

Examining Global Governance in Africa in Reference to African Union (AU)

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Abstract: - Global Governance is a movement towards political integration of trans-national actors in response to issues that affect more than one state or region. It tends to involve institutionalizations. These institutions can be global institutions, regional institution and sub-regional institution for global governance; such as the United Nations, African Union, and ECOWAS. In the present globalized world, regions serve as an effective link amid the international and national systems. Most especially that regional organization, been regional entities are closer to the people and communities. Thus, the regional organization plays an intermediary role in building development and good governance in the world. This can be achieved by closely working from cultural and linguistic cohesion, to provide a forum for building trust and familiarity that is not conceivable on a global scale. Regional organizations can develop groundbreaking and active procedures of regional collaboration that could aid as models for the region by establishing common policies and resolving issues of contention. Therefore, the paper examines the global governance from a regional perspective (Africa), with reference to the African Union (AU).

Keywords: Governance, Good governance, African Union

I. INTRODUCTION

Historically, globalization has been a long time phenomenon which has been going on in the world throughout the human history, although not as institution or developed as it has in this modern era. It is as old as humanity which developed thorough historical processes; from capitalism, colonialism, neocolonialism and globalization. While on the other hand, global governance; the modern system of international relations and diplomacy can be traced back to the Treaty of Westphalia¹ of 1648, which marked the end of the religious war between Catholic and Protestant. At the conference after much discussions and arguments at the Westphalia, a new form of international system emerged as a result of some recommendations that were agreed open. For instance, it brought forward the issue of 'sovereignty' system in which all nations (empires) are independence. A system that resembles something that we have today known as sovereign state and the sovereignty will be respected. In other word, each state began the process of assuming it right within the international system; a legal personality which gave it

right and certain protected status.² With the development of states own sovereignty which is maintained by them alone, according to their own system of government. It became very difficult to engage in international relations and this made diplomacy more important. How do your transact relationship between states that have their own personality, institutions, interest and policies toward their neighbors. This is where the idea of some kind of way to avoid a simple clash of personal interest which after several years of peace treaty and centuries of peace the was threatened by certain events such as Napoleon War, First World and Second World War.

However, by 1918 the end of the First World War, the world peace had been thrown into a fragile state and had tear the economic, political, and military assumption of the world (which led to the collapsed of global governance in general). This development made American president Woodrow Wilson, to think on how to save the world and also way out to avoid the repeat of the WWI. To put to an end, he made a plan on how to institutionalize global governance; a formal organization to co-ordinate the action of states (League of Nations).³ After the Second World War, there were creations of Bretton Woods Organization (IMF, World Bank, GATT by 1947, which later changed to World Trade Organization), for economic cooperation and new collective security organization; United Nations (Security Council) come into effect. The idea here is United Nations is to solve the security problem that the League of Nation failed to address. Moreover, the end of the cold war witnessed the decline hegemony power and the emergence of United Nations, as well International organization as the principle power structure and policy making machines. A platform created to provide the opportunity to create a more desirable world where issues such as economic, political and social problems can be address through corporations.

II. GLOBAL GOVERNANCE/GOOD GOVERNANCE

The modern term of world governance exists in the context of Globalization and globalizing regimes or powers politically, economically and culturally, in response to the acceleration of

¹See, Croxton, Derek. "The Peace of Westphalia of 1648 and the Origins of Sovereignty" *The international history review* 21, no. 3 (1999): 569-591. OR Hassan, Daud. "Rise of the Territorial State and the Treaty of Westphalia, The." *YBNZ Juris*. 9 (2006): 62.

² Anthony M., *Globalization and Global Politics, The Globalization of World Politics: An Introduction to International Relations*, Oxford. Pp 14-33

³ Woodrow Wilson, as a president of United State of America and a Political Scientist (idealist), what he wanted for the world was to create institutions that can coordinate states policies and actions in other make world better. If he is able to institutionalize governance, it will be easier to prevent conflict.

inter-dependence on the worldwide scale of both between human societies, human and biosphere. According to the work of Thakur & Van;

*Good governance incorporates participating and empowerment with respect to public policies, choices and offices; rule of law and independent judiciary to which executive and legislative branches of government are subject along with citizens and other actors and entities; and standards of probity and incorruptibility, transparency, accountability, and responsibility.*⁴

Weiss describes global governance as collective efforts to identify, understand, or address worldwide problems that go beyond the capacities of individual states to solve. They went on to explain it as the capacity within the international system to provide government-like services and public goods in the absence of a world government. Thus, global governance is the combination of informal and formal values, rules, norms, procedures, practices, policies, and organizations of various types that often provides a surprising and desirable degree of global order, stability, and predictability.⁵ Global governance can be used to name the process of designating rules and regulations intended for organization and centralization of human society on a global scale formed for a new world governance. Hence, Global governance can be good, bad or indifferent; it is just a way in which global affairs are managed. The definition is always flexible as it goes depending on the concept it is used. For many, global governance signified the way of organizing international politics which is more comprehensive and harmonized manner.⁶

The notion of global governance was out of the debate for good governance; justice, equity, human right, transparency, participation and so on. Therefore, Good governance is considered here as a system of administration that is democratic, efficient and development-oriented. The use of the phrase by the World Bank and other credit-giving agencies suggest that good governance transcends the political realm to include not just a democratic setup, frequent elections and the respect for human rights, and more broadly to include the judicious use of resources, the promotion of the private sphere as well as developing and nurturing formal and informal relations between government on the one hand and civil society (domestic and international), non-state entities and the international community on the other hand (see World

Bank 1981, 1992).⁷ Good governance had been defined by various scholars and international organization; *World Bank*; define it as the manner in which power is exercised in the management of a country's economic and social resources. *UNDP*; also viewed it as an exercise of economic, political and administrative authority to manage a country's affairs at all level. *Commission on Global Governance* defined global governance as the sum of the many ways individual and institution, public and private, manage their affairs. Lastly, former UN Secretary-General *Kofi Annan*, define Good governance as ensuring respect for human right and the rule of law; strengthening democracy; promoting transparency and capacity in public administration.⁸

III. INTERNATIONAL ORGANIZATIONS/REGIONAL ORGANIZATIONS

International Organizations have existed since 19th century however it was at the middle or second half of the 20th century that they increased in number and importance. There are few hundred International Organizations around the world from small to technical organizations, between states and the universal organizations, like the United Nations, entrusted with the crucial task. International organizations played important role in global governance. Their expertise and professionalism are heavily relied upon by the states where they often turn to them in order to design, decide and implement common policies or programs. International organizations are associations with pre-intent to get together, work together and act together. It is referred to as an inter-governmental organization and other non-government organization which was formed by international society groups.

However, in the case of regionalism scholars have come off with two versions for the emergence of regionalism or regional organizations. Firstly, regionalism emerged from the internal dynamism of the regions, the motivations, and strategies of regional actors. Secondly, regionalism was a response to globalization and reaction to the diverse aspect of the global processes in their entity.⁹ Although at the early stages, regionalism was seen as a force against globalization as mentioned above and also as a product or linked with global issues or development, globalization itself can be seen as the main driver of regionalism and regionalization. Thus, the regional governance framework integrates both state-led regionalisms. For instance, there are several and different regional organizations, such as EU in Europe, AU in Africa, LAIA, in Latin America and the Caribbean, ASEAN, in Southeast Asia. Due to the development and different in most the regions either for economic or political integration, the

⁴Ramesh T., Luk V. L., Enhancing Global Governance through Regional Integration, United Nations University

⁵ Thomas G. Weiss, Governance, Good Governance and Global Governance: Conceptual and Actual Challenges, pp. 795-814. <http://dx.doi.org/10.1080/713701075>

⁶ Raymond D., Michael B. (edt), Power in Global Governance, Cambridge Studies in International Relations, 1-31 Cambridge Press University, Cambridge. Pp. 62

⁷ See example, World Bank 1981, 1992.

⁸ Thomas G. Weiss, Governance, Good Governance and Global Governance Op cit

⁹ Edward B, and Thomas T., 'Regionalism in International Affairs' The Globalization of World Politics: An Introduction to International Relations. Pp. 434-449

sub-regional organizations came into effect such ECOWAS, ECA, SACU, AND UMA etc. all in Africa.¹⁰ The creation of regional organizations creates and unites a region; in as far as these organizations give the region an identity. A regional organization can be defined 'as an international organization composed of three or more geographically proximate states having a continuous institutional framework'. Regional organizations demarcate the region as a subsystem inside the central global one, and aid to organize the dealings amongst countries inside the region. Hence this viewpoint, regional organizations have two specific functions: they manage regional externalities (which could be related to trade, security or other issue areas) and/or articulate the common interests of the region to actors situated outside of it. The same institutions can alternatively also be used either as instruments of regional cooperation or as ones of discrimination and exclusion vis-à-vis other states.¹¹

The Charter's treatment of regional organizations is primarily contained in 2 sections: Chapter VIII (Articles 52-54) and Article 51. Chapter VIII, the main focus of this Note, defines the duties and privileges of regional organizations, whereas Article 51 considers the special case of collective protection. The foremost basic exposition of the role of regional arrangements takes place in Article 52. The main paragraph states that nothing within the Charter precludes regional organizations from addressing problems with international peace and security in matters "as are applicable for regional action, providing such arrangements or agencies and their activities are in line with the needs and Principles of the international organization." Therefore it puts into specific criteria: regional action should be at the direction and in line with principles of the UN. Accordingly, there's "no rule design to control regions or regional organization. Their existence should be shown by circumstances, and, particularly, by the agreements created by the States represent and constitute them. Regions are legitimate by bound countries having affinities of race, establishments, or, above all, political interests.

IV. THE CONCEPT OF REGIONALISM

It is very difficult to define the concept of region or regionalization. Accordingly,¹² there is no single or agreement in the literature on the actual meaning of region. Arguing regions are de facto defined by the interaction that they

¹⁰ Edward B, and Thomas T., 'Regionalism in International Affairs' Op. cit

¹¹ Victor M, (edt), REGIONAL GOVERNANCE FROM A COMPARATIVE PERSPECTIVE: In: Economy, Politics and Governance Challenges, GIGA German Institute of Global and Area Studies, Hamburg, Germany, Nova Science Publishers, Inc, 2016.

¹² See, Acharya, Amitav. "Global International Relations (IR) and Regional Worlds A New Agenda for International Studies." *International Studies Quarterly* 58, no. 4 (2014): 647-659. Or Acharya, Amitav. "Norm subsidiarity and regional orders: sovereignty, regionalism, and rule-making in the third world." *International Studies Quarterly* 55, no. 1 (2011): 95-123.

contain. The interactions are basically on social, economic and political activities or agreement. Therefore regions can be categorizing base on their factions. On the other hand, regionalism is a fairly established part of the international relations both as a concept and as an experiment. The term regionalism or regional organization is used by different scholars in international relations. The region as a concept is becoming more complex in this modern time. Therefore it is defined or identified based on a particular region in the world arena on the basis of geography, political, economic and social basis. In this modern time, there are no clear guidelines to identify the boundaries of a region. The term is generalizable in which it could be applied to any inter-cross border relations in world politics; where there is an expectation of link between politics and economics and does not privilege one over another. In essence, it allows security issues to be a causal factor, so also historical development. There have been two major waves of regional organization or regionalism in the modern era. The first was the old regionalism in which came up in 1950 and 1960s, which was mostly restricted to regional integration.¹³ In Europe, it was on the basis of economic gain while in other regions it mostly on integration and liberation. The second wave came in the 1980s which changed the nature of regionalism to more global with a wider scope. The target becomes not only on an economic basis but also political harmony, socio-cultural ties, people to people contact and better world order. For instance, many regional organizations established in the 1960s and 70s were later transformed or reorganized in 1980' and 1990s. Much of the recent discussions on regionalism are focused on the conditions related to global governance. The relation between regionalism and global governance has resulted into development of the new field of study on good governance in the world and also the development of different views concerning the nature of the relationship and the role of the regional organization in world governance.

In Africa, most of the regional organizations developed are according to the economic basis in order to adapt to some specific international scenarios at that time. This resulted in many countries/states to belong to different organizations with different purposes and objectives.¹⁴ The first generation of regional organization in Africa was of regional character and mostly with objectives to the improved economic development of their people and their respective countries that constitute them. This was a strategy in order to be able to cope with the competitive market in the world and which mostly only favor economic Regional Corporation.

V. ESTABLISHMENT OF THE ORGANIZATION OF AFRICA UNITY

The Organization of Africa Union was established in 1963 at Addis Ababa, Ethiopia and at the initial periods of Africa's

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independence movement. The strategic activities of the organization were devoted to ending colonialism and political liberation. Its primary objectives were the speedy decolonization of Africa, the unity of the continent and the defense of the territorial integrity of states (OAU 1992). Thus, at the formation of the Union was not basically established for good governance campaign institution. The union at the stages was not clear on the issue of good governance. Later the agenda afterward broadened by the emergence of an “ideology of development” which was associated with the thinking that economic development should be the highest goal of government.¹⁵This ideology gave prominence to collective welfare rather than individual rights. Because of the failures of OAU in terms of developments, human right and somehow good governance new phases of reorganization began to emerge. **The African Economic Community (AEC) was established in 1991 after the Abuja Treaty.**¹⁶

Moreover, the different regional association for Corporation began to come up with new idea and arrangements. Thus, it all remains in vain, especially, because of the OAU policy of sovereignty where members protect the national sovereignty of member states and as such did not allow interference into their internal affairs. However, certain development in devotion to good governance created to replicate in the New Partnership for Africa (NEPAD), implemented in 2001 and comes with its African Peer Review Mechanism (APRM). By then more regional have come to effect such as ECOWAS, which became well known in conflict management with its mechanical tool “ECOMONG”. Finally, in 2002, the Organization for African Union (OAU) was transformed into African Union (AU) with reference to European Union modeled.¹⁷After the transformation of OAU to AU, the issues of democracy, good governance, accountability, transparency, promotion, and protection of human right became well rooted in the policy agreement of the AU. The constitutive act became very clear in supporting democratization in Africa, promotion of democracy and good governance in Africa. In the order face, AU also respects national sovereignty but has gone further to authorize rights of intervention in grave circumstances in line with the global resolve to for humanitarian protection under the

Responsibility to Protect (RTP), from the policy of non-interference to policy of indifference. The AU also respects national sovereignty but has gone further to acknowledge the right of the union to intervene in a member state in order to restore peace and stability to prevent genocide, war crimes, and crimes against humanity (Article 4 (h)). In short, the article 3, subsections 1 (e) and (f) of the AU constitutive act emphasize the promotion of the guarantee and respect of the basic human rights and principles of liberal democratic governance¹⁸

VI. APPLICATION OF GOOD GOVERNANCE

One of the major objectives of AU under article 3 of the Constitutive Act of the African Union (2000) and the Protocol to the Act (2003) is to:

*Promote democratic principles and institutions, popular participation and good governance*¹⁹

The birth of the AU was rooted in the opinion that the Organization of African Union was on able to demonstrate an inability to promote peace and development in Africa. Therefore, the formation of the AU has been attributed to the changing political, social, and economic environment both in Africa and the world at large. In the decade of the 21st century, globalization has intensified the competition for access to global resources and power. African leaders knew they have to work together to address the many challenges confronting the continent. Combined with the fundamental weakness was reflected among other things in the organization’s failure to salvage Africa from its socio-economic doldrums or catalyze democracy. The abatement of the cold war; the forces of globalization; the dominance of neo-liberalism; the related phenomena of rebel movements and collapsed states; the threats of national and international terrorism; and the deepening of Africa’s economic crisis, along with its marginalization in the international economy are among the novel issues, which the largely anachronistic institutions of the OAU could not adequately address Hettne’s.²⁰Modeled after the European Union (EU), the AU seeks to address this new galaxy of challenges facing Africa through the broad framework of NEPAD. A partnership programme established between Africa and the G8 countries, NEPAD emphasizes three dimensions of governance; namely economic and corporate governance; political governance; and peace and security.

¹⁵Callaghy, T. M. Politics and Vision in Africa: the interplay of domination, equality and liberty. In: Patrick Chabal (ed.), Political Domination in Africa: reflections on the limits of power., Cambridge: Cambridge University Press. 1986. pp. 30–51

¹⁶Yedder, O.B., The African Union: so far, so good. New African (London) August/September: 12–15. 2003

¹⁷The African Union (AU) was officially launched in July 2002 in Durban, South Africa, following a decision in September 1999 by its predecessor, the Organization of African Unity (OAU), to create a new continental organization to build on its work. The AU emblem comprises four elements. The palm leaves shooting up on either side of the outer circle stand for peace. The gold circle symbolizes Africa’s wealth and bright future. The plain map of Africa without boundaries in the inner circle signifies African unity. The small interlocking red rings at the base of the emblem stand for African solidarity and the blood shed for the liberation of Africa.

¹⁸Ibid

¹⁹A GUIDE FOR THOSE WORKING WITH AND WITHIN THE AFRICAN UNION: African Union Handbook 2018p. 12

²⁰Hettne, B., The new regionalism: Implications for development and peace. UNU World Institute for Development Economics Research (UNU/WIDER), 1994

VII. AFRICAN UNION STRUCTURE

GENERAL ASSEMBLY	Supreme organ of Head of state, and the determinant of policies.
EXECUTIVE COUNCIL	Coordinate activities and implement policies. It supports AU General Assembly.
PERMANENT REPRESENTATIVES COMMITTEE	The organ is in charge of conducting day-day activities under the executive council.
SPECIALISED TECHNICAL COMMITTEES (STC)	The purpose of the STCs is to work in ensure the harmonization. Trade & Industries, IDPs Comm. etc.
PEACE AND SECURITY COUNCIL (PSC)	PSC is the standing decision-making organ for the prevention, management, and resolution of conflicts. AMISON, UNAMID, ACIRC, APSA, ASF
PAN-AFRICAN PARLIAMENT	Purpose The Pan-African Parliament (PAP) is one of the nine organs that serve as an advisory consultative organ.
ECONOMIC, SOCIAL AND CULTURAL COUNCIL	ECOSOCC; an advisory organ which composes of civil society (CSOs), and other social professional groups which play an active role in contributing to the AU's principles, policies, and programmes.
JUDICIAL, HUMAN RIGHTS AND LEGAL ORGANS	Promotion of human and peoples' rights, Protection of human and peoples' rights, Interpretation of the Charter. African Court on Human and Peoples' Rights (AfCHPR), African Court of Justice/African Court of Justice and Human Rights, AU Commission on International Law (AUCIL) and AU Advisory Board on Corruption (AUABC).
FINANCIAL INSTITUTIONS	African Central Bank, African Investment Bank, and African Monetary Fund
AFRICAN UNION COMMISSION (AUC)	African Peer Review Mechanism, NEPAD, African Development Bank, Regional Economic Community (REC) e.g. ECOWAS, Arab League etc, and United Nations Liaison and Rep. Office
PARTNERSHIPS WITH THE AU	United Nations -UN Economic Commission for Africa (UNECA), is the regional arm of the UN in Africa. It was established by the UN Economic and Social Council (ECOSOC). UNOAU: United Nations Office to the African Union. Africa-European Union (EU) Partnership.

VIII. NEW PARTNERSHIP FOR AFRICA'S DEVELOPMENT (NEPAD)

In 2001 African leaders adopted the New Partnership for Africa's Development (NEPAD) to promote poverty eradication, the promotion of sustainable growth and development and the empowerment of women. This is made possible through building partnerships at country, regional and global. The agency was established by the 14th African Union summit decision, as an institutional vehicle of implementing the African Union's development agendas. The agency is overseen by the NEPAD head of states and government orientation committee chairperson. The agency was designated as a technical body of the union. Its core mandate was to facilitate and coordinate the implementation of regional and continental priorities, programs and projects, and to push for partnership, resources mobilization, and

research and knowledge management. It also monitors and evaluates the implementation of national, regional and continental programs.²¹The agenda for the NEPAD for the coordinating agency includes; promoting enhanced state capacity in Africa to drive the continental development processes, assisting in creating an enabling environment to stimulate private sector engagement for sustainable growth and development, including investment progress and programs. Also, the strategic direction of the NEPAD agency is based on the following area; agriculture and food security, climate change and natural resources management. So also regional integration and infrastructure, human development, economic development and cooperate governance and cross-cutting issues such as gender and capacity development etc.

Practically speaking, NEPAD can be believed to speak to an ethical contract between African nations and the G8 under which endeavor to enhance administration and advance majority rules system by attempted political changes and market-accommodating monetary strategies while the former embraces to help African nations focused on great administration, the advancement of human rights, neediness annihilation, and financial development. Such help is to be given through a program of "upgraded association" built up by the G8 at the Kananaskis (Canada) Summit in June 2002. The G8 help is to appear as advancement help; i.e., help with building organizations, enhancing training, medicinal services and battling HIV/AIDS and additionally giving access to western markets. The NEPAD course of action was relied upon to get Africa \$64 billion in help yearly if the G8 meets its obligation²². The guides are neither ensured nor programmed. Or maybe, this is dependent upon the last gathering expressed conditions, reminiscent of the exhibition of conditionalities under SAPs. The first was the Millennium Partnership for African Recovery (MAP), created by President Thabo Mbeki of South Africa and whose fundamental target was to address Africa's obligation. Guide appreciated the help of Presidents Abdelaziz Bouteflika of Algeria and Olusegun Obasanjo of Nigeria. The second was the OMEGA Plan created by the Senegalese President, Abdoulaye Wade. Getting a charge out of the wide help of French African nations, OMEGA was worried about building the territorial framework and instructive ventures. The third was the Global Compact for Africa Recovery (GCAR), started by the Economic Commission for Africa (ECA), situated in Addis Ababa, Ethiopia, through a command given by African Ministers of Finance in 2000. The GCAR fused associate audit. The merger of these software engineers in July 2001 at the AU Summit in Lusaka, Zambia, finished in the New African Initiative (NAI). In any case, NAI was renamed NEPAD in October 2001, only three months after the fact.

²¹A GUIDE FOR THOSE WORKING WITH AND WITHIN THE AFRICAN UNION: op cit

²² See John K. A., The AU, NEPAD and the Promotion of Good Governance in Africa, Nordic Journal of African Studies 13(3): 243-263 (2004)

However, in regards to great administration, the planning of NEPAD was promising. The new worldwide powers released in the wake of the decay of the cool war stressed great administration and human rights. A nation avoiding these ethics dangers isolation, both in a western guide, and speculations. Accordingly under the new worldwide regulation support bunches crosswise over a lot of sub-Saharan Africa have, with differing degrees of accomplishments, procured space from which to go up against the state, keep it on its toes and anticipate administrative maltreatment. It is this new space, for instance, encouraged the Treatment Action Campaign (TAC) to press for the taking off of against retroviral medications to people living with AIDS in South Africa; ladies gatherings to request portrayal in numerous African nations; resistance components to request the opportunity to shape political gatherings in Swaziland; and the general interest for responsibility and straight forwardness in governments crosswise over Africa. The new worldwide culture on administration along these lines gives good faith about NEPAD's ability to move African legislative issues from the old and recognizable customs of lease chasing and what Okoth O. alluded to over 10 years prior as "constitutions without constitutionalism" to societies of responsibility, straight forwardness, and responsibility.²³

The AU is made out of the specific nations that comprised the OAU and the plain heads of states that generally propagated terrible administration. This raises incredulity about the contrast between the AU and the OAU, and especially the previous' capacity to change the territories of African legislative issues. This aside, the AU shows up over-goal-oriented in accomplishing mainland solidarity. The EU whose achievement it endeavors to imitate took four decades to accomplish. The EU started in 1952 with the mix of the steel ventures of six countries⁴, to the Treaties of Rome in 1957, which made the European Economic Community (EEC). Full coordination of barrier approaches, equity, and home undertakings was accomplished just under the Maastricht Treaty in 1992 after individual states affirmed their participation through national referenda.²⁴ Money related association was practiced just as of late as January 2002. On the other hand, the AU received a pretty much hearty methodology with the goal of accomplishing political association inside months. No time was taken into account the quickly made foundations and organs of the association to create, nor any open doors gave African states to decide their acknowledgment and enrollment. In contrast to the EU, there was no sound existing sectorial mixes or territorial arrangements, giving the premise to broadening and inevitable movement into a mainland association. The get-together of Africa's Heads of States in Durban in July 2002 pretty much

administered the AU into reality. Likewise, in contrast to the EU, no criteria for participation exist aside from the mark of the head of state or government, subsequently making an association of nations with generally various dimensions of monetary abilities, some of which might be not able even to meet their budgetary commitments to the association. The AU is evaluated to require a yearly spending plan of \$64 million up from the current \$51 million. In the meantime, some part nations are in arrear to the tune of \$39 million.²⁵ Majority of these defaulting countries are those either presently at war or who have experienced some sort of upheavals in the recent past and are therefore unlikely to speedily settle their arrears. One seeming innovation of the AU and NEPAD projects is the inclusion of the PRM, which should ideally force governments to embrace good governance.

IX. AFRICAN PEER REVIEW MECHANISM (APRM)

The APR is a process by which designated institutions periodically review the progress of states in matters of governance. This is accomplished by evaluating the disciples of states to specific standards of the administration set out by both NEPAD and the AU. The audit procedure is to be done under the protection of the AU. The key objects are to guarantee the consistency of African states with certain standard practices of administration settled upon by the AU summit in July 2002, and additionally to help states to enhance their approaches and strategy making and in this manner boost the accomplishment of their promise to satisfactory sets of principles. The key benchmarks of good administration incorporate vote based system, regard for human rights and the selection of sound monetary strategies. The APR is viewed as speaking to an extreme takeoff from past practices when responsibilities to great administration were made through the annexing of marks to multilateral assertions just like the case with the African Charter on Human and Peoples' Rights (1981); the African Charter for Popular Participation in Development (1990); the African Charter on the Rights and Welfare of the Child (1990); or the Declaration and Plan of Action for the Promotion and Protection of Human Rights (1999) signed in Grand Bay, Mauritius.²⁶ Conversely, the APR speaks to the specific first endeavor by African states to expose their routines to a checking procedure managed by individual African states. In such manner, the APR shows new open doors for reinforcing vote based system to guarantee that the premise of administration rises above the tight bounds of an individual guideline, benefactor customer relations or ethno-religious governmental issues. The APR accommodates the foundation of an Independent Panel of Eminent Persons (IPEP) to be in charge of the survey and appraisal process. For representability and parity, the IPEP comprises of between five and seven members with at least one member from the

²³Okoth-Ogendo, H.W.O., Constitution without Constitutionalism: Reflection on an African Paradox. In: Issa G. Shivi (ed), State and Constitutionalism: An African Debate on Democracy, Harare: SAPES. 1991. pp. 3–25.

²⁴Dedman, M.J., The Origins and Development of the European Union, 1945–1995. New York: Routledge. 1996

²⁵ John K. A., The AU, NEPAD and the Promotion of Good Governance in Africa

²⁶Dedman, M.J., The Origins and Development of the European Union

AU's major sub-regions – Central, Eastern, Northern, Southern and western Africa (UN Information Department 2003: 24).²⁷ All members of the IPEP, including the chairperson and vice-chairperson, are appointed by the fifteen-member HSGIC (UNEC 2002: 9–10). Besides the numerous African-drafted conventions and protocols to which states have subscribed, Africa's creditors and international NGOs have at various stages used an array of mechanisms, including SAP, aid, investments and, in some cases direct condemnation (as was the cases against the Democratic Republic of the Congo (DRC), then Zaire under Mobutu Seseko, Kenya under Daniel Arap Moi, and Nigeria under despicable Generals Ibrahim Babangida and Sani Abacha, just to name a few) as instruments for reforms.²⁸

However, the reality was in spite of these carrots and sticks very little strides were made on the path of good governance. Leaders at the center of governance controversies have found various ways of circumventing these external conditionalities and pressures, and persisted with discredited practices, although sometimes in crafty and muted forms. Whether the APR brings new perspectives on to the large slow, if not static, move towards good governance is something yet to be seen. It is instructive to note that the APR is a voluntary scheme, completely dependent on the goodwill of Africa states. States can either sign up or stay out. Even those who initially joined the project can withdraw. The APR idea was welcomed on the genuine belief that it would assuage the chronic practice of misgovernment by chastising culprits. In reality, the three areas of governance identified by NEPAD are not mutually exclusive. Africa's corrupt and wasteful regimes are almost always dictatorial, non-transparent and often create propitious conditions for conflicts by their policies.

X. CONCLUSION

AU as an organization has been dominated by a basket of challenges. The organization is relatively young trying to established institutions, human capacity and enough funding. There it won't be able to perform as quite the ambition or objectives it was set for. Secondly, the legitimacy is still a problem of the organization. The organization enjoyed a lot of legitimacy from many countries but still, it is struggling to establish full legitimacy in eyes of the rage of stakeholders, particularly, civil societies across the continent. Corruption remains a major problem hindering the progress of the organization, perhaps not directly or within the organization secretariat but among the member states/country's government of the organization and the extent where AU is trapped by the interest of a particular government, where the nation-state narrow its interest on its country only. This

²⁷UN Information Department. Donors Shift more aid to NGOs. Africa Recovery 13(1): 1999. 6–7. 2001 Wither the debt? Africa Recovery 15(3): 26–28. 2003 Africa Struggles for global attention. Africa Recovery 17(2): 10–11

²⁸ Ibid

sometimes stopped the organization from performing wider range roles it needs to play and certainly, this is where civil societies try to hold the organization or leaders on the account of corruption. However, to understand fully why the organization is facing so many challenges one has to look at its history. African states were in a real sense created by the colonial regimes/period and for that reason, they (countries) were burnt as the products of colonial interest. The borders inherited from colonial administration do not necessarily reflect the way in which African people (countries/States) like to leave in them or not. Moreover, after independent many countries/states witnessed or found themselves in a situation where a number of governments/leaders turned towards dictatorship or govern the country not in the best interest its people. Likewise, the intervention of the external forces/powers such as IMF, World Bank, really undermined numbers of state's functions as a result of policies introduced by these agencies. This resulted in many governments were unable to maintain stability and security within their state or borders. Therefore, they were faced with a lot of challenges from different groups and societies.

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