

## THE AFRICAN UNION AS COLLECTIVE NORM ENTREPRENEUR IN STRATEGIC ENGAGEMENTS OF EXTERNAL POWERS AND AFRICA<sup>1</sup>

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### ABSTRACT

Since 2000, both emerging powers like China and India and established powers like the European Union and the United States were seeking close relations with Africa, and the African Union was playing a coordinating role in managing the ensuing relationships. However, the role of the African Union as a collective African norm entrepreneur has not been recognized due to the theoretical limitations imposed by the mainstream theories of IR. This study used 'Subsidiarity Norm Theory' to find out collective African agency in the progressively evolving relations using data collected from treaties, policy statements, press releases, other relevant documents, and policy actions. This study found that the African Union was emerging as the premier norm entrepreneur in international politics of Africa despite the difficult challenges posed by factors such as limited organizational capacity, the opportunistic actions of some of its members, and interventions by external powers that encroach on its coordinating role. Actions of the African Union and consequent intersubjectively evolving relations with emerging powers like China also reveal that the African Union was both responding to emerging powers' policy initiatives and constituting the terms of the engagements.

**Keywords:** Pan-Africanism, African Union, external powers, collective agency, norm entrepreneurship

**JEL Codes:** D70, F51, F53, F54, K33, N40, O19

### DIŞ GÜÇLERİN VE AFRİKA'NIN STRATEJİK İLİŞKİLERİNDE KOLEKTİF NORM GİRİŞİMCİSİ OLARAK AFRİKA BİRLİĞİ ÖZET

2000'den beri, hem Çin ve Hindistan gibi yükselen güçler hem de Avrupa Birliği ve Amerika Birleşik Devletleri gibi yerleşik güçler, Afrika ile yakın ilişkiler kurmaya çalışıyorlardı ve Afrika Birliği, sonraki ilişkileri yönetmede koordinatör bir rol oynuyordu. Bununla birlikte, Afrika Birliği'nin kolektif bir Afrika normu girişimcisi olarak rolü, ana akım Uluslararası İlişkilerin teorilerinin getirdiği teorik sınırlamalar nedeniyle tanınmamıştır. Bu çalışma, antlaşmalardan, politika beyanlarından, basın

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*bültenlerinden, diğer ilgili belgelerden ve politika eylemlerinden toplanan verileri kullanarak giderek gelişen ilişkilerde kolektif Afrika ajansını bulmak için İkincilik Norm Teorisi'ni kullandı. Bu çalışma, sınırlı örgütsel kapasite, bazı üyelerinin fırsatçı eylemleri ve koordinasyon rolünü ihlal eden dış güçlerin müdahaleleri gibi faktörlerin ortaya çıkardığı zorluklara rağmen, Afrika Birliği'nin Afrika'nın uluslararası politikasında önde gelen norm girişimcisi olarak ortaya çıktığını buldu. Afrika Birliği'nin eylemleri ve buna bağlı olarak Çin gibi gelişmekte olan güçlerle öznel olarak gelişen ilişkiler, Afrika Birliği'nin hem gelişmekte olan güçlerin politika girişimlerine yanıt verdiğini hem de sözleşmelerin şartlarını oluşturduğunu ortaya koymaktadır.*

**Anahtar kelimeler:** *Pan-Afrikanizm, Afrika Birliği, dış güçler, kolektif ajans, norm girişimcilik*

**JEL kodları:** *D70, F51, F53, F54, K33, N40, O19*

## 1. BACKGROUND

On its May 13, 2000, cover page, *The Economist* magazine (2000) labelled Africa a "Hopeless Continent". Its subtitle captured the context of the labelling as follows:

*“Floods in Mozambique; threats of famine in Ethiopia (again); mass murder in Rwanda; the implosion of Sierra Leone; and a string of wars across the continent. The new millennium has brought more disaster than hope to Africa. Worse, the few candles of hope are flickering weakly”*

A decade later, in its issue of 3 December 2011, *The Economist* (2011) apologetically re-labelled the continent “Africa Rising” with a completely different subtitle: “After decades of slow growth, Africa has a real chance to follow the footsteps of Asia”. This significant change of position was not because of some miraculous change in Africa. Rather it was because of using irrelevant data gathered from “subjective datasets” as argued by Jerven (2015) in his book entitled “*Africa: why economists get it wrong*”. To rectify this, economists, including those at the World Bank (2011), were trying to reset their data set to make Economics relevant for an understanding of African economies. As a result, the perception of the state of African economies has been evolving in recent years from the hopeless “Bottom Billion” to the resourceful “Fastest Billion”. Unlike the economists, the tiny but growing body of scholarship on the International Relations of Africa did not seem to have recalibrated its theoretical lenses to show the emerging empirical reality.

When seen through the lenses of the mainstream Western theories of International Relations, in the progressively increasing Africa’s engagements with emerging powers like China and India and revitalization of relations with established powers like the U.S. and the EU, Africa is an irrelevant and passive object. It is the chessboard for strategic competitions between and among external powers as to who gets what, when, how, and why in the “New Scramble for Africa”. For analysts that employ the mainstream Western theories of International Relations, institutionalizations or revitalizations of strategic multilateral diplomatic platforms like China–Africa Cooperation Forum (2000), Africa-EU

Summit (2000), Korea-Africa Economic Cooperation Conference (2006), Africa-South America Summit (2006), India-Africa Forum Summit (2008), Africa-Turkey Summit (2008), U.S.-Africa Leaders' Summit (2014) imply veracious competitions between these 'rational actors' to get their maximum possible share of the pie, Africa. For their law-like general assumptions, relative power and relative comparative advantages along with configurations of powers determine who gets how much chunk of Africa. Unsurprisingly, both positive and negative implications of these engagements for Africa produced from Western-centric theories negate African agency. For example, if the increasing engagement of emerging powers particularly China and India and other powers is in search of energy and minerals, it could turn out to be just like the "scramble for Africa" at the end of 19th-century colonialism (Shaw, 2010: 6). If, on the other hand, the engagements of external powers were the hope of Africa's sustainable growth as the new sources of global economic growth, trade, and investment (Vickers, 2013), then where was the role of the African agency?

This article tries to find out the role of an African agency, focusing on the African Union (AU), in the progressively increasing engagements of external powers in the context of shifting global economic order and newly evolving global governance. To this end, the next section will demonstrate why Western mainstream International Relations theories are not suitable to studying African collective agency. In the third section, Amitav Acharya's 'Subsidiarity Norm Theory' will be introduced and used to guide the process of tracking African agencies with due emphasis on the effects of collective African norm entrepreneurship and internal and external challenges facing the AU. The fourth section presents the progressively growing role of the AU in peace and security, global governance, and development in the post-Cold War environment. The fifth section presents the role of the African Union in the strategic engagements of Africa and external powers by presenting the case of multilateral relations between China and Africa. At the end, there is a conclusion section that summarizes this study.

## **2. PLACE OF AFRICA AND COLLECTIVE AFRICAN AGENCY IN MAINSTREAM THEORIES OF INTERNATIONAL RELATIONS**

For mainstream Western theories of International Relations, studying the international politics of Africa has always been "problematic". To begin with realism, it has been ill-fitted for the study of international politics of Africa since weak post-colonial states in Africa could not meet the "requisite" statehood of the Westphalian states that are the basic building blocks of the anarchic international system. For realism which is essentially about great powers (Waltz, 2010), Africa was a "politically empty space" (Morgenthau, 1973: 369) before the second world war, and a strategic chessboard of great powers afterwards as its weak states are necessarily compelled to bandwagon with one of the great powers to survive. This is because, on its own, the international politics of peripheral societies is nothing for neorealism (Waltz, 2010). The foregone conclusion of employing a realist/neorealist, positivist

perspective, is that the materially weaker African states do not possess negotiating capacities and, therefore, will be submitting to the whims of the external powers.

Furthermore, the idea of a "collective African agency" as represented by the AU, earlier by its predecessor Organization of African Unity (OAU), as a collective negotiator on behalf of Africa in its engagements with external powers, is "wishful thinking" for realists. International organizations/institutions like the AU "have minimal influence on state behaviour (Mearsheimer, 1994: 7); and at best they serve as a tool for great powers that have established them, such as South Africa and Nigeria in the AU's case. In general, for realists, whatever theoretical significance Africa may be accorded (individually or collectively) is because of the great powers that are engaging Africa, not for any relevance of Africa. Therefore, other than echoing pessimistic labelling like "the New Scramble for Africa" among international powers, this dominant theoretical tradition could hardly serve to study the role of African agency.

With its fundamental assumptions hanging on liberal democracy and consumer capitalism, neoliberalism considers Africa's place in international relations to be "problematic". In the words of Francis Fukuyama (1999: 19) "Sub-Saharan Africa has so many problems that its lack of political and economic development seems overdetermined". Fukuyama's deterministic dismissal and the implied assumption of the question: "Does Africa have some inherent character flaw that keeps it backward and incapable of development?" of *The Economist* in its 13 May 2000 issue, are showcases of neoliberalist view that Africa did not have its own agency to develop. And, henceforth, applying the prescriptions of market fundamentalism in conjunction with liberal democracy as "silver bullets" in Africa to cure challenges of insecurity and underdevelopment are justified. Conversely, the inherent theoretical flaws of liberalism and its variants make it incapable of explaining African agency. For example, the flawed assumption of considering 'unequals' as 'equals' while selectively ignoring the effects of 'unequal exchanges', slavery, colonialism, and dependency that have reproduced chaos, dependency, poverty, and misery (Abegunrin, 2009) as captured by 'the Lost Decades' of the 1980s and 1990s in Africa due to the neoliberal conditionalities of structural adjustment programs (SAP) of the World Bank (Arrighi, 2002). In other words, if neoliberalism could bring in its theoretical strength of prescribing advantages of interdependence and cooperation of African countries in the globalizing world, it would undo them by providing intellectual justification for neo-colonialism (Dunn, 2001) through Western anti-development 'development' prescriptions that have been proved detrimental for Africa (Kieh, 2008; Makinda and Okumu, 2015).

The theoretical neglect of the role of Africa in international relations has not only been confined to the dominant International Relations schools of thought such as realism and liberalism. Alternative paradigms like Marxism and critical theories also suffer from the same problems. Although these alternative theories of International Relations are to be credited for exposing the state of "unequal

exchange” as responsible for the prevailing underdevelopment and insecurity in Africa, they suffer from “Western biases by viewing the continent solely as part of the global ‘periphery’; an agency-less victim of Great Power/core manipulations. Africa exists only to the extent that it is acted upon”, in the words of Kevin Dunn (2001: 2-3).

### **3. THEORY OF NORM SUBSIDIARITY AND ORIGIN AND DEVELOPMENT OF PAN-AFRICANISM**

To locate the collective African agency in the progressively evolving strategic relations between Africa and external powers, Norm Subsidiarity Theory (NST) of Amitav Acharya (2011), within the constructivist scholarship of International Relations, is employed as the main theoretical underpinning of this study. Acharya developed NST to explain factors that force peripheral states of the Third World to engage in norm entrepreneurship to regulate interactions amongst themselves on one hand with outside powers on the other hand. Acharya (2011: 97) defined norm subsidiarity as “a process whereby local actors create rules intending to preserve their autonomy from dominance, neglect, violation, or abuse by more powerful central actors”. In line with this, the evolution of Pan-Africanism as a collective norm creating African agency can be traced back to the attempts of diaspora Pan-Africanists to challenge slavery, colonization, domination, and exploitation of people of Africa and African descent.

The major patterns of the evolution of Pan-Africanism can be seen in terms of the effects that its subsidiarity norms produce. Subsidiarity norms produce either challenging/resisting effects or supportive/ strengthening effects with the possibility of “the two effects of subsidiarity norms may take place simultaneously with local actors offering resistance to great power-controlled ideas and institutions while invoking existing global norms” (Acharya, 2011: 102). The subsidiarity norms propagated by the pan-African movement and their effects are extracted in two ways for this study. For the period before the establishment of the OAU, decisions and declarations at Pan-African events such as conferences and conventions and secondary sources were produced to obtain the prevalent discourse of how the Pan-African movement 'thinks' as a collective entity, how it justifies its existence and its actions (Wendt, 1999). For the period after the establishment of the OAU, institutional repositories of the AU are used as institutional memories to extract the prevalent subsidiarity norms and their effects. Finally, the general patterns observed from the data collected from treaties, policy statements, press releases, and relevant documents and policy actions are presented below.

Pan-Africanism, as a discourse of the collective African agency, has been created to challenge slavery, colonization, domination, and exploitation of people of African and African descent. First, the term "Pan-Africanism" was supposed to have been coined by Henry Sylvester Williams (Shepperson and Drake, 1986), a law student from Trinidad, who organized the first Pan-African Conference in London, England, from 23 to 25 July 1900. At least since this Conference, Pan-Africanists have been framing perceptions and understandings of domination and exploitation of people of Africa and trying

to create and diffuse alternative norms (Adi and Sherwood, 2003). From the beginning of the 20th century to the dawn of the 21st century four phases of the evolution of Pan-African norm entrepreneurship can be discerned based on the contextual interplay of the emergence and decline of international norms.

The first phase includes significant attempts by peoples of African descent to reframe and diffuse ideals of Pan-Africanism with an expectation of tectonic reconfiguration of international norms following the end of the First World War. To realize this, Pan-Africanists attempted various methods like organizing four Pan-African Congresses between 1919 and 1927 under the leadership of Du Bois (Shepperson and Drake, 1986). However, these Pan-African movements did not successfully challenge the dominant discourses of Western imperial powers. Thus, attempts of enterprising subsidiarity norms based on continental and racial affiliation as well as collective suffering remained mainly the issues of a few educated persons of African descent and a small but growing body of students from Africa in the cities of imperial powers.

The second phase begins following the outbreak of the Second World War. Pan-Africanists reinvigorated their movements to capitalize on the windows of opportunities opened by the War to diffuse their anti-colonization, domination, and exploitation norms. Developments like the ascendance of the U.S.A. and the U.S.S.R. as new global powers with the corresponding relegation of European imperial powers, experiences gained by tens of thousands of African soldiers that were participating in the War on behalf of the colonial masters, and an increasing body of Pan Africanists from Africa and experiences gained from earlier movements that motivated them to join hands to capitalize on the opportunities availed at this extraordinary historical moment. Even the often-opposing leaders like Garvey and Du Bois agreed in 1944 to convene the 5th PAC together at the end of WWII (Shepperson and Drake, 1986: 5). This Conference, which was convened in 1945 at Manchester, UK, brought about a considerable diffusion of Pan-African ideals. With the succession of leadership of the old and diaspora generation of pan-Africanists like Du Bois by new generation leaders from Africa like Nkrumah and Kenyatta (Adi and Sherwood, 2003), Pan-Africanists resolved to use armed struggle as the strategy of last resort to replace exploitative, racist, and violent colonial rule. In this phase, the propagated norms had successfully challenged direct colonialism. By invoking the UN Charter's provision of self-determination, the whole of Africa has been freed from direct colonization and white racist minority rule.

Nevertheless, the continental subsidiarity norms of Pan-Africanism that aimed at political unity reached its zenith with the political marriage of Ghana and Guinea and began fracturing with the division of Pan-Africanists over what course should postcolonial African states had to take. The polarization of African rulers and leaders of newly independent states and liberation movements along the emerging East-West ideological divide weakened the propensity to opt for political unity after independence.

Further, due to the strengthening of the Westphalian norms of sovereignty, territorial integrity and non-intervention and insurmountable gaps of identity differentiation of African colonies from among many others into British Africa, French Africa, and Arab Africa as well as unbridgeable disconnection in terms of physical networks, the idea of continental political unity was aborted (Yao Gebe, 2008: 42).

The third phase begins with the abortion of the discourse of united Africa on 25 May 1963, by the charter of the OAU at Addis Ababa. Nkrumah who has been considered as the father of African unity implied the end of that discourse in the following words: “our conference came to the conclusion that in the interests of that peace which is so essential, we should respect the independence, sovereignty and territorial integrity of one another” (as quoted in Young, 2018: 23). On the contrary, the Charter of the OAU strengthened the Westphalian norms of sovereignty, territorial integrity, and non-intervention in internal affairs of other states that were further echoed by the 1964 OAU Cairo Resolution (OAU, 1963: Art. II and III; OAU, 1964). At the regional level, the decisions of African leaders to respect colonial boundaries successfully muted the often-expected type of interstate wars between and among neighbouring countries for the most part and resulted in creating a non-interference regime (Clapham, 1996).

Still, African leaders continued refreshing and emphasizing the rhetoric of Pan-Africanism and maintaining subsidiarity norm of opposing divisive normative requirements of great powers and great power hypocrisy mainly to show their unity and to oppose external domination and colonialism (Clapham, 1996: 106). The severing of their diplomatic relations with Israel against the Israeli occupation of Egypt’s Sinai Peninsula in 1973 by most African countries and their membership in the Non-Alignment Movement shows their preference for the norm of non-intervention despite their close ties to one of the superpowers (Clapham, 1996; Williams, 2007). Though the OAU’s position was weak, its subsidiarity norms had effects even on the superpowers. Clapham argued that externally intervening states like superpowers were concerned “not only with the immediate consequences of intervention, but with maintaining a coalition of friendly client states, and this placed pressure on them to act in accordance with the conventions of [African] regional system” (Clapham, 1996: 109). The role of the OAU in the dismantling of the apartheid regime in South Africa illustrates the extent of its role as a norm entrepreneur. Because of its subsidiarity norm diffusion and the level of anti-Apartheid movements, the U.S. had to give up the Apartheid regime despite huge investments as its proxy sheriff against communist infiltration in the entire sub-region.

The fourth phase begins with the end of the Cold War when the norms of the bipolar world were replaced by uncompromising liberal norms. The neopatrimonial regimes of Africa that failed to build their artificial states on solid foundations succumbed to complex intra-state conflicts and violence when the support, aid, loans, and subsidies of their former superpower patrons dried up. Dictatorial regimes like those of Ethiopia, Somalia, Liberia, Sierra Leone, Côte d'Ivoire, the DRC, Rwanda, and the like

were deposited. These protracted intrastate wars led to complex humanitarian disasters and emergencies and further destruction of the existing infrastructures and state institutions. These challenges of security were further complicated by increasing influences of new types of actors like mercenaries, and newer kinds of security threats including HIV/AIDS, that in tandem produced a decline in economic growth and further marginalization of the continent while the other parts of the world have been further reconnecting in the new wave of globalization fuelled by the revolution in information and communication technologies (Abegunrin, 2009; Gebrewold, 2016; Kieh, 2008). Simultaneously, the insistence of the U.S. on its liberal norms and the predatory and exploitative SAPs and PRSPs led to further marginalization and underdevelopment of the weakening African states. This further weakened the African states and led to a scenario of state collapse in some instances (Dunn and Englebert, 2019; Arrighi, 2002).

Besides, the intrastate wars were protracted and not easily amenable to resolution using the existing OAU mechanism. The OAU was constrained to act decisively and constructively intervene in a conflict situation. This was because the OAU's old principles of non-intervention, respect for territorial integrity, and independence of member states made any effort of conflict prevention and management fruitless along with the lack of capacity and political will. Consequently, apart from serving as the forum for dialogue on post-conflict situations, the OAU has done little to stop horrific security problems like the Rwandan Genocide.

Amidst this state of hopelessness and despair, however, Pan-Africanist scholars and leaders began proposing different kinds of solutions to deal with both the ever-present challenges of insecurity and underdevelopment of Africa and the newer security threats. For example, in the same year of the Rwandan Genocide, at his first attendance at the OAU Summit of Tunis in 1994 as President of South Africa, Nelson Mandela asked African leaders to wake up to Africa's call for rebirth, the African Renaissance. Mandela stressed the need to address the underlying social problems to prevent social havoc, citing Rwanda (as quoted in Dersso, 2017: 86; as quoted in Lwabukuna, 2021: 78),

*“Rwanda stands out as a stern and severe rebuke for all of us for having failed to address Africa's security problems. As a result of that, a terrible slaughter of the innocent has taken place, and is taking place in front of our very eyes. We know it is a matter of fact that we must have it in ourselves as Africans to change all this. We must, in action assert our will to do so.”*

Thabo Mbeki, Mandela's successor, also concretized the dream by asking for a reorganization of the OAU in his first Summit at Algiers in 1999 as President of South Africa (Abegunrin, 2009: 154). Olusegun Obasanjo, President of Nigeria, strengthened Mbeki's idea of reorganizing the OAU by providing a reform package. These reform plans later culminated in the re-establishment of the collective African agency into a new continental entity, the African Union (AU), which was inaugurated on 9 July 2002 in Durban, South Africa. Since its establishment, the AU has been emerging as a premier norm entrepreneur in several issue areas.



#### **4. THE EMERGENCE OF THE AFRICAN UNION AS A COLLECTIVE SUBSIDIARITY NORM ENTREPRENEUR**

As the Pan-African institution, the African Union has been re-established to better confront multiple global and continental challenges. With authorization to “promote and defend African common positions on issues of interest to the continent and its peoples” (AU, 2000: Art 3(d)); and to “enable the continent to play its rightful role in the global economy and in international negotiations” (AU, 2000: Art 3(i)), the AU has been evolving as important collective norm entrepreneur. Its roles in the century-old Pan-African ideal of extracting the continent and its peoples from miseries of insecurity and underdevelopment along with the concomitant goal of resisting imperial domination, injustices, and marginalization of Africa are briefly discussed under the themes of peace and security, global governance, and development.

##### **4.1. The AU as norm entrepreneur in peace and security**

Since its inauguration, the AU has been emerging as the premier norm and standard-setter with regard to the issues of peace and security in the continent. First, Article 4(h) of its Constitutive Act (AU, 2000) authorized the AU to intervene in a member state during serious crises that in turn set a new continental norm of ‘non-indifference’. Then through several legal instruments and the establishment of an array of institutions, the new norm was institutionalized into an African Peace and Security Architecture (APSA). This evolution of the AU and its major norm-setting actions and decisions as well as the major challenges faced are briefly discussed as follows.

In the context of the emerging norm of Responsibility to Protect (R2P), the establishment of the AU represents African agency in the making or re-interpretation of the international norm of non-intervention into that of non-indifference (Williams, 2007). Through Article 4(h) of its Constitutive Act (AU, 2000), the AU became the first international organization to be authorized to intervene during serious crises in a member state, such as defending against war crimes, genocide, and crimes against humanity. By invoking the old Pan-African solidarity norm of “Common African Position” and by redressing it with concepts like “African solutions for African problems” (Makinda and Okumu, 2015; Vickers, 2013), Africa has reclaimed its collective agency for their peace and security as eloquently captured by Ambassador Said Djinnit, the then AU’s Commissioner for Peace and Security (quoted in Powell, 2005: 1),

*“No more, never again. Africans cannot . . . watch the tragedies developing in the continent and say it is the U.N.’s responsibility or somebody else’s responsibility. We have moved from the concept of non-interference to non-indifference. We cannot as Africans remain indifferent to the tragedy of our people.”*

Through a treaty named “Protocol Relating to the Establishment of the Peace and Security Council of the African Union”, 2004, the AU established APSA comprising of the African Union Peace and Security Council, a Continental Early Warning System, a Panel of the Wise, an African Stand-by

Force and a Post-Conflict Reconstruction and Development Framework (AU, 2002). In the last two decades, the African Union has operationalized these institutions through its peace-making activities and its peace operations like the African Union Mission in Somalia (AMISOM, launched in 2007), its Electoral and Security Assistance Mission to Comoros (AU-MAES, launched in 2008), and its contribution to the Joint AU-UN Hybrid Mission in Darfur (UNAMID, launched in 2007) (Badmus, 2015). In general, from responding to crises like those of Mali, Central African Republic, and Cote D'Ivoire to coordinating regional task forces against Boko-Haram and the Lord Resistance Army, the AU has become the focal interlocutor of peace-making efforts and peace-keeping activities with critical support like the EU's African Peace Facility (Akanji, 2022; Aning and Edu-Afful, 2016; Carayannis and Fowles 2017; Murithi, 2012).

In further reclaiming its leading role, the AU has adopted the Common African Defense and Security Policy (CADSP) in 2004 and the African Union Non-Aggression and Common Defense Pact (NACDP) in 2005 partly as a response to the US bully following its invasion of Iraq without authorization of the UNSC (Dokken, 2008; Esterhuysen, 2008: 123). These instruments of the AU have been proven impactful in action when Africans and African states rejected the U.S. unilateral announcement of establishing Unified Combatant Command for Africa, AFRICOM, on February 6, 2007 (Fah, 2010: 81–83) that led to the reversal of establishing its Headquarters in Africa and the realization of engaging the AU as a relevant actor, for example, by opening AFRICOM Liaison Office at the AU Headquarters to win some legitimacy.

The AU has also been emerging as a standard-setter with regard to creating and diffusing normative policy against an unconstitutional change of government. The AU's norm of anti-military coups began diffusing with the OAU's concept of Unconstitutional Changes of Government (UCG), Lomé in 2000, which later extended to include the refusal of an incumbent government to relinquish power after losing a free and fair election. Even if the AU could not eliminate military coups, there is a growing consensus that its normative stance has resulted in decreasing in military coups and a successful reversal of military coups in 2008 in Guinea and 2012 in Mali (Souaré, 2014). With regards to the incumbent government's refusal to step down, some signs of progress have also been achieved at least in the ECOWAS regions as can be attested from the cases of Côte d'Ivoire in 2011 and the Gambia in 2017.

The AU has not only been focusing on mainstream security issues alone. It has been trying to lead the continental norm diffusion in other security areas like fighting terrorism, fighting pandemics like Ebola and Covid 19 (Engel and Herpolsheimer, 2021; Mensah 2022; Tiekou, 2021). The AU's role as a standard-setter about anti-terrorism had begun with the adoption of the 1999 OAU Convention and the Plan of Action on the Prevention and Combating of Terrorism in Africa. Since then, several counter-terrorism decisions and overall regime-creating instruments like the African Centre for the Study and

Research on Terrorism (ACSRT) of 2005 have been introduced and amended (Ewi and Aning, 2006). The AU has played a pivotal role by coordinating intergovernmental discussions and collective decisions.

Even if the decisions and activities of the AU in the realm of peace and security have been better recognized than others, its role as premier norm setter in the continent has been hampered by several challenges and problems. First, it lacks its own tentacles that link it with common Africans because of which it is deaf to listen to the voices of common Africans, even the outcries of the Oromos a few miles away from its Headquarters. The AU also lacks requisite financial and human resources that diffuse its norms and make members live up to their commitments. This in turn has forced it to be effective only when it is in the will of external powers that cover at least three-quarters of its budget. Fourth, some of its member members have also been trying to bypass it to accrue as can be attested by an attempt of Liberia to host AFRICOM headquarters.

#### **4.2. The AU as norm entrepreneur in global governance**

Reform of global governance is the second major issue area of the Pan-African collective agency, which has been elevated following the further marginalization of Africa in the post-Cold War new wave of globalization. While quests for reforms of international financial institutions like the World Bank and the IMF, trade negotiations, climate change negotiations, and participation in global governance like G-8/G-20 have been the major institutions that needed some form of reform. The reform of the United Nations Security Council (UNSC) is unarguably the most famous call of collective African agency in its bid to make African voices heard in global governance. The Ezulwini consensus and other attempts of producing subsidiarity norms to challenge the unrepresentative nature of the prevailing global governance are in line with the AU's establishment objectives of promoting and defending African common positions and enabling the continent to play its rightful role in the global economy and governance.

The African countries started declaring their intentions for reform of the UNSC at the OAU's Summit of Tunis in 1994. They called for 2 permanent seats and 5 non-permanent seats on a regional basis in the UNSC at the OAU Summit of 1997 in Harare. Following a report titled "In Larger Freedom: towards development, security and human rights for all" in 2005 recommending the reforms of UNSC by the then UN Secretary-General, Kofi Anan, African states negotiated about the UNSC reform and concluded with a common African position that calls for region-based representation and adopted it at the AU Extraordinary Summit of March 2005, in Addis Ababa. Moreover, the AU has been engaging in co-diffusing the idea of reforming the UNSC and other international institutions of global governance as can be attested from the following quote from Delhi Declaration 2015, 3rd India-Africa Forum Summit (IAFS, 2015: 2),

*“Indians and Africans together comprise nearly one-third of humanity today. However, they continue to be excluded from appropriate representation in the institutions of global governance that were designed for an era since long past... We demand urgent collective action to put in place more democratic global governance structures that will assist in more equitable and just international security and development frameworks”*

The other famous showcase of the AU’s subsidiarity norm entrepreneurship is its position vis-à-vis the International Criminal Court (ICC). With the latter issuing an arrest warrant for Sudanese President Omar al-Bashir, the relationships between the two have gone sour. The ICC has been assaulted as a hegemonic tool of western powers targeting or discriminating against Africa, and consequently, antithetical to undermining African efforts to solve its problems (Plessis, 2010). The UNSC’s defiant position not to accede to the AU’s request of the Council to defer the ICC’s investigation into al-Bashir by invoking Article 16 of the Rome Statute confirmed the AU’s position against double-standard and hypocrisy. The U.S. imperial hypocrisy of bilateral immunity agreements whereby states agreed not to send US citizens for trial at the ICC in clear violation of article 18 of the Vienna Convention on the Law of Treaties further questioned the legitimacy of the ICC (Plessis, 2010: 11). Jean Ping’s, the then AU Commission Chairperson, pointed criticism confirms this “... We are not against the ICC ... But we need to examine their manner of operating. There are double standards. There seems to be some bullying against Africa” (as quoted in Plessis, 2010: 18). African opposition to the ICC finally seemed to have culminated in modification of the Rules of Procedure and Evidence to permit the Court to grant exceptions from the duty to be present in person on a case-by-case following dropping of its charge against President Kenyatta. In a recent development, the AU’s adoption of a strategy calling for a collective withdrawal from the ICC in January 2017 (Uwazuruike, 2021: 343) further confirms the mainstreaming of the subsidiarity norms opposing the ICC even if there are exceptions like Botswana and Senegal.

However, the subsidiarity norms of the AU could not pass beyond being noise for the West-dominated global governance institutions whether they are in the realms of peace and security or development or any other. The tool of the African agency is remained to be trying to “name” and “shame” the Western hypocrisy as can be illustrated by Africa’s frustration following NATO’s invasion of Libya in 2011 by rejecting the AU’s Road map. Jean Ping contested the hijacking of the UNSC Resolution No. 1973 in the name of R2P as a hidden power agenda. President Zuma of South Africa also accused the resolution as a machination meant for “regime change, political assassinations, and foreign military occupation” (Mail and Guardian, 2011). Besides, African opposition to this Western hypocrisy was succinctly posited by African intellectuals, of about 200, in their August 2011 letter entitled “Open letter to the Peoples of Africa and the World from Concerned Africans” (Campbell, 2013: 139)

*“Those who have brought deadly rain of bombs to Libya today should not delude themselves to believe that the apparent silence of the millions of Africans means to believe that Africa approves of the campaign of death, destruction and domination...The answer we must provide practically, and as Africans, is---when, and in what ways, will we act resolutely and meaningfully to defend the rights*

*of the Africans of Libya to decide their future, and therefore the right and duty of all Africans to determine their destiny! The AU Road map remains the only way to peace for the peoples of Libya.”*

### **4.3. The AU as norm entrepreneur in development**

The idea of collectively addressing the challenge of underdevelopment by the Lagos Plan of Action (1981) of the OAU was reborn with a New Partnership for Africa’s Development (NEPAD). The NEPAD, initially called the New Africa Initiative, was born out of merging two initiatives, the Millennium Partnership for the African Recovery Programme, sponsored by Presidents Mbeki, Obasanjo and Bouteflika, President of Algeria, and the OMEGA Plan proposed by President Wade of Senegal based on a decision taken by ECA's Joint Conference of Ministers of Finance, Planning and Economic Development in Algiers in May 2001 to provide a framework for Africa’s development (Abegunrin, 2009: 174-175). The NEPAD Framework (AU, 2001: 1) envisions the collective dream as follows:

*“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.”*

The NEPAD framework implies the simultaneous acceptance of the liberal norms of a fundamentally inequitable global economic order and resistance to the state of 'unequal exchanges' and the results produced by these liberal norms. The framework demanded the reversal of this abnormal relationship (AU, 2001). While NEPAD’s subscription to liberal norms has won it the label of “African equivalent of America’s Marshall Plan that rebuilt Europe after the end of the Second World War”, others have condemned it as “an attempt to please foreign donors and investors” that will eventually lead to “enslaving Africa’s economies and leading to further marginalization of African peoples” (Abegunrin, 2009: 177-181). Saving the divided positions of commentators on the ideological leaning of the NEPAD framework, it has been evolving as the collective reference instrument in Africa’s engagements with external powers with regard to investments related to infrastructure development. Besides, if not as high as the 7% annual GDP rate of development it had for 15 years, Africa’s overall trending 5% average annual GDP rate economic growth after 2004 (Zamfir, 2016: 1) confirms the capability of African agency in managing its development affairs and has successfully rebuked the theory of “incapable of development”.

The other relatively significant and norm entrepreneurship has been in the climate change negotiations. The core argument of this common position is that Africa has been bearing the huge burden of worsening environmental challenges while Africa has practically been contributing insignificantly; and therefore, the wealthy states whose economic activities have a significant detrimental effect on the state of climate change should support Africa in mitigating its effects. The African Group has worked over the years to hammer out a common African position to better bargain in the UN Framework

Convention on Climate Change (UNFCCC) negotiations. For the UNFCCC of Copenhagen (COP12), 2009, the African Group has begun working on the common position by convening a ministerial meeting in Nairobi, Kenya, in 2006 and succeeded in producing one in Copenhagen in 2010. The African Group led by the late Ethiopian Prime Minister, Meles Zenawi, at COP12 presented the common position that mainly demanded wealthy nations to make substantial and consistent funding, transfer of eco-friendly technologies, and sustainable support for human capacity building to strengthen Africa's adaptation efforts to climate change. This position which is based on principles of common, but differentiated responsibilities and adaptation, has been hailed as having successfully influenced the COP12 negotiations agenda and outcomes (Vickers, 2013).

Furthermore, with the initiation of the WTO's Doha Round in 2001, African states have begun to actively participate in trade negotiations. In the Doha Development Agenda, African countries "are no longer passive 'objects' of trade negotiations, as during the GATT period (1948–94), but increasingly 'subjects' that enjoy participant status in the WTO's negotiations and are actively contesting the rules and practices of contemporary global trade governance"(Vickers, 2013: 689-690). African states used their collective African Group to win favourable terms of open access to markets of established powers, technical assistance, and support for capacity building. They have also been playing the sympathy of emerging powers as the counterweight, as could be attested from the establishment of the 'Friends of Development' in December 2011, consisting of more than 100 developing and least-developed countries, as a common voice in their bid for fairer global trade regime. Using this and WTO's consensus-based decision-making process and deliberative experiences they have developed from earlier negotiations, the African Group is emerging as a significant force. Because of the increasing pressures from Africa, the AU and its NEPAD started participating in the WTO summits (Vickers, 2013).

The AU's attempt to regulate the strategic partnership of Africa with the major global economic actors also enhances its norm entrepreneurship. This initiative, NEPAD, and more recent initiatives like Agenda 2063, in 2013, African Continental Free Trade Area (AfCFTA ), in 2018, clearly demonstrate Africa's acceptance of the West's rule of the game, democratization, and liberalization, but also insists that Africans must decide as to how to use the resources they would get from donors, not external impositions (NEPAD, 2001; Abegunrin, 2009). Through multilateral diplomatic platforms like Tokyo International Conference on African Development (1993), China–Africa Cooperation Forum (2000), Africa–EU Summit (2000), Korea–Africa Economic Cooperation Conference (2006), Africa–South America Summit (2006), India-Africa Forum Summit (2008), Africa–Turkey Summit (2008), U.S.-Africa Leaders' Summit (2014), the AU and African countries have been attempting to better bargain for fairer and 'developmental' partnerships as opposed to dependent relationships.

From among these powers, China and India have been the most visible powers veraciously courting Africa in addition to other powers like South Korea and Turkey. The established powers like

the U.S., France and the EU have also been scaling up their engagements in Africa. For this study, the evolution and resurgence of Chinese engagements in Africa and the role of African agency mainly as represented by the AU, and its progressively evolving role in these interactions are presented as a case.

## **5. ROLE OF AFRICAN AGENCY IN STRATEGIC ENGAGEMENTS OF AFRICA AND EMERGING POWERS: THE CASE OF CHINA**

Even though the progressively increasing engagements of Africa and China and subsequent institutionalization of their relations into a multilateral diplomatic platform, the Forum for China-Africa Cooperation (FOCAC), convened in October 2000, has been depicted as the “Chinese Trojan horse”, there has been an African agency from the inception. The idea of engaging China collectively than interacting individually was an endeavour of a group of African countries comprising Ethiopia, Mauritius, and Madagascar that called for a unified African approach toward China. These countries requested the then-Chinese President Jiang Zemin for a platform for collective diplomacy considering the marginalization of African countries from the fast-globalizing world and considering the value of collective bargaining to capitalize on China's emerging economic superpower for collective advancement of Africa in the 1990s. After resisting for some time, China not only accepted this proposal but has made it one of the pillars of its engagements and cooperation with Africa since its inaugural first Ministerial Conference in October 2000 in Beijing (Anshan, L., Haifang, L., Huaqiong, P., Aiping, Z., & Wenping, H., 2012: 15–17).

However, this African idea of using a multilateral forum was not sanctioned by the Pan-African collective organization (the OAU) and the FOCAC remained the prerogative of China to engage African countries mainly, as liberals predicted, to reduce the costs of transactions. Initially, it did not reflect the collective common African position, but rather showed a club interest-maximizing states of Africa where China is a majority shareholder. China was not considering the AU as an important actor in the FOCAC Summits, and it was given only an observer status in both summits. To reclaim its authority provided by the Constitutive Act (AU, 2000) to “Promote and defend African common positions on issues of interest to the continent and its peoples”, and to “Establish the necessary conditions which enable the continent to play its rightful role in the global economy and in international negotiations”, the Banjul Formula was issued in 2006 not only for Africa’s engagements with China but in all similar partnerships. Consequently, in the Third FOCAC Beijing Action Plan, China has recognized the role of the African Union as follows (FOCAC, 2006):

*“The two sides applauded the positive role played and accomplishments made by the African Union (AU) and African sub-regional organizations and financial institutions in building up Africa's strength through unity, maintaining regional peace and advancing regional cooperation and economic development.”*

Moreover, to re-establish the AU’s role as a coordinator, a high-level working group of the AU Commission has been set up at the third FOCAC meeting. Thus, formal strategic dialogue mechanisms

were put in place between the AU and NEPAD on one hand and China on the other hand. An MOU was signed between China and AU in 2006, and the first formal strategic meeting was held at the AU headquarters in 2007. Moreover, the Assembly of the AU passed a decision that further validated the AU's role: "the Commission should play a coordinating role in the preparation, conduct, and follow-up of all FOCAC Summits" (AU, 2007: 35). After a token recognition of the AU's role for over a decade, finally, the AU was accepted as a full member of the FOCAC on 26 November 2011 (AU, 2011).

Following this, China has also been progressively engaging the AU as a relevant actor in its engagements with Africa not only by institutionalizing the annual strategic dialogue mechanism but also through high-level exchanges, by establishing several subcommittees on various topics of Sino-African relations, and by conducting ad hoc meeting based on important international developments, particularly security-related issues. The AU (2012: 13), on its part, has reclaimed its coordinating role concerning the multilateral forum "the African Resident Ambassadors in China and the relevant African Union organs to work in tandem and bring the necessary synergy to the FOCAC process to facilitate information flow and the achievement of the partnership at the continental level". This position was further echoed by the Joint Statement of the AU and China, during the Official visit of Li Keqiang, Premier of the State Council of the People's Republic of China, (Xinhuanet, 2014):

*"Both sides agreed that China-AU relations is an important part of China-Africa relations. China will continue to give its firm its strong support to the AU in playing a leading role in advancing the African integration process and upholding Africa's peace and security, and a bigger role in international affairs. The AU will continue to give its understanding and support for China on issues concerning the latter's major and core interests and play an active role in promoting China-Africa cooperation in all fields."*

In general, in China's growing engagements in Africa in the last decade, Africa has not been a passive recipient of Chinese initiatives. Rather, the African agency has been evident from proposing the idea of engaging China in a multilateral platform to socializing China to embrace the lead role of the African Union in its engagements with Africa. As opposed to the western mainstream theories of IR that relegate the importance of the role of the African Union to the mere "talking shop" and "instrument of stronger states", the African Union has been progressing well in representing, creating, and renegotiating African norms in its relations with China. China's signing of a Memorandum of Understanding (MoU) with the African Union on January 27, 2015, at the Chinese-funded 200-million-dollar AU headquarters in Addis Ababa, for a continent-wide agreement to improve and greatly expand Africa's continental transport systems, including high-speed rail, road, aviation, and other infrastructure necessary for the industrialization of Africa. The inclusion of the AU as an interlocutor in the Chinese Road and Belt Initiative (RBI) is another proof of the growing and significant role of the AU in engagements of Africa with China. This role seemed to be increasing with the AfCFTA which will further accentuate the role of the AU not only as norm creating but also as a norm regulating institution. The keynote speech of President Xi Jinping (2021) of China at the 8th FOCAC conference in Dakar and as well as the Dakar



Action Plan (FOCAC, 2021) in December 2021 further confirmed the growing role of the AU and its institutions in Africa's relations with China in particular and external powers in general.

To sum up, the AU has been emerging as a focal interlocutor in Africa's engagements with external powers. The AU has come a long way and has become the mass producer of policy ideas for the entire continent. President Obama's presence at the AU headquarters and the following quote provides the recognition (The White House, 2015) "...under the AU's leadership, the voice of a united Africa will help shape the world's next set of development goals, and you're pursuing a vision of the future that you want for Africa". However, even if the African collective agency is recognizable in the emerging strategic importance of the continent, the AU is far from shouldering the challenges of executing its over-stretched goals with a near-total dependence on foreign financial and technical supports and the unwillingness of its members to share the burden. And most importantly, while trying to create and diffuse subsidiarity norms and produce mass continental policies, it has no connection with the people in towns and rural areas of Africa.

## **6. CONCLUSION**

The evolving role of African Union in strategic engagements of the continent with external powers, could not be adequately explained using mainstream International Relations theories. Rather, the attempts of Africans to pull themselves together and collectively deal with centuries-old problems of underdevelopment, insecurity, and marginalization in global governance were better captured by Subsidiarity Norm Theory. Using this theory, this study uncovered the evolution of collective African agency from the dawn of the 20th century to the dawn of the 21st century and its relative success over time. Accordingly, Pan-Africanism as an overarching discourse of the collective African agency was created, developed, diffused, and maintained to resist slavery, colonization, domination, and exploitation of people of Africa and African descent. Since its emergence at the beginning of 20<sup>th</sup> century by the diaspora Pan-Africanists, Pan-Africanism evolved through four major phases depending on major changes in emergence and decline of international norms. The first phase was an attempt by diaspora leaders like Du Bois to articulate collective suffering of Africans in Africa and the diaspora before the Second World War. The second phase was the ascendance of Pan-Africanists from Africa who directly challenged colonialism and effected the independence of Africa following the end of the Second World War. The third phase was the period between the formation of the Organization of African Unity (OAU) in 1963 and the end of the Cold War, wherein the focus of African collective agency was channelled mainly toward the goal of complete political decolonization and anti-Apartheid movement. The final phase was started with the idea of an African renaissance spearheaded by leaders like Nelson Mandela to collectively address the challenges of underdevelopment, insecurity, and marginalization of Africa in the post-Cold War environment.

To collectively overcome these persistent challenges of marginalization, insecurity, and underdevelopment, African leaders launched the African Union in the year 2002. Since its inauguration, the African Union has been evolving as an important collective norm entrepreneur, particularly in the areas of peace and security, global governance, and development. From the start, the AU has been emerging as the premier norm and standard setter in the making or re-interpretation of the international norm of non-intervention into that of non-indifference. In the last two decades, the African Union has operationalized these institutions through its peace-making activities and its peacekeeping operations. In further reclaiming its leading role, the AU has adopted the Common African Defense and Security Policy (CADSP) and the African Union Non-Aggression and Common Defense Pact (NACDP). Furthermore, the AU has not been focusing on mainstream security issues alone. It has been trying to lead the continental norm diffusion in other security areas like fighting terrorism and pandemics like Ebola and Covid-19.

Reform of global governance is the second major issue area of the Pan-African collective agency, which has been elevated following the further marginalization of Africa in the post-Cold War new wave of globalization. The Ezulwini consensus and other attempts of producing subsidiarity norms to challenge the unrepresentative nature of the prevailing global governance. This common African position on the reform of the UN Security Council was in line with the AU's establishment objectives of promoting and defending African common positions and enabling the continent to play its rightful role in the global economy and governance. Besides, the AU's opposition to the International Criminal Court culminated in modification of the Rules of Procedure and Evidence to permit the Court to grant exceptions from the duty to be present in person.

The idea of collectively addressing the challenge of underdevelopment by the Lagos Plan of Action (1981) of the OAU was reborn with a New Partnership for Africa's Development (NEPAD). This initiative, NEPAD, and initiatives like Agenda 2063, in 2013, African Continental Free Trade Area (AfCFTA), in 2018, clearly demonstrate Africa's determination to address common challenges collectively. Moreover, through multilateral diplomatic platforms like China–Africa Cooperation Forum (FOCAC), the AU and African countries have been attempting to better bargain for fairer and 'developmental' partnerships as opposed to dependent relationships. Accordingly, a closer examination of the role of Africa and the African Union in the FOCAC revealed that Africa has not been a passive recipient of Chinese initiatives. In contradiction of the view that FOCAC was the Chinese project, the idea of engaging China in a multilateral platform was originated in Africa and the AU was mandated to coordinate it. In addition to recognizing the coordinating role of the AU, China ultimately accepted the AU as an interlocutor in the Chinese Road and Belt Initiative (RBI). Furthermore, the AU's role is expected to increase with the African Continental Free Trade (AfCFTA), which will further accentuate the role of the AU not only as norm creating but also as a norm regulating institution.

However, even if the African collective agency is recognizable in the emerging strategic importance of the continent, the AU is far from shouldering the challenges of executing its over-stretched goals with a near-total dependence on foreign financial and technical supports and the unwillingness of its members to share the burden. And most importantly, while trying to create and diffuse subsidiarity norms and produce mass continental policies, it has no connection with the people in towns and rural areas of Africa. Lack of financial resources and lack of educated and committed individual norm entrepreneurs along with disrupting decisions and actions of some of the AU member countries and interventions by external powers have also been hampering its development as the premier collective African voice on the global stage.

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