

Returning briefly to the debate around the potential of transnationalism to foster continental governance, Lyons represents one extreme of the debate and argues that the ultimate responsibility for improving governance rests with the state concerned. Governance, for Lyons, is self-governance that begins at home (Lyons, 1998:68-69). If then the challenge of improving a state's governance record is fundamentally a domestic

issue directly related to state-making and state-building what role, if any, do regional or transnational organizations play? How and to what extent can transnational organizations or interested neighbours promote good governance? (Lyons, 1998:70).

Partly responding to the question posed by Lyons, Diamond (2004) argues that development in Africa will only occur when its overall governance record improves, when African state officials become accountable to their publics, when state resources are used to improve the general welfare of society. Moreover the conditions of good governance become the essential prerequisites for Africa to emerge out of its entrenched, degrading and seemingly intractable poverty. However, if Africa is to attain good governance the push for it must come not only from within the state concerned but importantly from within the African continent (Diamond, 2004:274), by implication through transnational organizations.

Diamond and Asiwaju, both strongly in favour of transnational initiatives represent the other extreme of the debate. Asiwaju argues that transnational initiatives create the means to pull together territorially adjacent sovereign states as a mechanism to interact on issues of common interest and common concern relating to cross border impacts of human activities (Asiwaju, 2004:206). Deng tends to agree with both sides of the debate. Similar to Lyons, Deng argues that the responsibility for addressing problems lies with the state concerned. However he also argues that there should be a gradual sharing of responsibility and accountability at the sub-regional and regional levels (Deng, 2000:367). For Deng a regional approach is important as an attempt to stem the tide of self- destruction, not only in terms of appreciating the context of conflict but also for devising an appropriate response at that level (Deng, 2000:354-356). If Africa is to develop economically and politically, the fifty- plus African states have to be more committed to transnational initiatives, nourished by a regional wide embrace of the principles and practice of democratic governance, administrative decentralization, accountability and total commitment to the respect of human rights and fundamental freedoms (Asiwaju, 2004:221).

Over the years African leaders have formed a number of regional and transnational organizations designed with the intention of assisting African leaders to better manage state-building and other challenges they faced in the immediate post-war period. The most notable example was the organization of African Unity (OAU). The OAU is arguably the most far reaching and all-embracing of African transnational organizations (Lyons, 1998:70-71). In part the establishment of the OAU demonstrated the inherent ineffectiveness of individual states acting in isolation as well as the imperative of trans-border co-operation and regional integration as a more valuable strategy (Asiwaju, 2004:222). Moreover, as Young argues, the OAU was created to embody the dream of African unity (Young, 2000:26). The urgency of creating regional and continental unification was repeatedly endorsed in OAU documents including the 1980 Lagos Plan of Action and the 1989 African Alternative Framework to Structural Adjustment Programme (AAF-SAP). However the goal of genuine integration remained somewhat elusive, as vividly expressed by Nkrumah in Accra in 1958, who himself was a leading proponent of African unification:

> "…In the interests of peace which is so essential, we should respect the independence, sovereignty and territorial integrity of one another" (cited in young, 2000:26-27).

Many commentators have raised the issue of sovereignty as being a very real obstacle preventing effective transnationalism. Sovereignty was once understood as an effective barrier to guard against external intervention into the internal affairs of a state (Deng, 2000:354-356). In the decades immediately following Africa's independence, the legacy of centuries of colonialism reinforced a rigid and uncompromising attachment to the principle of sovereign rights of the nation, not only by African states but even by the former colonial powers. More recently, however with the breakdown of law and order in several African states which led to interventions by multilateral military and humanitarian forces, the uncompromising nature of sovereignty versus misery has changed the way the international community thinks about foreign intervention and the rights of states (Gambari, 1996:31).

Thus, as far as Deng is concerned, if Africa is to respond effectively and further entrench the much needed transnational response, the issue of sovereignty needs to be seriously addressed. Sovereignty must be recast as a concept of responsibility for the general well-being of the citizens and accountability should be at the regional and international levels. The assumption is that under normal circumstances governments are concerned about the welfare of their people and will provide them with adequate protection. However in the case that the state is unable to do so, either the state or opposition movements may invite international cooperation and assistance (Deng, 2000:354-356).

The OAU as a transnational organization enjoyed a relatively long life. However in recent years it has been the subject of much criticism in no small part due to its devout adherence to the principle of sovereignty and the sovereign rights of nation states and its consequent ineffectiveness in promoting either good governance or economic development in the African region. It is in this spirit of criticism and reflection that the OAU in July 2001 resolved to transform itself into the African Union (AU). The AU plans to have a Pan-African Parliament, an African court of justice, a new continental economic institution and harmonized policies. Its founding objectives include promoting peace and security on the continent, promoting democratic principles and institutions, popular participation and good governance (Diamond, 2004:274).

Much hope is placed on the AU and its potential to adopt a tougher more direct approach to the problems of poverty, conflict and bad governance on the continent than was demonstrated by the OAU. However, Diamond, while in no way intending to subvert the importance of the transformation, finds it increasingly difficult to visualize how this new body made up of the very same heads of state and initially proposed by one of the continent's worst dictators, Muammar Gadaffi, can transcend the limits of the old structure (Diamond, 2004:274).

Concerns of this nature came to a head when the new organization faced what many have described as its first real test, responding to the blatantly fraudulent election in Zimbabwe in 2002 and the subsequent political and humanitarian crisis in that country. The AU

failed to act (Diamond, 2004:274). This raises concern about the extent to which certain guiding principles inherent in the OAU have in fact been altered. Has the conventional usage of sovereignty been carried over and incorporated into the AU structure? What are the implications of this for the future potential of the AU and transnationalism in Africa more generally?

The AU adopted NEPAD as its developmental mechanism. Any hopes for an African Renaissance now rest heavily on the shoulders of NEPAD (Diamond, 2004:275). NEPAD was initiated in 2001 and embodies an affirmation by African leaders that they have a pressing duty to eradicate poverty and pursue sustainable development. It further concedes that Africans must take ownership of their own future and identifies peace, democracy and good governance as preconditions for reducing poverty (Diamond, 2004:275-276).

At the level of rhetoric and objectives NEPAD is an important step forward. However its success hinges on implementation and this is the level at which Africa repeatedly fails. Thus in order to prevent a repeat of past failures, NEPAD provides for an African Peer Review Mechanism (APRM). The APRM will review the institutions and policies of individual African governments in order to identify strengths and weaknesses and propose strategies to overcome the latter (Diamond, 2004:276). NEPAD represents the most recent attempt at transnationalism and its framework provides a very real chance to generate a new set of institutional reforms that will empower parliaments, courts, civil society, control corruption and strengthen states. But all of this depends on political leaders mustering the political will to embrace governance reforms and undoubtedly on leaders accepting the notion of responsible sovereignty (Diamond, 2004:289).

3.1 The Organisation of African Unity / The African Union

Over the years, certain African leaders have demonstrated a vested interest in maintaining the collective security of the continent and its various sub-regions as well as the national security of individual member states (Keller, 1996:5).

The first group of newly independent African leaders, Nkrumah and Sekou Toure, felt it their personal mission to advance the liberation of the continent from European rule and to speak for Africa in the international arena. These thoughts were clearly expressed by Julius Nyerere:

> "Africans all over the continent, without a word being spoken, either from one individual to another, looked at the European, looked at one another, and knew that in relation to the European they were one" (cited in Young, 2000:35).

In what developed into 'their' African perspective, imperialism was identified as the principal enemy. As Young argued, the unifying principle of the early Pan-African movement was opposition to both colonialism and racism (Young, 2000:34). However in 1960 when a large cohort of French territories joined the club of independent African states, unity became a far more difficult proposition. Thus the first conference of independent African states held in Accra in April 1958 was largely dominated by Nkrumah whereas the second in Addis Ababa in June 1960 was noted for its expressions of dissent (Nugent, 2004:100). From this point onwards, the superficial club held together only by the common desire to eradicate colonialism dissolved into three groups, vaguely described as the 'conservatives', the 'moderates', and the 'radicals' (Nugent, 2004:100-101).

The 'conservatives' were comprised of the former French territories in Sub-Saharan Africa (excluding Guinea, Mali and Togo). The leaders of these states attained and accepted independence on the basis that their relationship with France would remain intimate. The new leaders recognized that they shared a common language and the French colonial inheritance led them to group themselves together in a series of organizations geared to fostering cooperation in matters of defense, economic development and cultural exchange. The leaders of the twelve Francophone states met in Brazzaville in December 1960 to further harmonize their foreign policies (Nugent, 2004:101).

The 'moderates' composed of Ethiopia, Liberia, Libya, Nigeria, Togo, Somalia, Sudan and Tunisia were somewhat of a mixed bag. All were fairly conservative regimes

distinguished from the Brazzaville bloc by virtue of their being Anglophone or ambivalent about the French connection (Nugent, 2004:101).

Finally, the 'radical' states of Ghana, Guinea, Mali, Algeria, Egypt and Morocco remained committed to the struggle over imperialism. This group found the Brazzaville bloc guilty of complicity with French neo-colonialism. According to Nugent, during the course of the 1960s divisions between African states widened over two substantive issues. The first was the ongoing quest for the total liberation of the African continent from colonial rule and the second was the territorial partition of the continent. Nkrumah consistently agued in favour of a 'United States of Africa', sending alarm bells ringing (Nugent, 2004:102).

Thus on ground level the prospects for genuine continental consensus looked highly unlikely at the end of 1961. However surprisingly quickly renewed efforts to bridge the ideological divide bore fruit leading to the foundation of the OAU in May 1963, with 32 African countries signing the agreement (Nugent, 2004:102-103). Over the years a further 21 states joined with South Africa becoming the 53rd member state in 1994 (www.african-union.org). Given the deep-seated divisions this was something of an achievement in itself (Nugent, 2004:100-103). Still then the OAU fell far short of the expectations of many people both at the time of its creation and since. On the one hand Pan-Africanists were deeply disappointed that the OAU was not seen as a stepping stone on the road to continental union but rather the end in itself. The charter failed to commit the member states to anything other than voluntary cooperation on the basis of the sovereign equality of all member states. On the other hand, the OAU failed those states and political movements who were hoping for a complete revision of the African map. The OAU was constructed around the concept of state rights as opposed to group rights (Nugent, 2004:102-103).

For Edem Kodjo, former Secretary-General of the OAU, the OAU is [was] "the living symbol of Africa's determination to free itself from foreign domination and to assume control over its own destiny" (Edem Kodjo, 1984:45). Liberation constituted the

preoccupation at the time however, the founding aim of the OAU was five-fold; to promote the liberation of the African continent, to develop closer economic, social and cultural relations among the 32 member states, to coordinate and intensify cooperation to achieve a better life for the people of Africa, to defend the sovereignty, territorial integrity and independence of all African states, and to promote international cooperation (www.african-union.org). As Keller states, the organisation was founded specifically "to provide a mechanism for the effective resolution of disputes and violations of the territorial integrity of member states" (Keller, 1996:5). However, the OAU has a rather poor record with regard to coping with conflicts in Africa. Its most obvious success was the promotion of African liberation from colonial domination (Young, 2000:35). With the establishment of the OAU the liberation struggle was greatly intensified, especially during the first decade of its existence, which witnessed the liberation of the vast majority of African territories. Edem Kodjo describes the period between 1963 and 1973 as a decade of commitments, of declarations, of organization and of decision-making (Edem Kodjo, 1984:7), what many may describe as a decade of effectively fulfilling its stated mandate and commitments.

The OAU was created to promote the unity and solidarity of its member states. In order to achieve this, the member states pledged their adherence to the following principles and international legal norms – outlined in article (3) of the charter.

1. The sovereign equality of all member states;
2. Non-interference in the internal affairs of states;
3. Respect for the sovereignty and territorial integrity of each state and for its inalienable right to independent existence;
4. Peaceful settlement of disputes by negotiation, mediation, conciliation or arbitration;
5. Unreserved condemnation, in all its forms, of political assassination as well as of subversive activities on the part of neighbouring states or any states;
6. Absolute dedication to the total emancipation of the African countries which are still dependent;

7. Affirmation of a policy of non-alignment with regard to all blocs (Nugent, 2004:103).

The most notable of these principles were the reference to sovereign equality and the non-interference in the internal affairs of other member states. In adopting these principles the member states have more or less demarcated a common ground for collective action (Gomes, 1996:37). National sovereignty is an accepted principle of international law and one that was tightly guarded by the OAU. National sovereignty implies that the "state has an absolute right to decide on what happens within its recognized border". Together with non-interference in the internal affairs of a state these principles are supposed to ensure national harmony and the maintenance of international peace and security (Gomes, 1996:40). The underlying assumption is that under normal circumstances governments are concerned about the welfare of their people and will provide them with adequate protection (Deng, 2000:354).

Africa, as a region, is perhaps the most devastated by internal conflict and their catastrophic consequences. In the worst cases the state itself has collapsed, creating both the space and need for a regional focus as an attempt to stem the tide of self-destruction, not only in terms of appreciating the context of conflict but also for devising an appropriate response at that level (Deng, 2000:355-356). Certain African leaders were quick to acknowledge the emerging economic and political crisis and took early decisive action to confront it. Their acknowledgement coincided with a meeting of African economic experts held in Monrovia, Liberia. The meeting was co-sponsored by the OAU and UNECA. Out of this meeting emerged a blueprint for the development of Africa entitled the Monrovia Colloquium. The recommendations made in the document constituted the discussion items for the first economic summit of African heads of state and government held in Lagos, Nigeria in 1980. The aim of the summit was to address the obstacles to Africa's development efforts and to devise appropriate solutions to remove these obstacles (Keller & Rothchild, 1996:46).

The meeting expressed a common sense of grief over the African condition and provided a diagnosis of the problem and prescribed an action plan for dealing with it. What ultimately emerged from the meeting was the Lagos Plan of Action for the Economic Development of Africa, 1980-2000 and the Final Act of Lagos, collectively referred to as the Lagos Plan of Action (LPA) (Sawyer, 1990:15). The LPA constituted an economic development path that was to be embarked on by the OAU and at the time was an immense task calling for sustained political will of African leaders (Lagos Plan of Action for the Economic Development of Africa, 1982:iv). Importantly, the LPA called for the establishment of an African Economic Community (AEC). Thus to some extent African countries were showing glimpses of attempting regional integration as a more valuable developmental paradigm (Agubuzu, 2004:191).

The preamble to the LPA reads as follows:

> "The efforts of unfulfilled promises of global development strategies has been more sharply felt in Africa than in any other countries of the world. Indeed rather than result in an improvement in the economic situation of the continent, successive strategies have made it stagnate and become more susceptible than other regions to the economic and social crisis suffered by the industrial countries. Thus Africa is unable to point to any significant growth rate, or satisfactory index of general well being in the past 20 years. Faced with this situation and determined to undertake measures for the basic restructuring of the economic base of the continent, we resolve to adopt a far-reaching regional approach based primarily on collective self-reliance" (cited in Organisation of African Unity, 1982:1).

The virtue of the LPA was two-fold. Firstly, it represented an expression of a common political will and adopted an objective and realistic approach to a global situation that had to be improved if progress was to be achieved. Secondly, it purpose was both to promote the development of Africa and its people and to promote integration over vast regional areas. The LPA was presented as a set of goals to address the economic development of Africa at the national and multinational levels and moreover marked the collective realisation by its political leaders of the joint and general efforts of African development and was arguably so a giant leap forward (Lagos Plan of Action for the Economic Development of Africa, 1982:iv-xix). Cummings described the LPA as "the first comprehensive continent-wide effort to formulate an African led policy strategy for the

economic development of the continent. It was the first significant articulation of the fundamental need to address African problems via a long-term strategy, based essentially on self-reliant objectives" (Cummings, 1992:24). The heads of state and government both individually and collectively declared to firstly, promote economic and social development and integration of their economies with a view to achieving self-sufficiency and self-sustainment. Secondly, to promote economic integration of the African region and thirdly, establish national, regional and sub-regional institutions to facilitate the attainment of the objectives of self-reliance and self-sustainment (Edem Kodjo, 1984:9).

By the late 1980s and after more than a decade under the developmental economic strategy of the LPA, Africa had failed to achieve even the minimum level of economic self-reliance (Cummings, 1992:29). Africa remained the least developed continent (Edem Kodji, 1984:10), characterized by the leaders apparent inability to prevent, manage and resolve conflicts and their tendency to remain silent on the many human rights violations (Gomes, 1996:38).

According to Agubua, the problem with the early regional groups is that they failed to focus on genuine continental integration as a final objective of regional efforts. Moreover, the regional groupings themselves are characterized by institutional weakness, particularly with regard to the capacity to formulate and monitor programmes. These institutions are embarking on too many programmes simultaneously without establishing priorities that would take into account their limited capacities and available resources. This situation, above all else, creates apathy on the part of member states who fail to see the real benefits of regional organizations. Yet despite these obvious flaws, African countries still stand to benefit from regional integration. As Agubuzu argues, regional integration remains the best paradigm for responding to the challenges of development and transformation (Agubuzu, 2004:202-204). Rather regional integration in Africa needed to be refined and further consolidated.

Reflecting on these criticisms highlights the need, not necessarily for an alternative development path in the region, but rather for a more effective regional approach. Taking

into account both the relative ineffectiveness of Africa's earlier regional initiatives and what Onimode refers to as the bankruptcy of SAPs, the UNECA in 1989 introduced its report entitled The African Alternative Framework to Structural Adjustment Programmes for the Socio-Economic Recovery and Transformation (AAF-SAP) (Browne, 1992:73). The AAF-SAP was adopted by African governments and by the OAU heads of state and government as well as the United Nations general assembly. The AAF-SAP formed a general response to the IMF/ World Bank SAPs and moreover constituted yet another approach and strategy for addressing the unfolding African crisis. Konkwenda defines the AAF-SAP as a "reassertion of the right of Africa to forge its future and define the development path and the appropriate strategy for achieving its objectives" (Konkwenda, 2004:49-52).

Professor Adebayo Adedeji, former executive secretary of the UNECA, stated the following at the launch of the AAF-SAP:

> "It has now become apparent that the orthodox Structural Adjustment Programmes that the continent has been pursuing have failed to overcome the economic crisis and indeed, in many cases, have made recovery even more difficult by further undermining the social and political cohesion of our continent" (1989).

By its very definition the AAF-SAP marked the important realization that African development policies and programmes should not be designed by outsiders or even fall under their direction, even in cases when they form the major development partners and funding agencies (Konkwenda, 2004:49-50).

The AAF-SAP is, according to Adedeji, a policy stance aimed at dealing with the African crisis and is set apart from orthodox Structural Adjustment Programmes by a number of distinguishing characteristics. The AAF-SAP is a holistic approach as opposed to being a ready programme applied to all countries. Moreover is a conceptual basis for the appropriate design of national programmes which will differ from country to country in their pursuit of accelerated adjustment with transformation (Onimode, 1992:76).

The alternative framework starts off at the conceptual level in three central areas. Firstly, and the most important, the African context. Understanding the context requires clearly comprehending the problematic political economy of Africa and particularly that the state in Africa is generally not democratic, rather it is authoritarian, repressive and weak making it more difficult to perform even the most basic tasks. Secondly, the programme is informed by the philosophy of African humanism and the paradigm that flows from this is people-centered development, it is informed by the ideology of a mixed economy and democratic pluralism. Thirdly, adjustment and development are to be pursued simultaneously rather than as sequential processes. Thus the strategy of the AAF-SAP can be summarized as, the pursuit of human centered development, democratizing the development process through popular participation and accountability in public affairs, mobilizing domestic resources and revamping institutions, and the pursuit of regional cooperation and integration (Onimode, 1992:77-79).

The strength of the AAF-SAP is its commitment to the democratization of African societies. Creating this new political culture requires establishing a fundamentally new set of values and beliefs that serve to regulate the process of government as well as the exercise of power and authority and basic attitudes to the state and authority. The main objective of AAF-SAP is to bring to an end the general lack of democracy and accountability that had become deeply entrenched in the authoritarian and political repression on the continent. Hence the main requirements for the creation of the new political culture are genuine democracy, effective accountability of leaders at all levels and politically responsive and humane leadership. All of which requires active civil society engagement at all levels of decision-making (Onimode, 1990:17-24).

As with all such initiatives, the success of the AAF-SAP as a regional policy initiative depends of effective implementation (Onimode, 1992:92). However, as Konkwenda argues, the AAF-SAP could never be implemented in a meaningful way as it failed to garner the full financial support of either the IMF or World Bank (Konkwenda, 2004:51-52), making it yet another failed regional attempt. The bottom line is that while the AAF-SAP was a sound regional development policy it became a waste of time as there was a

lack of political will and mobilization to support it. It nevertheless contributed towards an important shift in development paradigm in Africa (Konkwenda, 2004:52). Overall the AAF-SAP failed as it was embedded within the OAU and its corresponding adherence to national sovereignty and non-interference.

The AAF-SAP, as with earlier African Economic Recovery Plans was fundamentally an OAU document and by the late 1990s the limited ability of the OAU was becoming increasingly obvious leading to a less than positive assessment of the organisation. Commentators have lambasted the OAU for being what Lyons describes as a 'toothless watchdog' (Lyons, 1998:76). The OAU as an African regional organization is conservative and designed to preserve the status quo. The norm of non-interference has severely limited the potential of the organization as it is prevented from getting involved in internal conflicts without the agreement of the governments concerned. In other words it can only intervene when it is authorized to do so (Gomes, 1996:42). Together with its meagre financial and organizational resources the OAU was severely limited in what it could hope to achieve (Lyons, 1998:79 & Gomes, 1996:37-38). The OAU was comprised of a cartel of largely weak states with illegitimate regimes and as a result they lacked the political will to take a firm stand against abuse (Lyons, 1998:75). This has led authors such as Nugent to accuse the OAU of failing to address the most serious problems affecting the continent. To quote Nugent:

> "Its failure demonstrates that the hopes for a concerted continental approach were matched neither by political will nor the logistical wherewithal to make its resolutions stick" (Nugent, 2004:105).

Sam G. Amoo (1992) agrees:

> "The current spate of African conflicts is…precipitated by a crisis of political legitimacy in the African state, and the need to manage change and provide transition to stable states with responsible and legitimate governments. The OAU as a club of heads of state, can be easily mobilized to oppose aggression to club members and defend the status quo – even if the member is Idi Amin. Most constituent units, however, lack the moral standing to intervene in another's crisis of political legitimacy since almost all African states are themselves mired in problems of legitimacy" (cited in Lyons, 1998:75).

The dual principles of national sovereignty and non-interference would continue to be inhibiting factors especially so in recent years as the concept of sovereignty has come under heavy scrutiny with many inside and outside the African circle calling for the concept to be redefined. In light of the new global system Sir Shridath Ramphal, former Secretary-General of the Commonwealth argues that it is up to the developing world to take the initiative to redefine sovereignty. Similarly, Salim, former Secretary-General of the OAU argued that there is a need to "maintain a balance between national and international responsibility and that the doctrine of non-intervention precludes the possibility of accountability on the part of states". In favour of redefining sovereignty he stated that "we should talk about the need for accountability of government and their national and international responsibilities. In the process we should be redefining sovereignty". General Olusegun Obasanjo, former Nigerian head of state is also in favour of redefining sovereignty. In support of the redefinition he stated the following, "an urgent security need is a redefinition of the concept of security and sovereignty. For instance, we must ask why does sovereignty seem to confer absolute immunity on any government who commits genocide and monumental crimes of destruction and elimination of a particular section of its population for political, religious, cultural or social reasons? In an interdependent world there is no minimum standard of decent behaviour to be expected and demanded from every government in the interest of common humanity?" (cited in Keller, 1996:41).

Francis Deng (1998 & 2000) presents a convincing argument in favour of redefining sovereignty. In the early 1960s African leaders regarded the international community as a threat to their new weak states. As a result the new African leaders practiced diplomatic behaviour and created regional institutions that were designed to protect sovereign states from any external interference in their internal affairs. Thus rather than promoting good governance by awarding sovereign rights to only those regimes that effectively or responsibly administered a given territory. Rather African diplomatic principles epitomized by the OAU accepted whatever regime occupied the presidential palace regardless of how the regime was governed. However over time sovereignty as a

basis for non-interference in the internal affairs of a state has been the subject of much criticism (Deng, 1998:1).

The criticism referred to were spurred on by the humanitarian tragedies created by internal conflicts. By far the most important and devastating challenges in Africa relate to violent conflicts within states. African conflicts have their roots in the contentious processes of state and nation-building and the complex challenges of dignity and justice, governance, identity and the competition for scarce resources. In many cases these very same internal conflicts have caused vacuums of responsibility for ensuring the protection, assistance and security of the domestic population. The vacuums created result in a need for international involvement to provide remedial protection and humanitarian assistance. However, this much needed involvement is severely constrained by the conventional definition of sovereignty, which places the burden of responsibility on the state itself. However in the absence of legitimacy the state is simply unable to do so (Deng, 1998:2-3).

Thus to respond effectively African leaders need to address the issue of sovereignty. Sovereignty in this new political framework characterised by interdependence, has acquired a whole new meaning. Rather than being used to insulate the state against external scrutiny it is now being postulated as a concept of responsibility. For Deng this means ensuring a certain level of protection for the people. Under normal circumstances most governments do in fact display that responsibility. In cases when they are unable to do so they may call upon the international community for assistance. Under exceptional circumstances when governments fail to discharge this responsibility and masses of their citizens are faced with suffering and even death, the international community should step in to provide the much needed protection and assistance even if the government of the state concerned has not requested aid. Sovereignty should be understood to have both an internal dimension that requires responsibility by the sovereign authority for the citizens within its jurisdiction as well as an external dimension that obliges the international community to protect and assist those citizens when the national leaders refuse or fail to act responsibly (Deng, 1998:3).

As Deng argued:

> "There is a clear trend away from the idea of unconditional sovereignty and toward a concept of responsible sovereignty. Governmental legitimacy that violates the exercise of sovereignty involves adherence to minimum humanitarian norms and a capacity to act effectively to protect citizens from acute threats to their security and well-being that derives from adverse conditions within a country" (Deng, 2000:358).

An international conference on human rights protection for internally displaced persons held in 1992 concluded that the concept of absolute sovereignty is steadily eroding and thus making it easier for international organizations, governments, and NGOs to intervene in cases where governments refuse to meet the needs of their populations putting substantial number of people at risk. The concept of sovereignty is fast coming to be understood more in terms of conferring responsibilities on governments to assist and protect their citizens. The report further noted that the international community should continue to chip away at narrow definitions of sovereignty so that sovereignty could not be seen or used as a barrier to humanitarian intervention (Deng, 2000:359). In 1991 Former UN secretary-general Javier Perez De Cuellar argued that a balance must be reached between sovereignty and the protection of human rights. He stated the following:

> "It is now increasingly felt that the principle of non-interference with essential domestic jurisdiction of states cannot be regarded as a protective barrier behind which human rights could be massively or systematically violated with impunity…The case for not impinging on the sovereignty, territorial integrity and political independence of states is by itself undoubtedly strong. But it would only be weakened if it were to carry the implication that sovereignty, even in this day and age, includes the right of mass slaughter or of launching systematic campaigns of decimation or forced exodus of civilian populations in the name of controlling civil strife or insurrection. With the heightened international interest in universalizing a regime of human rights, there is a marked and most welcomed shift in public attitudes. To try to resist it would be politically as unwise as it is morally indefensible. It should be perceived as not so much a new departure as a more focused awareness as one of the requirements of peace" (cited in Deng, 2000:359-360).

In an Agenda For Peace De Cuellar's successor, Boutros Boutros-Ghali wrote that respect for sovereignty and integrity is "crucial to any common international progress".

He went on to say that the time of absolute sovereignty has passed and that it is necessary for state leaders "to find a balance between the needs of good international governance and the requirements of an ever more interdependent world"(cited in Deng, 2000:360). Similarly, Anyang'Nyang'o argues that the issue of sovereignty in the internal affairs of states cannot serve as a viable principle in international relations in Africa, where the construction of the state itself has created conflicts that cannot by their very nature be settled within the border of the state. Therefore it is important to recognize that all issues of governance must be dealt with regionally (Anyang'Nyang'o, 2004:88).

Absolute sovereignty is clearly no longer defensible; however under what circumstances is the international community justified in overriding sovereignty to protect the dispossessed population? Deng feels it justified when, in the name of sovereignty, thousands of people are allowed to starve to death when food can be made available to them, or when people are indiscriminately tortured, brutalized and murdered by opposing forces or to otherwise allow people to suffer in a vacuum of moral leadership and responsibility. In such circumstances the international community is called upon to fill the vacuum. In the African context, at least at the time Deng was writing, it was generally believed that involvement should originate from the OAU. However the OAU, as a regional organization was severely limited in what it could do. Moreover, suffered from a number of debilitating constraints, the most serious of which relates to the question of political will. In the context of the African region, governments feel that they are subject to conflicts arising from problematic conditions of state-formation and nation-building and therefore tend to resist any form of external scrutiny. Thus although sovereignty is no longer a barrier to intervention, a determining factor is the political will of other states based on national interest combined with a level of humanitarian concern. Thus sovereignty can also be invoked by powers lacking the will to become involved (Deng, 2000:360).

Reflecting on the criticisms of the OAU, certain African leaders began calling for a complete overhaul of the regional organisation. The OAU charter placed increased emphasis on the security and sovereignty of states and the non-interference in the internal

affairs of member states. As a result it was ill-equipped to deal with the proliferation of coups and authoritarian rule prevalent across much of the continent. Hence the need for a complete overhaul of the organisation. Furthermore with the end of apartheid in South Africa, the OAU had been stripped of its raison d'etre – namely the liberation of Africa (Gumede, 2005:208). The original call for the transformation came from the Libyan leader Colonel Muammar Gaddafi who extended an invitation to the 4th extraordinary summit in Sirte in July 1999. The theme of the summit was 'strengthening OAU capacity to enable it to meet the challenges of the new millennium' and its purpose was to amend the OAU charter to increase efficiency and effectiveness of the OAU (www.african-union.org). African leaders from across the continent attended the summit despite their not knowing the proposed discussion items. Colonel Gaddafi opened the summit and suggested the dismantling of all borders and the establishment of a single army and a Pan-African Parliament that would constitute the apex of sovereignty of a United States of Africa under which all heads of state and governments would serve. His ideas were immediately seen as unrealistic and sparked opposition from countries like South Africa and Nigeria. Nevertheless the summit concluded that the OAU be dissolved and an African Union erected in its place (Leshaba, 2003:68-71). After much debate the constitutive act of the African Union was finally adopted on the 11 July 2000 in Lomè with a total of 50 member states of the 52 OAU member states having ratified the document. In July 2002 leaders from across the African continent gathered in Durban for the birth of the African Union (Venter, 2003:53). According to media reports Mbeki was determined to make this an occasion the continent would not forget (Mail and Guardian, 5-11 July 2002).

The ambitious plans of the AU date back to the early 1960s and incorporate ideas advocated by Pan-Africanists and African Renaissance proponents. Although the original calls for an AU did not originate from within South Africa, the main protagonist of an African Renaissance has undoubtedly been South Africa with then-deputy president, Thabo Mbeki acting as its principal spokesman (Stremlau, cited in Makgoba 1999:102). Thabo Mbeki managed to both revitalize and popularize a concept premised on the rebirth on the African continent (Ajulu, 2001:27). Moreover, the talk of an

African Renaissance constitutes Mbeki's attempt to promote regional security in Africa (Adebajo & Lansberg, 2003:179). Mbeki's African Renaissance can be defined as a doctrine for Africa's political, economic and social renewal and a call for political democratization, economic growth and the reintegration of Africa into the global economy. Mbeki has called on Africans to adapt democracy to fit their own specific conditions without compromising the fundamental principles of representation and accountability. The central goal of the renaissance is the right of people to determine their own future. It calls for the cancellation of Africa's foreign debt, improvement in Africa's terms of trade, expansion of development assistance and better access to foreign markets for African goods. Through the renaissance Mbeki urges African nations to embrace globalization (Adebajo & Lansberg, 2003:179).

Renaissance proponents seek to convey a positive vision for Africa as a peaceful, democratic and market-orientated region. While not denying the harsh realities of human deprivation and conflict, calls for a renaissance are intended to encourage all Africans to confront these realities head-on and take personal responsibility for reversing them (Stremlau, cited in Makgoba 1999:101). Strategically speaking the African renaissance acts as an alternative to the prevailing European concepts and structures. Importantly but by far the most sensitive issue, the African Renaissance calls for sovereign rights to be downplayed in favour of more enduring universal human rights or perhaps what Deng referred to as 'responsible sovereignty'. In the sense that national governments would still act as the principle guarantor of security and well-being of African people, however these governments would be called upon to hold each other accountable for good conduct in domestic and foreign affairs. Thus the vision of an African Renaissance, and indeed the African Union, embraces a community of nations as opposed to an alliance of states, characteristic of its predecessor the OAU. The new sense of community would become the basis for advancing peace and prosperity across the African continent and thereby enhancing Africa's role in international affairs (Stremlau, cited in Makgoba 1999:101).

In 1998 at a conference dedicated to deliberating the African Renaissance, Thabo Mbeki stated that the African Renaissance is a mechanism through which a new Africa can be

built, one that is based on "democracy, peace, stability, sustainable development and a better life for the people, non-racism, non-sexism, equality among the nations and a just and democratic system of international governance", the success of which hinges on a protracted struggle fought by the people of African themselves (cited in Makgoba et al, 1999:xviii). Under the heading of the African Renaissance South Africa seeks five broad foreign policy objectives:

1) Economic recovery of Africa
2) The establishment of democracy throughout Africa
3) The end of neo-colonial relations between Africa and the developed world
4) Mobilization of African people to take their destiny into their own hands
5) Development of people-driven and people-centered economic growth and development aimed at meeting basic needs (Stremlau, cited in Makgoba 1999:102-103).

At much the same time that Mbeki was calling for an African Renaissance, Obasanjo of Nigeria proposed a conference on security, stability, development and cooperation in Africa (CSSDCA). The idea of the CSSDCA was first discussed at a conference in Kampala, Uganda in 1991 co-sponsored by Obasanjo's African Leadership Forum, along with the OAU and the UN's Economic commission for Africa (ECA). The conference report proposed establishing a permanent conference on security, stability, development and cooperation in Africa, developing a continental peacekeeping machinery, promoting conflict prevention and military self-reliance in Africa and reducing military expenditure in Africa. In May 2000, a CSSDCA meeting was held in Abuja and called for the work between the OAU and ECA to be consolidated in the areas of peace, security, stability and development and cooperation. The meeting also suggested that the CSSDCA should provide a policy development forum to elaborate and advance common values within the policy organs of the OAU. Since these meetings the OAU and Africa's sub-regional organizations have taken encouraging steps to develop security mechanisms that can manage African conflicts (Adebajo & Landsberg, 2003:180)

Mbeki and Obasanjo share a long history and have been described as representing Africa's new corps of progressive leaders. While the two leaders pursued their own visions it is clear that both believe that Africa needs to be made safe for democracy. Thus in 1999 African leaders took the decision to transform the OAU into the AU. Many of the ideas advocated by Mbeki and Obasanjo for promoting democracy in Africa were fed into the AU process. Both Mbeki and Obasanjo heavily criticized the OAUs inflexible adherence to absolute sovereignty and non-interference in the internal affairs of African states and hence argued in favour of the AU pursuing what Deng described as responsible sovereignty. Both argued that the AU constitutive Act should recognize certain preconditions for intervention. They felt that military intervention by regional bodies was justified in the following cases: (1) to reverse an unconstitutional change in regime; (2) to prevent genocide; (3) in cases of instability that threaten to engulf other states; and (4) under conditions of human rights violations (Adebajo & Landsberg, 2003:181).

These ideas of an African Renaissance provided the basis on which the AU was constructed and include the establishment of an African parliament, a court of justice and an economic, social and cultural council. If taken seriously all the enshrined institutions have the potential to contribute towards a stronger continental authority (Melber, 2002:10). A select group of African leaders showed a general sense of optimism and a unique expression of political will for the AU however overall enthusiasm with the initiative has been rather subdued, due largely to the enormous tasks that lie ahead. As a Cameroonian journalist commented (2001), "as good and enticing as the African Union project may look on paper, even the most optimistic of Pan-Africanists cannot help but be scared by the sheer magnitude of the hurdles to be overcome to make this a reality" (Melber, 2002:9).

One such hurdle that concerns Venter is the internal political composition of the AU, characterized by deep ideological divisions, which, if left unresolved, has the potential to lead to the downfall of the organization itself.

According to Venter, the AU is comprised of two opposing worldviews. The one group made up of South Africa, Nigeria, Algeria and Senegal embraces a vision of an "ordered, democratic and accountable Africa, in partnership with itself and the rest of the world in a mutually beneficial economic relationship". The other group represented in its most extreme from by leaders such as Gaddafi of Libya and Mugabe of Zimbabwe who stand for a system of unaccountability and rule by impulse (Venter, 2003:235).

Mbeki and the new generation of African leaders saw NEPAD as crucial to the African Renaissance and fully supported its good governance foundation. Whereas Gaddafi and the old guard viewed governance with an element of contempt. The Gaddafi camp were also vehemently opposed to the inclusion of good governance in the AU Charter. However, last minute interventions by South Africa ensured that the draft charter made good governance a high priority and any state failing to comply with the policies may be subject to sanctions (Gumede, 2005:210-211).

The old guard still cried fowl over colonialism and the need for Africa to carve out a future independent of the west. Whereas the young Turks argued that the development discourse had undergone a fundamental shift and that Africa needed to be integrated into the global economic system and engage more directly with the west. Gaddafi was in favour of the new organization being called the United States of Africa. Mbeki envisioned something more along the lines of the EU, with member states maintaining their own identity and the AU working closely with the north. This battle extended to which countries would hold seats in the proposed Peace and Security Council – modeled along the lines of the UN Security Council. This council would be one of the AUs most powerful organs possessing the authority to intervene in the affairs of member states and deploy a combined African military force to trouble spots or on peacekeeping missions. Gaddafi felt the main purpose of the force was to protect the continent from external aggression while Mbeki's vision was in favour of a peacekeeping force that could intervene in local conflict. The Mbeki camp eventually won the day (Gumede, 2005:210).

The AU is by definition an inclusive body, however the obvious political differences between these two groups poses a serious threat to the implementation of the objectives and the smooth functioning of the AU. It is already clear that leaders in the Gadaffi camp such as Mugabe who do not comply with the norms of good governance feel threatened by the principles of the AU (Leshaba, 2003:75). More than simply feeling threatened, leaders in this camp may invoke sovereignty as a convenient use for inaction, in much the same way sovereignty is used by leaders lacking the political will to become involved in neighbouring and regional states (Deng, 2000:360-361). A related concern is that expressed by Diamond who finds it difficult to see how this new body made up of the very same heads of state and initially proposed by one of the continent's worst dictators, Muammar Gaddafi, can transcend the limits of the old structure (Diamond, 2004:274). The internal political differences will be discussed in greater detail in chapter five.

In addition to the internal political and ideological differences the AU Constitutive Act itself is fought with contradictions and thus any analysis of the implementation capacities of the AU should be done through the lens of the Constitutive Act (Leshaba, 2003:76).

Article 4(g) of the AU Constitution confirms its adherence to the principle of non-interference in the internal affairs of member states. Immediately following, article 4(h) contains a reservation clause which conceded "the right of the union to intervene in a member state pursuant to a decision of the assembly – in respect of grave circumstances , namely: war crimes, genocide and crimes against humanity" (Melber, 2002:11). The shift to the AU has resulted in a shift in emphasis away from mainly individual national towards increased collective continental responsibility. This appears to support the regional focus as advocated by Deng, who emphasizes the importance of a regional focus and one where the responsibility for addressing problems lies with the state concerned together with a sharing of responsibility and accountability at the sub-regional and regional levels (Deng, 2000:357). However doubts remain about the degree of genuine commitment at a time when African leaders still apply undemocratic ways and means to retain power and control. This apparent lack of transformation, albeit among certain

African leaders, calls into question the degree to which the AU represents a complete shift, or simply an organization bearing a new name?

As stated by Ngugi (2001):

> "The Lusaka summit offered nothing new in terms of its organization, procedure and inputs. There was no contribution from civil society, for example, the summit only served to perpetuate the image of a leaders club. What conclusion can one come to other than the African union is just the OAU wearing a new hat? Meaning change is underpinned by a philosophical shift and change is effected through concrete programmes and action. The resulting situation then becomes a reflection of the new philosophy. For the OAU or AU talk of change will remain just talk unless there is a change of the leadership's philosophy of politics and governance" (cited in Melber, 2002:11-12).

Between 2000 and 2001 Mbeki and Obasanjo played a pivotal role in two important initiatives to enhance governance and accountability in Africa. The two initiatives were the Millennium Africa Recovery Plan (MAP), under the aegis of Mbeki, Obasanjo and Bouteflika and the merger of MAP and the Omega Plan spearheaded by Senegalese President Wade to form the New African Initiative (NAI).

South African officials described MAP as a comprehensive and far-reaching global plan of action to tackle poverty and the development needs of Africa. MAP was premised on the idea of Africa leading its own recovery with the support of the developed world. MAP singled out a new corps of progressive African leaders committed to the African Renaissance vision of tackling poverty and underdevelopment and promoting democracy, good governance and respect for human rights. The plan foresaw industrialized countries providing much needed debt relief, opening their markets to African products and investing in African countries and providing financial support to African peacekeeping missions.

During a meeting in Pretoria in July 2001 Mbeki convinced Wade to merge his Omega plan with MAP. The formal merging of the two occurred during the OAU heads of state summit of 9 – 11 July 2001 when African leaders adopted NAI as the final working document. NAI was based largely on MAPs goals and constitutes a straightforward bargain between Africa and its largely western donors. In exchange for support from

external agents African leaders will take responsibility for and commit themselves to four democratic, security and economic norms and values: (1) strengthening the mechanisms for conflict prevention, management and resolution at the regional and continental levels and ensure that these mechanisms are used to restore and maintain peace; (2) promoting and protecting democracy and human rights in their respective countries and regions by developing clear standards of accountability, transparency and participative governance; (3) restoring and maintaining macroeconomic stability; and (4) institutionalizing transparent legal frameworks for financial markets.

On the 23 October 2001 16 African heads of state and government met in Abuja, Nigeria for the first implementation meeting of NAI. At this meeting NAI was renamed NEPAD and an implementation committee was established. President Obasanjo was elected chairperson of the implementation committee and it was agreed that South Africa would host the NEPAD Secretariat (Adebajo & Landsberg, 2003:181-184).

NEPAD was initially adopted by the OAU. However during the launch of the AU in Durban, talks commenced on how to fold NEPAD into the AU structure. Mbeki had hoped to locate a NEPAD secretariat within the UN economic commission for Africa and thus at arm's length from the AU. However he and his allies lost the battle over whether or not NEPAD should be placed under the AU's control and by implication be subject to the veto by the Gadaffi camp. With the peer review system having been placed under the direct control of the AU it remains to be seen how independently NEPAD will be able to operate. As Mugabe, Moi (former Kenyan president) and Gaddafi have made it clear that they would stand for no examination by their fellow Africans as part of a peer review process and the AU foreign ministers are treading lightly on Zimbabwe. This poses a dilemma, if the AU is to gain the credibility it so desperately seeks it cannot afford to vacillate on the subject of Africa's remaining strongmen (Gumede, 2005:211). However, given the pronounced political differences in the AU and the precarious relationship between the NEPAD and the AU the integration of the two will, in the foreseeable future, be riddled with difficulty and differences of opinion (Leshaba, 2003:75). The political differences together with the contradictions in the AU constitution have the potential to

limit NEPAD's possibility and its commitment to enhance good governance across the African continent. Hence the AU constitution could prove to be an obstacle to the propagation and implementation of NEPAD. As Melber argues: "instead of strengthening the policy paper's legitimacy and credibility as a sign of assuming greater responsibility, the AU might provide new discrepancies between the organ in process of being established and the intended goals of the developmental framework offered by NEPAD" (Melber, 2002:11). Nevertheless, hopes for a genuine African Renaissance rest heavily on the shoulders of NEPAD (Diamond, 2004:275) and whether or not NEPAD can carry the weight remains highly questionable and even more so given the fact that to date neither the AU or NEPAD has publicly condemned the unfolding humanitarian crisis in Zimbabwe, which to many commentators stands as the organizations first real test. NEPAD as Africa's primary transnational institution and forming Africa's governance response mechanism failed to act on one of Africa's worst humanitarian and political crises with continental consequences. Arguably its failure to act has much to do with national sovereignty. What are the implications of this for the future of transnationalism in Africa and ultimately promoting continental governance?

3.2 NEPAD

The New Partnership for Africa's Development was launched in Abuja, Nigeria on 23 October 2001 (Gibb et al, 2002:vii). The document was received with considerable enthusiasm across many quarters of the developed world as "an African led initiative that would provide the framework for promoting development in Africa in the new millennium" (Taylor, 2003:1). Diamond describes NEPAD as representing a complete break with the statism of the past and in its place sees the private sector as the necessary engine of growth in Africa and therefore the task of government in Africa is to stimulate the development of the private sector. The NEPAD document further concedes that Africans must take ownership of their own future and identifies peace, democracy and good governance as preconditions for reducing poverty. Under NEPAD, African leaders have agreed to broad economic and social goals – revitalizing education and healthcare, maintaining macro-economic stability, making financial markets transparent and orderly,

most importantly to promote and protect democracy, human rights and accountability. Moreover, under NEPAD African leaders have pledged to combat the small arms trade, strengthen mechanisms for conflict resolution and to provide public goods such as water, transportation, energy and other infrastructure within the region and sub-regions of Africa (Diamond, 2004:276).

The NEPAD document is derived from an earlier document entitled 'A New African Initiative' (NAI) which is itself a merger of two former documents, 'The Millennium Partnership for the African Recovery Programme' (MAP) and the Omega Plan (Kanbur, 2002:88). The document, according to Hughes et al is one of the most significant and arguably the most profound policy formulation to have emerged from the African leadership (Hughes et al, 2003:95). Hence the initiative should be welcomed wholeheartedly (Kanbur, 2002:90), and without reservations as it represents Africa's most recent attempt at greater continental integration as a better means of tackling the continental crisis.

The document begins with setting the stage by reviewing the place of Africa in the world, and by taking into consideration the colonial roots of African underdevelopment, NEPAD argues that Africa's future lies squarely in its own hands (Kanbur, 2002:88-90) and constitutes one amongst many steps on the path to African development (Gibb et al, 2002:viii). NEPAD stands apart from all earlier African initiatives, as Stephen Gelb, former consultant to the NEPAD secretariat, argues, NEPAD implies the formation of a club of African heads of state who collectively work to improve governance amongst themselves by their being involved in both joint and individual actions (Gelb, 2002:29). As with any club, membership is voluntary and the benefits derived from membership are both non-rivolous and excludable. The former implying that all members will enjoy benefits and to ensure excludability, members are required to pay an entrance fee in the form of the willingness to commit to the underlying principle of improving governance (Gelb, 2002:29-30).

NEPAD, according to Gelb, placed enormous emphasis on governance of both a political and economic nature. Political governance refers to the absence of violent conflict best achieved through a democratic system that respects human rights and adheres to a legal framework. Economic governance refers to institutional frameworks within which private and public sectors operate. These frameworks underpin transparent and consistent decision-making and management processes, accountability in the use of resources and effective control over corruption and fraud (Gelb, 2002:28). This emphasis on governance reflects the view that the lack of development in African countries is largely due to state weakness, a view that became increasingly common during the course of the 1980s, as policy prescriptions failed to promote growth across the continent (Gelb, 2002:28-29).

A second important feature of NEPAD is the relationship between Africa and the donor community of the north and transforming this relationship is an essential part of strengthening the African state. In the past, aid supply by donors significantly reduced the incentive for African states to effectively mobilize domestic resources and improve governance. More recently, governance improvements have become an important focus of the donor community largely due to the fact that improvements in public expenditure management lowered corruption and more effective protection of private property rights makes it substantially easier for donor governments and agencies to substantiate to their own domestic constituencies that their aid resources have been used effectively in combating social problems such as inequality, poverty and disease (Gelb, 2002:31). Thus as Venter explains, the development partnership between Africa and the developed world hinges on African countries rooting out corruption and adopting practices of good governance. Accordingly, NEPAD promises to use official assistance more transparently and effectively in a partnership of mutual responsibility between African states and aid donors (Diamond, 2004:276). NEPAD makes the argument that Africa needs to be more involved in the global economy and to do this needs to implement a series of reforms – all of which will be supported by the G-8 through a combination of external debt relief and improved access to markets in the developed world. Financial aid is mentioned but is downplayed in order to emphasis the thinking behind the plan that the onus for change

should lie with the African leaders themselves (Venter, 2003:239). As stated in Chapter one of the NEPAD document:

> "The New Partnership for Africa's Development is a pledge by African leaders, based on a common vision and a firm and shared conviction that they have a pressing duty to eradicate poverty and to place their countries, both individually and collectively, on a path of sustainable growth and development and at the same time to participate actively in the world economy and body politic. The programme is anchored on the determination of Africans to extricate themselves and the continent from the malaise of underdevelopment and exclusion in a globalizing world" (NEPAD, October 2001).

Although NEPAD clearly represents a collective vision of African leaders it is most certainly Mbeki's brainchild (Venter, 2003:244), and he himself has stressed that although the goals are ambitious there still exists a moral obligation to push forward such ideas and keep striving to promote African development.

Gumede argues that few would disagree that only radical action could turn the continent's fortune around. Africa houses 10% of the world's population, more than 30% of the world's poorest people and 70% of the people living with HIV/AIDS. The continent exports 30% less that it did in 1980 and receives 40% less income than it did then. On a continent-wide level unemployment stands at 35%, foreign debt stands at more than $170million and $40 million a week being paid to service debts. Thus, NEPAD, although not the first initiative to do so, is nevertheless the newest and most ambitious attempt to fashion an African-wide development initiative (Gumede, 2005:205-206). Mbeki is actively supported in his endeavours by Olusegun Obasanjo of Nigeria, Abdelaziz Bouteflika of Algeria, Abdoulaje Wade of Senegal and Hosni Mubarak of Egypt. These and other leaders have reaffirmed their commitment to the promotion of democracy and its core values in all their respective countries. They pledged to uphold the rule of law, adhere to governmental separation of powers (including an independent judiciary and an effective parliament), promote the equality of all citizens before the law, safeguard individual liberties and collective freedoms. Moreover they supported just, honest, transparent, accountable and participatory government as well as probity in public life and hence undertook to combat and eradicate corruption both of which retard economic development and undermine the moral fabric of society. They also expressed

their determination to restore stability, peace and security across the African continent. Alongside this they would endeavor to promote democracy and practices of good governance, human rights, social development and the protection of the environment and sound economic management. In addition they undertook to do more to advance the cause of human rights in Africa generally and more specifically to bring to an end the moral shame exemplified by the plight of women, children, the disabled and ethnic minorities in conflict situation. Initiatives will be directed at capacity-building to prevent, manage and resolve conflicts across the African continent (Venter, 2003:239-241).

The benefits of the initiative include the possibility of improved governance in particular member states and the possible spillover effect from improved governance in other member states (Gelb, 2002:30). As Venter contends, as some pivotal countries adopt NEPAD and start to grow rapidly will set the example for other countries who will then work together to promote African issues on the global agenda (Venter, 2003:240). Undoubtedly, even just on paper, NEPAD represents something new and positive with the potential to alter Africa's political landscape. The sense of optimism is well reflected in a statement by Diamond:

> "We are at a formative moment in the long, sad relationship between Africa and the west. More African governments are governed democratically today then ever before. If most are still not governed well, public pressures and international expectations are at least moving in the right direction. Today there is a chance – a real chance – to generate an entirely new set of incentives for political actors in Africa to govern constitutionally, responsibly and effectively. Today there is a real chance to win the kinds of institutional reforms that will truly empower parliaments, courts, civil societies, control corruption and strengthen states. But all of this depends on political leaders…embracing and permitting enormously difficult governance reforms…African civil societies and governments must join with one another and with the international community to monitor and enforce their governance obligations under NEPAD…" (Diamond, 2004:289).

The centre of NEPAD's plan to hold African states accountable to good governance relies on the peer review mechanism. The idea is that heads of state and governments will agree to an external assessment of how well they are achieving their obligations. The purpose of which is to encourage states to adopt policies, standards and practices that

lead to political stability, high economic growth, sustainable development and accelerated regional and continental economic integration. Participation in the mechanism is completely voluntary thus whether or not the system has any teeth will depends largely on what measures are taken against errant countries (Gumede, 2005:211-212).

To date there has been scant evidence of political leaders speaking out against their deviant counterparts. The reasons for this are open to much speculation, the details of this speculation forms the focus of chapter four. Nevertheless the lack of open condemnation does not bode well for the future of NEPAD or the transnational project more generally. NEPAD encompasses a wide-ranging scope and what some commentators describe as over-ambitious goals (Kanbur, 2002:91). This lack of response to the Zimbabwean case led to a critical assessment of the initiative itself. Taylor, in a somewhat damning article, goes as far as to argue that NEPAD is 'dead', an irrelevant pipedream that has been killed by Mugabe. The outright refusal of NEPAD's key promoters to act out against the Zimbabwean factor and adhere to their own rhetoric regarding democracy and good governance has made NEPAD little more than the butt of jokes in some circles (Taylor, 2003:2).

Despite the general reluctance of some African leaders to admit as much, Zimbabwe has posed as a test case for NEPAD in terms of promoting and policing the values espoused by NEPAD, yet most African countries, in responding to the crisis in that country, have refused to publicly commit themselves to the NEPAD criteria, especially South Africa who has adopted what has been described as a soft stance towards Zimbabwe. South Africa's response is seen to have undermined the notion of African solutions to African problems and subsequently casting both NEPAD and Pretoria's leadership in a poor light relegating African governance standards and democratic expectations to an inferior league (Melber, 2002:17-18). As argued by Taylor and Nel 2002:

> "The sobering experience of how many African leaders at least tolerated – perhaps openly approved the Zimbabwean government's abuse of political power and control came as a major blow to expectations that NEPAD would represent efforts to penetrate the shield of sovereignty behind which too many corrupt leaders hid for too long" (Melber, 2002:18-19).

Referring back to the observation made by Morris and Szeftel adherence to the concept of national sovereignty poses one of the biggest challenges to as it threatens to undermine the intentions of the initiative itself. For Gelb, NEPAD offers real potential for Africa to address its developmental and democratic problems yet at the same time presents a steep leadership challenge precisely because its success requires it to address fundamental issues of inter-state African politics, in particular its understanding of national sovereignty (Gelb, 2002:4).

The crisis in Zimbabwe has shown how the democratization process stumbles on the hurdle pf sovereignty. NEPAD as a governance strategy has not managed to penetrate this shield. The issue of national sovereignty versus collective responsibility is a challenge that NEPAD has not managed to overcome (Melber, 2001:201), hence its inadequate response to the Zimbabwean crisis as African heads of state do not and apparently will not easily give up sovereignty. Non-conflict situations like Zimbabwe provide for a more complex environment than do conflict countries in terms of challenging national sovereignty of the type implicit in the NEPAD. Departing from the African tradition of non-interference is still a long way off (Gelb, 2002:35).

However NEPAD has been criticised by civil society for being elitist and top-down in its approach having been drawn up by a few heads of state and virtually excluding civil society (Diamond, 2004:277).

Civil society groups have consistently been among the most prominent advocates for democratic and good governance reforms. Moreover, they insist that any evaluation of governance reforms must be comprised not only of government appointees but also of parliamentary representatives, ombudsman, officials of counter-corruption agencies and representatives from NGOs, think tanks and the private sector. Thus, as Diamond argues, unless these broader societal forces are given a prominent role both in policy direction of NEPAD and the Peer Review Process in particular, African governments will continue to pat one another on the back and turn their back on confronting the deeply rooted signs of

governance that represent the core obstacle to achieving NEPADs goals (Diamond, 2004:277).

Although NEPAD claims to be African-owned, a number of civil society groups and some governments have questioned where they fit into the new partnership. Leading African intellectuals have commented that in spite of recognizing the central role of the African people in the plan, the African people have not played any part in the concept. Such criticisms stems from the fact that NEPAD was formulated in typical Mbeki-policy making style. Small groups of like minded experts met in isolation shielded from elected representative and institutions. Without essential grassroots support, NEPAD opens itself up to, not only failure, but to resounding negative assumptions (Gumede, 2005:212). The role of civil society in the process will be elaborated on in chapter six

NEPAD argues that development is dependent on a number of key local priorities: peace, security, democracy and political governance, economic and corporate governance; regional cooperation and integration. Leaders are obliged to commit themselves to good governance, respect for human rights, democracy and sound economic policies. NEPAD envisions the state as creating an environment conducive to foreign investment. However the plan fails to see that the African state is traditionally weak due in no small part to the legacy of colonial fragmentation. With few exceptions, African states had no proper state to speak of, but had to create one where none had existed. Thus some would argue that to rely on the state to create the necessary environment is a mis-guided assumption (Gumede, 2005:207).

A rather instructive omission by the architect of NEPAD, is there scant reference to human rights and the crippling HIV/AIDS pandemic sweeping the continent threatening to lay waste to already fragile societies (Gumede, 2005:212). However, by far the greatest danger for NEPAD is that it could collapse due to a lack of funds, as unless it can secure foreign funds it will wither away. The worst fears of many bore fruit when Britain threatened to cut funding to NEPAD if stronger action was not taken against Zimbabwe (Gumede, 2005:213).

In a similar fashion NEPAD is dependent on a few key leaders, Thabo Mbeki, Abdelaziz Bouteflika, Olusegun Obasanjo and Abdul Wade However, even within their own states their positions are by no means secure and each comes from fundamentally different democratic backgrounds. There are also unresolved tensions between them which could potentially derail the process. Of equal concern is that in the 15 states that comprise the NEPAD steering committee there are problems of democracy and governance (Mills & Hughes, 2002:9).

Conclusion

This chapter has demonstrated a number of important consideration for Africa especially as it moves towards the implementation phase of NEPAD. Firstly, it has shown the importance of transnational initiatives in fostering good governance practices. It was argued that the African state is generally weak limiting its potential to act in isolation thus the forming of regional institutions is far more beneficial. NEPAD embodies transnationalism in the African context. Moreover is a continental response mechanism to the governance crisis. For many, NEPAD offers much potential to further the democratization process across Africa. However, NEPAD's reaction to the Zimbabwean crisis has led to increased focus on the interaction of ideas between national sovereignty and democracy. Unfortunately in the tension sovereignty has won the day, serving only to undermine the credibility of NEPAD. Despite the implicit intention of NEPAD African leaders appear reluctant to compromise on sovereignty. Yet for NEPAD to regain an element of credibility individual sovereignty individual sovereignty needs to be reformulated as a concept of responsibility at both the national and regional level. Unless the political will to implement such far-reaching changes is apparent the opportunity for NEPAD would be lost forever. However, political will to some extent is generated from below, from within civil society and NEPAD has been criticized precisely on the grounds of it having left civil society out of the process. Does this imply that NEPAD lacks the necessary political will to implement the initiative? Chapter four focuses on the issue of political will.

Chapter Four

The African Peer Review Mechanism and the Zimbabwean Challenge

Introduction

A study conducted by the African Human Security Initiative (AHSI) (2004) stated the intention of NEPAD as follows:

> "The challenge of NEPAD is to improve governance on the African continent in order to create the conditions for growth and development, both through the continent's own efforts and by attracting greater investment and development assistance from international partners" (AHSI, 2004:1).

NEPAD presents two sets of programmes both of which it perceives to be essential pre-conditions for sustainable development; the peace, security, democracy and political governance programme; and the economic and corporate governance programme. In outlining their two sets of programmes NEPAD recognizes the important contribution good economic and corporate governance values and practices can make to economic growth and development, mainly through promoting market efficiency and curbing wasteful spending, both of which impact positively on democracy and the encouragement of private financial inflows (Sako, 2003:7-8). Both political and corporate governance are important and especially so when cast within the broader context of the need to build strong and effective institutions of political governance. The Declaration on Democracy, Political, Economic and Corporate Governance reflects this close relationship and was adopted by the AU at its July 2002 Summit (Sako, 2003:9). In March of the same year, AU leaders met in Abuja where they agreed to adopt the African Peer Review Mechanism (APRM) (Bond, 2004:116).

The African Peer Review Mechanism has been described as "an instrument voluntarily acceded to by the member states of the African Union as an African self-monitoring

mechanism". Its purpose is to foster the adoption of policies, standards and practices that lead to political stability, high economic growth, sustainable development and accelerated sub-regional and continental economic integration through sharing of experiences and reinforcement of successful best practices, including identifying deficiencies and assessing the needs of capacity-building(www.nepad.co.za).

This chapter is concerned with the following important issues. Firstly, it will outline the APRM as agreed to by the NEPAD leadership in 2002. Attention will drawn to its policies, procedures and expected outcomes. Secondly, and forming the focus of the chapter, although Zimbabwe has not acceded to the APRM, the NEPAD leadership has remained surprisingly quiet regarding the mounting crisis in the country. The reasons for their response are numerous yet the implications thereof are more serious leading to a critical assessment of the initiative. It will be argued that the APRM is clearly moving forward in the right direction yet the core of its leadership suffer from a general lack of political will to criticize the actions of the Zimbabwean government. Finally it will be argued a lack of political will threatens the future potential of NEPAD especially as it moves into its implementation phase. A failure to criticize deviant states through the APRM undermines the transnational initiative.

In July 2003 at the second assembly of the AU held in Mozambique, Olusegun Obasanjo, chair of NEPAD, heads of state and the Government Implementation Committee announced that 16 out of the 53 African countries had agreed to a peer review mechanism and a panel of eminent persons had been appointed to develop the mechanism (Diamond, 2004:276). These 16 member states have all committed themselves to adopting appropriate laws, policies and standards as well as human and institutional capacity. They have also committed themselves to adopting objectives, standards and criteria and indicators that will be used for assessing and monitoring progress in all the key areas (www.nepad.co.za).

Those leaders who did not agree to the mechanism felt threatened by the potential of the APRM (Bond, 2004:16). Their uneasy feeling over the review process was due in no

small part to the fact that the APRM fundamentally challenges inter-state African politics, particularly the understanding of national sovereignty (Gelb, 2002:4).

Nevertheless the APRM remains an integral part of NEPAD, serving as the mainstay of NEPAD's plan to hold African states accountable to practices of good governance. For Diamond, implementing a peer review mechanism will, to some extent, prevent a repeat of past failures. Gelb maintains that the APRM lies at the heart of NEPAD operating as a club to improve governance and hence growth and development on the African continent. None of this can be achieved individually and thus the need for collective action by African states to improve governance in each state. Thus the peer review mechanism would act as an important external source of pressure on the weak state (Gelb, 2002:26-27).

It has been repeatedly stressed that the APRM and indeed NEPAD is the brainchild of Mbeki, who acts as both its initiator and most ardent supporter. Thus any analysis of its potential would be incomplete without an investigation into the important promotional role played by Mbeki through the AU and NEPAD process.

Undoubtedly, South Africa has the largest economy in Africa, accounting for 45% of the total wealth of Sub-Saharan Africa and it is therefore not surprising that South Africa has played a primary role in peacemaking and peace building efforts in the war ravaged countries across the continent.

For example, South Africa took the initiative to start the inter-Congolese dialogue which brought together the various warring factions in the DRC crisis at Sun City. Similarly, South Africa has taken the lead in coordinating regional efforts and those of the AU Troika on the Comoros to ensure that the 20 December 2003 agreement on transnational arrangements in the Comoros is implemented. In response to a request by the government of Sudan and in accordance with an AU executive council decision in Matapul in July 2003, South Africa also chairs the AU Ministerial Committee on the post conflict reconstruction of the Sudan (AHSI, 2004:75-76). However, perhaps the most

important and controversial intervention by South Africa pertains to Zimbabwe. The situation in Zimbabwe has, to date, not degenerated into a state of civil conflict characteristic of other interventions, namely the DRC and Sudan. However the possibility exists that this might happen if the situation is not handled correctly (AHSI, 2004:76-77).

Taking into consideration the many conflict situations on the continent, nevertheless, for many commentators the Zimbabwean situation has been identified as the litmus test for NEPAD with regard to the promotion and policing of the core values enshrined in the NEPAD document (Mills & Hughes, 2002:9). For reasons that will be discussed, the majority of African countries have apparently refused to publicly commit themselves to the NEPAD criteria. This is especially true in the case of South Africa who at once acts as NEPAD's biggest supporter, yet who has adopted what has been described in media and academic circles as a heavily criticized policy of 'quiet diplomacy' (Melber, 2002:17-18).

Herein lies the crucial assessment factor. The potential of the APRM and NEPAD is measured against the extent to which its leaders are prepared and committed to speak out against errant countries (Gumede, 2005:212). The 'quiet' reaction to Zimbabwe thus far, raises an ever more urgent question – given the growing instability and mushrooming poverty in Zimbabwe and indeed across much of the African continent is, whether NEPAD with the enforcement capabilities enshrined in the APRM, has adequate, if any, enforcement mandate and capacity to ensure that African countries live up to the norms and codes of behaviour underpinning the declaration on political, economic and corporate governance (Sako, 2003:11).

It is precisely the handling of the Zimbabwean situation that has generated much controversy and led to the heated debate both within the NEPAD leadership and the international community and indeed across wider civil society with those positioned outside the NEPAD inner circle questioning both the inherent potential of the organization and the political will of its leadership. In a manner of speaking calling into

question the African transnational initiative in fostering practices of good economic and political governance.

4.1 The African Peer Review Mechanism (APRM)

According to media reports, prior to its creation, Mbeki repeatedly stressed the importance of establishing a credible and effective peer review mechanism to help decipher which countries benefit and to what extent from the membership of NEPAD, which forms the core of his vision for Africa (Mail & Guardian, 9 May 2002). The African Peer Review Mechanism is what sets NEPAD apart from earlier initiatives. For the international community and many in Africa the peer review process stands as the key to the success of NEPAD. Their reasoning is due in no small part to the fact that the review process will monitor the adherence of African countries to the codes of good political, economic and social governance. Such reviews will encourage greater development aid and foreign investment (The Star, 28 October 2004).

The APRM was submitted for and subsequently approved, at the July 2002 inaugural summit of the AU in Durban. Its approval was never going to be, nor was it straightforward. As reported by Jean-Jacques Cornish in an article for the Mail and Guardian (July 2002), unexpressed reservations over the peer review came from countries that stray from NEPADs demands for good governance, fiscal discipline, transparency, the rule of law and respect for human rights. Nevertheless Mbeki maintained that there could be no compromise on the need for Africa to police itself. Without this Mbeki insisted that the developed world would not take the NEPAD initiative seriously (Mail & Guardian July 2002). Thus amidst heavy reservations, Mbeki gained the upper hand, although still only slightly, as a mere 16 of the member states acceded to the peer review mechanism. Not surprisingly, Zimbabwe was strongly opposed to the APRM

The APRM, is, according to Stremlau appropriately located under NEPADs 'Democracy and Political Governance Initiative' (DPGI). This initiative serves as NEPADs engine with the APRM as its transmission. To join NEPAD individual countries sign up to the DPGI. In doing so they agree to an external peer review at three year intervals to assess

how well they are fulfilling the DPGI obligations. For many commentators the overriding question is, can such a process work? (Mail & Guardian, 9 May 2002). The question becomes ever more urgent given the enormous challenges facing the African continent. The success or otherwise of the initiative has enormous implications for the future potential, not only of NEPAD itself, but more generally of transnationalism in Africa. In reality its potential is questionable, however, in theory it is a laudable initiative worthy of consideration.

According to Kanbur, the establishment of an APRM is an excellent use of NEPAD's comparative advantage. Drawing on Kanbur's description the APRM is an African voice rooted in principles of democracy and human rights able to speak externally to the court of world opinion and internally to African nations in a way that no other institutions, current or previous had the potential of performing (Kanbur, 2004:157).

While the APRM is most certainly a novel idea for Africa, as Stremlau points out for many years wealthy nations have accepted intrusive and regular peer reviews under the auspices of the organization for economic cooperation and development (OECD). The OECD reviews focused almost exclusively on economic issues whereas the APRM seeks to address more politically sensitive issues (Mail & Guardian, May 2002). Nevertheless the APRM most closely reflects the OECD process, in fact, can be described as a copied practice from wealthy nations (CPS, 2003:2), and is therefore worth dwelling on, however briefly.

At the heart of the OECD process is dialogue, consensus, peer review and pressure. Pagani (2002) in an OECD document clarified and developed the idea of peer review and pressure. Describing the OECD peer review process in general terms he stated the following:

> "Peer review can be described as the systematic examination and assessment of the performance of a state by other states, with the ultimate goal of helping the reviewed state improve its policy making, adopt best practices and comply with established standards and principles. The examination is conducted on a non-adversial basis and it relies heavily on mutual trust among the states involved in the review, as well as shared confidence in the process. When peer review is

> undertaken in the framework of an international organization – as is usually the case – the secretariat of the organization also plays an important role in supporting and stimulating the process. With these elements in place, peer review tends to create, through this reciprocal evaluation process, a system of accountability" (cited in Kanbur, 2004:161).

Pagani goes on to state that;

> "The effectiveness of peer review relies on the influence and persuasion exercised by the peer during the process. The effect is known as peer pressure. The peer review process can give rise to peer pressure through, for example: (1) a mix of formal recommendations and informal dialogue by the participating countries; (2) public scrutiny comparisons, and, in some cases, even ranking among countries; and (3) the impact of all the above on domestic public opinion, national administration and policy makers" (cited in Kanbur, 2004:161).

The OECD review process focuses on particular sectors or particular policies. The examiner countries, those countries in the peer group who conduct the peer review, play a key role. Importantly, the officials from these countries represent not themselves or the countries but rather the collective. The OECD review consists of three phases; the preparatory phase (information is collected and studies conducted and sent to the government of the country under review); the consultation phase (site visits, discussions with government and civil society and a draft report is discussed with the government); and the assessment phase. The details of the last phase are worth quoting in full:

> "The draft report is discussed in the plenary of the body responsible for review. The examiners lead the discussion, but the whole body is encouraged to participate extensively. Following discussions, and in some case negotiations, among members of the body, including the reviewed state, the final report is adopted or just noted by the whole body. Generally, approval of the final report is by consensus, unless the procedures of the particular peer review specify otherwise. In some cases, the procedures may call for the final report to state the difference among the participants. In some cases, non-governmental organizations also have the opportunity to influence the decision by submitting papers and documents" (cited in Kanbur. 2004:162).

According to Kanbur the OECD review process is generally regarded as a success. A crucial aspect of the success hinges of the technical competence both of the OECD secretariat and the examiners. Importantly the OECD peer reviews enter into an already rich domain of policy dialogue in a particular country. The peer review is not the only game in town on which everything depends, rather the country under review is already

characterized by a rich and diversified civil society engaged is dialogue thus the review is a valuable input to the already ongoing dialogue (Kanbur, 2004:162). Whether the same can be said of the APRM, remains to be debated especially since its inception various civil society groups and African trade unions have criticized the initiative for being too top-down, elitist and exclusionary and worse still, having completely by-passed civil society. Thus uncertainty remains as to how exactly it will operate in practice (CPS, 2003:6).

A policy brief prepared by the Centre of Policy Studies (CPS) (2003) described the APRM as, "the systematic examination and assessment of the performance of a state by donor states (peers), by designated institutions, or by a combination of states and designated institutions" (CPS, 2003:2). The APRM is voluntarily acceded to by member states of the AU and NEPAD and serves as an African self-monitoring mechanism through which African leaders are expected to police their own adherence to democratic norms (Nugent, 2004:433).

The stated aim of the APRM is to ensure that the policies and practices of the participating states conform to the agreed political, economic and corporate governance values, codes and standards as contained in the Declaration on Democracy, Political, Economic and Corporate Governance. Its purpose is to further encourage the adoption of policies, standards and practices that ultimately lead to political stability, high economic growth and sustainable development, accelerated sub-regional and continental economic integration through the sharing of experiences and reinforcing successful best practices. Included here are the identifying of deficiencies and assessing the needs for capacity building (www.nepad.co.za).

As stated, the overarching goal of the APRM is to encourage the AU participating countries to speed up their progress towards adopting and implementing the principles and programmes of NEPAD. However, due to the varied historical backgrounds, each country will start from a fundamentally different base line and therefore will not reach the highest level of performance at the same rate nor time. Rather the rate of progress will

directly depend on the level of political commitment and political will of each country. There will nevertheless exist a level of dialogue between the countries to ensure that all countries achieve full compliance on a mutually agreed date (www.nepad.co.za).

The supreme political authority of the APRM is the committee of the participating heads of state and government (PHSG). This committee in turn appoints a panel of eminent persons to direct and manage the APRM. The first APRM has as members: Marie-Angelique Savane as Chair (Senegalese and former UN development official), Dorothy Njeuma (Cameroon), Graca Machel (Mozambique), Adebayo Adedeji (Nigerian economist), Bethuel Kiplagat, Mourad Medeki and former South African Reserve Bank governor, Chris Stals. Panel members are appointed as individuals, however they nevertheless represent a diverse group from different parts of the African continent (Kanbur, 2004:158: Bond, 2004:116). Interestingly, as Kanbur points out, three of the seven panel members are women and the chair is also a woman (Kanbur, 2004:158). Whether or not this has any bearing is a topic for a separate discussion. Important in terms of this discussion is whether the individuals represent the collective interest of the participating countries and whether this group of people demonstrates sufficient political will to drive forward the implementation of the process.

Where those who lead the initiative may be open to criticism, the APRM document provides a fairly clear roadmap, bearing in mind that many of the details are still being fine-tuned. Nevertheless the general direction flows from the Declaration on Democracy, Political, Economic and Corporate Governance. The peer review process, at present, is intended to cover four main areas (1) democracy and political governance; (2) economic governance and management; (3) corporate governance; and (4) socio-economic development. In each of these four core areas a set of objectives, standards, criteria and indicators have been developed (Kanbur, 2004:159).

The review process itself consists of five clearly defined stages:

1) A comparative study by the APRM secretariat of the political, economic and corporate governance and development environment of a given country based on

background documentation. The government of the reviewed country will also complete a detailed questionnaire.

2) The review team will visit the country concerned and carry out a range of consultations with the government, the public service, including the media, academia, trade union movements, the business community and professional associations.
3) The review team will prepare a report based on the information collected in the previous two stages. The report is discussed with the government concerned and the responses generated will be included in the final report.
4) The report is submitted to the participating heads of state and government and considered by them. What happens at this stage is worth quoting in full. "If the government of the country in question shows a demonstratable will to rectify the shortcomings, then it will be incumbent upon participating governments to provide what assistance they can, as well as to urge donor governments and agencies also to come to the assistance of the country reviewed. However if the political will is not forthcoming from the government, then participating states should first do everything practicable to engage it in constructive dialogue, offering in the process technical and other appropriate assistance. If dialogue proves unavailing, the participating heads of state and government may wish to put the government on notice of their collective intention to proceed with appropriate measures by a given date. The interval should concentrate the mind of the government and provide a further opportunity for addressing the identified shortcomings under a process of constructive dialogue. All considered, such measures should always be utilized as a last resort".
5) The report is formally and publicly tabled in key continental and sub-regional structures such as the Pan-African Parliament (Venter, 2003:250-251 & Kanbur, 2004:158-159).

Carried out in accordance with the stages outlined above the APRM spells out four kinds of reviews:

1) A base review carried out within eighteen months of a country becoming a member of the APRM process
2) A periodic review to take place every two to four years
3) A review requested by a member state that is not part of the periodic mandated reviews
4) A review can be instituted on signs of an impending political or economic crisis in a member country. Such a review can be called for by the participating heads of state and government in a spirit of helpfulness to a participating government (CPS, 2003:4).

According to the official NEPAD website, by February 2004 only 16 member states had ratified the accession document to the mechanism (www.nepad.org). The 16 signatories include, Algeria, Burkina Faso, Cameroon, Congo, Ethiopia, Mozambique, Nigeria, Ghana, Kenya, Rwanda, Senegal, Uganda, Gabon, Mauritius, Mali and South Africa. All of whom have voluntarily agreed to a review of their adherence to codes of good political and economic governance (CPS, 2003:9).

As both Stremlau and the CPS have pointed out, the APRM is something never before tried in Africa, opening it up for serious criticism and debate. The remainder of this chapter will be concerned with exploring both the strengths and weaknesses of the APRM and the future prospect of the initiative impacting on governance challenges in Africa. The most serious challenge to the APRM and NEPAD has undoubtedly been the Zimbabwean crisis. The Zimbabwe challenge will be highlighted throughout the discussion. The extent to which it impacts, either positively or negatively, will have profound implications for the future potential of transnationalism in Africa.

Venter understands the peer review process as being premised on African leaders telling each other where they have gone wrong (Venter, 2003:255-256). Under the APRM, for the first time, there appears to be a promise to self-police African leaders and rein in corrupt autocrats. The basic idea behind the APRM was to connect to the rest of the

world on the basis of honesty and mutual respect while at the same time recognizing the importance of democracy, human rights and good governance (Taylor, 2003:2).

The policies and procedures of the APRM, as laid out in the proceeding paragraphs appear relatively straightforward, yet as pointed out by the CPS much of the work currently being done around NEPAD remains unclear and confusing. The confusion originates from the uneasy relationship between the peer review process of the Conference on Security, Stability, Development and Cooperation in Africa (CSSDCA) under the auspices of the AU and the APRM under NEPAD (CPS, 2003:5-6).

Even this relationship is riddled with difficulties. Such difficulties emerged in the early months of 2005, when, according to media reports, Alpha Konaré (AU chairperson) initiated talks to bring the NEPAD under the full control of the AU while Wiseman Nkuhlu (NEPAD secretariat) was hoping for more limited integration.

Nkuhlu believes that Konaré motives are based on the fact that the NEPAD has the ability to act quickly and robustly without bureaucratic constraints and political sensitivities that currently characterize the AU. "When NEPAD started it was intended as an association of countries who wanted to accelerate the pace of change and it was voluntary so as not to be constrained by the politics of strict rules, of a multilateral institution" (Mail & Guardian, February 2005). Despite worries over political and bureaucratic inertia at the level of the AU, Nkhulu accepts the AU will take over the APRM. However he insists that the process is placed on a sound footing before such a transition takes place. "It is better to complete the review of the four countries we have started, so that you have a benchmark and when it is moved we have established standards" ((Mail & guardian, February 2005). Nkhulu is also concerned about the impression the merger could have on donor countries, who have since 1999 supported NEPAD on the basis of it being a voluntary process that offered a tougher means to monitor the progress of African countries. According to NEPAD officials the perception among donors is that the AU, like its predecessor the OAU, is simply unwilling to act against deviant members. Any merger plan needs to take this into account as the

possibility exists that should such a merger take place, the potential of NEPAD and the APRM would be severely watered down (Mail and guardian, February 2005). Ross Herbert, of the South African Institute of International Affairs (SAIIA), feels that integrating NEPAD into the AU will hurt the most successful aspects of the plan. NEPAD was about unlocking problems and the AU will simply impose many layers of bureaucracy thereby starving it and preventing it from completing its stated mandate (Mail and Guardian, February 2005).

Only time will tell how this debate is eventually resolved, but for the moment the relationship between the two review processes (as mentioned above) deserves elaboration. There are areas of overlap between the two, however, the CSSDCA/AU peer review process differs from the NEPAD peer review process in a number of important aspects. Being a body of the AU, CSSDCA enjoys the support of almost all 53 African member states. The criteria of the CSSDCA are specific and time-bound thus leaving little room for ambiguity. The CSSDCA has gained extensive support across the continent as leaders believe that it is an entirely African owned programme and not dependent on any external support (CPS, 2003:5-6).

Even though NEPAD is a substructure of the AU, many worry that the APRM under the auspices of NEPAD might not be an African-owned programme. Numerous African leaders are opposed to the APRM because its success and implementation depend heavily on resources from wealthy nations outside the continent and fear that for this reason its agenda is donor-dictated rather than an African negotiated agenda. While such harsh claims are questionable, it is nevertheless feasible that the APRM degenerates into a puppet instrument of wealthy nations. APRM will then cease to be African-owned and independent. It will no longer serve the interests and expectations of Africa and its effects will be conditional and minimal and African leaders may also lose the independence to deal with their own problems (CPS, 2003:5-6).

Concerns of this nature, while important to mention, nevertheless constitute a long-term challenge. International support and funding is vital to kick start the initiative, without

which the initiative would have failed before it began. Of more concern are those challenges characterized as immediate and pertain to inherent weaknesses in the initiative itself. One such weakness is the obvious lack of political will on the part of leaders to initiate its implementation.

The APRM relies almost exclusively on the influence and persuasion exercised by the member peers over each other during the process. As stated by the CPS document (2003), "the heads of state who are participating in the APRM accept that peer pressure will be exercised in order to encourage improvements in countries' practices and policies in compliance with agreed international best practices" (CPS, 2003:7). Peer pressure is not legally binding; it lacks clear enforcement mechanisms by it not being backed up by sanctions or any other punitive measures (CPS, 2003:7). It simply constitutes a means of soft persuasion which becomes the driving force to encourage a state to change, achieve goals and meet standards. Soft persuasion in the first instance is favoured by leaders of the old guard such as Gaddafi who are opposed to any kind of imposed conditions. Mbeki also advocates the use of the carrot rather than the stick with those countries ranked as good performers reaping the rewards of aid, trade and investment (Gumede, 2005:212). The APRM, premised as it is on the notion of soft persuasion, raises skepticism about how far African leaders are prepared to go to put pressure on their peers (CPS, 2003:7).

Nugent, one such skeptic, goes as far as to argue that moral pressure alone is insufficient to significantly modify the behaviour of rogue states. Moreover, whether leaders feel morally bound by the opinion of their colleagues is also highly questionable (Nugent, 2004:433). Thus whether or not the APRM has done sufficient to inspire those bad apples to mend their ways is open to much debate (Gumede, 2005:212).

The debate over 'quiet' versus 'loud' or 'hard' diplomacy has occupied the minds of many commentators, especially those who speak from the vantage point of South Africa. As repeatedly stressed, South Africa assumes a leadership position both in the policy direction of NEPAD and the APRM.

South Africa's 'quiet' diplomacy approach based as it is one their trying to influence the behavior of others by secret negotiations or refraining from taking specific action indicates Pretoria's general reluctance to project its power to impose solutions on African problems. Pretoria is treading lightly especially when it comes to dealing with deviant African regimes like Zimbabwe. This approach has resulted in heated debates both locally and abroad, with those closer to home calling for South Africa to take more robust action and intervene in Zimbabwe (Dlamini, 2002/3:171-172).

Those in favour of quiet diplomacy argue that it is South Africa's best interest to avoid any course of action that could further aid the collapse of Zimbabwe that would adversely impact on South Africa's domestic situation (immigration of refugees, negative effects on trade).

The sovereignty argument is also extensively used to support the 'soft' approach. Proponents here argue that Zimbabwe is a sovereign state and not the tenth province of South Africa, meaning that it is equal to any other sovereign state regardless of its economic, political and social standing and all sovereign states are entitled to run their affairs autonomously, free from external interference. It has been argued that globalization heralds the end of sovereignty. Even so, many core elements of sovereignty remain firmly in place while others have been transformed (Dlamini, 2002/3:175-176).

However, those in favour of abandoning quiet diplomacy argue that South Africa would best serve its interests by promoting democracy, good governance and the rule of law throughout Africa. This would position Pretoria as a beacon for the rest of the continent and advance the objectives of the NEPAD and thereby boost international investor sentiments. Global public opinion would become favourable towards Africa and its efforts to rejuvenate itself from within. South Africa in terms, of its national interest is perceived as having the capability to ensure good governance, democracy, human rights and the rule of law all of which form prerequisites to its success of NEPAD. Still the notion of quiet diplomacy needs to be understood against the backdrop of the inability of

states like Zimbabwe to provide prosperity or a safe and decent living environment for its citizens. The incapacity of states like Zimbabwe has exposed the inadequacy of the international community to ensure adherence to international norms and values of good governance. Thus questions are being raised about the appropriateness of the international community's response to the conduct of leaders in Zimbabwe. One of the reasons why the quiet diplomacy towards Zimbabwe is being debated is South Africa's leadership of NEPAD, which requires practical implementation. "For NEPAD to be successful, it needs to be as strong on realism as it is on idealism" (Dlamini, 2002/3:174-175). "Analysts are starting to raise questions about Africa's capacity and willingness to enforce the principles that underpin NEPAD and the African Renaissance. What is required is a commitment to robust responses to civil wars, corruption, breakdowns of law and order and abuse of human rights in African states. Zimbabwe is often cited as exemplifying all of these evils" (Dlamini, 2002/3:175). To date there is scant evidence of a change in policy course.

Taylor (2003) not only heavily criticises NEPAD but in fact argues that the APRM is a toothless exercise. He bases his criticism on the fact that the process lacks any counter-measures to sanction or punish those states who fail to mend their ways. Thus the APRM is "instantly reduced to a confusing plan whereby African leaders self-monitor themselves voluntarily" (Taylor, 2003:2). Where the effectiveness of the process largely depends on self-discipline to maintain standards set by the APRM, there remains a great deal of work to be done by African governments to develop a culture that conforms to good governance and political and economic cooperation (CPS, 2003:7).

The most serious criticism leveled against the APRM pertains to what Venter cites as a lack of civil society, business, NGO and trade union involvement in the review process (Venter, 2003:245). Put another way by the CPS, civil society groups have criticized the APRM for being elitist and exclusionary. Arguing that it is driven by the continent's leadership and in doing so has completely bypassed African civil society (CPS, 2003:6). Diamond, in a similar vein, criticizes the APRM for being detached from the non-governmental forces in Africa. History has shown this sector to be the most prominent

and consistent advocate for democratic and good governance reforms. Those in civil society advocating for good governance insist that the review committee must be composed not only of government appointees but should and must include parliamentary representatives, ombudsmen, officials from counter-corruption agencies and representatives from NGOs, think tanks and the private sector. Diamond argues that until such time as the broader societal forces are given a prominent role both in the policy direction of NEPAD and in particular the peer review process African governments will continue to pat one another on the back and shy away from confronting the fundamental and deeply rooted perversions of governance that pose as the core obstacle to achieving the NEPAD goals. The danger then is that NEPAD will degenerate into another sad iteration of previous aid failures (Diamond, 2004:277).

The peer review process will generate into an 'old boys club' situation where countries have an unwritten agreement to exchange good reports regardless of the real situation on the ground. To avoid such a situation civil society organizations need to be actively involved in each country, being part of the review team itself to guard against this potential situation (CPS, 2003:8-9).

As outlined above there are many reservations about whether the APRM will achieve its objectives as many African states are unlikely to meet the NEPAD standards of democracy and political governance. More heavy doubts have been cast on the outcomes of the APRM due to the ambivalent response on the part of many African states to the unfolding political crisis in Zimbabwe (CPS, 2003:10). While NEPAD and the APRM are according to Stremlau, a long shot, no one has come up with a better alternative and thus anyone interested in whether or not the process can succeed should closely monitor the developments around the Zimbabwean crisis. Stremlau points out that even though Zimbabwe is not a member and will not be in the foreseeable future, under the present regime, how the crisis is handled and resolved poses as both NEPAD and the APRM first real test (Mail & Guardian, 9 May 2002). In fact it has been argued that Zimbabwe does not participate in NEPAD, precisely because of the inclusion of a peer review mechanism (The Citizen, 4 August, 2004).

4.2 The Zimbabwean Challenge

According to Luke Zunga, an ex-Zimbabwean now residing in South Africa, the problem in Zimbabwe has everything to do with governance. The independence that was fought for with such perseverance and eventually won in 1980 has since become the property of one person and a few who manipulated it. Since 1980s, the country has descended into abject decay, reducing the electorate to poor, starving, desperate people; easy to manipulate and overwhelm. Moreover subject to gross human rights violations and a crude system of justice; kidnappings, beatings, killings, torture, harassment of civilians or anyone who did not shout praises for Robert Mugabe and his ZANU-PF party. The government of Zimbabwe did not appreciate that staying in power had to do with good governance and economic development. Zunga goes on to argue that in a sovereign state, governments treat their citizens equally. The state respects their rights and the well-being of everybody and when one is aggrieved they can approach the courts for relief and the decisions of the court are binding on everyone. When this is not the case, as Zimbabwe clearly demonstrates, people suffer repression, as the rule of law is non-existent (Zunga, 2003:7-47).

The run up to the June 2000 elections were marked with heightened levels of violence and intimidation (Dansereau, 2003:187). According to Zunga, this period witnessed the most extreme cases of state sponsored violence. The violence included attacks on schools, clinics, businesses and the brutal beatings of opposition party members and supporters. Equally concerning is that for many commentators and observers, the election was openly rigged in at least 36 constituencies (Zunga, 2003:44-95).

African leaders, with surprisingly few exceptions, accepted as free and fair a blatantly fraudulent election in Zimbabwe. Mbeki as the skipper of the APRM accepted the majority view that the Zimbabwean elections were legitimate, free and fair. Amid Zimbabwe's slide into political and economic oblivion, the leaders across the African continent cajoled Mugabe, cautioning him in private and publicly defending his state.

This has serious negative repercussions for NEPAD, serving to undermine the credibility of the initiative itself (Venter, 2003:255-256). Not only does the lack of concerted condemnation against Mugabe undermine NEPAD but serves in many ways to highlight the lack of political will to implement NEPAD and the APRM. Many African leaders clearly lack the political will to intervene in the affairs of other states.

The peer review process is essentially a mechanism through which African leaders can tell each other where they have gone wrong. Thus when African governments fail to rule justly as is so obviously the case in Zimbabwe, they should expect to be chastised (Venter, 2003:252). However Mugabe, as with many other dictators and authoritarian leaders in Africa perceive the aims and objectives of the APRM as lethal to their continued rule and invoked the sovereignty argument to avoid scrutiny of their internal affairs (Deng, 2000:360). Hence their outright refusal to become involved in the process. The idea behind sovereignty is that no outsider can or should question the internal activities in a sovereign state. However in instances when governance is absent sovereignty can induce arrogance and the abuse of human rights and non-adherence to the rule of law (Zunga, 2003:46-47).

However, as detailed in a previous chapter, sovereignty is no longer a defensible barrier to intervention. If NEPAD is to succeed sovereignty needs to be recast as collective responsibility where leaders are able and free to openly criticize deviant behaviour of their fellow leaders. The determining factor for intervention now rest on the political will of other or neighbouring states based on national interest with a level of humanitarian concern (Deng, 2000:360). This raises skeptism about how far African leaders are prepared to go to put pressure on their peers. The number of states reluctant to participate in the APRM bears testimony to this (CPS, 2003:7). There is little evidence to suggest that African leaders, many of whom themselves are clouded in corrupt, neopatrimonial politics, are prepared to allow evaluations of their own and their fellow governments' performance (Diamond, 2004:276-277).

Reflecting on the Zimbabwean crisis, the APRM finds itself as a critical testing point with many commentators reporting that it has failed the test. Whether the key promoters like it or not, the manner in which the Zimbabwean crisis is handled has everything to do with the salability of NEPAD as a concept of African self-governance and regulation. As Greg Mills points out, if not Zimbabwe, what other state, when and how (Mail and Guardian, 31 May 2002). NEPAD and its APRM require confidence-building measures especially with regard to its political credibility. There is one clear example of the dilemma in the Southern Africa region – that being the current crisis in Zimbabwe. If NEPADs reference to the principles of good governance are to be more than mere talk, the AU needs to demonstrate commitment towards the implementation of such a paradigm. Failure to do so will result in all credibility being lost. With regard to the position being taken on Zimbabwe this appears to be the direction in which it is headed. Many African countries refused to commit themselves to the NEPAD criteria thereby undermining the notion of African solution to African problems, more seriously cast NEPAD in a poor light relegating African governance standards and expectations to an inferior league (Taylor and Nel, cited in Melber, 2002:18-19).

Zunga in a scathing attack argues that the reason Mugabe committed human rights violations was to stay in power which most of the AU leaders have done or are doing. Moreover, many of these leaders have no economic and civil rights record to speak of. They have enormous problems of their own. He concludes by saying that the initiative lacks the capacity to handle the Zimbabwean situation (Zunga, 2003:163).

Taylor, in an equally damning manner, argues that the APRM and NEPAD is an irrelevant pipedream having been killed by Mugabe. The Zimbabwean crisis and the outright refusal by the NEPADs key promoters to adhere to their own rhetoric regarding democracy and good governance has made the initiative little more than the subject of jokes in many circles (Taylor, 2002:2). The APRM key promoter, Thabo Mbeki, has, according to media reports repeatedly maintained that the solutions to Zimbabwe's problems must be initiated and driven by Zimbabweans themselves. Hence what has come to be termed in media and academic circles as Mbeki's policy of quiet diplomacy

which emphasis the need for constructive behind closed doors engagement has unleashed a wave of criticism. Hussein Solomon, a political analyst at the University of Pretoria was quoted as saying that this policy is very dangerous. "President Mbeki has no credibility as a leader because he is not prepared to stand by the principles he is espousing in terms of NEPAD and a vision for an African Renaissance" (The Star 22 December 2003). With reference to Zimbabwe, NEPAD's key promoters were faced with a choice, either democratically-inclined African states making a break from the past and from their autocratic 'brothers', or, the continued unity of African elites against world opinion and their own oppressed people. For Taylor, the latter option has been chosen (Taylor, 2003:4).

Perhaps part of the problem with the APRM is that it has latent potential to result in a split in Africa, as the APRM reflects an undisclosed contradiction embedded within the plan. On the one-hand it must be inclusive as possible in order to achieve pan-African buy-in, while on the other hand it must be as exclusive as possible in order to achieve a level of credibility and thus exclude tyrants such as Robert Mugabe who have done the continent such a missive disservice. This tension has been overlooked and may account for why the plan is based primarily on rhetoric rather than on action (Taylor, 2003:4).

The lack of decisive action against Zimbabwe has a domino- like effect. The successful implementation of NEPAD's APRM relies heavily on resources from wealthy nations outside the continent. The United States, Britain and G-8 countries including Russia have pledged their support for NEPAD. The relationship is aimed at moving Africa forward towards development. It is expected that political and economic programmes aimed at promoting democracy, stability, good governance, human rights and economic development on the continent be established (CPS, 2003:5). According to a European diplomat, in exchange for Africa getting their houses in order, the international community will commit to development aid and promoting investment. It is a wonderful idea but unfortunately has tripped up at the Zimbabwean hurdle. "If the African powers cannot take effective action against what amounts to an illegitimate leader who is

enriching himself while beating and starving his people, then how seriously must we take them on other issues" (Mail and Guardian, March 2003).

In fact the donor community threatened to cut further funding to Africa, should decisive action not prevail. Reflecting on the poor response to an obviously illegitimate regime, who could blame the donor community for a cautious and disdainful attitude towards Africa (Bond, 2004:117). By the time of the 2003 G-8 meeting in Evian, France, the donor community was well aware of NEPAD's sheer lack of street credibility. Institutional Investor captured the tone:

> "Like other far-reaching African initiatives made over the years, this one promptly rolled of the track and into the ditch…almost two years after NEPADs launch, it has little to show in aid or investment, only a handful of projects have fallen within the plan's framework" (Bond, 2004:118-119).

For Gumede, this is clear example of how the good governance concept can be abused by the north. NEPAD's biggest danger is that it could collapse due to alack of funds. Unless it manages to secure foreign investment it could become just another pointless exercise. While the G-8 applauded the plan they have been in no rush to come forward with the money. In fact Britain threatened to cut funding if South Africa did not act against Zimbabwe and moreover sought to undermine NEPAD by setting up its own internal commission for Africa (Gumede, 2005:213). What this amounts to is that NEPAD has been thoroughly discredited by the handling of the Zimbabwean situation (Gumede, 2005:194).

Amidst all the negativity, NEPAD and the APRM have been effective in some areas. For the first time Africa's woes are not simply laid at the door of the west. Africa has acknowledged that the continent's shortcomings have contributed to its precarious position. The plan has also caught the attention of ordinary citizens, that no previous continental initiative has done. NEPAD placed Africa at the forefront of international debate at least until ant-terrorism downed out all other debate (Gumede, 2005:212-213).

Conclusion

This chapter has outlined the APRM and described it as a process through which NEPAD members voluntarily self-monitor themselves in an effort to ensure that member states adhere to principles of good governance, the rule of law and sound economic practices. Moreover the APRM was described as a laudable process worthy of consideration for among other reasons the fact that it is a novel idea, never before tried in Africa. However, the potential of the APRM was measured against the extent to which its leaders were prepared and committed to speak out against deviant and illegitimate regimes, characterized most glaringly by Zimbabwe, who admittedly is not a member of the process. As numerous commentators pointed out, the APRM, especially South Africa, who in important ways leads the process, failed the test. Their failure to act demonstrates that African leaders lack the necessary political will to fully implement the process. This together with strong allegiance to national sovereignty has undermined the credibility of NEPAD and unfortunately for many has failed the desperate starving people of Zimbabwe. This has important implications for the future potential of the APRM in fostering continental governance. Unless more decisive action is taken on Zimbabwe, the donor community on which the process rests for funds, has threatened to withdraw such support, without which NEPAD would stand dead in its tracks.

It is somewhat premature to label the initiative dead, as it has barely been established. There is still room to look at ways of overcoming these weaknesses and enhancing its credibility. Kanbur argues that the APRM is clearly rooted in democratic aspirations and provides a forum that speaks with an African voice to African nations. However he identifies two areas in which improvements are called for. Firstly, the APRM must not spread itself too thin – it must rather narrow its scope and focus on what it can do well. Kanbur suggests an initial focus on democracy and political governance. Secondly, the success of the APRM depends on the existence of a vibrant civil society as part of the peer review process. NEPAD should allow civil society in the reviewed country to do assessments of its own and to critique the APRM assessment (Kanbur, 2004:165-166).

Kanbur nevertheless presents the solutions as easy and straightforward. However he tends to neglect the very politics and political differences embedded within the NEPAD leadership itself. NEPAD is necessarily a political rejuvenation process and as with similar initiatives is comprised of differing political ideologies and beliefs. It is naive to imagine that African leaders coming together under one umbrella will demonstrate similar political outlooks as African leaders originate from fundamentally different experiences. Chapter five will elaborate on the internal politics of NEPAD and the consequent differing views on Zimbabwe and the implications of this in terms of promoting continental governance.

Chapter Five

NEPAD's internal politics – conflicts over Zimbabwe

Introduction

Earlier chapters have detailed how progressive African leaders, spearheaded by South African President Thabo Mbeki, initiated NEPAD as a new offensive in their attempt to push Africa towards seeking closer cooperation with dominant global actors. Moreover, emphasizes the need for greater integration into the world market which hitherto has served only to marginalize the continent. The initiative demands far-reaching support on at least two and equally important levels. Firstly, it seeks international recognition from powerful state actors of the industrialized world. Secondly, it has to garner a maximum degree of support at home (Melber, 2004:2).

Despite a number of flaws and suspicions, outlined in preceding chapters, NEPAD has managed within a relatively short period of time to get Africans back into the international debate of what is considered to be a genuinely African initiative aimed at establishing new partnerships with the outside world. NEPAD is currently being discussed, debated, questioned and defended both in Africa and abroad and has achieved more acknowledgement and recognition than any previous African initiative. Because of this it can claim to be of relevance to Africa and to Africa's relationship with the rest of the world (Melber, 2004:2).

However its relevance and timely establishment does not necessarily translate into or lead to an overall success story. Nor does its continued reference to a 'partnership' or 'common vision' and 'shared conviction' by African leaders result in genuine African unity. Rather NEPAD is severely affected by deep-seated differences of a political nature. Differences relating to political beliefs and ideology, in many ways, serve to divide the initiative rather than unite it.

This chapter is concerned with a number of important and often neglected issues in the analysis of NEPAD. Firstly, it will highlight the international community's response to the Zimbabwean debacle. Special reference will be made to the Commonwealth's response, itself an important transnational organization with a prominent African presence. NEPAD's response to the Commonwealth suspension highlights important issues not only in terms of NEPAD's continued survival and applicability to the continent. More importantly, this chapter seeks to question just how far NEPAD has come to achieving a common vision among African leaders. Is NEPAD based, as it claims to be, on a shared and common conviction of African leaders or rather, are its leaders still bent on the notion of individual sovereignty? Finally, can NEPAD claim to be Africa's only hope? As Thabo Mbeki stated in 2002:

> "If we cannot unite through an initiative that can permanently reshape this continent and bring about sustained improvement in the lives of our people, then we would have lost an opportunity that will not arise for some time" (cited in Melber, 2002:21).

Finally, it will probe the often conflicting relationship between the AU and NEPAD and question whether in fact the AU either enhances or undermines the objectives of NEPAD.

The Zimbabwean crisis, in many ways, has highlighted the internal political differences, within the NEPAD leadership. Whether or not NEPAD is, or will be, able to serve as the blueprint for Africa's future depends largely on the claim by African political leaders for collective responsibility over policy issues. For many commentators this seems to have come unstuck on the Zimbabwean hurdle. Following an obviously manipulated re-election of Robert Mugabe in 2002, most African governments refused to publicly commit themselves to the NEPAD criteria. For Melber, the greatest challenge for NEPAD is reconciling conflicting positions of national sovereignty versus collective responsibility. NEPAD is a regional document yet at the same time it touches on general matters of principles concerning collective responsibility within the framework of commonly defined values and norms. It is this common definition of political values and norms that stands as NEPAD's biggest challenge. As far as Melber is concerned that failure of the Zimbabwean test clearly demonstrates the lack, worse still, the complete

absence of collective responsibility. Moreover has highlighted the existence of a conflict of interests. Representatives from the two African states responsible for the design and marketing of NEPAD offered conflicting interpretations on policy issues. The Nigerian vice-president, Atiku Abubakar, gave his full support to the notion of collective responsibility, especially the idea of African leaders holding each other accountable through the APRM, whereas, the former South African deputy president, Jacob Zuma, was less than supportive of the notion of collective responsibility (Melber, 2002:18-20).

Thus the possibility exists that the AU might very well become a political football, with Mbeki and Libya's Gadaffi symbolizing distinctive positions. The potential for deeper divisions remains high (Vale, 2002:141).

Divisions of this nature were reinforced, when in 2001, COSATU pressurized Mbeki to change his stance on Zimbabwe. Mbeki was placed between a rock and a hard place. He needed to secure the support of African leaders for NEPAD and at the same time lay the foundation of good governance as the cornerstone of the AU. Mugabe played on such fears and began gathering regional support among those states who regarded him as a leading statesman. Mugabe's support came from Gadaffi, his long favoured choice of association. Gadaffi had bankrolled ZANU-PF 2001 election campaign and pledged $900 000 to boost Mugabes bid to win the 2002 presidential election. In continental forums Mugabe and Gadaffi held Mbeki and his NEPAD plan in contempt, placing Mbeki in an overly difficult position. Mbeki responded by building a broad African front to put pressure on Mugabe, using moderate regional leaders such as Botswana's Festus Mogae (Gumede, 2005:182).

These dual standards being applied to the Zimbabwean debacle has resulted in increased skepticism toward NEPAD. Even more so since the international community, with special reference to the United States and the European Union, having imposed smart sanctions against Mugabe and his closest allies. The Commonwealth Troika of Australia's John Howard, South African's Thabo Mbeki and Nigerian Olusegun Obasanjo decided to suspend Zimbabwe for a period of one year, but not to impose

economic or other sanctions (Venter, 2003:256). Zimbabwe's suspension has once again highlighted the deep-seated internal political differences within NEPAD. In February 2003 when the issue of Zimbabwe's continued suspension came up for debate, both Obasanjo and Mbeki were in favour of lifting the suspension (Taylor, 2003:2). However some of Mbeki's strongest allies distanced themselves. For example, Festus Mogae did not want his country's democratic record tainted by association (Gumede, 2005:194), raising questions has to just how united the NEPAD initiative really is? The notion of a common vision appears at best questionable and at worst non-existent.

The Zimbabwean crisis has not only highlighted internal political differences within the NEPAD leadership but has shown an uneasy relationship between NEPAD and the AU. The relationship between to two bodies is characterized by increasing amounts of uneasiness and uncertainty as a certain group of AU members feel threatened by the objectives of NEPAD. While NEPAD has been adopted as an official programme of the AU, nevertheless the two bodies represent discernably different approaches. The AU is an inclusive organization, incorporating fifty three of the possible fifty four African countries, versus the exclusivity of NEPAD, where only a handful of countries signed up to the Peer Review Process (Cilliers & Sturman, 2004:1). Thus whether or not NEPAD can be used for emancipatory purposes, much depends on the relationship between NEPAD and the long-cherished hope of African unity, embodied in the newly formed African Union (Vale, 2002:140).

To reiterate, the AU came into existence in July 2001 following ratification by 50 of the possible 53 OAU member states (Melber, 2002:9). The transition was imbued with a great deal of symbolism. With all its negative aspects accounted for, the OAU did achieve a measure of success. It enabled African states to survive and flourish as social institutions and it did deliver on the dream of ending colonialism. These were big achievements. However the organization was seen as inadequate and unable to rise to the challenges of the twenty first century. In theory, at least, it seems as if the AU will bring to Africa a regularized and institutional mode of sovereign integration embedded as it is in notions of compromise and bureaucracy (Vale, 2002:141). Arguably, the

establishment of the AU has resulted in an important shift in emphasis, away from individual national towards increased collective responsibility, which appears to support the approach advocated by NEPAD. The documents of NEPAD repeatedly emphasise the necessity of collective responsibility if Africa is to meet and overcome its developmental challenges. This transition, in reality, remains highly questionable. While the AU accepts its responsibility to intervene in a crumpling member state, it has at the same time reconfirmed its adherence to the principle on non-interference in the internal affairs of member states. This for Melber reduces the possibility of enhancing good governance as postulated by NEPAD and can hardly be qualified as a suitable enforcement strategy. The AU constitution could very well prove to be an obstacle to the implementation of NEPAD. It is not surprising then that the AU has failed to deal with the illegitimate ZANU-PF regime in Zimbabwe (Melber, 2002:11).

5.1 The Commonwealth

At first glance it appears out of place to include the Commonwealth in a discussion of this nature. Yet on closer inspection the Commonwealth is as similar to the AU and NEPAD as it is dissimilar (not least of all due to its prominent African presence) and the manner in which the Commonwealth conducts itself raises important questions for NEPAD, more concerning highlights deep divisions within the NEPAD leadership itself.

The Commonwealth, like the AU and NEPAD, is one amongst a vast number of similar international organizations, in a market place fast becoming overcrowded by such organizations. Thus is relevance is often questioned. According to the Commonwealth Secretary-General, Don McKinnon, the Commonwealth does not promote a single agenda but rather does many different things in many different areas. The Commonwealth promotes democracy, human rights and good governance. It also runs development programmes, helps member countries exploit their natural resources, assists governments in managing their national debt and helps provide better health and greater education opportunities to Commonwealth citizens, making the Commonwealth a jack of all trades. In undertaking such a large and ambitious role, the Commonwealth has proven

and continues to prove that it has a unique role to play in today's world, in that it is small and based on a community of interests. Moreover, is based on a common identity, common values and a shared history. That is why the Commonwealth is often referred to as a family of nations or a partnership of nations (www.thecommonwealth.org). The same language as that used to describe NEPAD and the AU for that matter.

In an address to the Africa All-Party Parliamentary Group in February 2004, Don Mckinnon sought to debunk many of the myths surrounding Africa and its relationship to and role within the Commonwealth. Ties between Africa and the Commonwealth are both long and rich. Africa has eighteen member countries and collectively represents the largest regional constituency within the Commonwealth community. Moreover African countries have been among the most committed and active members, with three African countries, Nigeria, South Africa and Zambia haven hosted Commonwealth heads of government meetings. Thus the shared commitment of the Commonwealth and its African members to democratic values and economic development cannot be underestimated. This commitment was reaffirmed in their decision and decisive action taken on the Zimbabwean crisis (www.thecommonwealth.org).

To backtrack slightly, the Commonwealth partnership revolves around three common principles to which all member states are encouraged to support and strengthen: democracy, development and diversity - Collectively referred to as the 3D's.

One of the key features of the Commonwealth is that it is an organization based on a set of shared values and principles, all of which are outlined in the 1991 Harare Declaration. These include the protection and promotion of democracy; the rule of law; good governance; gender equality; sustainable development and universal access to education. The leaders felt it inadequate to simply declare their commitment to a set of fundamental principles. They felt it more important to demonstrate that the Commonwealth lived up to these principles. So in 1995 it was decided to set up the Commonwealth Ministerial Action Group on the Harare Declaration (CMAG). The CMAG is essentially a democracy watchdog which consists of nine foreign ministers empowered to deal with

serious and persistent violations of the Harare principles. There are plenty of examples to show that the Commonwealth stands firm on its fundamental political values. In 1995, Nigeria's membership was suspended but has subsequently been reinstated. In 1997 Sierra Leone was suspended, also, has since been reinstated. In 1999 Pakistan was suspended following a military coup in that country. The suspension was lifted in May 2003 in light of their progress towards democratic reform.

Regarding Zimbabwe, a great deal has been said about the role of the Commonwealth. From the outset the Commonwealth has been at the forefront of efforts to resolve the crisis. However all attempts have been less than fruitful. In March 2001 the Commonwealth offered to send a ministerial mission to engage with the government of Zimbabwe and offer appropriate assistance, the offer was rejected by the Zimbabwean government. Following a prolonged discussion, the Commonwealth heads of government decided to establish a Troika of leaders. The leaders consisted of Thabo Mbeki of South Africa, Prime Minister John Howard of Australia and President Obasanjo of Nigeria. The leaders were expected to engage with President Mugabe in order to help find a solution that would benefit the people of Zimbabwe, especially in the light of the upcoming presidential election scheduled to be held in March 2002.

The CMAG met in London on 30 January 2002. High on the agenda for discussion was the current situation in Zimbabwe. The group expressed deep concern over the high levels of political violence and intimidation and those actions being taken over the media. The group also strongly condemned the recently- enacted Public Order and Security Act and the Current Laws Amendment Act as well as the proposed Access to Information and Protection of Privacy Bill as all imposed further curbs on the freedom of speech of the press and association in Zimbabwe and ran contrary to the Commonwealths fundamental political values as enshrined in the Harare Commonwealth Declaration. More concerning was that the current political situation in Zimbabwe posed a real threat to the possibility of free and fair elections in that country.

The CMAG called on the Zimbabwean government to ensure that there is an immediate end to all kinds of violence and intimidation; that all parties campaigning in the election are allowed to do so without fear of intimidation; the people of Zimbabwe are able to make an informed choice in the elections through full access to media information. It was noted at the meeting that President Mugabe had issued a public invitation to the Commonwealth observer mission.

The Zimbabwean presidential election of 9-10 March 2002 took place under the watchful eyes of the international community including the Commonwealth. The Commonwealth observer group expressed concern about the high levels of politically motivated violence and intimidation. They were also concerned about the legislative framework which they felt was deeply flawed and found that thousands of Zimbabweans were disenfranchised due to a general lack of transparency in the registration process. They concluded that "the conditions in Zimbabwe did not adequately allow for a free expression of will by the electors". Following the tabled report the Troika met in London on 19 March 2002. It was decided at this meeting to suspend Zimbabwe from the councils of the Commonwealth for a period of one year and to revisit the issue at the end of that time frame thereby giving the Commonwealth sufficient time to review the progress being made in Zimbabwe in the light of the Commonwealth Harare Declaration.

After six months (September 2002) the troika held a mid-term review meeting. Robert Mugabe was invited to the meeting but after initially agreeing he failed to turn up. The committee was deeply disappointed with his actions. "Following a review of recent political developments in Zimbabwe, the committee recalled that in the Marlborough House statement of 19 March 2002, they had mandated the president of Nigeria and the president of South Africa to continue to actively promote the process of reconciliation in Zimbabwe and to appoint special representatives to remain engaged with all parties concerned towards this end. The committee had also mandated the Commonwealth Secretary-General to engage with the government of Zimbabwe to ensure that the specific recommendation from the Commonwealth observer group (COG) to the March presidential elections were respected and to remain actively engaged with the United

Nations Development Programme (UNDP) in promoting transparent, equitable and sustainable measures of land reform in Zimbabwe. The committee deeply regretted that the process of reconciliation facilitated by the special envoys of the president of Nigeria and the President of South Africa had stalled. The Secretary-General reported that as a consequence the level of suspicion, division and hostility between the various parties had increased considerably in recent months and that reports of harassment of the political opposition, the press and sections of the judiciary continued.

While all members of the Troika believed that efforts to engage with the government of Zimbabwe should continue, Australia's John Howard was in favour of full suspension while the other two members adopted their usual more cautious position wishing to see how Zimbabwe responds over the next six months, at which point stronger measures might be considered. The leaders of the Troika further agreed that in reviewing the Zimbabwean issue wider consultations among Commonwealth governments should be undertaken.

Accordingly in the weeks following, Don McKinnon listened to views from virtually all leaders across the Commonwealth. All leaders stated their wish to see the Commonwealth continue to work together on the issue of Zimbabwe. However on the issue of continued suspension general agreement was not forthcoming. Some members felt that there was no justification for lifting the suspension. In fact in their view there was reason to impose stronger measures. However, other members felt that it was time to lift Zimbabwe's suspension. The general agreement was that Zimbabwe's suspension should remain in place until the CHOGM in December 2003. According to media reports this decision created a crisis in the Commonwealth club of former British colonies (Mail & Guardian, 24 March 2003). The crisis revolves around a clear disagreement regarding the desired course of action to be applied to Zimbabwe.

According to media reports, Mbeki and Obasanjo (who was to later change his desired course of action) were both hoping that the full suspension of Zimbabwe would be lifted. The feeling between these two leaders was that a limited sanction was a tough enough

measure to demonstrate Commonwealth concern over human rights abuses and stealing an election (Mail and Guardian, 24 March 2003). In February 2003 Obasanjo declared in a letter to Prime Minister Howard that he saw "no need for the Commonwealth's measures to continue beyond the initial year" (Taylor, 2003:2). Taylor found Obasanjo's letter quite remarkable as it was not only riddled with falsehoods but tended to ignore what was really going on in Zimbabwe. In the letter Obasanjo claimed that "land occupation by demonstrators has ended" (untrue), whilst, "the government of Zimbabwe has agreed to pay compensation for any improvement on land acquired under the fast track programme", also untrue. Obasanjo also dismissed the mass violence and terror as being somehow acceptable. Similarly in an interview with the BBC, Obasanjo claimed that the widely reported human rights abuses have largely ended. According to Taylor his comments come at a time when thousands of Zimbabweans were literally starving to death and when non-Mugabe supporters were being denied food aid, when illegal farm invasions and political violence continued unabated (Taylor, 2003:2-3).

The actions of Mbeki and Obasanjo undoubtedly contradicted their own government's adherence to the Harare Declaration of 1991 which spells out the Commonwealth's position on democracy, human rights and the rule of law and to which Mbeki and Obasanjo are supposed to adhere (Taylor, 2003:3). In the first instance their actions have clearly shown them to be out of step with the wider Commonwealth feeling that "Zimbabwe be excluded until Mugabe's government is seen to be taking steps to apply democratic norms and obey the rule of law" (Mail & guardian, 24 March 2003).

In the second instance, Mbeki and Obasanjo's clear and obvious contempt for democratic impulses in Zimbabwe raises serious questions as to whether or not they actually believe in any of the governance clauses contained in the NEPAD document. According to Taylor both leaders have repeatedly refused to abide by their own commitments (Taylor, 2003:3-4). The handling of the Zimbabwean crisis by two of Africa's most progressive leaders has led to European supporters questioning the initiative itself. To quote a European diplomat:

> "They present it to us as part of the new programme for African development. They will get their houses in order and then we must take them seriously and commit to development aid and promoting investment. It is a wonderful idea but it falls down at the Zimbabwean hurdle. If African powers cannot take effective action against what amounts to an illegitimate leader who is enriching himself while beating and starving his people, then how seriously must we take them on other issues?" (Mail & Guardian, 24 March 2003).

Taylor does not feel that the initiative is worthy of any real consideration. NEPAD failed at its first test to rein in dictators. This, for Taylor, was profoundly disappointing (Taylor, 2003:4). Equally disappointing was the fact, largely overlooked by Taylor, that NEPAD leaders, Obasanjo and Mbeki in particular were not united on the proposed course of action to be applied to Zimbabwe. At the Abuja summit Obasanjo supported Zimbabwe's continued suspension from the Commonwealth. Mbeki is widely believed to have disagreed with the decision, claiming he had full SADC support for his position. However, even this proved shortsighted on Mbeki's part (Mail and guardian, 9 January 2004).

South Africa and a handful of other Southern African countries had lobbied at the summit for Zimbabwe's suspension to be lifted. Thus following the announcement that the suspension would hold, these very same countries disputed the legitimacy of the decision as did Zimbabwe who withdrew his country completely from the Commonwealth. Mugabe's actions have once again sparked an avalanche of debate.

According to Dr. Garth Le Pere, the executive director of the Institute for Global Dialogue, there is a growing trend towards increased multilateral co-operation between nations, the Commonwealth is therefore an important political vehicle used by members to influence developments in international politics. Thus Mugabe's decision to exit the Commonwealth reduces Zimbabwe's opportunity to influence politics on a global scale. His decision is therefore ill-advised. In contrast, Professor Korwa Adar, research director at the African Institute of South Africa, claimed the Mugabe's decision to pull out of the organization is inconsequential as the Commonwealth is an irrelevant and racist organization whose disbandment is long overdue. For Adar, the Commonwealth is a toothless dog struggling to find its relevance in the post cold war era (The Star, 22

December 2003). The merits or demerits of Mugabe's decision are the subject of a separate discussion. Important here is that Mbeki campaigned fiercely for the lifting of Zimbabwe's suspension. This for Hussein Solomon is a very dangerous political game. Not only does it show the lack of unity amongst NEPAD leaders but reduces Mbeki's credibility as a leaders as he is apparently not prepared to stand by the principles he is espousing in terms of NEPAD and his vision of a n African Renaissance (The Star, 22 December 2003).

At the CHOGM in Abuja, Nigeria in December 2003 the Commonwealth took the decision to continue to suspend Zimbabwe from its ranks. The overall feeling was that the suspension was based on its human rights violations and the situation has not improved enough to justify lifting the suspension despite South Africa's attempt to lift the suspension (Mail and Guardian, 11 December 2003).

In fact the decision taken to lift the suspension, has, according to Ferial Haffajee large implications for genuine and concerted African unity (Mail & Guardian 9 January 2004). Prior to the CHOGM in Abuja, Nigeria in December 2003, Obasanjo announced that Zimbabwe would not be invited to CHOGM, sparking a call by Zimbabwe for African countries to boycott the meeting. African governments however ignored the call and attended the meeting (Mail and Guardian, 28 November 2003). For Obasanjo the CHOGM was the most important political function on home soil during his term in office and Mbeki's obstinate support for Zimbabwe served only to embarrass Obasanjo. According to analysts the rift between these two leaders has the potential to hamper coordinated peacekeeping efforts on the continent as well as the implementation of NEPAD (Mail and Guardian, 9 January 2004).

The lack of African unity gains momentum when at this meeting Mbeki attempted to oust Secretary-General Don McKinnon in favour of the Sri-Lankan candidate Lakshman Kadirgaman. The reason for Mbeki's move was that McKinnon was determined to maintain the suspension of Zimbabwe. However Kadirgaman was beaten 40 votes to11 to McKinnon. According to McKinnon the voted demonstrated that there was no African

consensus on how to deal with Zimbabwe. Even Tanzania who threatened to boycott if Zimbabwe was not invited, made a dramatic u-turn and voted for McKinnon (Mail and Guardian, 11 December 2003). An Analysis of the voting pattern suggests that four Asian countries and seven African countries had voted for Kadirgaman, Mbeki was misjudged in thinking that African countries would vote as an African bloc. Thus the CHOGM left Africa more divided on the Zimbabwe issue than ever before. Obasanjo still favours rapprochement with Zimbabwe and is now more likely to work with countries such as Kenya, Botswana, Ghana, Mauritius and Tanzania.

> "Each country supports the reintegration of Zimbabwe into the fold of nations, but they have consistently maintained a stronger position on the rights abuses by President Robert Mugabe's government than countries like South Africa, Zambia, Lesotho and Namibia" (Mail and Guardian, 9 January 2004).

Only careful political work could repair the damaged relationship with Obasanjo – a relationship that is key to advancing NEPAD (Mail and Guardian, 9 January 2004).

However, as Adebajo and Landsberg argue the perceived rift between these two prominent leaders has tended to be exaggerated. As these two authors point out, Mbeki and Obasanjo share a close relationship that dates back to the 1970s. The difference referred to stems from their overly different political styles and orientation. Mbeki has increasingly stressed norms such as democratization and governments of national unity, modeled on South Africa's political settlement, whereas Obasanjo is an institutions man and hence pursued an institutional approach and has been active in efforts to resolve Zimbabwe's crisis through the Commonwealth. Thus the rift referred to by Haffajee may be nothing more than an exaggeration of different political orientations (Mail and Guardian, 18 February 2004).

Nevertheless both leaders have championed NEPAD as the solution to African woes: "the west provides debt relief, opens its markets, invests in Africa and supports peacekeeping missions, in exchange for democratic accountability and financial probity by African leaders through a self-monitored peer review mechanism". However resources for NEPAD have been somewhat disappointing (Mail and Guardian, 18 February 2004). This is despite the fact that the international community has claimed its support for the

initiative. The Commonwealth claimed to closely collaborate with NEPAD on economic and political issues and spoke of furthering their synergy through the peer review mechanism (www.thecommonwealth.org).

Still the manner in which the Zimbabwe crisis has been handled by NEPAD does not bode well for the future of the initiative. NEPAD failed to demonstrate that it had any teeth in bringing dictators such as Mugabe to book. Their actions have been disappointing to say the least. As stated by Taylor "any talk of NEPAD in the future is likely to be in remembrance of a good idea (in parts) sabotaged by the 'business as usual' behaviour of African leaders and their solidarity with one another, rather than with Africa's hard-pressed peoples" (Taylor, 2003:1). Both Mbeki and Obasanjo have wasted the goodwill of NEPAD that surrounded it at its launch and have subverted what was supposed to be a new start for Africa (Taylor, 2003:1-4).

The disappointment surrounding NEPAD has also been expressed by Senegalese President Abdoulaye Wade who himself is a leading proponent of NEPAD. Wade uttered his huge disappointment over the lack of progress in implementing NEPAD: "We have not had one project that has been realised…we are spending a lot of resources on conferences and we still don't know our objectives". His strong words came as no surprise (The star, 28 October 2004).

Foreign Affairs Minister, Nkosazana Dlamini-Zuma slammed the international community for not coming to the party despite their pledge of support for NEPAD. She claimed that for the period 2002-2003 there was a shortfall of $1.6 billion in funds to implement NEPAD projects (The Star, 28 October 2004). However as Solomon points out, the lack of funds was always going to be a danger as a lack of action on the part of NEPAD leaders could result in the G8 withdrawing their support (The Star, 22 December 2003).

The lack of international funding has not been the only obstacle to progress. As Tromp reported in a media article, African countries lack the capacity to use even the limited

funds that have been provided. As Mbeki pointed out "the lack of regional economic integration on the continent had crippled efforts to implement projects even when resources had been mobilized" (The Star, 28 October 2004). Furthermore, NEPAD currently lacks the capacity to promote and facilitate the preparation and implementation of multi-country projects. Speedy implementation of its programmes and projects is the major weakness facing African countries. African countries as they battle to overcome bad governance need to demonstrate strong political leadership and courage (The Star, 28 October 2004). The charge being leveled against NEPAD is that as an initiative it lacks strong political will to act on its stated mandate.

For Diescho, the greatest challenge for NEPAD is the lack of a truly unified and strong leadership. NEPAD's current leadership, especially Mbeki, described the initiative as the first time "Africans are taking their destiny into their own hands", and by implication suggests that what NEPAD is doing has never been done before. If Mbeki persists in his pronouncements it will alienate older leaders who believe they have been around for a lot longer and made serious contributions to bring Africa to where they are today. There are already signs between the old guard and the young lions. If such tensions continue it could signal the end of NEPAD (Diescho, 2002: 53-54).

Moreover, in order for the AU to succeed, NEPAD must be utilized and in fact is a prerequisite to the AU's success. Where he AU has tended to be vague NEPAD has emphasized good governance, democracy and the rule of law. This is important because many of the problems have been brought about by African leaders who plundered and pillaged their countries for their own advancement. These leaders are part of the problem and their role in finding the solutions should therefore be limited. The AU is more concerned with political issues and finds is difficult to make the connection between governance and development. Whereas NEPAD can and does this, NEPAD represents the struggle for the total emancipation of the African continent. Herein lies the crucial dilemma: which of the two have the power/authority to sanction the other? The concern for Diescho is that NEPAD is the tail and the AU the dog, ultimately the tail will wag the dog and not the other way around (Diescho, 2002: 54-55).

Furthermore, African leaders lack what is referred to as a 'common room culture', "an environment of dialogue wherein no one person knows the truth, but every participant can contribute as an equal and each and all in search of the truth" (Diescho, 2002: 56). In addition, NEPAD was not the eventual outcome of dialogue among leaders, rather it was the obsession of a few who failed to generate sufficient buy-in from the Africans themselves. A similar concern is the generational gap between African leaders which at some point shows some fundamental differences in philosophies, conceptualizations and preferences on how to deal with African issues. It is difficult to see how Mbeki would be supported by Gadaffi of Libya, Robert Mugabe of Zimbabwe, who, amongst other, are part of the disorder in post-independence Africa. Finally, not all African leaders support NEPAD and their support for the establishment of the AU does not necessarily translate into support for NEPAD (Diescho, 2002: 56-58).

In summary, not only is NEPAD plagued by debilitating internal political differences it is haunted by a general lack of political will to act on its stated mandate.

5.2 NEPAD and the AU

Undoubtedly, the relationship between NEPAD and the AU is characterized by increased levels of uncertainty and even more so given that NEPAD is moving into its implementation phase. However, as Herbert points out, the interplay between NEPAD and the AU must be considered in the context of its recent history (Herbert, 2002/3:251).

The constitutive Act of the AU was adopted at the 36th ordinary session of the assembly of heads of state and government on 11 July 2000 in Lomé. It required ratification by two thirds of the 53 OAU member states. At the Lusaka summit in July 2001 50 member states ratified the document bringing the AU into existence. The AU succeeded the OAU which had been in existence for some thirty years. Where Herbert strongly maintains that the AU grew out of a hasty response to a sudden proposal made by Gadaffi in 1999 that a United States of Africa should be created. Unwilling to refuse Gaddafi outright, African

leaders began a process of reforming the OAU, which had notoriously defended the prerogatives of destructive despots rather than promote good governance and freedom (Herbert, 2002/3:251). However Diescho argues that it is incorrect to state that either Mbeki or Gadaffi initiated the African Union. Dede, agreeing with Diescho stated the following:

> "The African Union is not a fly-by night idea originating from an African leaders; it is part and parcel of a Pan-African dream for African peace, cooperation, integration and unity" (cited in Diescho, 2002:27-29).

The idea of an African Union, United Africa or a Union of African States is neither new nor is it necessarily an initiative of current African leaders. Describing the AU as being fundamentally different to its predecessor, the OAU, is also highly questionable as these two organizations are at the same time similar and dissimilar.

On examining the purposes and objectives of these two continental institutions shows that their missions, purposes and objectives remain virtually unchanged and continue to be driven by the pursuit of the African dream for peace, unity, cooperation and integration. The OAU, all things considered succeeded in lifting African out of colonial domination. The full accomplishments of the AU are still to be seen. Still the AU is being interpreted as a step closer towards realizing the African Renaissance and embodying peace, unity, prosperity and development in Africa as it moves into the twenty first century. However it remains unclear what exactly is new about the AU other than the fact that it is operating in a fundamentally different time frame. Moreover, it is questionable if and how the very same heads of state and government will conduct their affairs in a different state, especially as one is referring to the very same heads of state (Diescho, 2002:33-35).

For Diescho, the AU, just like the AOU, is caught up in the very same cocoon of rhetoric, semantics and political power upmanship. At one level its aims to be everything to everyone which is indicative of the fact that it is a union seeking to accommodate all viewpoints: Pan-African unity. However, African leaders have not been able to overcome the conflict between unity and sovereignty and this is likely to be at the expense of stated principles such as democracy, human rights and good governance. The

principles of a united Africa are contradicted by the commitment to existing sovereignty and national independence. Given these glaring realities how can Africans trust that the AU signifies a new beginning when many of the leaders are themselves the problem. Many of the African leaders have defrauded and pillaged their economies and are too reluctant to vacate power. One has to wonder whether it was necessary to recreate the organization. Would it not have been better, least of all easier and less costly, to reinforce the old organization in light of new circumstances (Diescho, 2002:36-38). Diescho makes a valid argument, however, Mbeki still maintains that the transformation was necessary for two reasons. Firstly, Africa lacked a truly continental structure able to meet the challenges of the twenty first century. Secondly, the new continental structure would be better geared to realize the objectives of the African Renaissance (Mbeki, 2002:155).

Whether or not the AU, in reality proves more successful only time will tell. Yet the relationship between NEPAD and the AU remains important. NEPAD is a creation and strategic project of the AU (Diescho, 2002:30). Indeed the very same sentiments that led to the creation of the AU were responsible for the creation of NEPAD from the time of its early draft in 1999. Thus although both bodies are driven by a deep desire for reform, the AU and NEPAD have fundamentally different supporters. There also exists a number of glaring contradictions between the two bodies.

NEPAD was initially conceived as an exclusive club of voluntary reformers, described by Herbert as a coalition of the willing deeply committed to reformist action around African prosperity, rising conflict and general political dysfunction. NEPAD became the social economic plan of the AU and was to be led by smaller group of leaders as its initiators felt that if ideas such as the peer review process were opened up to the majority vote it would lose its force as the standards applied would represent the lowest common denominator. The core group of initiators include South Africa, Algeria, Nigeria, Egypt and Senegal who were later joined by two members chosen by each of Africa's five regions. The result was an implementation committee comprised of some reformers and a much larger number of members from countries with highly questionable governance

practices such as Cameroon and Gabon (Herbert, 2002/3:251). According to Herbert the struggles between the reformist and anti-reformist elements have helped shape the administrative function of both the AU and NEPAD (Herbert, 2002/3:251).

Where NEPAD is driven by a small group of leaders, the AU is driven by the interests of the majority. The AU charter has built in provisions authorizing collective action against states violating its principals however the processes and systems for such intervention remain vague and untested (Herbert, 2002/3:251). More recently it has become evident that the new body is divided on how to proceed (Herbert, 2002/3:253). Such obvious and stark contradictions between these two vital organizations have led some commentators to not only question the uncertain relationship but in fact to argue that the majority view of the AU holds the potential to undermine the work being done by the NEPAD leaders. That the anti-reformist elements in the AU will subvert efforts by the minority reformist leaders.

For Africa to meet its developmental challenges, NEPAD emphasizes the important role of collective continental responsibility. A similar shift in emphasis has been identified in the Constitutive Act of the AU. But whether or not a genuine shift in paradigm might actually materialize within the ranks of the AU is questionable especially given the track record of post-colonial policies on the continent where national governments still cling to their sovereign rights to exercise rule. Thus serious doubts remain concerning the existence of a general political consensus and the will to implement such possibilities for the intervention into the internal affairs of member states.

Some indication as to the AU degree of commitment to a new approach along NEPAD lines, can, according to Melber (Melber, 2002:11), be obtained by comparing the preliminary draft treaty establishing the AU with the Constitutive Act that was finally adopted. Article 3 of the act still makes reference to the promotion of peace, security and stability across the continent but surprisingly what was deleted was the obligation ‘to put an end to the scourge of conflicts and their devastating consequences’. Article 4 removed the explicit references to ‘the respect of individual and collective freedoms and the

holding of free and fair elections', also removed were the references to 'tolerance, mutual understanding and respect for the rights of persons belonging to minority groups as well as those referring to 'accountability and transparency, in governance and combating of corruption'. Deleting those references to corruption clashes with several expressed intentions of NEPAD. Similarly, article 4(g) confirms the AU adherence to the principle of non-interference into the internal affairs of a member state yet at the same time article 4(h) contains a reservation clause which allows the union to intervene in cases of war crimes, genocides and crimes against humanity. This can hardly be qualified as a suitable enforcement strategy and represents a far cry from the possibility of enhancing governance as expressed by NEPAD. Thus as far as Melber is concerned the AU constitution could prove to be an obstacle to the implementation of NEPAD. In this regard he states the following:

> "Instead of strengthening the policy paper's legitimacy and credibility as a sign of assuming greater responsibility; the AU might provide new discrepancies between the organ in the process of being established and the intended goals of the development framework offered by NEPAD. The relevance of the blueprint would become more limited, as its operational sphere would be restricted by the continued demarcation under the new structures of the AU. In other words, concerns about a limited scope of the AU also help to fuel reservations towards the meaningfulness of NEPAD" (Melber, 2002:10-11).

In theory at least, the AU has adopted the notion of collective responsibility which supports the approach advocated by NEPAD. yet adding to the skepticism is the fact that many African leaders still apply undemocratic ways and means to retain power. Thus the degree of genuine commitment to the new philosophy is once again questioned. NEPAD might possess some of the potential to facilitate the philosophical change. But it is the political will within the ranks of the AU that will determine to what extent NEPAD will become the relevant framework for African emancipation and a worrying factor is that, to date, only a fraction of AU members have shown even partial commitment to the NEPAD message (Melber, 2002:12). For Leshaba this is due to the fact that leaders who do not comply with the norms of good governance feel overly threatened by the principles of NEPAD. Thus NEPAD will continue to a bone of contention with certain AU members (Leshaba, 2003:75). The reason for the high levels of suspicion from

certain AU members towards NEPAD goes well beyond the AU mandate to name a different world for Africans (Diescho, 2002:32).

Despite concerns of this nature, western diplomats continue to offer support to NEPAD, at least in public. In private, however, they express doubts about whether NEPAD or the AU will have the means or the will to address Africa's woes. The most divisive issue is how Africa aims to deal with those member states who deliberately violate the norms of democratic practice and good governance (Herbert, 2002/3:254). In this regard no other example demonstrates the dilemma better than the Zimbabwean case. Although NEPAD's promoters reject any suggestion that NEPAD's success should be linked to its action or inaction on Zimbabwe, western diplomats continue to note that Africa cannot be serious about good governance if it cannot bring itself to criticize Zimbabwe. African states refusal to speak out against human rights abuses in Zimbabwe run counter to the NEPAD image of a continent determined to deal with oppressive states (Herbert, 2002/3:254).

Conclusion

To state as Taylor does that NEPAD is dead in its tracks is arguably a premature conclusion. Rather as this chapter has shown NEPAD suffers from a number of immense challenges that need to be addressed head-on if its leaders are truly committed to the initiative. NEPAD embraces the vision of a united Africa and shared vision, the very leaders of NEPAD appear at once unable to demonstrate and deliver on this rhetoric. The chapter has shown that NEPAD's two most prominent leaders Mbeki and Obasanjo hold differing views on the appropriate action to be applied to Zimbabwe. Obasanjo is clearly in favour of a tougher approach whereas Mbeki appears bent on his policy of 'quiet diplomacy'. Even so his apparent rift between the two leaders may be nothing more than a difference in political style. Still it threatens NEPAD's visions of a unified Africa. African leaders' refusal to speak out against the Government of Zimbabwe does NEPAD more harm than good. Despite NEPAD's intention Zimbabwe will continue to be ostracized by the international community who continue to threaten NEPAD by withdrawing support.

The second challenge is the uneasy relationship between NEPAD and the AU. Mbeki who is at the same time pursuing the work of the AU and NEPAD is likely to trip up on one while pursuing the other. This appears to be the stumbling block with regard to Zimbabwe. The inclusivity of the AU hampers the exclusivity of NEPAD.

Despite these immense challenges, NEPAD, as far as Diescho is concerned still offers the best hope for Africa. The way ahead would be better served if African countries who are members of the AU undertake a consciousness raising programme in their own constituencies and inform their citizens of the changes introduced through AU and NEPAD. This is crucial as many programmes and projects in Africa fail precisely because the people they are supposed to serve do not have the knowledge or understanding of the programmes and projects – the programmes fail because they are not part of the people. If the AU and NEPAD are to succeed they need buy in from the people (Diescho, 2002: 65).

This being a major criticism of NEPAD – that it is a government driven process. If many of the AU member states are not accountable to their own citizens how then can the organization ensure popular participation in and greater transparency of its institutions at a continental level? (Cilliers & Sturman, 2004:1). What role can and should civil society play in the organization and transnational organizations more generally?

Chapter Six

State – Civil society Relations in Transnational Institutions

Introduction

Previous chapters defined NEPAD as the newest and undoubtedly the most fashionable political and economic game on the African continent and represents the latest in a series of efforts by African leaders to deal collectively with the countless national, regional and continental political, socioeconomic problems and development challenges facing the continent. While there is a small number of African political leaders ready to declare their commitment to the agenda of Africa's political and economic revival, there is very little civil society understanding of and support for the continental project (Diescho, 2002:1).

The chapter takes as its point of reference the fact that NEPAD has been heavily criticized for excluding civil society and will argue that this amounts to a fundamental design flaw in NEPAD. Referring back to chapter two and the extended definition of democracy it was argued that civil society can and indeed plays an important role in the democratization process. White notes that the notion of civil society is central to any discussion of democracy because it raises fundamental questions about the role of social forces in defining, controlling and legitimating state power. In the case of developing countries civil society plays a crucial role in undermining authoritarian governments and fostering a democratic polity and also improves the quality of governance within a given polity (White, 1996:185). The implication is that the characteristics of democratic governance – transparency, accountability, responsiveness – cannot be achieved without high levels of public awareness and participation (Luckham & White, 1996:3). Equally, democratic governance is hardly worth struggling for if it does not enable citizens to exert control over the governing process (Luckham & White, 1996:3).

The main issues being addressed in this chapter are; firstly, what role does civil society play in the democratization process? In what way does civil society contribute towards promoting democracy? NEPAD has been criticized for its failure to connect and consult with civil society organisations. What are the long-term implications of the leaders' tendency to remain disconnected from the masses of people for whom the programmes are designed to benefit. What are the ways forward to ensure the success of NEPAD?

The precise meaning of civil society remains elusive. It is vaguely used to describe society as opposed to the state or more precisely as an intermediate sphere of social organisation between the basic units of society and the state. This can included entities like nationalist, ethnic or religious fundamentalist organisations or more modern entities like trade unions, chambers of commerce and professional associations (White, 1996:179). The intention here is not to debate the precise meaning of civil society but rather to further explore the role civil society plays in establishing and maintaining democracy in the context of transnational organisations (White, 1996:181). Thus civil society is used here to refer to "an intermediate associational realm between state and family populated by organisations which are separate from the state, enjoy autonomy in relation to the state and are formed voluntarily by members of society to protect or advance their interests or values" (White. 1996:182).

The NEPAD document was drawn up with no consultation with civil society. Granted, prior to the publication of the document a fairly wide consultation process was undertaken, but this never extended down to civil society (Gelb, 2002:35). The formulation of NEPAD included no consultation with civil society, church, political party, parliamentary or other democratic or progressive forces (Bond, 2004:95). NEPAD contains no concrete action to be taken up by the very people its implementation is said to benefit. No offer of organizational resources and no civil society implementation plan. In fact, the document was only available to civil society through internet websites, all things considered in Africa, this make for a rather obscure point of reference (Bond, 2004:24).

According to Gelb who played an instrumental role in the design process, the lack of consultation can partly be explained by time constraints and the difficulty of identifying and involving representative organisations, but even this explanation is entirely inadequate. There could have and should have been far more public discussion (Gelb, 2002:35). The lack of discussion and civil society involvement in a transnational project like NEPAD is cause for concern. Looking back, Diescho argues that the lack of civil society participation has led to the failure of many commendable democratization projects undertaken by African leaders since the early days of independence. Thus for Diescho, NEPAD is simply a repeat of past failures, the tendency to separate the actions of the state from that of society and thereby preventing meaningful participation by civil society is the "most vexatious of all concerns that could mar the otherwise commendable vision of African sustainable development that NEPAD invokes" (Diescho, 2002:1).

Perhaps the architects of NEPAD never intended it to be a consultative process but rather as the original document state "a pledge by African leaders to place their countries on a path of sustainable growth and development" with African leaders leading the process of design and implementation (Cilliers & Sturman, 2004:3). However the argument being made here is that genuine solutions to the problems affecting many African countries will really only come from the bottom up (Bond, 2004:94). Democratic change is essentially a people-driven process.

6.1 Democratisation and the role of civil society

In the context of developing nations, what is the relationship between civil society and democratization? Does civil society contribute towards democratization, and if so, how?

White notes that together with the market and democracy civil society is one of the magic three developmental panaceas which emerged during the course of the 1980s and has fast come to dominate conventional prescriptions for the global ills of the 1990s. When discussing broad issues of development, civil society has become a valuable analytical complement to the old state-market paradigm (White, 1996:178). Central to any

discussion of democratisation is the idea of civil society. In the context of developing nations civil society plays an important role in defining, controlling and legitimating state power (White, 1996:185). However as Schumpeter reminds us democracy does not mean that people actually rule. Rather democracy is comprised of a set of institutions and procedures and in reality is a technique of government. Democracy is more about government for the people than of the people. Yet democracy is hardly worth fighting for if it does not enable citizens to exert control over the governing process. Democracy in turn cannot be achieved without high levels of public awareness and participation. Thus the participatory notion of democracy is a complementary facet to the ongoing process of democratization (Luckham & White, 1996:3). Any attempt at silencing civil society will reduce the legitimacy of the state as any reforms tend to be insufficiently responsive to public demands. Moreover, societal disengagement results in the dissolution of the political community (Rothchild, 1994:201-202).

Civil society contributes to democratization in the following ways. Firstly, civil society can alter the balance of power between the state and society in favour of the latter. In the context of authoritarian states, this implies that organised civil society can weaken the capacity of states which have sought to a greater or lesser extent to administer society (White, 1996:185).

Secondly, a strong civil society can play a disciplinary role in relation to the state by enforcing standards of public morality and performance and improving the accountability of politicians and administrators. Civil society will exert pressure on state officials to act more responsibly (White, 1996:186).

Thirdly, civil society acts as an intermediary between state and society in a way that conditions the relationship between individual citizens and the formal political system. For example, an active civil society can serve to improve the performance of democracy by articulating the interests of the population. It can facilitate political communication between state and society thereby acting as an alternative principle of representation that

complements periodic elections and as a mechanism for strengthening accountability (White, 1996:186).

Finally, civil society can play a constitutive role by redefining the rule of the political game along democratic lines (White, 1996:187). White notes that the role of civil society in fostering democracy is a palpable fact. This observation holds true in the case of Africa, where civil society in many of these countries is generally weak. Over the years they have brought about impressive changes and hold out much promise for the future (White, 1996:209).

Civil society is seen as the key link between economic liberalisation and democratization acting as both the locus of economic growth and a seedbed of democracy (Abrahamsen, 2000:52). The flows of political exchange between state and society need to be regular and predictable if the resulting environment is likely to sustain a meaningful national development effort over time (Rothchild, 1994:201). However the importance of civil society in Africa's democratization process must be seen in the context of the deterioration of state-society relations since independence (Rothchild, 1996:202).

Following independence in many African states, the new leaders quickly moved to expand colonial institutions, the executive, the civil service, the police and the army. The new leaders saw these institutions as necessary to expand their managerial capacity. However those institutions they felt constrained their capacity to control society such as multiparty elections, legislative autonomy, judicial independence, legal protections, constitutional checks on central arbitrariness and federalism were either restricted or eliminated altogether. Their response to heightened expectations and in an effort to overcome years of colonial oppression and to advance their economic objectives the leaders turned to an active state to solve economic and social problems. Many African states moved to intervene in a broad array of public affairs resulting in an over-extended and inefficient state apparatus. The over-extended state bureaucracy all too often misallocated scarce resources, spending too much on their own upkeep and corrupt

practices and too little on encouraging productive and sustainable development (Rothchild, 1994:204).

The result was that society became increasingly discouraged and disillusioned with the state. The public who had high expectations of what the state could achieve was hugely disappointed by the gap between promise and delivery. Many countries showed an unimpressive record of achievement which served only to erode state legitimacy and weaken connections state and society. To this effect Rothchild stated the following:

> "Because the state mobilized the people on the basis of its ability to distribute benefits the inability of the state to match this requirement created a credibility gap which necessitated the delinkage of the people from the state" (Rothchild, 1994:204).

The predominance of arbitrary rule undercut the legitimate connections between state and society which are so important to a sustainable development effort (Rothchild, 1994:207). This situation in numerous African countries soon escalated into a crisis characterised by weakening rules of political exchange relations between state and societal elites, overdeveloped state structures, insufficient state legitimacy, and the deteriorating quality of government in which the state acted in accordance with its own interests and without regard for the interests of the citizens on the ground.

To increase the states' ability to manage the economy the World Bank suggested a capacity for good governance. The good governance agenda claims to speak on behalf of the ordinary people of Africa and arguably its aim is to empower civil society thereby enabling it to resist the alien and oppressive state, in order to support people against the state the good governance agenda aims to strengthen civil society to enable it to act as a counterveiling power to the state to curb authoritarian practices and corruption. Hence the need to strengthen civil society (Abrahamsen, 2000:52).

Thus governance, as with democracy, has come to be understood and concerned with more than simply executive government. As stated by Ernst-Otto Czempiel, a German political scientist, "governance must rely on cooperation, on the consent of all. It must

create the consensus of all those involved, not only the government but all relevant civil society organisations, so that a decision can be reached and implemented" (cited in Hansohm et al, 2002:60). Governance is operationalised through the interaction of three domains: the government, the private sector and civil society. Each of these three domains comprise mechanisms, processes and institutions through which the government, groups and individuals express the interests, exercise their legal rights, meet their obligations and mediate their differences. Brautigam notes (1991) governments use their power and authority to establish and maintain the formal and informal framework of institutions that regulate social and economic interaction. Governments create the rule of law necessary to underpin accountability, transparency and predictability in interaction. Governments in interaction with their citizens determine many of the preconditions for a thriving or declining domestic economy (Barclay, 1999:298-299). The point being made is that in the case of Africa what must be linked to the pursuit of good governance is the notion of civil society. Both state and civil society need to work to complement each other to strengthen the foundations of good governance (Nagan, 2002:71).

Promoting good governance on the African continent required a comprehensive vision and level of institutional innovation to transform the vision into actual implementation. The vision emerged in the form of NEPAD. NEPAD symbolises the integration of structure and processes and seeks to bind not simply nation and state and not simply regional alliances but rather the continent as a whole (Nagan, 2002:80). What emerged was a new sense of African unity at the level of leadership, although even this sense of unity is highly questionable. Nevertheless, NEPAD represents Africa's transnational governance strategy and as the discussion has so far stressed it is important that civil society plays an active role in those initiatives designed to promote democratic governance as it is precisely this sector that the initiatives are designed to benefit. Yet the major criticism being leveled against NEPAD is that it has largely excluded civil society in both its design and implementation.

6.2 NEPAD and the role of Civil Society

The New African Initiative document (NAI) which preceded the NEPAD document noted the following:

> "The agenda is based on national and regional priorities and development plans that must be prepared through participative processes involving the people. We believe that while African leaders derive their mandated from these plans, it is their role to articulate them as well as lead the process of implementation on behalf of the people" (cited in Mills & Hughes).

To date civil society has not participated in the debates around the NEPAD whether in South Africa or other participating states (Mills & Hughes). NEPAD has been criticised by civil society organisations both inside and outside Africa on the grounds of it being elitist and top down and essentially a leadership driven process (Gelb, 2002:35). The fact that NEPAD is primarily a leadership driven process raises a new set of concerns.

The NEPAD leadership failed to mobilize the most qualified good governance police force – African civil society. NEPAD is a government led and government driven initiative and never became an agenda of the African electorate, African leaders took it upon themselves and their donors first, they never thought to embrace civil society, the very sector with the capacity to recall delinquent leaders. They did not even think of gathering support among their own parliaments and civil societies to embrace the idea they were rushing with overseas. African parliaments got to learn about NEPAD through the newspapers when they should have been used as a major source of information on the great idea that was to bring hope to the Africa continent. NEPAD has yet to capture the imagination and enthusiasm of the African masses without whose support and internalization the initiative cannot be sustained in the long-run (Diescho, 2002:59-60).

In fact the lack of civil society engagement in NEPAD generated an intense response from precisely those members of society who had been deliberately excluded from the process. Their exclusion triggered increased unsettlement amongst a number of South African civil society organisations. A sector of South African civil society felt deeply angered at their exclusion from NEPAD and equally angered over the leaderships' lack of

response to the Zimbabwean crisis. Thus in February 2005 South African civil society organisations met to forge a united front called the Zimbabwean Solidarity and Consultative Forum: "increasingly those of us who have a heart for Zimbabwe and want to see change feel we have to mobilize civil society and the church and not rely on the South African government to make changes" (Mail & Guardian, 18 February 2005). Most who comprise Zimbabwean civil society now share in a similar cynicism. In a forward to a 2003 booklet subtitled 'Why the New Partnership for Africa's Development is already Failing' the Zimbabwean coalition on debt and development chairperson, Jonah Gokova wrote of the following:

> "Profound rejection of NEPAD by Zimbabweans from important social movements, trade unions and NGOs within our increasingly vibrant civil society…we now call on Africans to rally around an African People's consensus inspired by a vision of the development of the continent that reflects more genuine African thinking, instead of NEPAD, that home grown rehashing of the Washington Consensus augmented by transparently false promises of good governance and democracy" (cited in Bond, 2004:271).

NEPAD has failed dismally to heed the call of thousands of suffering Zimbabweans and failed in terms of promoting and policing its core values and the continual spurning of democrats in Zimbabwe follows the pattern already established in relation to civil society more generally (Bond, 2004:274).

Mills and Hughes in a damning response argued that governance monitoring processes should be a bottom up process. In other words civil society orientated rather than leadership driven as has been the case up until now (Mills & Hughes, 2002:101).

Echoing such view, Tetteh Hormeku, of the Third World Network Africa and Gerry Barr of the Canadian Council for International cooperation argues that NEPADs arrival on the scene has importantly put the fate of the African continent on the international agenda, however, that fate cannot be improved without the direct involvement of citizens and without a commitment to listen to the alternatives being proposed by Africa. Only through the direct involvement of the African civil society can the social, economic, cultural, political and civil rights of the African people be affirmed and realized (cited in Bond, 2004:77).

Reflecting on such criticisms and by the time of the July 2002 Durban launch of the AU more than 200 opponents of NEPAD in human rights, debt, trade advocacy groups from the DRC, Kenya, South Africa, Tanzania and Zimbabwe were sufficiently organised to hold a demonstration. Reacting to these sentiments Mbeki began holding consultations with civil society. In the end NEPAD defenders were in a manner of speaking forced to align themselves with civil society organisations. Mbeki later offered trade union leaders resources to establish a corporatist structure that would allow ruling parties to hold formal talks with African trade union and business about NEPAD. Even this has been met with an element of contempt as doubt remains as to just how much influence trade unions would be allowed to demonstrate (Bond, 2004:276).

Mills and Hughes argue that unless the debate around governance is widened beyond national leadership to include civil society, the project will start and end and fail with the very leadership who were responsible for its design (Mills & Hughes).

It is clear that civil society has been sold out in the NEPAD process. Where does this leave NEPAD, dead in its tracks as Taylor would like us to believe? Have African people been sold out to the progressive rhetoric of often dubious leaders? Only time will tell if NEPAD stands up to the challenge it has presented to itself. However one cannot but help to think that NEPAD has fallen well short of failed the ultimate test of responding to the Zimbabwean crisis.

Cilliers and Sturman still maintain that the various components of civil society at all level – from grassroot organisations, to policy think tanks from churches to the private sector all still have a valuable contribution to make to NEPAD. The formulation of NEPAD as a pledge by African leaders opens the way for civil society to adopt a critical distance to play the role of judge and jury over NEPAD. African civil society acting responsibly can meet government halfway and make a valuable contribution to the stability and development of the continent (Cilliers & Sturman, 2004:3).

Conclusion – the way forward

The chapter has shown that civil society, in many important ways, can act as a contributing factor to the democratization process and even more so in the context of transnational organisations like NEPAD. NEPAD amounts to an African response to overcome the many challenges facing the continent – badly informed state units, plagued by corruption, nepotism, populist redistribution and patronage politics. The situation reflects both political and institutional failure. NEPAD aims to revitalize African economies through promoting democracy and good political governance. However to ensure NEPADs success requires government cooperation and support from both inside and outside Africa. To date NEPAD has failed to include civil society without whose support the process cannot be sustained in the long-run. Civil society needs to be included in ways that allow it to act as an effective watchdog over the leaders who claim to drive forward the process.

Thus the way forward would seem to suggest that African countries and particularly those who are members of NEPAD undertake a consciousness raising programme within their own constituencies and inform their citizens about NEPAD. This is important to ensure the long-term sustainability and success of the programme. The programme is good but if it is not part of the people for whom such programmes are designed to benefit stands the chance of failing. African parliaments should hold extra sessions to deliberate the significance of NEPAD. The importance of raising awareness and generating support from the electorate of Africa cannot be overemphasized. To quote Diescho:

> "This is not the time for political leaders to believe that what they by virtue of being leaders at a given time, think and prefer is necessarily shared by the greatest number of people in their nations. If the AU and what NEPAD seeks to achieve is to have continuity beyond their founders, these agendas ought to be inscribed on to the hearts of the African people who will elect the leaders in times to come" (Diescho, 2002:65).

Conclusion

NEPAD was described as Africa's primary transnational institution and its timely establishment in 2001 sparked optimism as it promised an attempt on the part of certain progressive African leaders to rejuvenate the African continent. At the outset it was asked whether or not NEPAD possesses the potential to address the governance crisis threatening many parts of the African continent.

The research has shown however that to speak of Africa as though it is one homogeneous bloc is an over ambitious task. Equally, Africa due to its sheer size is enormously diverse and complex. Thus to refine the analysis Zimbabwe was chosen as a case study. Zimbabwe was used firstly as a reference point against which the crisis of governance was both measured and analysed and secondly as a case study against which the NEPAD initiative was evaluated. Analyzing NEPAD in terms of its responses to the Zimbabwean crisis has shown some glaring realities in terms of its long-term sustainability and potential to promote continental governance.

In chapter two it was argued that Zimbabwe, along with many other African countries lacks many of the features commonly associated with liberal democracy. Democracy was defined as comprising a set of institutions and procedures and the manner in which power is exercised is done in accordance with these universal norms and principles. Importantly it was noted that democracy is not only concerned with the form, manner and content of the governing process but should also encompass a participatory element. The participatory element complements the democratization process and goes beyond liberal democracy to embrace the broader practices of participation and social empowerment enabling citizens to exert control over the governing process.

It was further argued that Zimbabwe's current predicament is a direct outcome of the legacy of colonialism. Colonialism shaped the current state in profoundly authoritarian

ways. Thus in the 1980s when more and more African countries fell victim to economic collapse, the international community in the form of the World Bank and IMF designed an economic recovery plan (SAPs). However it later emerged that SAPs lacked political legitimacy and failed in many important ways to deal with the very real political and institutional problems being experienced. The governance framework then emerged as a more recent developmental response mechanism.

Governance was defined as "the conscious formation and management of regime structures with a view to increasing the legitimacy of the political system" (Hyden, 1998:39). Governance offers a meaningful way of relating to the ongoing efforts on the African continent to reverse autocracy and build democracy.

In chapter three it was discussed that the best means of addressing the crisis in Zimbabwe and elsewhere was through transnational initiatives like NEPAD. NEPAD currently provides the best means through which African states could collectively work together to achieve greater continental governance. However analyzing NEPADs response to the Zimbabwe crisis raises important areas of concern.

More so than any other the Zimbabwean crisis has focused increased attention on the interaction of ideas about national sovereignty and democracy often placing these discourses in opposition to each other. In the midst of the tension the NEPAD leadership, to the disappointment of many, has chosen to defend the sovereignty of Zimbabwe. Sovereignty works to deflect the democratic claim and deflects transnationalism at the state level. It was argued that if NEPAD is serious about promoting continental governance its strong adherence to individual national sovereignty needs to be recast as a notion of collective sovereignty where all leaders accept the responsibility of uplifting the continent. As long as African leaders remain bound up in individual sovereignty the promotion of democracy will take second place.

NEPAD to prevent a repeat of past failures made provision for an African Peer Review Mechanism. The APRM is a voluntary instrument acceded to by the members of the AU

and acts as an African self-monitoring mechanism. It was noted in chapter four that to date only 16 member states have agreed to sign up to the peer review. Zimbabwe is one of the countries that refused to sign the document as it felt threatened by the process. The lack of enthusiasm on the part of African leaders and judging by the NEPADs poor response to the Zimbabwean crisis raises questions around the political will of African leaders to speak out against errant countries. It was concluded that many of those who make up the NEPAD leadership lack the political will to confront deviant leaders. Until such time as sufficient political will is generated promoting continental governance through an initiative like NEPAD will remain a pipedream.

NEPAD was conceived of as being a partnership based on a common vision and shared conviction of its leaders. However its response to the Zimbabwean crisis has shown this to have come unstuck at the level of implementation. The NEPAD leadership are not united on the appropriate response to be applied to Zimbabwe and shows the complete absence of collective responsibility.

Following the blatantly fraudulent re-election of Robert Mugabe in 2002 the Commonwealth took the decision to suspend Zimbabwe. Responding to this decision NEPAD showed a complete lack of unity. Mbeki was in favour of lifting the suspension whereas Obasanjo felt that stronger measures needed to be applied. It was also argued that NEPADs exclusivity could be watered down by the inclusivity of the AU. The AU might well possess the potential to undermine the objectives of NEPAD.

Finally, NEPAD has been heavily criticized for its tendency to be a top down elitist and leadership driven process and for completely ignoring the importance of civil society in its design and implementation. Bearing in mind the extended definition of democracy, this is a serious flaw in its design. Thus to whom are the NEPAD leadership accountable? If it is to only themselves, as it currently appears, then the initiative will start, end an fail with the leaders.

Thus the discussion raised some serious concerns around NEPAD which become more serious as it moves into its implementation phase. If NEPAD is to secure greater continental governance, the way forward would be to firstly, transcend sovereignty to include the notion of collective responsibility. The lack of political will could be overcome by including civil society more directly in the process to allow civil society to act as a political watchdog and thereby creating an element of accountability.

Even so NEPAD is a laudable process one around which Africans, the continent over, should unite in the pursuit of continental governance. Africans should unite and through NEPAD and fight for a brighter continent built on the concept of governance.

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