The Politics of Civil Society in Africa

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Foundational and Rising Issues in Governance and Democracy

Edited by

Emmanuel Matambo
and Bhaso Ndzendze

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The work is exemplary of the importance of diverse perspectives on the importance and impact of civil society in Africa.

Emmanuel Matambo and Bhaso Ndzendze
University of Johannesburg

FOREWORD

PRESIDENT KGALEMA MOTLANTHE, REPUBLIC OF SOUTH AFRICA

Surveying the vast expanse of human history and theorising the timeline of social order, allows us to look back and take stock of the developmental nature of our existence, and how the phenomenon of change that punctuates this chronology, reminds us that we cannot take progress for granted.

The ways in which societies have organised; co-ordinated productive and cultural activity; developed within social structures and institutions; and shared social contracts with their own rules, standards, value systems, and norms; draws an outline of human progress that illustrates the shape of control and the pattern of the governing of one over another.

Tracing this outline, we may notice that the development of society and governments are not linear and that the jagged arc of human progress is, in fact, made up of forces that are characterised by contradictions and the evolution of power.

And so, when considering the element of good governance in the topic of today's discussion, we may observe that the concept and definition of what constitutes governance, is in constant flux. The value judgement of what comprises the good in governance, is a perennial balancing act of opposing forces. Those who hold the power of the production of knowledge to designate and prescribe what the world considers as a good governance, grip firmly on the geopolitical power of the world over those who are deemed, governance poor.

As we begin to more clearly grasp the idea of good governance as not something that should be bound by a definition, we are offered a wider space to inquire how to achieve governance that serves the people.

It is for the people that any government exists, and because of the people that a value system of governance should operate. Thus there is a moral imperative for a principles-based style of governance that includes the

voices, thoughts, and participation of all people. Although we may not seek to constrain the concept of good governance to a singular interpretation, through the lived experience of the people, the limitations and weaknesses of a government are laid bare. Therefore we understand more clearly what constitutes an interpretation of bad governance. This notion of good and bad governance, as a political instrument, is deployed to impose the agenda of developed countries over the under-developed and developing countries.

Democratic application and government practice could play the largest roles in reducing social ills and economic disasters, however, it takes political will and ethical leadership to govern well. Creating meaningful and lasting change, is only possible if the rule of law is upheld and if the people are allowed to participate in their own political, social and economic development.

The attainment of good governance requires cooperation at its core, with participatory democracy giving way to greater social justice. However, social justice and social change is all too often hard-won, and these battle grounds are the domain of social movements. Social movements which make up part of civil society, give dignity to those who are suffering, amplify the voices of those who are marginalised, exploited and oppressed.

Scholars, researchers, writers, political commentators, donor organisations and governments tend to refer to all NGOs as civil society. Whereas others refer to the golden triangle of government, business, and trade unions as the establishment, and see all the other formations as civil society, including: community-based organisations; religious and faith-based organisations; academic institutions; traditional fellowships; and cultural associations. Through the latter, one may generate a deeper appreciation of civil society as a pivotal, key contributor in advancing democratic change in Africa.

In some countries in Africa, participatory democracy is enshrined in their constitutions, and in others it is a creature of legislation.

To cite a few examples from Bornwell Chikulo in a book entitled Challenges of Democracy and Development in Africa, edited by Khabele Matlosa, Jorgen Elklit and Bertha Chiroro:

In Botswana, participatory democracy is enshrined in the:

- Local Governments District Council Act of 1965;
- Townships Act of 1965;

- Unified Local Government Service Act of 1973; and
- Town and Country Planning Act of 1980.

In Namibia it is in Chapter 12 of the Namibian Constitution. In South Africa it is in Chapter 7 of the Constitution. In Zambia it is in the Local Government Act. And in Zimbabwe local authorities were created through acts of parliament.

It is important to note that no two countries on the African continent are exactly the same, therefore the terrain in which civil society operates is equally dissimilar. So, the issues for community and issue-based organisations are quite different.

Professor Adebayo Olukoshi describes democracies in Africa as choice-less democracies. Policy making has been externalised in many African countries who are impelled to follow the prescripts of institutes such as the International Monetary Fund, the World Bank and Ratings Agencies.

It is for this reason that we are compelled to ask the question: In terms of governance, how are 56 African countries doing the same thing at the same time? Therefore these African countries need to win the right to define what their problems are and to determine their strategic goals, otherwise progressive policies would continue to be punished by investors and Ratings Agencies simply because they are deemed not to conform nor adhere to good governance.

Similarly civil society has a role to play in winning the right to define their own problems and solutions to their strategic goals, rather than advocating policies which are determined by donor funders. Impliedly there is a basis for a shared interest between these African governments and civil society to pursue the best interests of their people from all fronts.

The discourse on governance in Africa has changed over the past decades since the era of liberation and as the democratic landscape has emerged, civil society organisations have themselves undergone a rapid and fundamental transformation in the manner in which they interact with state institutions on governance matters. This profound transition is visible in the efforts of organisations such as the African Union, the Pan-African Parliament and the African Peer Review Mechanism.

The African Peer Review Mechanism is a voluntary arrangement amongst African states to systematically assess and review governance at Head of

State peer level in order to promote political stability, accelerated sub-regional and continental economic growth, sustainable development, democracy and political governance.

However, in the case of The African Peer Review Mechanism, there is little regard on the composition of civil society within the context of its structures and the centricity of dialogue as a process of governance. This omission of civil society collaboration and the reduction in stakeholder engagement, has serious consequences for the participatory process of African people and the amelioration of governance on the continent.

A robust democracy that relies on civil society as the last line of defence to fight on behalf of the people, thus requires a civil society to be as equally, if not more, robust to ensure the social movements do protect the interests of the most vulnerable.

In our examination of good governance and the social development organisations that claim to be agents of change, the question that begs to be answered is: What do institutions that hold the power to create definitions and standards, stand to gain?

The sensitive impact of change in an equation is well-characterized in geometry where according to the length of a triangle's sides or the measurement of its angles, we are presented with an infinite set of possibilities and unexpected geometric connections. Like a triangle's three sides, the private sector touches with the side of the state, to reach an apex that should represent the connection of a nation's political, economic, and social goals. At the base of the triangle, we find the third sector, civil society as the third side that forms a support and in many ways has the power to influence the measurement of elected governments and businesses.

A geometric rule to remember is that the angles of opposite sides are not always in a proportionate ratio. Similarly, the burden of civil society in relation to the public and private sectors, can also be disproportionate, sometimes unpredictable, and certainly evolving in its response: leaving the equation open to calculation by nuanced changes within society.

Civil society as the third sector, has the ability to be an independent representative of the people and a critical conscience of communities, and through this book, we hope that necessary dialogue takes place in order to respond to the ever changing demands on civil society to act as an agent of constant change and innovation in Africa.

CHAPTER ONE

INTRODUCTION

EMMANUEL MATAMBO
AND BHASO NDZENDZE

The idea of civil society is many things to many observers. It is surrounded by many hopes and suspicions – and ambiguities. It is, in a manner of speaking, political. The term itself can be traced back to antiquity, with the most distant written sources pointing to its role in ancient Greece. In Aristotle's *Politics*, he develops at great length his theory of partnerships in their various gradations and reaches the conclusion that political associations occur in various forms, beginning with the family and culminating in the state. Relationships below or outside those we have with the state (i.e., through citizenship), he observed, nonetheless help citizens obtain virtue and thereby strengthen the (city-)state and are therefore necessary, if not natural given the naturally political inclinations of human beings (Aristotle, *Politics*, 1253b).

The more modern roots of this concept (termed "the sphere of uncoerced human association between the individual and the state, in which people undertake collective action for normative and substantive purposes relatively independent of government and the market" [Edwards, 2011: 4], see also Walzer, 1998), particularly its oppositional tendencies, seem distinctly to be the product of the liberal tradition, beginning with John Locke. With growing elaboration on the "natural" rights that he and others (including Montesquieu, Voltaire, and Jean-Jacques Rosseau) argued for, the nineteenth and twentieth centuries saw the emergence of freedoms that culminated in civil society organisations. These being the right to religious freedom, peaceful assembly, association, information and political participation. These were enshrined globally in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. Irish (2010) argues that "it is these rights of citizens that permit the full range of activities of civil society organizations in modern liberal

democracies" (p. 168). The place and role of civil society in countries that both fit and abscond this classification makes for compelling analysis and has spawned a rich literature, since the end of the Cold War and the third wave of democratisation in the 1990s. The concept was a beneficiary of the demise of state-led centralist model of the socialist world, on one hand, and growing dissatisfaction with market-led neoliberalism (Edwards, 2011: 4).

In modern scholarship, thanks to the work of Edwards (2009), literature on civil society is said to fall into three distinct traditions, namely, theories of associational life (i.e., voluntary efforts outside of the formal state), of the public sphere (i.e., civil society as the litany of fora or media for citizen-to-citizen engagement) and of the good society (i.e., the ideal or *civil* society wherein people should dwell). For scope, this book adopts elements of all three theories. For example, the book's various contributions dwell on the role of civil society organisations as interest groups (Ch. 7, 8, 10, 12, 13 and 15), as spaces of debate (Ch. 3, 14, and 15) and as significant players in the attainment, retention and/or broadening of democracy, diversity, equality and prosperity in the search for the ideal polity (Chs. 1-9, 11 and 16).

Literature examining civil society has looked at a number of its facets, including its structural characteristics (Irish, 2010), how they shape development (Fowler, 2011), draw from social movements (della Porta and Diani, 2011), they relate to government (Rosenblum and Lesch, 2011), and how they are managing in the era of mass digitalisation (Lynn, 2022). In this literature, civil society organisations (CSOs) appear to play a set of three, interchangeable roles: as an alternative to government where these are unwilling or unable to play certain roles (Fowler, 2011; Rosenblum and Lesch, 2011), as an agitator against government when policy attention and resources towards certain issues are lacking or insufficient (Van Zyl, 2014), and as an accomplice to government objectives which are shared (Fowler, 2011). By the early 2010s, globally and particularly in Africa, there appeared to be a "disillusionment" with the promise civil society (Obadere, 2011: 183). Ebenezer Obadere (2011) observes that the concept moved from a warm reception in the late 1980s (as part of the global wave previously alluded to) and reached a state of demise among academics and practitioners. Part of this demise is due to the "dawn of realism," or a set of realisations about civil society that made them seem incapable of responding to the challenges they were expected to. Central to this were to factors. Firstly, there was continued, and growing, dependency of African CSOs on foreign assistance, a fact which made them appear inorganic. Secondly, the organisations seemed limited in their ability to influence their governments.

How universal is this story in a continent of 55 countries, however? And to what extent are these indictments (still) true, and, if they are valid, what can they tell us about the nature of African politics in the 21st century? How are CSOs responding to emerging challenges and relating with African states and regimes, many of whom have undergone transformations of one sort or another in the past decade? These pertinent questions drive this volume.

Building on the foregoing insights, the proposed book presents a layered synthesis that delves into organised civil society's role in foundational questions (particularly, democracy and good governance) in Africa, as well as the implementation of these models to confront new challenges. As a matter of historical record and contemporary practicality, civil society appears to be the indespensible partner and symptom for the attainment of the goals of democracy and good governance. It will thus be crucial in the attainment of responses to the youth bulge, climate and health disasters, the promises and excesses of technology, as well as African unity. Those outside the state appear to have their pulse on emerging challenges. Moreover, they not only communicate discontent and champion solutions, but they have also been putting into practice concepts of participation, consultation and transparency.

The proposed book is ultimately centred on demographics and democracy. It takes stock of how citizens of over 15 African countries have mobilised, organised and pursued common interests, and in so doing broadened the scope of what was previously deemed politically possible and closed the gap on numerous fronts. The book is thus a chronicle of how civil society has interacted with the challenges of the continent and presents accounts of how it is responding to emerging ones, including climate change, global pandemics, technological transformation, and how it is shaping these.

PART I

FOUNDATIONAL ISSUES: FINDINGS AND REFLECTIONS ON CIVIL SOCIETY AND THE PURSUIT OF GOOD, RESPONSIVE, AND REPRESENTATIVE GOVERNANCE IN AFRICA

CHAPTER TWO

AFRICAN INTEGRATION THROUGH CIVIL SOCIETY: BEYOND STATE-CENTRIC AND COMMERCIAL MODELS

KHABELE MATLOSA

2.1. Introduction

Integration has characterized inter-state relations and the pursuit of common purpose by countries in specific geographical spaces in Africa since time immemorial. The oldest integration scheme in the continent is the Southern African Customs Union (SACU) established in 1910. The proliferation of integration schemes began following the granting of independence to various African countries following decolonization in the 1960s. The Organiation of African Unity (OAU), established in 1963, was the continental expression of this trend. It was subsequently transformed into the African Union (AU) in 2002. Following the establishment of the OAU, various Regional Economic Communities (RECs) were also established. Today, Africa has the largest concentration of RECs, yet the continent remains underdeveloped and poor despite its overwhelming resource endowment.

While many factors may explain the contradiction presented by the multiplicity of regional integration schemes, the expansive resource endowment of the continent and the huge scale of poverty, inequality, unemployment etc, one of this has to do with the state-centric and market-oriented nature of the regional integration models on the continent. In a word, integration arrangements, both at continental and regional levels tend to be dominated by the political and commercial elites, while citizens and organized civil society formations are marginalized at best or excluded at worst.

This dilemma is the main pre-occupation of this chapter. It decries the state-centric and market-oriented nature of integration schemes in Africa. It advocates for a human development-oriented and people-centered integration frameworks that place citizens and civil society formations at the centre of the whole process. The rationale is simply that the agenda of integration should not be the sole responsibility of the elites alone. Ordinary citizens and civil society should also play a role to ensure that elites are responsive to people's demands, interests and fears and to facilitate a process in which citizens effectively hold elites accountable.

Including these introductory remarks, this chapter is divided into five sections. The second section kicks off the discussion with a conceptual framework. The two main concepts around which the chapter is organized are regional integration and civil society. The third section brings the two together by exploring the practical nexus between integration and civil society in the African context. The fourth section makes a case for a transformation of the integration model in such a way that state-centric and market-oriented frameworks are progressively balanced with the human development oriented and people-centered models of integration. In order to justify this case, the chapter utilizes two cases of the African Continental Free Trade Area (AfCFTA) and the Free Movement of Persons in Africa, arguing that the two are flipsides of one coin, inextricably intertwined and mutually reinforcing. The fifth section concludes the discussion.

2.2. Conceptual Framework

Integration has always remained the top priority of continental and regional inter-governmental bodies such as the 1963 Organisation of African Unity (OAU) and its successor, the African Union and Regional Economic Communities (RECs) from all the five sub-regions of the continent (i.e. Central, East, North, Southern and West Africa) in the spirit of Pan-Africanism (Prah, 2002; Biswaro, 2012). Pan-Africanism denotes "a set of shared assumptions expressing the desire for political and psychological liberation and unity of all Africans, whether on the continent or those in the Diaspora" (Mathews, 2018:15-16).

Between 1963 and 2002, the OAU pursued five main goals namely to: (a) promote the unity and solidarity of African States; (b) coordinate and intensify their cooperation and efforts to achieve a better life for the peoples of Africa; (c) defend their sovereignty, their territorial integrity and independence; (d) eradicate all forms of colonialism from Africa; and (e)

promote international cooperation, having due regard to the Charter of the United Nations and the Universal Declaration of Human Rights (OAU, 1963:3). Regional integration featured strongly in the Lagos Plan of Action, 1980-2000 (Qobo, 2007:1). But the Plan could not see the light of day as it was killed pre-maturely, three years following its adoption, with the adoption of the economic adjustment programmes of the World Bank and International Monetary Fund since 1983 onwards.

One of the most progressive steps taken by the OAU was the adoption of the Treaty Establishing the African Economic Community in Abuja, Nigeria in 1991 (colloquially referred to as the Abuja Treaty). The Abuja Treaty had four main core objectives namely to (a) promote economic, social and cultural development and the integration of African economies to increase self-reliance and promote an endogenous and self-sustained development; (b) establish, on a continental scale, a framework for the development and utilization of the human and material resources of Africa in order to achieve a self-reliant development; (c) promote cooperation in all fields of human endeavour in order to realise the standard of living of African peoples, and maintain and enhance economic stability, foster close and peaceful relations among Member States and contribute to the progress, development and economic integration of the continent; and (d) to coordinate and harmonise policies among existing and future economic communities in order to foster the gradual establishment of the Community (OAU, 1991:9-10).

Comprising 55 Member States, the AU, which was formed and launched in 2002, has a much broader mandate compared to the OAU. Its current mandate is four-pronged: (a) democracy and governance; (b) peace and security; (c) socio-economic development and (d) Africa's voice in global affairs. Its vision is 'an integrated, prosperous and peaceful Africa, driven by its own citizens and representing a dynamic force in the international arena'. The 2000 Constitutive Act of the AU sets out the key objectives of the Union, which while ensuring continuity from OAU, go a long way in introducing a new dynamic for continental unity and integration in Africa[1].

[1] These objectives are to: (a) Achieve greater unity and solidarity between the African countries and the peoples of Africa; (b) Defend the sovereignty, territorial integrity and independence of its Member States; (c) Accelerate the political and socio-economic integration of the continent; (d) Encourage international cooperation, taking due account of the Charter of the United Nations and the Universal Declaration of Human Rights; (e) Promote peace, security and stability on the continent; (f Promote democratic principles and institutions, popular participation and good governance; (g) Promote and protect human and people's

With respect to integration, the AU is guided by the Abuja Treaty complemented by founding treaties and relevant normative frameworks of the Regional Economic Communities (RECs). Besides the Abuja Treaty, the AU's integration agenda is also guided by the 2001 New Partnership for Africa's Development (NEPAD), which has recently been transformed into the AU-NEPAD as the Development Agency of the AU.

This section introduces two main concepts around which the story of contemporary trajectory of integration is weaved. These are integration and civil society. In the extant literature, there is a fair amount of unanimity regarding the definition of regional integration. According to Haas, regional integration is "a process of whereby political actors in several distinct national settings are persuaded to shift their loyalties, expectations, and political activities toward a new centre, whose institutions possess or demand jurisdiction over the pre-existing national states" (Haas, 1958 Cited in Sakyl and Opoku, 2014:5). Thus, regional integration denotes the coming together of neighbouring countries within a demarcated geographic space in pursuit of coordination, harmony and cooperation around economic, security, political, or social, cultural and environmental issues (Gumede, 2019:101).

There are four main stages of integration globally, some of which apply to the African context. At the lowest rung of the integration ladder is inter-state economic coordination or cooperation stage, such as the Southern African Development Coordination Conference (SADCC) established in Lusaka, Zambia in 1980. Its focus is coordination/cooperation by member states on key economic sectors and/or political projects considered critical for the development of the countries and the region as a whole. For instance, SADCC developed an arrangement where each member state would be responsible for coordinating a particular economic sector while all of them

rights in accordance with the African Charter on Human and Peoples' Rights and other relevant human rights instruments; (h) Establish the necessary conditions which enable the continent to play its rightful role in the global economy and in international negotiations; (i) Promote sustainable development at the economic, social and cultural levels as well as the integration of African economies; (j) Promote cooperation in all fields of human activity to raise the living standards of African peoples; (k) Coordinate and harmonise the policies between the existing and future Regional Economic Communities for the gradual attainment of the objectives of the Union; (l) Advance the development of the continent by promoting research in all fields, in particular in science and technology; and (m) Work with relevant international partners in the eradication of preventable diseases and the promotion of good health on the continent.

were all against the apartheid regime in South Africa in full support of the liberation movements under the leadership of the Frontline States.

The second stage of integration, supersedes mere coordination, is the free trade area (FTA) in which "there exists free internal trade among member countries but each member is free to levy different external tariffs against non-member nations" (Todaro, 1989:627; also see Ravenhill, 2016:3). This is the intended goal of the current African Continental Free Trade Area (AfCFTA).

The third stage is the customs union which is a relatively higher form of integration compared to coordination and FTA, wherein "two or more nations agree to free all internal trade while levying a common external tariff on all non-member countries" (Todaro, 1989:619; also see Ravenhill, 2016:3-4; Mandaza, 2002:79). The earliest regional integration in Africa, which is also the oldest customs union arrangement is the 1910 Southern African Customs of Union (SACU).

The fourth and relatively higher stage of integration is the common market whereby "there is free internal trade, a common tariff, plus the free movement of labour and capital among partner states" (Todaro, 1989:616, also see Ravenhill, 2016:4; Mandaza, 2002:79). Although, it has not yet reached this stage, the Common Market for Eastern and Southern Africa (COMESA) aims to achieve the common market cutting across the two regions of the African continent.

The fifth and highest stage of integration is the economic community, which is the "economic union of countries seeking to coordinate fiscal and monetary policies as a step toward a common currency. This takes place in addition to maintaining a common external tariff and similar commercial policies and to removing restrictions on trade within the community" (Todaro, 1989:621-622; see also Ravenhill, 2016::4; Mandaza, 2002:79). The idea of economic community is essentially the deferred dream of the Abuja Treaty.

It is a deferred dream because the OAU/AU experience so far shows that the continental body has done an excellent job in terms of developing a plethora of progressive normative frameworks, while at the same time its Member States have performed poorly when it comes to implementation of the agreed norms at national level.

Conventionally, continental/regional integration tends to focus primarily on economic issues, especially trade liberalisation/facilitation (a market-drive and growth-oriented integration). Growth is measured by economic progression in terms of such aggregates as Gross Domestic Product (GDP) and Gross National Product (GNP), which underpin the Smithian Laissez-Faire economics (which emphasise the supremacy of markets over states), which was later challenged by Keynesian economics (which propounded the counterargument that states should reign in markets to rectify socio-economic distortions).

Experience of integration intends to be focused on trade liberalisation/ facilitation focused overwhelmingly on markets. This is a shallower version of integration compared to 'deep' or 'developmental integration' (human development-oriented and people-centered integration) (see UNDP/SADC/ SAPES, 2000; Mandaza, 2002). Human development entails the process of enlarging opportunities and choices for people to enhance their lives, livelihoods, freedom and happiness (Sen, 1999). Three typologies of integration: (a) State-to-state (which benefits mainly the political elites); (b) Market-to-market (which benefits largely the corporate elites); and (c) People-to-people (which benefits the ordinary people). Later, this chapter will argue that the dominant model of integration in Africa is cuts across (a) and (b) above. It has to be transformed such that it has a heavy dose of human development and is people-centered. One of the key vehicles for the transformation of regional integration towards being human-development oriented and people-centered is surely civil society.

Civil society refers to the non-state collective action platforms aimed at influencing policy and holding the state accountable, transparent and responsive to societal needs. There are essentially two schools of thought on what civil society is. According to Orji "the notion of civil society is based on the tripartite view of society, which recognizes the existence of three sectors in the society: the state, market and civil society" (Orji, 2009:82). Others view civil society not as a sector, but rather an intersection among the three spheres of societal life: state, market and family (WEF, 2013:5).

An important contribution by Orji is his refreshing reminder of the two main typologies of civil society in Africa. The first type relates to public benefit civil society organisations, which are established "to serve the common interest of society…. Examples of public benefit organisations include philanthropic organisations, civic organisations, advocacy groups, as well as welfare and developmental organisations" (Orji, 2009:83). The second

type relates to mutual benefit civil society organisations which are formed principally to benefit their members and these "include cooperative societies, trade unions, communal associations and professional associations" (Orji, 2009:83). The next section will show that principally because the regional integration is predominantly state-centric and market-driven, civil society does not play a major role. It is marginalized by the power of the political and commercial elites who are in the driving seat of the integration agenda.

Apart from a generally positive role of civil society towards facilitating a people-centered integration in Africa, there are some anti-immigrant initiatives by either none-state or state organisations that work against integration especially migration of Africans in Africa and in the process promoting xenophobia and Afrophobia. The non-state movement against immigration is illustrated by South Africa, one country that has experienced resurgence of xenophobic and Afrophobic sentiment especially since 2008 (see Matambo, 2022). A prominent vigilante group, established in 2021 in Soweto, known as Operation Dudula is an overtly anti-migrant movement meant to force out migrants (especially African migrants) from South Africa. This organisation is not only anti-migrant, but it is also violent. Dudula is a Zulu word literally meaning 'to force out'. This organisation engages in efforts to violently force out African migrants from South Africa on the pretext of fighting crime and safeguarding jobs for South Africans (Tarasayi, 2024).

The state-led anti-immigration upsurge which is anchored not only on Afrophobia, but also on unbridled racism is pervasive across North Africa against African migrants who use this region as a transit route to Europe, with tacit succour of European government and the right-wing movements. This state-sanctioned anti-immigrant crusade is more pronounced and overtly pursued in Tunisia under the populist Kais Saied, the country's president since 23 October 2019. Many African migrants are trapped in North Africa, unable to cross into Europe due to a policy of containment jointly agreed upon by the Maghreb and European states. According to Lmrabet (2023), "since the Maghreb became the exit door for migrants from Africa to reach the fabled El Dorado, Europe, this immense territory has been transformed into a huge waiting room for … sub-Saharan migrants unable to reach the European coast. A waiting room that has turned into an open-air prison over time. Especially since, to curb this migration flow, the European Union outsourced its borders and entrusted their guarding to the Maghreb states by rewarding them financially, diplomatically, or both" (Lmrabet, 2024:2).

2.3. Integration-Civil Society Interface

The dominant mode of integration in Africa is both state-led and market driven, largely benefiting elites (political and commercial) at the expense of the ordinary people. Consequently, the role of individual citizens and/or civil society as the collective is either non-existent at worst or marginal at best. Regional integration is let by governments and inter-governmental organisations in collaboration with the private (business) sector. These are (a) at the continental level, the OAU (1963-2001) and AU (2002- to date); and (b) at the regional level, RECs. There are eight RECs recognised by the African Union namely the Economic Community of Central African States (ECCAS), the East African Community (EAC), the Common Market for Eastern and Southern Africa (COMESA), the Inter-Governmental Authority on Development (IGAD), the Arab Maghreb Union (AMU), the Community of Sahel-Saharan States (CEN-SAD), the Southern African Development Community (SADC) and the Economic Community of West African States (ECOWAS).

It was only with the end of the Cold War and at the twilight of the apartheid regime, that that the OAU showed some signed of opening up to citizen participation in the integration agenda, albeit rhetorically. This breath of fresh air in the state-centric OAU approach to integration came by way of the development of the African Charter on Popular Participation and Development which was subsequently adopted in Arusha, Tanzania in 1990. This was a ground-breaking treaty developed by the late Prof. Adebayo Adedeji, the renowned Nigerian political economist and pioneer of regional integration in Africa in general and West Africa in particular and a forceful critic of the Structural Adjustment Programmes (SAPs) pioneered by the World Bank and International Monetary Fund (IMF). The 1990 Charter re-ignited the spirit of a people-centered continental integration: the bottom-up approach, challenging the conventional top-down approaches.

It was only with the transformation of the OAU into the African Union in Durban, South Africa in 2002 that the era of sovereignty as a shield for human rights abuses was replaced by the notion of sovereignty as responsibility (Khadiagala, 2018). The establishment of the AU introduced an epochal paradigm shift: from non-interference in internal affairs of member states to non-indifference to human rights abuses within Member States. This paradigm shift was anchored on the resurgence of African Renaissance began by the then President of South Africa, Thabo Mbeki and embraced by other leaders such the then President of Nigeria, Olusegun

Obasanjo, President of Senegal, Abdoulaye Wade, President of Egypt, Mubarak and the Prime Minister of Ethiopia, Meles Zenawi.

This paradigmic transformation was predicated on the history of massive human rights abuses in Idi Amin's Uganda, Jean-Bedel Bokassa's Central African Republic and Samuel Doe's Liberia. This was the era when sovereignty was a license for flagrant human rights violation including crimes against humanity and mass atrocities. The most painful part of this history was the 1994 genocide in Rwanda: 1 million deaths; 2 million refugees and 1.5 million internally displaced persons. That the genocide happened in Rwanda despite the existence of the African Charter on Human and Peoples' Rights which was adopted in 1981 and came into force in 1986 and implemented under the watch of the Banjul-based African Commission on Human and Peoples' Rights since 1987, is another illustration of the yawning gap between the AU norm-setting and norm-implementation.

A modest effort aimed at citizen participation in the integration agenda was initiated by the AU through the establishment of the Economic, Social and Cultural Council (ECOSOCC), which was established in 2003 and is currently based in Lusaka, Zambia. Its six (6) strategic objectives are to: (a) facilitate CSOs interface with the AU; (b) Build a democratic AU; (c) be a change agent; (d) promote African culture; (e) enable civil society; and (f) policy advice and advocacy. Technical and administrative backstopping for ECOSOCC is provided by the Citizens and Diaspora Directorate (CIDO) within the Bureau of the Chairperson of the African Union Commission, Addis Ababa, Ethiopia. One of the major criticisms of ECOSOCC, however, is that is state captured by the mere fact that it is an organ of a continental inter-governmental body: the AU.

At the regional level, CSO engagement with RECs is a mixed bag (OSISA, 2015; Gwaza, 2015; Moyo, 2007). It is almost non-existent in Central Africa (ECCAS) and North Africa (AMU) It is not surprising that CSOs are relatively less engaged in integration arrangements in Central and North Africa regions primarily because these two regions lag far behind in terms of entrenchment of democratic governance and are mired in various types of protracted violent conflicts. CSO-RECs engagement is fairly advanced in West, East and Southern Africa. By the same token, CSO engagement is relatively more advanced in West, East and Southern Africa principally due to relatively advanced efforts in these regions towards entrenching democracy and peace.

2.4. Towards a People-Centered Integration

Agenda 2063-The Africa We Want is the long-term development blue-print of the AU adopted in 2014. It is in the base document of this agenda where the vision of the AU is articulated as "an integrated, prosperous and peaceful Africa, **driven by its own citizens** and representing a dynamic force in the international arena" (emphasis mine). This agenda considers African citizens as playing a central role in African integration for prosperity and peace. Of its seven aspirations, aspiration 6 of Agenda 2063 is quite instructive too: "an Africa whose development is people-driven, relying on the potential of African people, especially its women and youth, and caring for children" (2014). Of the fourteen flagship projects of the Agenda 2063, two have a major potential to advance a people-centered integration. These are the African Continental Free Trade Area (AfCFTA) and the Free movement of persons.

They both fall under aspiration 2 of Agenda 2063 which envisions "an integrated continent, politically united based on the ideals of Pan-Africanism and the vision of Africa's Renaissance". Aspiration 2 of Agenda 2063 envisions an African continent "where free movement of people, capital, goods and services will result in significant increase in trade and investment among African countries".

AfCFTA is aimed at facilitating free intra-Africa trade and investment. AfCFTA Agreement, together with its supplementary Protocol, was signed by 54 out of 55 AU Member States. It has 36 ratifications and came into force on 30 May 2019. Trading was supposed to commence on 1 July 2020, but due to COVID-19, it was moved to 1 January 2021. Further progress on the AfCFTA is demonstrated by the establishment and operationalization of the AfCFTA Secretariat based in Accra, Ghana headed by Wamkele Mene from South Africa, as the AfCFTA Secretary-General.

Free movement of persons is meant to facilitate cross-border movement of students, young entrepreneurs, investors, business people, tourists, migrant workers, researchers, border communities, informal traders etc. In 2018, the AU adopted the Protocol to the Treaty Establishing the African Economic Community Relating to Free Movement of Persons, Right of Residence and Right of Establishment together with its Implementation Roadmap. So far, only 32 AU Member States have signed the Free Movement Protocol (FMP), while only 4 have ratified it (Rwanda, Niger, Mali and Sao Tome & Principe). Fifteen (15) ratifications are required in order for the Protocol to come into force; with 4, eleven more ratifications are still remaining. In

2019, AU adopted the Guidelines for the Design, Production and Issuance of the African Passport, but there has been no concrete action so far towards the issuance of the passport to African citizens.

Hirsch has identified four hurdles facing effective implementation of the FMP, namely inadequate systems of civil registration and identity documentation; weak administration of criminal justice systems, including poor exchange of civil and criminal data and data standards; unreliable and corruption-ridden border management systems; contagious security threats, including terrorism; general lack of regional and/or continental repatriation systems (Hirsch, 2021:509-510).

These problems are not insurmountable if only the political commitment exists at the highest level of the state to implement the Protocol. Bilateral arrangements are enough proof of this. A notable example here is the bilateral visa-free movement of people between the common border of the Democratic Republic of Congo and Rwanda separating the towns of Rusizi and Goma. It is estimated that 30, 000 people crisscross this border daily, about 75 percent of them being women traders, with a small proportion being tourists. They do not face any visa restrictions. They do not use passports, but only an electronic card used for identification (AU/IOM, 2018; AU/IOM, 2020:2).

Free trade and free movement are flipsides of the same coin: cross-border movement of capital, goods and services goes together with movement of business people and workers. The slow progress on the implementation of free movement of persons is attributable to several challenges.

Firstly, there is little understanding of the idea of free movement of persons even by government officials; it is often confused with sudden abolition of visas and borders. Thus, more popularization and advocacy for free movement of persons by civil society organisations is required. Secondly, narrow-national sovereignty impedes the accelerated implementation of free movement of persons. This still remains the Achilles Hill of the integration agenda of the AU and RECs. Until and unless the AU and RECs adopt pooled or shared sovereignty as the core principle of the integration agenda, this problem will persist. Thirdly, the upsurge of xenophobia and Afro-phobia in some regions and countries on the continent goes against free movement of persons. In 1985, Nigeria made headlines during the mass expulsion of migrants workers from Ghana, Niger, Chad and Cameroon (Ravenhill, 2016:5). It is worth noting that Ghana and Niger are member

states of ECOWAS and then all these countries were member states of the OAU as they are today member states of the AU.

This problem is more pronounced in Southern Africa, particularly in South Africa since 2004 to the present day (see Matombo, 2022). During early years of post-apartheid era, the then Minister of Home Affairs, Mangosuthu Buthelezi said "South Africa is faced with another threat and that is SADC ideology of free movement of people, free trade and freedom to choose where you live or work. Freedom of people spells disaster for our country" (Hirsch, 2021:507).

Fourth and finally, the onset of COVID-19 in 2020 poses a major challenge for free movement of persons. COVID-19 has led to declaration of states of emergency/disaster; lockdowns; border closures; as well as the tightening of visa requirement to include COVID-19 test certificates and vaccination cards. COVID-19 has also led to a decline in all forms of travel (air, land and sea etc); international travel in Africa dropped by 95% in 2020 (AfDB Visa openness report. 2020:10). Decline of tourism in Africa by 57% in 2020 (AfDB Visa Openness report 2020:10); Hotel occupancy in Africa dropped by 73% in 2020 (AfDB Visa Openness report, 2020:10). Predictions are that as a result of the COVID-19 pandemic 20 million jobs in Africa are threatened and risks of social unrest and popular protests abound (Munyati, 2020). Youth unemployment currently estimated at 60 percent is being exacerbated by the COVID-19 pandemic (Abisoye, 2021).

2.5. Conclusion

Integration has a long history in Africa (pre-colonial, colonial and post-colonial). Today regional integration remains a major aspect of inter-state relations on the continent at the continental and regional levels shaping the ways in which states pursue cross-border development initiatives and how states collectively relate to the outside continental and global developments such as globalization.

However, despite the proliferation of integration schemes and in spite of its rich endowment with natural resources of various types, the African continent is still marked by underdevelopment, poverty, hunger, inequality all of which also propel political instability and insecurity. The chapter has argued that part of the failure of integration arrangements thus far has to do with their overwhelmingly state-centric and market-driven nature. They are dominated by the political and commercial elites, while citizens and

organized civil society formations tend to be excluded at worst or marginalized at best.

It is on the basis of this reality that the chapter critiques the state-centric and market-oriented nature of integration schemes in Africa. It advocates for a human development-oriented and people-centered integration frameworks that place citizens and civil society formations at the centre of the whole process. The rationale is simply that the agenda of integration should not be the sole responsibility of the elites alone. Ordinary citizens and civil society should also play a role to ensure that elites are responsive to people's demands, interests and fears and to facilitate a process in which citizens effectively hold elites accountable.

Two of the fourteen flagship projects of the AU, namely the AfCFTA and FMP are used to make a case for transforming integration arrangements with a view to ensure effective contribution of civil society. This is because it may be well-nigh impossible for AfCFTA to succeed without FMP and the reverse may also hold true: FMP may not succeed without AfCFTA.

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