

The Revival of a Pan-African identity:

Explaining the Establishment of the African Union and the Organization's Changed Conception of Sovereignty

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Abstract – In 2002, the African Union (AU), was inaugurated in Durban, South Africa. Founded by the 53 member states of its predecessor, the Organization of African Unity (OAU), the AU aims to further develop African integration, solidarity, and unity. Whilst both the OAU and the AU were founded on the basis of a Pan-African identity, a common identity through which Africans identify with one another, they differ markedly in several respects. Most significantly, the AU departs from the OAU regarding the sovereignty of its member states. The OAU Charter of 1963 was known for its emphasis on decolonization and adhered strictly to sovereignty as non-interference. The AU Constitutive Act, by contrast, provides the organization with a mandate to intervene in its member states, and emphasizes sovereignty as non-indifference. This thesis seeks to explain this sovereignty shift with a social constructivist theoretical framework embedded in critical realism. Although social constructivism helps to explain *how* the behavior of African heads of state was informed by their common Pan-African identity, ultimately leading to consensus concerning the establishment of the AU, it cannot explain *why* Pan-Africanism came to the fore, and *why* new ideas about sovereignty could be constructed. Critical realism’s stratified ontology helps to answer these why-questions by demonstrating that underlying structural changes enabled agency on the part of African civil and political leaders, culminating in a redefinition of sovereignty and a revived Pan-African identity.

Keywords African Union; Critical Realism; Pan-Africanism; Social Constructivism; Sovereignty

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List of Abbreviations and Acronyms

ALF	Africa Leadership Forum
AU	African Union
AHSG	Assembly of Heads of State and Government
CSSDCA in Africa	Conference on Security, Stability, Development and Cooperation
EU	European Union
ICISS	International Commission on Intervention and State Sovereignty
IL	International Law
IR	International Relations
ISS	Institute for Security Studies
NGO	Non-governmental organization
OAU	Organization of African Unity
R2P	Responsibility to Protect
UN	United Nations

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1. Introduction

On 9 September, 1999, 53 African heads of state adopted the Sirte Declaration, calling for the establishment of an African Union. This decision was made during the Fourth Extraordinary Session of the Assembly of Heads of State and Government (AHSG) of the Organization of African Unity (OAU) in Sirte, Libya, upon the invitation of Colonel Qadhafi (Organization of African Unity, 1999). The Constitutive Act of the African Union (AU) was adopted in Lomé, Togo, on 11 July, 2002. By that time, all 53 member states of the OAU, the AU's predecessor, had signed and ratified the document (African Union 2000; African Union, 2016). The transition from the OAU to the AU represents "not simply a name change", South African vice president Zuma said days before the inauguration of the AU in Durban (Zuma, 2002). Indeed, the AU Act radically departs from the OAU Charter, especially in terms of the provisions regarding security and member state sovereignty. While the OAU Charter, known for its decolonization focus, adhered strictly to sovereignty as non-interference, the AU Constitutive Act emphasizes sovereignty as non-indifference. Simultaneously, Africa's focal point regarding security changed from state security to human security (Franke, 2008). These changes are fundamental, since they guide our thinking about foreign intervention and sovereignty in a postcolonial context (i.e. Africa).

A comparison of the OAU Charter and the AU Constitutive Act clearly shows the shift in focus. The OAU Charter contains numerous articles specifically focused on the elimination of colonial rule and the protection of state's sovereignty and independence (Organization of African Unity, 1963). The document only includes a single reference to human rights, specifically to the Charter of the United Nations (UN) and the Universal Declaration of Human Rights (Organization of African Unity, 1963: 3). None of the OAU's purposes or principles is specifically *focused* on human rights or human security. The emphasis of the document is not on the people of Africa, but on the "independent sovereign African State[s]" (Organization of African Unity, 1963: 3). By contrast, the AU Constitutive Act places great emphasis on human rights and human security. The Act contains numerous articles explicitly concerning the protection of human rights, most notably article 4(h) on humanitarian intervention: "the right of the Union to intervene in a Member State pursuant to a decision of the

Assembly in respect of grave circumstances, namely: war crimes, genocide and crimes against humanity” (African Union, 2000: 7). It is safe to say that the AU adopted a much more interventionist stance, and has a larger mandate, than the OAU (see also Murithi, 2007c).

Despite what the above might suggest, the AU has not abandoned the concept of sovereignty (Kioko, 2003). The Constitutive Act contains a number of clauses in which the protection of state sovereignty comes to the fore, all pointing to its continuing importance (African Union, 2000). The entirety of objectives and principles in the Constitutive Act does point to a *redefinition* of sovereignty. Traditionally, state sovereignty was based on the three Westphalian principles of the legal equality of states, the absence of supranational authority over them and non-intervention in the internal affairs of other states (Geldenhuys, 2014). For the AU, the idea of non-indifference – on the part of states in protecting their citizens and on the part of the AU when states fail to do so – replaced the idea of non-interference.

This sovereignty shift is surprising for at least two reasons. Firstly, many of the 53 OAU member states – that had all signed and ratified the Constitutive Act by 2002 – held a “traditional, conservative conception of sovereignty” (Williams, 2009: 400). One might argue that this is not any different from the definition of sovereignty in the international system as a whole (Cilliers and Sturman, 2002). Indeed, the UN Charter is based on the traditional definition of sovereignty (Spies and Dzimiri, 2011). Yet in the case of Africa the adherence to sovereignty as non-interference has been stronger than in any other part of the world, given the continent’s colonial past. The traditional view on sovereignty in Africa partly stemmed from fears of imperialism and foreign domination in general and partly from fears of internal subversion (Williams, 2007; 2009). Secondly, protection of states and regimes had been such an important feature of the OAU that its charter contained the “purest statements of elements of juridical sovereignty ever to be embodied in any international organization” (Clapham, 1996: 111). The OAU has effectively been a guardian of incumbent regimes, including abusive ones (Møller, 2009). Many humanitarian crises in Africa could be attributed to such abusive regimes and their leaders, who have been able to oppress their citizens while hiding behind the protection of sovereignty (Abatan and Spies,

2016; Tiekou, 2004). These leaders ratified the AU Act in the early 2000s, thereby effectively agreeing to AU intervention in their internal affairs if deemed necessary (Abass and Baderin, 2002). Ratifying the Constitutive Act seems out of sync with the interests of these regimes and their leaders, for they would risk AU intervention and a demise of their power. It cannot be stressed enough that the sovereignty shift in Africa represents a move from one extreme to the other: from the purest form of traditional sovereignty in the OAU Charter to the AU Act being “the first international treaty to identify a right to intervene in a state for humanitarian objectives” (Powell and Tiekou, 2005: 948). This impact of the shift should not be underestimated and downplayed as being merely symbolic. With fairly recent missions in Burundi, Somalia, and Sudan, the AU has already demonstrated its interventionism in practice (Murithi, 2008). The creation of the AU with an intervention mandate has even been called “the most significant political change in interstate relations in Africa in almost 40 years” (Tiekou, 2004: 250).

Given the fact that the OAU, many of its 53 member states, and authoritarian African leaders had all strictly adhered to the traditional conception of state sovereignty as non-interference, the outcome of a redefined concept of sovereignty as non-indifference is striking. This thesis provides an in-depth examination of the causes of this particular outcome and aims at answering the following research question:

What explains the establishment of the AU in its particular form, with a changed conception of sovereignty and a mandate to intervene in its member states, despite the initial strong adherence of its predecessor, the OAU, to sovereignty as non-interference?

Although a number of insightful academic articles have been written on the AU’s establishment, none of these works provide an in-depth, theoretically informed explanation for Africa’s sovereignty shift. The occurrence of a drastic change regarding Africa’s conception of sovereignty is not in dispute – numerous authors acknowledge it explicitly (e.g. Abass and Baderin, 2002; Abatan and Spies, 2016; Aning and Atuobi, 2009; Franke, 2008; Geldenhuys, 2014; Maluwa, 2003; Møller, 2009; Murithi, 2007c; 2009; Powell and Tiekou, 2005; Tiekou,

2004; 2007; Williams, 2007; 2009). In fact, many of these scholars express surprise at the radical departure of the AU Act from the OAU Charter in terms of security and sovereignty (e.g. Abass and Baderin, 2002; Geldenhuys, 2014; Maluwa, 2003; Møller, 2009; Murithi, 2009).

It is somewhat surprising, then, that none of the authors mentioned above explicitly focus on explaining the establishment of the AU in its particular form. The literature does not provide answers in terms of why African leaders reached consensus regarding both the establishment of a new organization, as well as regarding the inclusion of an intervention mandate in its Constitutive Act. Some articles are written from a legal perspective, with a focus on what the Constitutive Act entails in terms of International Law (IL) (e.g. Abass and Baderin, 2002; Kindiki, 2003; Maluwa, 2003). These articles are primarily descriptive, rather than explanatory, in nature. Similarly, those that approach the AU from an International Relations (IR) perspective, focus more on description and understanding than on explanation. For instance, Franke (2008) and Moolakkattu (2010) argue that the AU's ideas and principles regarding security and sovereignty (post-2002) should be *understood* in terms of the social constructivist concept of security communities. Hence, these authors focus on describing the AU as a security community, rather than explaining why the AU was established, and why African heads of state redefined sovereignty. An exception is Williams (2007), who to a certain degree assesses how ideas concerning humanitarian intervention gained a foothold in Africa. He draws on the social constructivist literature on norm localization in order to make the argument that the AU's humanitarian norms were localized from the global level to the regional level, but are still in the process of becoming internalized by African states. Williams holds that advocates of humanitarian intervention need to build congruence between the international norms and African beliefs and ideas in order for these norms to become effective. Hence, he mainly focuses on the challenges of effectiveness and implementation that lie ahead, rather than explicitly focusing on how and why ideas of humanitarian intervention were institutionalized in the first place. The same goes for Aning and Atuobi (2009), Cilliers and Sturman (2002), Kabau (2012), and Murithi (2009) – who all focus on the effectiveness of the AU's intervention mandate in practice, mainly by

looking at concrete conflict situations across the continent. Although issues of effectiveness and implementation are important, this does not render questions of emergence unimportant. In order to fill these gaps in the literature, this thesis explicitly aims at explaining (rather than purely describing) the establishment of the AU in its particular form, with sovereignty as non-indifference embodied in its Constitutive Act (rather than focusing on the internalization and of the idea of non-indifference and implementation of the intervention mandate). Hence, the scientific relevance of this study *primarily* stems from its research question, which has not been answered up until now.

In order to answer the research question, a theoretical framework of social constructivism embedded in critical realism is employed. The choice for social constructivism is informed by the fact that sovereignty has an “implicit intersubjective quality” (Williams, 2007). It follows that sovereignty is dependent on shared understandings for its existence and meaning (Aalberts, 2004b; Ashley, 1984; Biersteker and Weber, 1996a; 1996b; Ruggie, 1998). The mainstream IR theories, neorealism and neoliberalism, are not equipped to deal with changing meanings of sovereignty, as they see the concept as exogenously given and fixed (Ruggie, 1998). Social constructivism’s intersubjective ontology, by contrast, is well-equipped to deal with changed conceptions of sovereignty, as they see the concept as a discursive, social fact; a social construct which might change when shared (intersubjective) ideas change (Biersteker and Weber, 1996b). Social constructivism can thus explain *how* sovereignty in Africa was reconstructed. Additionally, social constructivism helps to explain *how* the interests and behavior of African leaders were informed by a shared Pan-African identity, which contributed to consensus regarding the establishment of the AU. What social constructivism cannot explain, however, is *why* this Pan-African identity came to the fore, and *why* the new ideas of sovereignty as non-indifference could be constructed. It fails to explain why certain ideas and identities prevail over others (Bieler and Morton, 2008). This problem can be seen as a consequence of social constructivism’s hazy conceptualization of agency, structure, and their relationship, (Fiaz, 2014). The choice for critical realism, then, was informed by a commitment to engage with why-questions as well as how-questions. Critical realism sees reality as layered, or stratified, and

posits that agents are always already embedded in a pre-existing causal context, faced with antecedent structural conditions (Fiaz, 2014; Kurki, 2007; 2008). These structural conditions constrain and enable agency in the sense that they privilege certain ideas and identities, whilst marginalizing others (Bieler and Morton, 2008; Jessop, 2005). Critical realism's stratified ontology thus helps to answer why the Pan-African identity became prevalent and why agents succeeded in reconstructing ideas on sovereignty. Embedding social constructivism in critical realism is theoretically innovative; very few IR scholars have followed this theoretical path in an empirical study before (e.g. Fiaz, 2014). In sum, the scientific relevance of this study is twofold. It addresses and answers a new research question, and it does so with the help of an innovative theoretical framework.

The societal relevance of this study stems from its focus on Africa, which is an understudied continent (Cornelissen, Cheru and Shaw, 2015; Dunn, 2001). This becomes evident from the literature discussion above: most of the referenced works are written by African scholars or scholars from African descent, which points to a general lack of academic attention to African affairs from the IR discipline as a whole – Africa seems to be a blind spot for non-African scholars. An academic inquiry into Africa thus adds purpose to this project, as this focus contributes to transforming IR into a more inclusive discipline and increases general knowledge of Africa and its international relations.

The rest of this thesis is structured as follows. Chapter 2 discusses the ontological theoretical considerations that form the basis for the analysis. It first critiques the mainstream IR theories and their treatment of sovereignty, then elaborates on the social constructivist alternative, and finally embeds social constructivism in critical realism. Chapter 3 focuses on epistemological issues and argues against a positivist research design, as a positivist epistemology is at odds with an ontological commitment to social constructivism and critical realism. Furthermore, this chapter discusses the collection of sources, critically reviews the methodological decisions that were made, and operationalizes key concepts. Chapter 4 focuses on explaining the AU in its particular form, focusing on the social reconstruction and reproduction of Pan-Africanism, the social

reconstruction of sovereignty, and the underlying structural conditions that enabled agency. Chapter 5 concludes with the key findings of this study, addresses its limitations, and suggests avenues for further research.

2. Theoretical Considerations

The primary criterion on which theory choice should be based is the outcome one wishes to explain (Smith, 2013). In this thesis, the explanandum consists of the establishment of the AU as a new regional organization (replacing the OAU), in its particular form (with a mandate to intervene and a changed conception of sovereignty). As such, the chosen theoretical approach must be able to account for change in what is often seen as the fundamental organizing principle of the international state system: sovereignty (Biersteker and Weber, 1996b). Neorealism and neoliberalism treat sovereignty as an exogenously given and fixed fact (Aalberts, 2004b; Ashley, 1984; Paul, 1999; Ruggie, 1983; Wendt, 1992). Social constructivism, by contrast, treats sovereignty as a discursive, or social fact, which is subject to change (Aalberts 2004b; Biersteker and Weber, 1996b; Ruggie, 1998). Based on these ontological differences, this chapter makes a case for the employment of a social constructivist theoretical perspective to explain the emergence of the AU in its particular form. Social constructivism incorporates the role of ideas and identities in explaining behavior of agents, and is well-equipped to explain *how* social facts change. However, it cannot explain where ideas and identities come from in the first place, and *why* specific ideas become available to agents at a given moment. In order to remedy this shortcoming, refuge is sought in critical realism's stratified ontology, which allows for a focus on underlying structures that constrain and enable transformative agency. This theoretical framework, social constructivism underpinned by critical realism, informed the theoretical expectations for the empirical analysis in chapter 4, which are set out at the end of this chapter.

2.1 The Narrow Ontological Focus of Neorealism and Neoliberalism

Neorealism and Neoliberalism (henceforth referred to as neo-utilitarianism, neotheories, or mainstream IR theories), are united in their conception of sovereignty. For the leading neorealist Waltz, being sovereign means being able to decide for oneself how to cope with internal and external problems (Aalberts,

2004a: 33; Ashley, 1984: 241-242). Additionally, sovereign states act under the condition of anarchy – entailing the absence of a higher authority to answer to (Paul, 1999; Steans et al., 2010). Neorealist notions of sovereignty thus presume a distinction between interior hierarchy and exterior anarchy (Aalberts, 2004a; 2004b). These notions are compatible with and in fact derived from the Westphalian principles of sovereignty (Geldenhuis, 2014; Paul, 1999). The assumption that the international realm is one of anarchy in which sovereign states act, is shared by neoliberals. The fact that neoliberalism sometimes stresses the importance of non-state actors, including international organizations composed of states (Steans et al., 2010), does not entail that they see those actors as higher bodies with sovereign authority over states. Neoliberals, too, see the international system as the sum of sovereign states acting under the condition of anarchy (Barkin and Cronin, 1994; Sterling-Folker, 2013; Wendt and Friedheim, 1996). Furthermore, both neotheories treat sovereignty as a descriptive, natural attribute of states (Aalberts, 2004b; Ashley, 1984; Paul, 1999; Ruggie, 1983; Wendt, 1992). The mainstream IR theories thus contend that to speak of the state is to speak of the *sovereign* state.

According to the neotheories, the sovereign state is exogenously given. This view can be explained by looking at the microeconomic roots of these theories. Microeconomic theory takes the existence of markets for granted. Similarly, the mainstream IR theories take sovereignty to be a pre-given feature of the realm of international relations (Ashley, 1984; Ruggie, 1998). Microeconomic theory assumes that individual market actors behave rationally and make cost-benefit calculations to maximize utility. By the same token, the neotheories assume that the international system is composed of individual, rational, unitary, and utility-maximizing sovereign states – hence the term neo-utilitarianism (Ashley, 1984; Ruggie, 1998; Wendt, 1992). Since the sovereign state is assumed to be an exogenously given constituent attribute of the international system and thus part of a neo-utilitarian ontology, explaining its origins and accounting for changes and differences in its meaning is not only beyond the scope of neo-utilitarian theories, it is beyond their ability (Ruggie, 1998). This critique on the narrow ontological focus of the neotheories can be split up into three major, and interconnected, problems.

Firstly, and most importantly, a change in the meaning of sovereignty would seriously challenge a core assumption of the mainstream IR theories: that the international system consists first and foremost of sovereign states that are exogenously given. Indeed, the neotheories are unable to explain change in the meaning of sovereignty (Barkin and Cronin, 1994; Hopf, 1998; Ruggie, 1998). Neorealist scholars might object that states may consciously attempt to alter the meaning of sovereignty if it is in their self-interest, and that powerful states might succeed in doing so (Mearsheimer, 2013). Yet neorealism's own assumption of exogenously given sovereign states entails that what it means to be a sovereign state is established prior to state action. Hence, state action can never determine what it means to be sovereign. Neoliberal theorists might object that their theory does allow for change, as neoliberal interdependence theorists and neoliberal functionalists hold that states might pool their sovereignty (Keohane, 2002). These theoretical traditions often emphasize the pooling of sovereignty in the European Union (EU). According to Thomson (1995), interdependence scholars hold that increased economic interdependence is eroding state sovereignty. These objections are well-taken, but they are not about a change in the *meaning* of sovereignty, they are about change in the *amount* of sovereignty a state might possess. Whilst neorealists and neoliberals part ways on this particular issue, the argument that both neotheories assume that the *meaning* of sovereignty is fixed across time, still holds.

Secondly, both mainstream IR theories cannot account for their own ontological foundations, as they lack a conception of constitutive rules (Ruggie, 1998). The scope of a neo-utilitarian ontology is limited to regulative rules that govern behavior in an already-constituted world (Ruggie, 1998). Constitutive rules "enable what they appear to describe" (Aalberts, 2004b: 251). Just as a game of chess would not exist without the rules of the game, sovereignty would not exist without rules on what it entails to be sovereign. To illustrate: states can only be accused of violating another state's sovereignty (regulative rule) if consensus among states on the meaning of sovereignty, and what counts as a violation, exists (constitutive rule). Again, sovereignty cannot exist independent of and prior to state practice (Aalberts, 2004b). In fact, the treatment of sovereignty as if it were exogenously given and independent of practice "drains

international relations of its content” (Aalberts, 2004b: 256). In sum: the mainstream IR theories cannot explain the roots of sovereignty, yet the concept is constitutive of the possibility of international relations as neotheorists perceive them (Ashley, 1988; Giddens, 1987; Ruggie, 1998).

Thirdly, there is a Western bias to the manner in which mainstream IR theories treat sovereignty, since their treatment of the concept is based on the Westphalian notions of legal equality, inside hierarchy, and outside anarchy. With this fixed and Eurocentric idea of the sovereign state, empirical variations that might exist across the globe are rendered deviant (Aalberts, 2004b). For instance, some states are characterized by internal anarchy. One might call these failed states or quasi-states, but they are considered to be states nonetheless. Many of such states can be found in postcolonial Africa (Aalberts, 2004b; Paul, 1999), the geographical context of this thesis. In taking the Westphalian sovereign state as their starting point, the neotheories become exclusionary approaches. Instead of grand theories of international relations, the mainstream IR theories are theories of relations among Westphalian sovereign states (Aalberts, 2004b; Biersteker and Weber, 1996b; Paul, 1999; Thomson, 1995). Overall, the mainstream IR theories do not allow for geographical variation in the meaning of the sovereign state; they view its meaning as fixed across space.

To recapitulate: neorealism and neoliberalism are not equipped to explain change in the meaning of sovereignty. Although there exist important differences between both theories, their ontological foci are similar in many respects (Steans et al., 2010). The manner in which both theories treat sovereignty follows from their ontological assumptions, and as such is largely identical. The mainstream IR theories cannot explain Africa’s sovereignty shift, since these theories view the meaning of the concept as fixed.

2.2 The Social Constructivist Remedy: An Intersubjective Ontology

Since sovereignty is not fixed across space and time, as the neotheories would suggest, the concept needs to be understood differently. Social constructivism provides such an alternative vision. Following social constructivism, the meaning of sovereignty is dependent on intersubjective understandings (Aalberts, 2004b;

Ashley, 1984; Biersteker and Weber, 1996a; 1996b; Ruggie, 1998). Perhaps equally important, the concept is dependent on discursive representations of its meaning. Sovereignty is a discursive, or social, fact. It is constantly reproduced and can potentially be transformed (Aalberts, 2004b). The concept is a social construct and should be analyzed as such (Barkin and Cronin, 1994; Biersteker and Weber, 1996a; 1996b). As Aalberts (2004b: 250) states: “rather than focusing on a universally valid definition that fixes the meaning and content of sovereignty, the challenge lies with elaborating how the meaning of sovereignty is negotiated out of intersubjective actions within a normative framework, and how these practices (re)construct state sovereignty.” Social constructivism is the most promising IR theory to do so, as its intersubjective ontology allows for an understanding of sovereignty that is context-dependent and open-ended.

Having established that sovereignty is a *social fact*, it has become possible to account for a reconceptualization of the concept. Hence, it is now possible to theorize about how the meaning of sovereignty might change. Still, to answer the research question posed in the introduction, it is key to theorize not only about the processes via which changes in social facts (including sovereignty) come about, but also about the factors that explain a convergence of interests (leading to consensus on the establishment of the AU). Both issues are taken up below, following social constructivism’s intersubjective ontological focus. Before doing so, a few remarks about social constructivism’s roots are warranted.

2.2.1 Social Constructivism’s Origins

Rehearsing a ‘complete’ genealogy of social constructivism lies beyond the scope of this thesis – furthermore, it would be a near impossibility to exactly pinpoint the birth of social constructivism (Adler, 2012; Hopf, 1998; Zehfuss 2004). Still, it can be contended that the foundations of social constructivism in IR were laid out in the 1970s and 1980s. Its origins as a theoretical approach in the social sciences in general can be traced back even further (Adler, 2012; Ruggie, 1998), particularly to (post)structural linguistics and the linguistic turn (Hopf, 1998; Fierke, 2013). Rooted in these theoretical traditions, social constructivism emphasizes the role of language in the construction of (social) reality (Checkel, 2006; Fierke, 2013; Jørgensen and Phillips, 2002).

Social constructivism in IR, then, primarily emerged as an ontological response to the dominance of the neotheories, which continued until the late 1980s. The theory gained a firm foothold in IR when the Cold War ended. As the social constructivist Wendt (1995: 74) put it: “The Cold War was a structure of shared knowledge that governed great power relations for forty years, but once they [the great powers] stopped acting on this basis, it was “over.” The mainstream IR theories had not only failed to predict this event (Adler, 2012; Fierke, 2013); for these theories, such a change in world politics was unimaginable (Guzzini, 2000). Because the mainstream IR theories assumed that identities and interests of both great powers were fixed, they could not account for the causal impact of ideas (nationalism and Gorbachev’s ‘New Thinking’) and particular contexts (the Soviet or Russian historical context is fundamentally different from the historical context of the United States). Social constructivism provided a promising theoretical alternative, as it is able to account for the role of ideational factors and remains open to changing contexts and identities (Fierke, 2013). Indeed, social constructivism’s ontological critique of the mainstream IR theories is directed at the materialism and methodological individualism of neorealism and neoliberalism (Checkel, 1998; Fierke, 2013; see also Adler, 2012; Hurd, 2008; Ruggie, 1998; Klotz and Lynch, 2007). The neorealist and neoliberal version of materialism views phenomena in world politics as entirely determined by physical, or *material*, factors, and their methodological individualism treats the international structure simply as the sum of its constituent, exogenously given, units with predetermined identities, interests, and utility maximizing behavior (Finnemore and Sikkink, 2001). Hence, social constructivism stresses the importance of ideational factors (as opposed to merely material factors) in international outcomes, and does not take the international structure for granted (its ontology has a broader toolset to deal with structural change). Overall, social constructivism leaves open the possibility of an international structure that is not necessarily composed of pre-given sovereign states – the composition and meaning of structure is endogenous, rather than exogenous to behavior in the international realm (Wendt, 1992).

2.2.2 The Social Construction of Reality

Whilst social constructivism challenges the narrow materialism of the mainstream IR theories by adding an ideational dimension, constructivists maintain that reality is composed of *both material and ideational components* (Checkel, 1998; Hopf, 1998; Ruggie, 1998). The material dimension *exists* independent of human agreement regarding its existence, but this dimension only acquires meaning and causal significance through shared or intersubjective understandings, and social interaction (Checkel, 1998; Wendt, 1995). The ideational components depend, for their very existence, on human agreement. They exist in virtue of intersubjective understandings (Finnemore and Sikkink, 2001; Hurd, 2008; Ruggie, 1998). The material dimension, then, exists of *brute facts*, and the social dimension exists of *social facts* (Searle, 1995). Sovereignty, as elaborated on above, belongs to the category of social facts. Other social facts include human rights, money, and knowledge (Finnemore and Sikkink, 2001; Ruggie, 1998; Jørgensen and Phillips, 2002). Money would not be money without agreement on, or shared understanding of, the meaning of money. The same goes for human rights, knowledge, and sovereignty. Brute facts, by contrast, exist regardless of human agreement on their existence. Examples include natural phenomena such as mountains and rivers. Brute facts should, however, not be equated with nature. The material capability of nuclear weapons, for instance, constitute a human-made brute fact. Yet the meaning of nuclear warheads – whether or not they constitute a threat – depends on the state that possesses them and the perception others have of that state (Wendt, 1995). To sum up: the *meaning* of the material dimension, existing of brute facts, is socially constructed, and the *existence and meaning* of the social dimension, including social facts, is socially constructed.

2.2.3 *Change in Social Facts*

How social facts *change* is a major research focus for constructivist IR (Finnemore and Sikkink, 2001). A changed meaning of sovereignty, as part of the explanandum of this study, fits within this focus. Social facts come into being by agents engaging in social interaction and social construction (Fierke, 2013). Hence, social facts can be *reconstructed* when agents alter their behavior and when patterns of social interaction change, causing change in intersubjective

understandings and/or collectively held beliefs and ideas. Indeed, agents contribute to the (re)construction of the ideational dimension, including social facts (Ruggie, 1998). For social constructivists, the ideational dimension always remains subject to contestation and is “confined to a limited timeframe” (Christiansen et al., 1999: 530). It follows that social constructivism leaves room for *agency*: agents are capable of reproducing and transforming the social structures in which they are embedded (Fierke, 2013; Wendt, 1995). In fact, by refusing to reduce agents to rational actors with predetermined identities and interests, and subsequently behavior (methodological individualism), constructivists envision a larger role for agency than the mainstream IR theories (Fierke, 2013).

However, precisely because agents find themselves embedded in a web of social structures (Ruggie, 1998), the possibilities for agency are not infinite. Agency is constrained and enabled by structure, via the constitutive effect of structure on agents’ *identities* (Checkel, 1998; Hopf, 1998; Wendt, 1987; 1992; 1995; 1999). Identities, then, strongly imply interests and behavior (Hopf, 1998). Indeed, agents follow a *logic of appropriateness*: they act according to what they view as appropriate behavior in light of their identity and social context (Checkel, 1998; Hopf, 1998; March and Olson, 2004). Accordingly, the space for agency is confined to (shared) beliefs about what counts as appropriate action, or what is considered “true, reasonable, natural, right, and good” (March and Olson, 2004: 4). From the above, it follows that agents constitute structures, including social facts, and structures constitute agents. They are *mutually constitutive* (Adler, 2012; Checkel, 1998; Fierke, 2013; Finnemore and Sikkink, 2001; Hofferberth and Weber, 2015; Hopf, 1998; Hurd, 2008; Klotz and Lynch, 2007; Wendt, 1987; 1999). To summarize: social facts, as part of the ideational structural dimension, may change as a consequence of agency, which is constrained and enabled by structure via constitutive effects and the logic of appropriateness. As such, both agents and structures are relevant for social constructivism. As Checkel (1998: 326) notes: “(...) neither unit of analysis – agents or structures – is reduced to the other and made “ontologically primitive.”” Hence, neither agents nor structures are ever fully constituted. Accordingly, identities, interests, behavior, and beliefs about what counts as appropriate action, are always in flux.

2.2.4 *Collective Identities and Converging Interests*

Following from the contention that identities inform interests and behavior, it can be hypothesized that a collective identity will lead to common interests and converging behavior. This provides a way of theorizing about cooperation (Hopf, 1998), and as such about the consensus among African leaders on the establishment of the AU. Following Wendt (1994), collective identities can be seen as the manifestation of a high degree of *identification* among agents. Identification is high when agents share a common fate, see another agent (or agents) as an extension of themselves, and/or express solidarity with them (Wendt, 1994). A high degree of identification is most likely under circumstances of increasing vulnerability and sensitivity of agents towards one another, for instance when agents increasingly interact with one another, focusing on common interests, or when they position themselves vis-à-vis a “common Other” that is portrayed negatively, emphasizing shared *aversions* (Wendt, 1994: 389). To some degree, similar expectations regarding cooperation can be derived from neoliberalism and to a lesser degree neorealism, especially regarding increased interaction. What social constructivism explicitly adds, however, are ideas and identities. When a common identity is strong enough, cooperation can be attained. Consensus can be reached, even if the benefits do *not* clearly outweigh the costs – in a narrow materialist sense – for the agents involved. Additionally, the abovementioned factors have an intersubjective character, they are inherently ideational. Intersubjectivity and discursivity form the basis for collective identity formation (De Cillia et al., 1999; Finnemore and Sikkink, 2001). A final point worth emphasizing, is that, since identities are always in flux as they are endogenous to social interaction, agents may actively attempt to (re)build, challenge, and transform them. To recapitulate: agents’ behavior can be expected to converge, increasing the likelihood of consensus among these agents, when the degree of mutual identification is high, manifested in a common identity.

2.2.5 *The Role of Discursive Action in Social (Re)construction*

To acquire an understanding of *how* agents (re)create or transform prevalent identities, logics of appropriateness, and other social facts, one must turn to

language. Agents must be “discursively competent” (Ruggie, 1998: 879), they must be capable of engaging in *discursive action* – linguistic social action – in order to challenge aspects of the existing social reality (Aalberts, 2004b; Finnemore and Sikkink, 1998; Kratochwil, 1993; Müller, 2004; Ruggie, 1998). Discursive action can create “new understandings and new social facts that reconfigure politics” (Finnemore and Sikkink, 1998: 402). Hence, language is not merely communicative and/or passively descriptive, it also (re)produces the social world (Fierke, 2013; Jørgensen and Phillips, 2002; Searle, 1995). This contention flows from social constructivism’s roots in linguistics and the linguistic turn, which attributes a constitutive function to language. Moreover, it is via language use that (shared) beliefs, ideas, and (collective) identities become identifiable. This can be illustrated with *norms*, which are shared understandings that tell agents what counts as acceptable and appropriate action (Finnemore and Sikkink, 1998; March and Olson, 2004). As Kratochwil (1993: 76) notes: “[norms] (...) establish inter-subjective meanings that allow the actors to direct their actions towards each other, communicate with each other, appraise the quality of their actions, criticize claims and justify choices.” How agents justify their actions and how they criticize those of others, can thus be seen as an indication of the prevalent collectively held *beliefs* regarding what constitutes (in)appropriate action, given the *identities* of the agents involved.

In sum: language creates, reproduces, and transforms social reality. Therefore, language empowers agents and enables agency. It is a means to construct new ideas regarding sovereignty, and to (re)produce a common identity. Both are key in order to arrive at an explanation for the explanandum of this thesis: the establishment of the AU (as an institutionalization of a Pan-African identity) in its particular form (with a mandate to intervene and a changed conception of sovereignty). Additionally, the theoretical understanding of language as constitutive renders discursive action a legitimate object of analysis to uncover (shared) beliefs, ideas, and identities, and potential transformations thereof. The specific discursive functions and mechanisms that are expected to have played a role in the establishment of the AU, are outlined at the end of this chapter.

2.2.6 *Social Constructivism’s Merits and Limits*

The preceding subsections have focused on the manner in which social constructivism's intersubjective ontology helps to explain the establishment of the AU in its particular form. The intersubjective ontology of social constructivism allows for an understanding of sovereignty as a discursive or social fact, which is part of the ideational dimension of structure. This paves the way for an analysis of change in the meaning of sovereignty. Such change would occur when intersubjective understandings or collectively held beliefs and ideas change. These changes are likely to come about as a consequence of agency, the space for which is delimited by structure. Structure, then, exists of both material as well as ideational components. In order to change social reality, agents must engage in discursive action and make recourse to language, which is not passively reflective, but rather constitutive of that reality. Agents act according to what they perceive as appropriate given their identities; identities thus imply actions. It follows that a collective identity increases the likelihood of consensus among agents, as their behavior is expected to converge around their common identity. Based on these theoretical considerations, it is to be expected that a common Pan-African identity can be identified that was strong enough to cause consensus among African heads of state regarding the creation of the AU. Additionally, new ideas concerning sovereignty would have entered the AU Constitutive Act as a consequence of successful attempts of agents to discursively construct and introduce these ideas.

Overall, then, social constructivism goes a long way in providing explanatory tools for the explanandum of this thesis, as it helps to explain *how* behavior is informed by identity, *how* a common identity may lead to consensus, and *how* social facts may be (re)constructed. Yet a purely social constructivist theoretical framework would leave some essential issues unresolved. An intersubjective ontology precludes asking, and answering, important *why*-questions. For instance, if a common African identity is indeed a key explanatory factor in the establishment of the AU, *why* did this identity come to the fore at this particular point in time? And if agents have indeed changed the conception of sovereignty from non-interference to non-indifference through discursive action, *why* were ideas about sovereignty as non-indifference available to these agents, and *why* did their social reconstruction attempts succeed? In general, social

constructivism does not have the ontological tools that are necessary to explain *why* specific ideas and identities prevail over others at a particular point in time (Bieler and Morton, 2008). Put differently: when strictly following the dynamic of mutual constitution, which posits that social interaction intersubjectively constitutes social structure, and social structure defines the boundaries of social (re)construction and interaction, one is unable to demonstrate where *new* ideas and identities originate from. Similarly, by treating agency and structure as mutually constitutive of one another and as always-inseparable, social constructivism lacks a clear conceptualization of agents and agency (Bieler and Morton, 2008; Fiaz, 2014). Moreover, social constructivism downplays the independent ontological status of structural conditions, by overly focusing on structures as intersubjective (Fiaz, 2014). With the help of *critical realism*, the following section endeavors to engage with the why-questions social constructivism alone fails to ask, by explicitly assigning an independent ontological status to structure, and by providing an improved understanding of agency.

2.3 Transcending Social Constructivism's Limits: Bringing in Critical Realism

Critical realism is a philosophy of science position from which social constructivism can greatly benefit (Fiaz, 2014). Indeed, critical realism's stratified ontology can provide social constructivism with "theoretical teeth" (Fiaz, 2014: 496), by simultaneously incorporating the ideational, material, agential, and structural into social scientific research. This allows for a fuller inquiry into the causes of the establishment of the AU in its particular form, focusing not only on *how* ideas and identities may explain the organization's emergence, but also on *why* these ideas and identities came to the fore. Critical realism's basics are outlined below.

2.3.1 *Critical Realism's Stratified Ontology*

In order to acquire knowledge of the world (epistemology), one must have a notion of what that world consists of (ontology). According to critical realists,

this seemingly obvious statement is often overlooked by IR scholars, including social constructivists, as they prioritize epistemology over ontology (Fiaz, 2014; Joseph, 2008; Kurki, 2007; Patomäki and Wight, 2000; Wight, 2006). The ongoing debate between positivists and postpositivists in IR, discussed in chapter 3, exemplifies the primacy given to epistemological concerns (Patomäki and Wight, 2000). In concurring with this critique, this thesis engages with ontology first. Ontologically, critical realism posits that there is a world “out there”, a reality which exists independent of the ideas, conceptions, descriptions, and knowledge agents may have of it (Patomäki and Wight, 2000: 216; see also Brown, 2007; Wight, 1999). This reality is *stratified*, divided into three distinct but interrelated layers, or *strata*: the real, the actual, and the empirical (Wigger and Horn, 2016, forthcoming; based on Bhaskar, 1979). The real is composed of underlying structures and generative mechanisms, which might be unobservable, but nonetheless exist. The actual refers to events and states-of-affairs that are in part generated by structures and mechanisms in the domain of the real, and the empirical realm is composed of anything that is observable (Fiaz, 2014; Wigger and Horn, 2016, forthcoming; Wight, 2006).

The conditions of possibility for discursive action and social (re)construction are to be found in the domain of the real (Joseph, 2007). It is thus essential to uncover the relevant structural conditions that exist within this realm in order to arrive at answers to the why-questions social constructivism fails to address. Not all ideas, for instance, are equally causally efficacious – ideas have an impact on social reality only when they resonate with underlying structural conditions to a certain degree (Bieler and Morton, 2008). These underlying structural conditions may be material (physical) or ideational (socially constructed). However, this epistemological fixation is of little consequence, as an independent ontological status is assigned to both (Fiaz, 2014; Joseph, 2007). Indeed, critical realists contend that “socially constructed entities are real irrespective of how they came to be” (Wight, 2004: 272). Hence, the social constructivist ideational-material dichotomy cannot have an impact on what is considered to be real (Fiaz, 2014; Wight, 2004). By reducing the ideational dimension entirely to discursive representations and intersubjective understandings, social constructivists fail to acknowledge that the ideational dimension, just as the material dimension, forms

an ontological precondition for social action and is thus causally efficacious (Bieler and Morton, 2008; Fiaz, 2014). In conclusion, critical realism assigns causal powers to the structural conditions that compose the realm of the real, *independent* of the meaning attached to these conditions. This stands in stark contrast to social constructivism, which posits that social reality cannot have any impact on agents and their behavior without agents attributing meaning to it.

Overall, the agential, structural, material, and ideational are seen as possessing independent ontological status and causal powers that are irreducible to one another, whilst still being part of an integrated whole (Patomäki and Wight, 2000). Their interrelationship is seen as dialectical: all elements are analytically separate and possess distinct properties, yet they are intrinsically interconnected via the layers of reality (Fiaz, 2014). The underlying structures in the real domain shape the possibilities open to agents engaging in social (re)construction through discursive action. The real domain forms the pre-existing structural basis which facilitates certain ideas and marginalizes others (Bieler and Morton, 2008; Joseph, 2007; 2008). These enabling and constraining conditions are irreducible to the experiences of the agents involved, which lie in the realm of the empirical (Fiaz, 2014; Joseph, 2007). Adopting critical realism's stratified ontology, and envisioning a dialectic relationship between the different strata, makes it possible to go beyond the limits of social constructivism. It provides a ground for addressing, critiquing and improving the social constructivist understanding of causation, structure, and agency, resulting in a more sophisticated conceptualization of all three.

2.3.2 Non-Humean Causation

Most social constructivists have been wary of causal theorizing, and have rather claimed to engage in constitutive, interpretative analyses (Kurki, 2008; see e.g. Aalberts and Van Munster, 2008; Ruggie, 1998). The dynamic of mutual constitution disallows for a neat separation between agents and structures (Checkel, 1998). It is rightly claimed that this conceptualization does not lend itself to regularity-deterministic 'A leads to B' explanations, as A and B are always already interrelated. These objections are well taken, yet causation need not be understood in narrow empiricist terms (Kurki, 2007; 2008). In fact, viewing

mutual constitution as non-causal unnecessarily reinforces the (false) socially constructed dichotomy of causal versus non-causal explanations in IR (Kurki, 2008). The prevalent conception of causation in IR, which is implicitly shared across all theoretical traditions, is positivist-empiricist in nature and based on Humean assumptions (Kurki, 2007; 2008; Patomäki and Wight, 2000). Humean causation revolves around observable patterns of regularities that occur in the mechanistic form of A leads to B (Kurki, 2008). This notion of causation limits what “can meaningfully be said of the world to what could be experienced” (Patomäki and Wight, 2000: 220). While Hume acknowledged that *actual* causation would involve an entity (the cause) which, through a particular force (causality) produces the outcome, he contended that such a force could never be observed and as such cannot be useful to science (Pätomaki and Wight, 2000). This stands in stark contrast with the critical realist vision that science should aim to uncover precisely those layers of reality that lie beyond the empirical realm. Hence, Humean causation is incompatible with critical realism’s stratified ontology, which views reality as deeply structured and partially unobservable.

Kurki (2007; 2008) therefore argues in favor of a non-Humean conception of causation, in which causes and effects are seen as actual and real, whether observable or not. Furthermore, these causes are more than merely constitutive of the *possibility* that an effect occurs; they are necessary causes. Kurki (2008: 181) exemplifies this with the discourse of diplomacy. This discourse not only constitutes the meaning of interstate bargaining; it is also a necessary cause for actual processes of interstate bargaining. This thesis follows that idea. Without Hume, it becomes possible for social constructivism to reclaim causal analysis. Causes do not work in the Humean sense of A leads to B, and individual causes cannot be assessed in isolation. Instead, they are always part of a complex causal context where “multiple causes interact and counteract with each other” (Kurki, 2007: 362). Underlying structures – both material and ideational – are causal in the sense that they exhibit constraining and enabling effects on social reality (Fiaz, 2014; Kurki, 2008).

2.3.3 *Agency, Structure, and Their Dialectical Relationship*

Whilst in principle, social constructivism maintains that neither agents nor structures are ontologically primitive and that both possess causal powers (Checkel, 1998), the constructivist notion of their mutually constitutive relationship leads to a hazy conceptualization of both (Fiaz, 2014; Joseph, 2007). Social constructivists are forced to resort to the bracketing strategy of giving primacy to either agents *or* structures, while simultaneously denying both their inherent properties (Checkel, 1998; Fiaz, 2014). For instance, Finnemore and Sikkink (1998) focus on how agents promote certain norms and attempt to reconstruct existing ones. Yet they cannot explain why specific agents possess legitimacy and not others, and where new norms originate from (for other work on norm emergence and development, see Carpenter, 2007; Krook and True, 2010; Sikkink, 2002).

Critical realism, by contrast, envisions the relationship between agency and structure as dialectical: they are always interrelated, yet possess distinct causal properties and liabilities (Fiaz, 2014). This view makes it possible to explain *why* certain agents are more effective in their social reconstruction attempts than others, and *why* certain ideas and identities, and discursive representations thereof, come to the fore instead of others. In sum, the dialectic conceptualization of the interrelationship between agency and structure transcends the limits of social constructivism as outlined above. This leads to a more holistic explanatory account of the establishment of the AU in its particular form.

The Inherent Properties of Agents

The dynamic of mutual constitution tends to treat agents as the mere bearers of structure; they are entirely constituted by the web of structures they are embedded in (Fiaz, 2014; Joseph, 2007). This strips agents from their *inherent* causal liabilities that are distinct from and irreducible to structure (Joseph, 2007). The properties of agents include accountability, intentionality, self-consciousness, and subjectivity (Joseph, 2007; Wight, 2006). The possession of these characteristics paves the way for agents to engage in social interaction and (re)construction. Recall that agents must make recourse to language, they must be discursively competent, to (re)produce or transform social facts (Ruggie,

1998). With this understanding of agents, it becomes possible to critique the treatment of agents by social constructivists.

From the large body of social constructivist literature in IR, no clear conceptualization of agents and agency can be derived (see also Fiaz, 2014). For social constructivists, almost anything can be an agent, including social movements, transnational advocacy networks, and international organizations (e.g. Carpenter, 2007; Finnemore and Sikkink, 1998; Krook and True, 2010; Sikkink, 2002). This ambiguity is problematic, since in principle social constructivism envisions an important role for agency in explaining social reality. Norms, for example, often originate in the actions of agents (Reus-Smit, 2009). Another entity in which agency is sometimes located, is the state. Indeed, the social constructivist Wendt (1987; 1992; 1995; 1999), as a statist, consistently treats the state as an agent. Although Wendt concurs with the anthropomorphic view of agency as outlined above and advocated by critical realists, he is able to make the analytical move from human agency to state agency by contending that “states are people too” (Wendt, 1999: 215; Wight, 2004). Wendt’s move to the state-as-agent is both unnecessary and problematic. It is unnecessary, because the idea of agents embedded in structural contexts does not imply that we need an account of the state-as-agent. It is problematic, because in IR analyses, viewing the state as capable of expressing agency might disguise or obscure the degree to which individuals contribute to the construction of social reality (Wight, 2004). Of course, individuals – diplomats, heads of state, and political leaders – act as representatives of the state, and with negotiating positions, (foreign) policies, and speeches, these representatives may express agency (see also Patomäki and Wight, 2000). Still, it is important to explicitly note that “when we talk of the state acting what we mean is individuals acting in a particular structural context” (Wight, 2004). Just as agents possess properties that are distinct from structures, these structures have characteristics that are irreducible to the intersubjective understandings and social interactions of agents.

The Inherent Properties of Structures

The inherent properties of structures include anteriority – meaning that in a sense they pre-exist agents and their social interactions (Jessop, 2005; Joseph, 2007). Agents are confronted with structural conditions when they engage in social (discursive) action. It follows that structures possess constraining and enabling powers, which are irreducible to the meaning attached to these structures by agents (Fiaz, 2014; Joseph and Roberts, 2004). This contrasts the purely intersubjective conceptualization of structures of social constructivism, which tends to reduce the effects of structure to the meaning agents attach to their structural context (Patomäki and Wight, 2000). The properties of anteriority and constraint and enablement render structures causally efficacious (Kurki, 2007; 2008). They form causal preconditions for social action and thus generate the limits and possibilities of agency (Bieler and Morton, 2008; Fiaz, 2014; Joseph, 2008). Which structures are relevant is always relative to a given explanandum. The researcher can uncover the relevant structures by asking what conditions would have had to be present in order for the explanandum in question to be actualized (Fiaz, 2014). An explanation of how structures and agents are bound up, and especially of the conditions that enable agents to transform social reality, is warranted at this point.

Strategic Selectivity

The strategic-relational approach conceptualizes the dialectical relationship between agency and structure, and forms a useful theoretical tool to show how agency operates in the face of anterior structural conditions (Jessop, 2005). The approach views structures as inherently strategically-selective, entailing that structural conditions legitimize certain agents and social actions instead of others, and facilitate the emergence of particular ideas and identities, while marginalizing others (Jessop, 2005). In fact, instead of being merely intersubjective and reducible to social interactions among agents, ideas, identities, and social relations are in part formed by antecedent, underlying structures (Jessop, 2005; Joseph and Roberts, 2004). The concept of strategic selectivity thus provides the missing link between structure and agency, it enables the analyst to transcend the limits of social constructivism, and to engage with the why-questions social constructivism alone fails to address.

The strategic selectivity of anterior structures enables agency, as agents can strategically utilize the structural context with which they are confronted (Jessop, 2005). The strategic relational approach thus highlights the potential for *transformative agency*. This form of agency is key in relation to the research question of this thesis, as the explanandum consists of *change* (the establishment of a new organization with a different conception of sovereignty than its predecessor). Transformative agency occurs less frequently than reproductive agency, the type of agency by which structures are (mostly unintentionally) reproduced by agents (Joseph, 2008). The degree to which agents are capable of taking advantage of the strategic selectivity of structures at any given time, depends on their awareness of their structural context. This awareness increases when underlying structures change. Agents then realize that they possess transformative potential (Joseph, 2008). Recall that agents must resort to language, and engage in discursive action, in order to interpret and (re)construct social reality.

Discursive Action

Whilst underlying structures are located in the real domain, the deepest layer of the stratified reality, discursive action, empirically observable in text and talk, takes place in the empirical realm (Jørgensen and Phillips, 2002; Joseph and Roberts, 2004). Discursively competent agents are seen as embedded in the complex web of antecedent structures. Hence, not everything exists in discourse, discursive practice is constrained and enabled by structural conditions. Discursively competent agents contribute to the (re)production and (re)construction of ideas, identities, and social relations – yet there their room for maneuver is delimited by their structural context (Jørgensen and Phillips, 2002). Still, as mentioned above, agents are capable of strategically utilizing antecedent structures to further their aims when they are aware of their structural context. This strategic behavior enables “transformative or emancipatory discourse” (Joseph and Roberts, 2004: 3).

Structure lends legitimacy to certain discursive representations of social reality, including ideas and identities (Jessop, 2005). When agents become aware of this strategically-selective function of structure, they can resort to language

that *legitimizes* them as agents by (re)producing specific ideas and identities (Chilton, 2004; see also Fiaz, 2014). When successful, legitimizing language enables transformative agency. Transformative agents resort to an interpretation of the relevant contextual, or structural, factors that necessitates action, in the sense of ‘new realities call for new ideas’. These agents might *frame* their structural context in such a way that (collective) action seems to become a must, even for agents who did not endeavor to transform. Framing is also a strategy via which agents may transform existing social facts. Framing strategies are more likely to be successful when transformative agents link already established shared beliefs and ideas to a specific problem definition and their proposed solution (Finnemore and Sikkink, 1998). Agents who refuse to undertake action and who cling on to the status-quo, might still be prepared to accept changes, albeit possibly purely rhetorical (Risse, 2000). Yet regardless of whether the new ideas advocated by transformative agents are fully accepted by status-quo agents, by rhetorically accepting them, they contribute to the same outcome: a new social reality.

Both the agents who endeavor to transform, as well as the agents who rhetorically accept the ideas advocated by these transformative agents, may become *rhetorically entrapped* through their own discursive acts (Schimmelfennig, 2001). By committing oneself to a particular set of ideas, or by identifying oneself in a particular way, it becomes inappropriate, if not impossible, to later engage in behavior that is at odds with these ideas and this identity (recall that agents follow a logic of appropriateness; acting appropriately in light of their identity and social context). This mechanism provides insight in how the (presumable present) common Pan-African identity is expected to operate. Transformative agents might have pointed to other member states’ leaders’ commitment to Pan-Africanism, arguing that if they would care for Africa and their fellow Africans, they would agree that the circumstances called for the establishment of a new organization (the AU) with an increased mandate (to intervene). If they would not, the transformative agents would be able to shame them, for instance by pointing out that these status quo agents are indifferent to the future of their continent and fellow Africans. Such shaming

would be a form of delegitimizing other agents, the antithesis of legitimizing oneself as an agent (Chilton, 2004).

2.4 Expectations for the Explanandum

This chapter has elaborated on the theoretical considerations driving the research conducted for this thesis. The chapter has demonstrated that the mainstream IR theories are not ontologically equipped to explain change in the meaning of sovereignty, as they view the concept as an exogenously given fixed fact. This is problematic in light of the explanandum of this thesis, which exists in part of a changed conception of sovereignty embodied in the AU Constitutive Act. In order to be able to account for a changed meaning of sovereignty, a social constructivist understanding of the concept as a social fact has been proposed. Social facts may change as a consequence of social (re)construction by agents, whose behavior is driven by a logic of appropriateness. Agents act according to what is perceived as appropriate in light of their identity – identities thus imply actions. From this, it follows that a common identity, or a high degree of identification among agents, contributes to converging behavior. The part of the explanandum consisting of the very establishment of the AU as a new organization is consequentially expected to be explained by a common, Pan-African, identity. Ideas and identities are given in language, they can be identified with the help of discursive representations of agents. Furthermore, language is the means by which agents engage in social transformation. These contentions render language a legitimate object of analysis to uncover the common Pan-African identity, to show how this identity constrained behavior, and to demonstrate how new ideas concerning sovereignty entered the AU Constitutive Act.

The analysis need not stop here, however. With social constructivism's vague conceptualization of agents, structures, and their mutually constitutive relationship, one is unable to explain why particular ideas and identities come to the fore, and why specific agents enjoy the legitimacy that enables them to enact transformative agency. With the help of critical realism's stratified ontology, this thesis endeavors to transcend the realm of social (re)construction through

discursive action. A stratified ontology conceives of agents and structures as dialectically related and irreducible to one another, possessing distinct causal powers whilst at the same being connected through strategic selectivity. Transformative agency is enabled when agents become aware of their structural context and the strategic-selective properties it possesses. This awareness increases in times of major structural change. Transformative agents then endeavor to legitimize themselves, delegitimize others, and frame reality in a way that necessitates action. What does the above entail for the research question posed in the introduction?

It is expected that the establishment of the AU can be explained by a common Pan-African identity, whereby mutual identification is high – possibly due to the social construction of a common ‘Other’. The content of this identity – in terms of ideas regarding what it means to be African – is likely to be partially determined by structural preconditions confronting the agents who (re)produce this identity. The reconstruction of the meaning of sovereignty is also expected to have come forth from structural preconditions. The relevant antecedent structures, then, are those structures that are necessary for the explanandum to be actualized. These structural conditions are not *deterministic*, agents are expected to strategically represent them to further their aims of social reconstruction.

3. Epistemology, Methods, and Operationalization

This chapter consists of two main sections, one on epistemology and one on methods. In the former, an argument is made against a positivist epistemology. Informed by the commitment to social constructivism's intersubjective ontology embedded in critical realism's stratified ontology, this thesis opts for a postpositivist research design. The latter section discusses and critically assesses the analytical approaches and methods employed in this thesis, and operationalizes the key concepts that guide the empirical analysis in chapter 4.

3.1 Epistemological Considerations

As explained in chapter 2, social constructivism in IR became widely known as a theoretical approach to IR after the end of the Cold War. However, it was already during the 1980s that a debate had emerged between what the neoliberal theorist Keohane (1988) referred to as rationalists and reflectivists. With rationalism, Keohane was referring to the neo-utilitarian theories; with reflectivism, he meant what later became (a strand of) social constructivism (see also Aalberts and Van Munster, 2008; Zehfuss, 2004). At the time, Keohane (1988) called for a synthesis between these two perspectives. He argued that such a synthesis would only be possible if reflectivists would develop what he called a coherent research program, free of ontological and epistemological dogma. The coherent research program Keohane envisioned, had to exist of testable theories to investigate facts (Keohane, 1988). This is where he contradicts himself: the assertion that there are neutral facts to investigate with testable theories points to a *positivist epistemological dogma* (see also Aalberts and Van Munster, 2008; Hofferberth and Weber, 2015).

Keohane's call for synthesis resulted in two strands of social constructivism: a strand comprising those who adhere to a positivist epistemology, and one composed of those who hold that social constructivism and positivism are at odds and thus incompatible (Checkel, 2004; Fierke, 2013). Among others, Finnemore and Sikkink (2001) and Wendt (1987; 1992; 1994; 1995; 1999) can be placed in the first tradition. Keohane's early attack of the reflectivist approach resonated

with these social constructivists. More and more ‘reflectivists’ attempted to occupy the middle ground, or as Wendt put it, looked for a *via media*, between rationalism and reflectivism (Checkel, 1998; 2004; Zehfuss, 2004). In 1995, Wendt argued that a substantial body of social constructivist literature had embodied a “*conventional epistemology*”, meaning a positivist epistemology (Wendt, 1995: 75, emphasis added). Those that agree with Wendt are henceforth called *conventional constructivists*. Those that disagree, and argue that social constructivism’s intersubjective ontology and a positivist epistemology are incompatible, are referred to as *consistent* constructivists, as they have a more “consistent (...) epistemological follow-through” (Hopf, 1998: 181). This group consists of, among others, Fierke (2013), Hopf (1998), Kratochwil and Ruggie (1986), and Zehfuss (2004). The next subsection critiques the bridge-building conventional constructivists, and argues that their position is inherently problematic.

3.1.1 Conventional Constructivists: Bridge Builders or Fence Builders?

The “bridge-building project” initiated by conventional constructivists can be seen as a consequence of pressure emanating from the mainstream IR theories (Aalberts and Van Munster, 2008: 727; see also Checkel, 2004). The precondition for dialogue with the mainstream was a commitment to science, which for Keohane meant positivism. Everything else was dismissed as pseudoscience (Aalberts and Van Munster, 2008; Smith, 2013). This is a problematic attitude, for it excludes all scholars who adhere to something other than positivism from the community of IR scholars, significantly narrowing down the discipline (Checkel, 2004). In fact, the bridge builders are fence builders, building fences around what they consider to be “normal science” – i.e. positivism (Aalberts and Van Munster, 2008: 728).

The contention that social constructivism’s intersubjective ontology can, and perhaps even should, be combined with a positivist epistemology, is the result of a dogmatic and pragmatic attitude of conventional constructivists regarding questions of ontology and epistemology. Wendt (1999), for instance, holds that ontology and epistemology can be neatly separated, and treated as independent spheres by researchers. This must be the case, for if conventional constructivists

would contend that an ontological commitment has implications for a researcher's epistemological position, then it would not follow that a social constructivist could adopt a positivist epistemology. Indeed, an intersubjective ontology emphasizes the socially constructed nature of social reality, including (shared) knowledge (Guzzini, 2000). Accordingly, any scientific standard (e.g. positivism) is a social construct as well, produced and reproduced by the academics adhering to it. Positivism cannot be regarded as the only legitimate (let alone feasible) road to knowledge, as knowledge itself, as well as the approach to acquire it, is socially constructed and can thus never be fixed and objective (Guzinni, 2000). In sum: ontology cannot be separated from epistemology without ending up with internally inconsistent research (Aalberts and Van Munster, 2008; Kratochwil and Ruggie, 1986).

The contradiction between positivism and the vision that knowledge is socially constructed, is acknowledged in an article by Christiansen et al. (1999). It is surprising, therefore, that in the very same article, the authors – without question – position all social constructivists in IR as occupants of the middle ground between rationalism and reflectivism. Christiansen et al. (1999) argue that IR constructivists position themselves in opposition to both a fully rationalist approach as well as a fully reflectivist approach, but that the distance between constructivist scholars and the two 'poles' varies. Some are more rationalist in orientation, others more reflectivist, but (almost) all constructivist thinkers have adopted the role of "mediator between incommensurable standpoints [i.e. rationalism and reflectivism]" (Christiansen et al., 1999: 536). The reason they give for not subjecting the bridge-building project and the mediator role to closer critical scrutiny, is that many scholars had already combined a positivist epistemology with an intersubjective ontology. This reasoning is odd, for the fact that Wendt and like-minded scholars have combined positivism with intersubjectivity does not necessarily mean that these authors were right in doing so. Christiansen et al. (1999) simply assume that when a group of scholars (e.g. conventional constructivists) follow a particular approach, that approach is unproblematic. Yet a researcher who is truly committed to social constructivism and who values internal theoretical consistency, should never (have to) combine the intersubjective ontology (posited

by social constructivism) with a positivist epistemology (dictated by the neo-utilitarian mainstream). A clarification of what positivist research entails, is warranted at this point, followed by a rejection of positivism based on the commitment to social constructivism's intersubjective ontology embedded in critical realism's stratified ontology.

3.1.2 Outlining Positivism

Positivism should be seen as a philosophy of science, consisting mostly of assumptions regarding what constitutes scientific knowledge, based on how that knowledge is acquired – i.e. epistemology (Kurki and Wight, 2013). Although not all positivists conduct research in the exact same manner, some general features of a positivist approach can be discerned.

Firstly, positivism advocates an *empiricist* approach to science, meaning that observed patterns are the only means by which knowledge of the world can be attained, and that anything outside of human experience is deemed metaphysical (Aalberts and Van Munster, 2008; Kurki, 2007; Kurki and Wight, 2013). Secondly, positivism assumes that *objective knowledge* is both possible and desirable. Positivism posits a rigid separation between subject and object; between observer and observed. In other words, the researcher can neutrally and objectively study and report on what they observe. Similarly, positivists distinguish between facts and values, and hold that facts can be studied value-free (Aalberts and Van Munster, 2008; Hofferberth and Weber, 2015; Hurd, 2008; Kratochwil and Ruggie, 1986; Smith, 2013). Related is the positivist view that theories are independent of the reality that is to be explained by these theories. It follows that positivism posits that *theories can be tested* against empirical reality (Aalberts and Van Munster, 2008; Smith, 2013). The extent to which a theory adequately explains reality is the measuring rod for the validity of that theory (Kurki and Wight, 2013).

The manner in which theories should be tested according to positivists stems from their empiricism. Positivists adhere to the covering-law model of scientific inquiry (Hurd, 2008; Kurki and Wight, 2013; Patomäki and Wight, 2000; Ruggie, 1998; Wight, 2007). Series of empirical observations of the same kind may result in the 'discovery' of patterns or regularities, which can be generalized

over a larger population of cases. These regularities, in turn, are subsumed under general laws (induction), which form the basis for statements about reality in the form of hypotheses (deduction). If empirical reality does not match the hypotheses deduced from general laws, this may have at least two consequences. Either the theory is said to hold no explanatory power for the empirical reality that is studied and as such has to be refuted or at least reconfigured, or the methods and observations of the researcher must have been 'wrong' and the research needs to be conducted again.

The notion that scientific theories should be tested, and thus are testable (which means verifiable and, more importantly, also falsifiable) is related to Popper's *Conjectures and Refutations* (1962). For Popper (1962: 36-37) the sole criterion for distinguishing science from non- or pseudoscience is testability, which for him entailed falsifiability, or refutability. According to Popper, any theory that is not refutable, is not scientific. Verification of a theory alone is not enough, because, following Popper, any theory can be verified if the researcher looks for evidence that supports their claims. A true test of theory either exists of continued attempts to refute it, or of a verification of the theory after a "risky prediction", or a "bold conjecture" (Popper, 1963: 36). Hence, verification counts only in those cases where one would not expect the theory to hold, but it still turns out to hold after all. It must be noted that not all (let alone most) positivist-minded IR scholars engage in continuous attempts to falsify their own (and others') theories. General scientific practice in IR consists of loose verifications, instead of bold conjectures and (attempted) refutations.

To recapitulate: positivism assumes it is possible to clearly mark off the boundaries between theory and empirics, to set apart observer and observed, and to distinguish facts from values. Similarly, it contends that theories can be neutrally and objectively compared and tested with continuous empirical observations. Now that positivism's basics are outlined, an argument can be made against a research design adhering to positivism, based on both social constructivism and critical realism.

3.1.3 Remaining Consistent: Rejecting Positivism

Consistent constructivists and critical realists are united in their critique of positivism, as is demonstrated below (see also Kurki, 2007; Wight, 2007). It is striking, then, that consistent constructivists in IR have not utilized the contributions of critical realists to strengthen their case against positivists (Kurki, 2007). If anything, critical realism can provide consistent constructivists with more ammunition to challenge several positivist dogmas that are prevalent in the IR discipline (Aalberts and Van Munster, 2008; Fiaz, 2014; Kurki, 2007; 2008). This subsection endeavors to lay bare and utilize the common ground of consistent constructivism and critical realism. It is divided into three parts, each focused on critiquing a particular feature of positivism: empiricism, neutral and objective knowledge, and theory juxtaposition.

Against Empiricism

As discussed in chapter 2, critical realism's stratified ontology posits that the empirical realm constitutes but one layer of social reality and cannot exhaust the real world. Therefore, empiricism is seen as needlessly narrowing down scientific inquiry to what is directly observable (Fiaz, 2014; Joseph, 2007; Kurki, 2007; Kurki and Wight, 2013; Patomäki and Wight, 2000; Wight, 2004; 2007). Critical realism, by contrast, aims at acquiring knowledge of the social world, including the unobservable layers of reality that do not simply disclose themselves to our senses (Joseph, 2007; Wight, 2007). Whereas positivists view science as a means to formulate law-like generalizations through the empirical observation of constant conjunctions of events, critical realists maintain that the goal of science is to acquire knowledge of the deeply structured, multi-layered reality (Patomäki and Wight, 2000). Positivists might object that one can never know what lies beyond the realm of the experienced. Yet it is difficult to see why this would be an argument against science aiming (at a minimum) to uncover as much of the unobservable reality as possible. As Wight (2007) indicates: "Although achieving it [knowing precisely what the world exists of] may be impossible, or knowing when we have achieved it extremely difficult, we cannot give up on the aspiration." Indeed, a narrow focus on the *transitive* domain (the actual and empirical), instead of simultaneously engaging with the *intransitive* domain (those underlying structural conditions that are unobservable yet causally

powerful in a non-Humean sense) leads to *theoreticism*, meaning that what will be observed is determined a priori by theoretical assumptions (Wigger and Horn, 2016, forthcoming). Overall, empiricism leads researchers to neglect questions of *why* reality discloses itself in a particular way, and not in another (Wight, 2004; 2007).

Empiricists are thus criticized for committing the *epistemic fallacy* of conflating questions of epistemology with questions of ontology: the real is defined in terms of what can be empirically observed (Joseph, 2007; Kurki and Wight, 2013). Yet some critical realists and social constructivists have fallen in the epistemic trap as well, which leads them to misinterpret each other's ontological and epistemological positions (e.g. Aalberts and Van Munster, 2008; Patomäki and Wight, 2000). The critical realists Patomäki and Wight (2000), for instance, argue that for many social constructivists, the real is defined in terms of discourse – reality always bears the mark of language (Patomäki and Wight, 2000). According to them, this take on reality is just as anti-realist as the empiricist idea of reality being defined in terms of perception. Indeed, “if objects are constructed in discourse then there is simply nothing more to discover. Everything that is an object of discourse would be said to exist, that which is not an object of discourse would not exist” (Patomäki and Wight, 2000: 218). Aalberts and Van Munster's (2008) response is that reflectivism (i.e. social constructivism here) does not deny that reality exists out there, independent of our conceptions of it, but it adds that this reality cannot be accessed without interpretation. From this insight, they conclude that “objective reality is an oxymoron” (Aalberts and Van Munster, 2008: 724). They add that a critical realist ontology is problematic, because its view that reality exists in part independent of the human mind, must mean that critical realists adhere to essentialism – and essentialism, according to them, does not match the view that the world is socially constructed. Kratochwil (2000) takes a similar position: he holds that essentialism must mean that there is only a single correct or true description of an object of reality, excluding the possibility for varying descriptions and interpretations.

Both critiques conflate epistemology with ontology. The fact that we need discourse to interpret reality (epistemology) does not necessarily mean that there

is no such thing as reality apart from our discursive representations of it (ontology). Patomäki and Wight (2000) thus paint a picture of social constructivism in IR that is too simplistic. In their reply, then, Aalberts and Van Munster (2008) are partly correct when they hint at this. Yet they also contradict themselves: from their own notion that reality cannot be known without interpretation (epistemology) they conclude that the existence of an objective reality (ontology) must be impossible. Moreover, they conclude that essentialism is incompatible with social construction and intersubjectivity. However, this is not sound reasoning: the fact that there is a world 'out there', with objects that have essences (ontology), does not necessarily contradict the notion that these objects might be socially constructed, nor the notion that they can only be known through interpretation (epistemology). Similarly, Kratochwil's (2000) conclusion that there can only be one true interpretation of objects of reality, does not logically follow from the critical realist belief that real objects have essences (see also Wight, 2007).

What is key to take away from the foregoing discussion, is that ontology and epistemology should not be conflated, and that reality exists of more than observation (empiricism) or discourse (some social constructivists). Reality is stratified, and exists in part independent of human beings. The purpose of science, again, is *not* to establish law-like regularities based on empirical observations. Rather, its goal is to uncover the different layers of reality.

The Impossibility of Neutral and Objective Knowledge

Since social constructivists regard knowledge to be socially constructed (Guzzini, 2000), objective and neutral knowledge is unattainable. Indeed, viewing reality as socially constructed by agents implies that the social scientist engages in social (re)construction as well. They contribute to (re)producing the reality that they observe. Hence, it becomes impossible to detach oneself from the object of study. Social reality is a social construct and our interpretations of it are affected by our identity and social context. The identity and social position of the researcher influences the entire research; from the theory choice, through the methodological considerations, to the results and conclusions. As such, knowledge production is always contingent. Consequentially, reality cannot be

captured in value-free facts. Facts are constantly (re)constructed and cannot be seen as fixed and stable. 'Facts' and observations are always theory-laden, as theories contribute to the (re)construction of social reality.

Critical realism concurs with the view that knowledge production is contingent, since all researchers (must) draw on sets of *transitive objects* (e.g. beliefs, prior knowledge, existing theories) to produce further knowledge about the *intransitive domain* (Patomäki and Wight, 2000). By the same token as social constructivists, critical realists emphasize that there is an abundance of ways to study reality, and that the choice for a particular approach is always context-dependent (Kurki, 2007). It follows that the social scientist cannot be neutral and objective. The notion that knowledge is a context-dependent social product that draws on previous knowledge (and is never independent of the objects it builds on) is referred to by critical realists as *epistemological relativism* (Kurki, 2007; Kurki and Wight, 2013; Patomäki and Wight, 2000; Wight, 2007).

The Infeasibility of Theory Comparison and Theory Testing

Consistent constructivism and critical realism both critique the positivist focus on theory comparison and theory testing. Since facts are always theory-laden, theories cannot be objectively tested against empirical reality. This contention renders theory comparison in order to establish theoretical superiority redundant. Comparing theories – especially comparing theories that differ fundamentally in their ontological assumptions – makes no sense, since these theories see a different reality. There can be no neutral point of departure and no neutral measuring rod to determine which theory has the most explanatory power. Explanatory power is always relative to the explanandum under study (Jessop, 2005). Moreover, theory juxtaposition leads to a needless focus on epistemology, rather than ontology, and as such is incompatible with the critical realist view of science as a means to uncover the different dimensions of reality (Kurki, 2007). Comparison entails competition between theories, rather than an effort to explain social reality (see also Wigger and Horn, 2016; forthcoming).

Because theories cannot be tested against empirical reality and cannot be compared objectively, attempting to verify or falsify a theory is not feasible, let alone desirable. It is undesirable, because, a theory that once upon a time has

been refuted (hence, a theory that did not match a particular socially constructed empirical reality at the time of testing), might be tested again and found to be perfectly consistent with another (socially constructed and context-dependent) reality. Refutation would only dismiss possibly comprehensive and useful theories on the basis of presumed neutral and value-free facts, while no such facts exist. In a similar vein, uncovering general laws cannot be the aim of research, since the goal of generalizing is to predict outcomes in other cases than the particular case or set of cases under investigation in a given piece of research. Such predictions can never be universal, since the socially constructed reality is likely to vary across space and time. Hence, predicting outcomes when in fact any outcome is context- and time-dependent should not be one of the key aims for research in the social sciences. This is compatible with the view that science should revolve around explaining reality, not about generalizing observations (Patomäki and Wight, 2000).

Recapitulation

The foregoing epistemological discussions have demonstrated that ontological commitments have epistemological consequences. On this basis, it has rejected conventional constructivism, since its positivist epistemology is at odds with its intersubjective ontology. Critical realism, as an approach that aims to transcend empiricism, has helped to critique positivism. This thesis can be considered part of the conventional constructivist school, emphasizing that ontology and epistemology are distinct, yet inseparable (Fierke, 2013).

3.2 Methods, Sources, and Operationalization

As a follow-up on the rejection of positivism, critical realists emphasize the importance of *epistemological and methodological pluralism* (Kurki, 2007; 2008; Patomäki and Wight, 2000). Rather than choosing epistemological approaches and making methodological decisions on the basis of purely positivist criteria, the ontological nature of the object under investigation should guide the epistemological and methodological decisions of the researcher. In the social

sciences these will often, albeit not necessarily, be discursive and interpretive methods (Kurki, 2007). The argument for pluralism does not mean that all knowledge claims are equal and that all paths to knowledge about the partly unobservable reality are scientifically acceptable. Critical realists hold that we can still judge the validity of knowledge claims through *judgmental rationalism* (Kurki, 2007; 2008; Kurki and Wight, 2013; Patomäki and Wight, 2000; 2007). Since the reality science should aim to access exists in part independent of our conceptions, some accounts of that reality are more accurate than others (Kurki and Wight, 2013; Patomäki and Wight, 2000). Such different accounts, or explanations, of a specific phenomenon of interest should be compared on the basis of holistic criteria (Kurki and Wight, 2013). Indeed, the validity of research should, according to critical realists, not be decided upon solely on the basis of parsimonious positivist criteria, judging research mainly on epistemological and methodological grounds (e.g. how measurable are the data, what is the extent to which findings can be generalized across other cases?). Instead, the value of any explanation should be assessed in its own right (Kurki and Wight, 2013). This assessment, then, should be based on numerous criteria, including the treatment of the selected evidence, the conceptual coherence, ontological nuance, epistemological reflection and reflection on potential biases, and the overall explanatory plausibility of the research (Kurki, 2007; Kurki and Wight, 2013; Patomäki and Wight, 2000). The analytical approaches and methods that were chosen to arrive at an holistic and plausible explanation for the emergence of the AU in its particular form, are discussed in the next sections.

3.2.1 Retroduction Through an Explanatory Narrative

Since the aim of scientific inquiry is to uncover those structural conditions and strategic-selective tendencies that exist in the *intransitive* realm of the real that have effects that are observable in the empirical dimension, it is key to employ an analytical approach that allows the researcher to transcend the *transitive* empirical realm. A suitable approach to do so is *retroduction*. When engaging in retroduction, the identified phenomenon of interest – the explanandum – is described thoroughly, after which questions are asked about what kinds of structural conditions, changes, and/or strategic-selective processes must have

been present for the explanandum to be actualized (Downward and Mearman, 2007; Wight, 2006). In a way, then, it is a form of theoretical reconstruction: “an intellectual exercise that reconstructs the likely underlying and ontological conditions that must exist” in order for the empirically observed explanandum to emerge (Fiaz, 2014: 497). By first laying out the explanandum in greater detail than was done in the introduction, it becomes possible to more clearly connect the explanandum to the *explanans* – which consists of the causal explanatory factors. The explanation is thus “established through a process of successive interrogative reasoning between explanans and explanandum (Ruggie, 1998: 880). Retroduction stands in stark contrast to the positivist-empiricist approaches of induction, whereby mechanistic causal links are established through multiple empirical observations, and deduction, whereby hypotheses are deduced from theory and tested against empirical observations (Downward and Mearman, 2007; Wigger and Horn, 2016; forthcoming). By transcending the empirical realm, retroduction adds ontological depth to the explanation (Downward and Mearman, 2007). By the same token, retroduction is compatible with the anti-positivist epistemological stance of this thesis.

In line with the retroduction approach, the explanation in chapter 4 is laid out as an *explanatory narrative*, which can be seen as a form of sophisticated storytelling (Dray, 1985). The explanation is presented as a complex, yet structured, causal story. It transcends the empirical realm in which agents engage in discursive action, by adding antecedent, underlying structural preconditions these agents were confronted with. This way, it becomes possible to reconstruct if, and how, agents were capable of strategically engaging with their structural context at a given point in time (Dray, 1985). This is key when analyzing the strategic selective properties of underlying structures. How the relevant structural conditions – that are in principle intransitive to the researcher – can be identified, is outlined in the operationalization subsection (3.2.3).

3.2.2 Sources and Method: Textual Evidence and Semi-Structured Interviews

Given the essential role of language and discursive action in social (re)construction and (re)production processes, it became important to focus on the discursive realm, existing of text and talk (Jørgensen and Phillips, 2002). Agents use language to make sense of, and represent, the stratified reality in which they are embedded (Joseph and Roberts, 2004). Following from critical realism, the discursive realm in this thesis is situated within “context-specific, or ‘causally efficacious’, circumstances” – i.e. the structural conditions existing in the real domain (Joseph and Roberts, 2004: 6). How this positioning plays out in terms of uncovering the real, intransitive domain, is outlined in the operationalization subsection below. Here, the sources that were consulted (mostly OAU and AU resolutions and reports, and speeches of relevant agents) and the method that was conducted (semi-structured interviewing) are critically discussed.

The Collection of Sources

Regarding the collection of sources, the decision was made to engage in data triangulation, which entails that multiple types of sources are consulted to investigate the phenomenon of interest (Downward and Mearman, 2007; Longhurst, 2010). Because multiple “lines of sight” are combined with triangulation, the researcher obtains “a more substantive picture of reality” (Berg, 2009: 5). Hence, understanding of the explanandum is maximized, which matches the ontological depth advocated by critical realism. The triangulation approach furthermore functions as a strategy to corroborate information obtained from a particular source or set of sources, to the insights obtained from other types of sources, making it possible to corroborate the information extracted from semi-structured interviews (Diefenbach, 2008). This also works the other way around: the interpretation of the interviewees could be compared to the interpretation, based on other sources, by the researcher. Finally, triangulation has the pragmatic advantage of circumventing problems of limited access to a particular set of sources, which were in fact encountered in the research process for this thesis.

Limited access indeed posed a problem. Attempts were made to find meeting records, or proceedings, of the OAU Summits where the establishment

of the AU took center stage: the 1999 Sirte Summit in Libya, the 2000 Lomé Summit in Togo, the 2001 Lusaka summit in Zambia, and the 2002 Durban Summit in South Africa (African Union, n.d.). The OAU where the voting on key issues takes place, including the vote on the AU Constitutive Act and the Sirte Declaration which called for the AU's establishment, is the Assembly of Heads of State and Government (AHSOG) of the OAU. To uncover the political stances of the heads of state of the OAU's member states would require an analysis of the debates in the AHSOG, and the discursive acts performed by the heads of state. This would have allowed for a detailed analysis of the positions of the respective member states and provide insight into possible contestation, framing processes, and/or other discursive mechanisms at work. Unfortunately, no such records are publicly available on the AU website. Contact was sought with research institutes focusing on Africa, including the Institute for Security Studies (ISS), with offices in several African capitals, and the African Studies Centre in Leiden, the Netherlands. Additionally, an email request was sent to the AU Commission Archives in Addis Ababa, Ethiopia. Unfortunately, the AU is still in the process of digitalizing its archives, and as such it was impossible to gain full access. An invitation to conduct archival research in Addis was received, yet this was unfeasible due to financial and time constraints. In order to still be able to examine language, other sources were consulted, including speeches of, (media) interviews with, and reports written by relevant (collectives of) agents. Additionally, declarations and resolutions that *were* publicly available via the AU website were consulted. Furthermore, a handful of not-yet-digitalized documents, including an essential report by the OAU Secretary General, were scanned and sent by AU archivists by email. To further circumvent the limited access to primary sources, secondary sources (mostly academic works) were consulted, and semi-structured interviews were conducted with individuals knowledgeable of the process leading up to the AU's establishment.

Semi-Structured Interviews

The decision to conduct *semi-structured* interviews (instead of structured or unstructured interviews) was mainly based on the aim of gathering information in addition to the information already gathered from other sources, which

resonates with the triangulation approach as outlined above. Unstructured interviews usually follow the natural course a conversation takes. Any issue may be raised by the interviewee, and the interviewer does not prepare a list of questions prior to conducting the interview (Longhurst, 2010; O'Reilly, 2005). The interviewer is not so much in control of how a conversation develops. Structured interviews, by contrast, are characterized by a pre-determined list of standardized questions that need to be answered by the interviewee, without much room for maneuver. Indeed, in an entirely structured interview, there is no possibility to ask follow-up questions or questions for clarification. Furthermore, it is difficult for the interviewee to add their own insights (Longhurst, 2010; O'Reilly, 2005). A semi-structured interview occupies the middle ground between structured and unstructured interviews and contains elements of both (O'Reilly, 2005). A semi-structure thus offers participants the opportunity to emphasize, explore, and voice out issues that they feel are relevant, while at the same time structuring the conversation with a prepared set of questions (Longhurst, 2010). This increases the likelihood of receiving additional, unanticipated information which would not have been obtainable with a standardized set of questions. Furthermore, interviews are a good way of reconstructing an event or set of related events (Tansey, 2007). These factors render semi-structured interviewing a method that neatly fits with the retrodution approach, which aims at uncovering the different explanatory factors composing the explanans.

Naturally, the method of semi-structured interviews has its drawbacks. Firstly, the identity and position of both the interviewer and the interviewee, including their potential (un)conscious biases, may affect the interaction during and subsequently the information resulting from the interview (Diefenbach, 2008; Longhurst, 2010). In fact, the interviewer and interviewee can be seen as agents that mutually constitute meanings. The key, then, is to be reflexive, meaning to recognize one's own identity and position as an interviewee, and to recognize the interviewees background, identity and position – and, most importantly, how all of this might affect the interview itself (Longhurst, 2010; see also Wigger and Horn, 2016, forthcoming). Indeed, it is important to think about the nature of the relationship between the interviewer and the interviewed

(O'Reilly, 2005). Secondly, apart from being reflexive, the interviewer needs to be cautious when interviewing high ranking individuals, or *elites* (Berry, 2002; Diefenbach, 2008; Tansey, 2007). High ranking officials, such as CEOs, diplomats, or politicians, may deliberately try to manipulate the interview and mislead the interviewer (Diefenbach, 2008). This problem is more profound with elites than with 'regular' individuals, since the likelihood of being deliberately manipulated increases when the power relation between the interviewer and interviewee is clearly unequal, when the interviewee is very experienced with being interviewed, and when the interviewee is personally involved in, or has an interest in that what is being researched (Diefenbach, 2008).

The final two potential pitfalls of interviewing are the issue of quantity and the issue of poorly phrased questions. Qualitative interviewing has often been criticized as a method for being unreliable, as a result of conducting only a limited number of interviews (O'Reilly, 2005). Yet the entire purpose of semi-structured interviewing as part of qualitative research is to uncover unanticipated information and to explore a research question in-depth. The rate of success, therefore, is not dependent on quantity, but on quality of the conversations (O'Reilly, 2005). The issue of poorly phrased questions seems obvious, yet it remains essential to be aware of how one formulates a question. Leech (2002) emphasizes that the type of questions one asks, affect the responses one gets. In a journalistic interview, for instance, questions are usually formulated to get a particular quote (or several quotes) that add to the story the journalist has in mind (Leech, 2002). In a scientifically oriented interview, this would be a problem: the interviewer must steer the interviewee as little as possible so as to provide the interviewed individual with room for voicing out their own concerns and insights. How the aforementioned issues have been taken into consideration during the interviews conducted for this thesis, is outlined below.

Five semi-structured interviews with individuals knowledgeable of the process leading up to the establishment of the AU were conducted over the course of June and July 2016. Transcripts of the interviews are in possession of

the author of this thesis, and quotes from the interviews follow in the form of verbatim excerpts¹ (see O'Reilly, 2005). The interviewees included²:

- a senior researcher at the African Studies Center in Leiden, the Netherlands, Emeritus Professor of African Development Studies at American University in Washington D.C., United States, and senior fellow at Stockholm International Peace Research Institute in Sweden, who has held several positions within the UN in the past, including as a member of UN Secretary General Kofi Anan's panel relating to African development;
- an Extraordinary Professor at the Centre of Human Rights and the Department of Political Sciences at the University of Pretoria, South Africa, and the former Executive Director of the Institute for Security Studies (ISS) in Pretoria;
- a professor of Political Science and International Relations at Addis Ababa University in Ethiopia who previously worked as a professor of African Studies at the University of Delhi in India;
- an Extraordinary Professor of African Studies at University of the Free State in Bloemfontein, South Africa, and also the Head of the Justice and Reconciliation in Africa Programme at the Institute for Justice and Reconciliation in Cape Town, South Africa, who has worked as an adviser to the AU in the past;
- a research fellow at the Munk School of Global Affairs at the University of Toronto, Canada, who has done consultancy work for several international organizations, including the AU, in the past.

In order to gather more detailed insider information, interview requests were also sent to persons that are still affiliated with the AU, and individuals that have been directly involved in drafting the Constitutive Act. Unfortunately, some of these individuals declined the request, because sharing their knowledge of

¹ Unfortunately, due to connection issues, it was impossible to transcribe the interview with Kuruvilla Mathews, since large parts of the conversation were inaudible on the recording. Fortunately, the interviewer took notes during the interview, and remaining uncertainties were verified with the interviewee via email.

² The names of the interviewees respectively are: Fantu Cheru, Jackie Cilliers, Kuruvilla Mathews, Tim Murithi, and Thomas Kwasi Tiekou

internal affairs is regulated by their contract. This also has an advantage: the likelihood of deliberate manipulation of the five interviewees is low, as none of the interviewees were directly involved in the phenomenon under study, and none of them are powerful politicians or diplomats, i.e. elites. One might consider researchers or scientists to be elites, too. However, they have less of a direct interest in the research topic than diplomats or politicians would have. In order to reduce the potential effect of the issue of manipulation by the interviewed even more, all interviews were checked against each other. This is called external triangulation (O'Reilly, 2005). Although the interviewees are not elites, reflexivity – being explicit about how the position and identity of the interviewees and interviewer might affect the interview – remains important. Whilst the interviewer has a Western background, the interviewees are all African. Consequentially, it might be the case that the interviewees would want to get across a positive image of Africa, *their* continent. This may be an unconscious bias on the part of the interviewed individuals, or they might be fully aware of it, hence it could be an actual goal for them. This issue is mitigated, however, by the fact that two of the five interviewees live and work in the West. A final point worth emphasizing is that the phrasing of the questions has been a continuous consideration during all five conversations. Most questions were open-ended and formulated as neutrally as possible. Of course, the questions asked during the first interview were not exactly the same (both in content and in formulation) as the questions raised during the second to the fifth interview. The semi-structure provided room for such variation.

3.2.3 Operationalization

The expectations as outlined at the end of chapter 2 involve a common Pan-African identity, framing processes, and structural preconditions that constrain and enable agency. In order to be able to connect these fairly abstract concepts to more concrete empirical material, it is key to provide an operationalization – that is, how these factors can be recognized in the empirical analysis.

A common identity can be identified on the basis of discursive representations of this identity by multiple (sets of) agents. Since it is important to establish that the Pan-African identity was *collective*, representations of that identity by a single agent are not enough. A common identity can be said to exist when numerous agents represent common ideas, interests, and/or a common faith; but a common identity can also be based on common aversions against a collectively constructed 'Other' (see also Wendt, 1994). Othering exists of portraying the Other in an negative light, for instance by emphasizing the Other as the cause of a problem or problems, or by discursively representing the Other as a threat. Supporting evidence for the identification of a common Pan-African identity can come from information the interviewees provide; they might explicitly or implicitly refer to the common identity, for instance by mentioning Africa's collectivity, solidarity among African leaders, or by speaking of particular ideas concerning what it entails to be 'African'. Ideas embodied in the common identity may also prescribe or preclude particular behavior of agents who share this identity; such prescriptions regarding behavior can be said to signal a particular logic of appropriateness for the agents who identify in terms of collective Africanness. Framing endeavors are expected to mostly exist of agents linking their aims of social (re)construction to already established shared beliefs and ideas (see also Finnemore and Sikkink, 1998). This can be recognized when new ideas, which had not been mentioned before and were not yet shared by a wider set of agents, are linked to ideas to which a large group of agents, for instance all African heads of state, had already explicitly committed themselves to.

Since antecedent underlying structural conditions and their strategic-selectivities (their causal powers) are in principle intransitive, one must turn to the transitive domain to be able to identify the relevant structures that were necessary for the explanandum under investigation to be actualized (Fiaz, 2014). It then becomes important to ask questions such as: What conditions enabled agents to discursively reconstruct sovereignty? And what kind of structures or structural changes enabled the Pan-African identity to come to the fore? The relevant structural conditions are identifiable in two ways: by observing multiple examples of agents discursively representing the same structures; and by

following information provided by the interviewees regarding the structural preconditions that were essential for the explanandum to become a reality.

4. Empirical Analysis

This chapter aims to explain the establishment of the AU as a new regional organization replacing the OAU, in its particular form, with a mandate to intervene in its member states. In keeping with the retroduction approach, the explanandum is outlined in greater detail, before moving to the explanans. The explanans exists of multiple explanatory factors, the most essential one being a common Pan-African identity, which can be discerned from discursive acts by several African agents. After showing the presence and content of this identity, and how it informed consensus on the part of African leaders in creating the AU and providing it with a mandate to intervene, the analysis moves to a reconstruction of the underlying structural conditions and the strategic-selective processes that enabled this identity to come to the fore in the first place.

4.1 The Explanandum: Africa's Sovereignty Shift

With the establishment of the AU in 2002, a new era started for Africans and Pan-African cooperation. The key objectives of the OAU, independence of all African countries and the eradication of Apartheid in South Africa, had been fulfilled and the AU was faced with new challenges (African Union, 2000; Murithi, personal communication, 2016; South African Department of Foreign Affairs, 2002). The preparation document of the South African government for the Durban Summit in 2002, where the AU was inaugurated, emphasizes the AU's expanded mandate, particularly to intervene in its member states. Also, the AU's focus on human rights and security is emphasized (South African Department of Foreign Affairs, 2002). In the AU Constitutive Act, it is stated that the 53 African heads of state are "[d]etermined to ensure good governance and the rule of law" (African Union, 2000: 3).

The objectives of the AU include the objective to "defend the sovereignty, territorial integrity and independence of its Member States" (article 3(b)), to "promote peace, security and stability on the continent" (article 3(f)), and to "promote and protect human and peoples' rights" (article 3(h)) (African Union, 2002: 5-6). The organization's principles include the "sovereign equality and

interdependence among Member States of the Union” (article 4(a)), “respect of borders existing on achievement of independence” (article 4(b)), “non-interference by any Member State in the internal affairs of another” (article 4(g)), “the right of the Union to intervene in a Member State pursuant to a decision of the Assembly in respect of grave circumstances, namely: war crimes, genocide and crimes against humanity” (article 4(h)), “the right of Member States to request intervention from the Union in order to restore peace and security” (article 4(j)), and “respect for democratic principles, human rights, the rule of law and good governance” (article 4(m)) (African Union, 2000: 6-7).

At first sight, some articles seem to contradict others. For instance, articles 3(b), 4(b), and 4(g), regarding the respect for borders, non-interference and protection of sovereignty of member states, seem to contradict articles 4(h) on the AU’s right to intervene in its member states, and to a lesser extent the articles regarding the protection of human and peoples’ rights (articles 3(h) and 4(m)). Yet it is important to note that it is the Union that has the right to intervene in its member states; its member states have no such right (to intervene unilaterally) (see also Kindiki, 2003). Furthermore, and perhaps more importantly, these ‘contradictions’ point towards a different understanding of sovereignty. Sovereignty is not only understood in terms of rights of a state (to decide on its own internal affairs, free from outside interference), but also in terms of obligations, or responsibilities (to protect the rights and security of its people). This understanding of sovereignty is akin to the Responsibility to Protect (R2P) doctrine, institutionalized at the UN level in 2005 (United Nations, 2005) after it was put on the agenda of the international community by the ICISS in 2001 (International Commission for Intervention and State Sovereignty, 2001). Indeed, Africa’s notion of sovereignty was quite progressive for that time, and the AU was far ahead of the UN in institutionalizing an R2P-like idea of sovereignty (Cilliers, personal communication, 2016; Murithi, personal communication, 2016). Moreover, some articles in the AU Constitutive Act, notably article 4(h) on intervention, present a major shift away from the focus of the Charter of the OAU, its predecessor. The mandate to intervene should not be taken lightly, as the decision to intervene is in the hands of a two-thirds majority of the AU AHSG when no consensus is reached, and there is no veto right for any individual

member state of the AU (Kindiki, 2003). This means that it is, at least legally, impossible for a member state of the AU to block intervention once a two-thirds majority is reached.

The focus of the OAU Charter, which was signed in Addis Ababa, Ethiopia in May 1963, is indeed clearly different. At the time of its establishment, only 32 territories had gained independence from colonial rule (African Union, n.d.). As such, the organization's main objectives included the eradication of colonialism and Apartheid (in the case of South Africa and Namibia) (African Union, n.d.; Organization of African Unity, 1963). The OAU's seven principles were the following (Organization of African Unity, 1963: 4):

- “1. The sovereign equality of all Member States.
2. Non-interference in the internal affairs of States.
3. Respect for the sovereignty and territorial integrity of each State and for its inalienable right to independent existence.
4. Peaceful settlement of disputes by negotiation, mediation, conciliation or arbitration.
5. Unreserved condemnation, in all its forms, of political assassination as well as of subversive activities on the part of neighbouring States or any other States.
6. Absolute dedication to the total emancipation of the African territories which are still dependent.
7. Affirmation of a policy of non-alignment with regard to all blocs.”

The seventh principle refers to Africa's membership of the non-aligned movement during the Cold War, meaning that the OAU's member states were obliged to refrain from aligning with either the United States (West) or the Soviet Union (East) (Mathews, 1989). The other six principles do not include any reference to human rights or human security. Furthermore, the entire OAU Charter only contains a single reference to human rights, which mentions the Universal Declaration of Human Rights of the UN (Organization of African Unity, 1963). In general, it can be said that the OAU Charter heavily drew from the UN Charter (Murithi, personal communication, 2016; see also Spies and Dzimiri, 2011; Williams, 2007). Both the international community (UN) and Africa (OAU) adhered strictly to sovereignty as non-interference, and the OAU

continued to do so when more and more countries were liberated from colonial rule and became a member of the OAU (only liberated states were eligible for membership). The non-interference notion of sovereignty was simply projected onto the states that gained independence (Aalberts, 2004b; Geldenhuys, 2014; Murithi, personal communication, 2016; Williams, 2007).

In sum, it is safe to conclude that the AU Constitutive Act's focus lies on human security and sovereignty as not only a right, but also a responsibility, and that, by contrast, the OAU Charter emphasizes sovereignty as non-interference, and state protection and security. This observation was shared by all five individuals who were interviewed for this study (Cheru; Cilliers; Mathews; Murithi; Tiekou, personal communication, 2016). The transformation from sovereignty as non-interference to sovereignty as non-indifference should not be taken lightly, it should not be dismissed as mere "cheap talk" (Murithi, personal communication, 2016). It is more than merely symbolic, and ideas do matter, as Cheru (personal communication, 2016) emphasized. Murithi (personal communication, 2016) aptly captures how Africa's sovereignty shift should be understood:

"It's a huge shift in geopolitics, because the UN does not even have a similar provision in its Charter. The AU (...) is pushing our understandings of the Westphalian construct towards new notions of sovereignty."

4.2 The Explanans: Explaining the Creation of the AU in its Particular Form

This section offers an explanation for the explanandum. Firstly, a *common Pan-African identity* is discerned from discursive acts by multiple agents. Over the course of the 1990s, several agents aimed at reconstructing the ideas embodied in Pan-Africanism. Furthermore, it is shown that all African heads of state explicitly recommitted themselves to this identity in the 1990s. From this commitment, the conclusion can be drawn that the common Pan-African identity, at least in part, led to converging behavior and eventually consensus regarding the establishment of the AU in its particular form. This first section can demonstrate *how* consensus was reached and *how* sovereignty as non-indifference could be

included in the AU Constitutive Act. Secondly, the underlying structural conditions that made the revival and reconstruction of Pan-Africanism more readily possible via their inherent *strategic selectivity*, are discerned mainly on the basis of information from the interviews and references to these conditions by agents who aimed at transforming and revamping Pan-Africanism. These structural conditions contribute to explaining *why* Pan-Africanism re-emerged and *why* transformative agency was enabled, leading to a reconceptualization of sovereignty.

4.2.1 A Common Pan-African Identity

Pan-Africanism should be seen as a set of related ideas regarding what it means to be African. Indeed, it concerns a “celebration of Africanness” (Murithi, 2007a), and an “African personality” (Williams, 2007). Hence, it can be seen as a common African identity. The origins of Pan-Africanism can be traced back to long before the AU (in 2002), and even the OAU (in 1963), were established (Mazrui, 2005; Williams, 2007). The ideas embodied in the Pan-African identity were born out of resistance against Western imperialism, and were first articulated by African intellectuals in the nineteenth century, under the auspices of colonialism (Williams, 2007). However, the exact content of the Pan-Africanism has never been fixed, the set of ideas embodied in this common identity have changed over time (Murithi, 2007a). A brief history of Pan-Africanism is essential in order to demonstrate that the content of this common identity has changed over time, especially over the course of the 1990s. Furthermore, the *degree of mutual identification* has also varied significantly.

In 1963, when the OAU was established, only 32 African territories had gained political independence from colonial rule (African Union, n.d.). One of the main goals of the OAU therefore was the wholesale liberation from colonialism, and thus self-determination for all African peoples (Murithi, 2007a). This unambiguous aim led the Pan-African identity to be primarily defined in terms of (post)colonial subjects – African states were first and foremost victims of their European colonial masters. This rendered the common identity to become a “statist Pan-Africanism” (Shivji, 2011: 11). This statism and the protection of sovereign statehood formed informed the strict adherence to sovereignty as non-

interference in the OAU Charter (Murithi, personal communication, 2016; Shivju, 2011; Tiekou, 2007). At the same time, however, the common identity of colonial subjects also entailed ideas of collectivity based on the shared (post)colonial faith (Murithi, 2007a). Indeed, the OAU Charter emphasizes African “brotherhood and solidarity” (Organization of African Unity, 1963: 1). Overall, it can be concluded that the common identity of Pan-Africanism under the OAU was primarily defined in terms of the shared identity as colonial subjects, collectively struggling to gain independence, whilst at the same time strictly maintaining the sovereignty as non-interference principle. Africans thus identified with one another via *Othering* their European colonial masters, but maintained a sense of individualism through their strict statism. This protection of sovereign statehood thrived when numerous dictators rose to power during the heyday of the Cold War in the 1970s and 1980s, often at the expense of the African peoples (Murithi; 2007b Murithi, personal communication, 2016; Shivji, 2011). Hence, the statism advocated as a result of the shared colonial history, ironically, ultimately lessened the *degree of mutual identification*, and weakened the Pan-African identity. This changed over the course of the 1990s, when Pan-Africanism made a comeback.

The revival of the common Pan-African identity, and the changing content in terms of ideas embodied in this identity, is revealed below, on the basis of discursive representations by several (collectives of) agents. The common Pan-African identity was both implicitly and explicitly revived, reconstructed, and reproduced with several texts, including reports, speeches, interviews, and declarations of the OAU / AU AHSO. Two elements stand out. The first is a process of *Othering* focused on the West through framing, whilst emphasizing collective self-reliance on the part of Africans. The second is the employment of framing strategies of linking conflict prevention and resolution to the survival of the sovereign African state, thereby aiming to introduce the idea of sovereignty as non-indifference.

Othering the West and Reconstructing Sovereignty Through Framing

The OAU Secretary General

One of the most important agents who aimed at reconstructing sovereignty, was Salim, the OAU Secretary General from 1989 to 2001 (Cilliers, personal communication, 2016; Tieku, personal communication, 2016). Multiple excerpts from a 1990 report of the Secretary General to the OAU, entitled “Report of the Secretary-General on the Fundamental Changes Taking Place in The World and Their Implications for Africa: Proposals for an African Response”, signal framing strategies aimed at reconstructing sovereignty, and a discursive process of Othering the West (Organization of African Unity, 1990a). The fundamental changes the report emphasized, were mainly related to the end of the Cold War and its effects on Africa.

In the document, Salim defined two major problems, or rather threats, that were facing Africa at the time: increased economic marginalization, and the possibility that some African countries might not survive as independent sovereign states. The causes of the former were explicitly linked to the West (Organization of African Unity, 1990a: n.p.):

“Already the West has responded very swiftly to the political reforms in Eastern Europe by infusing substantial financial resources [...]. The EEC [European Economic Community] on its part has established a Development Bank to benefit the countries of Eastern Europe. The USA has earmarked funds for the same purpose and Japan is buying its way heavily into Eastern Europe. This contrasts sharply with the snail's pace and meagre scale of the West's response to Africa's longstanding need for financial resources.”

“[A] trend is now emerging for some donors to make the existence of democracy, as defined by them, a condition for aid. [...] [S]uch political conditionality may have to be imposed by aid donors directly or indirectly on African countries.”

By framing policies of Western countries as the primary cause of the economic marginalization of Africa, Salim placed the responsibility for the lack of economic prosperity outside of Africa itself. Furthermore, the phrase “as defined by *them*” and the term “*the West*” as a generalizing concept to describe several countries, signals a discursive process of Othering the West as a whole. Furthermore, the term “imposition” delegitimizes Western aid donors and signals *aversion* on the part of the Secretary General towards the West. The causes of the second problem, however, were not linked to the West:

“The political situation in Africa today is bedeviled by various conflicts that threaten not only human rights and social order but also prospects for the survival and even the sovereignty of some States. Some of these conflicts are interstate while others are intra-state.”

In linking the problem of state survival to inter- as well as *intra*-state conflicts, the Secretary General effectively linked these conflicts (as the cause) to the already established shared understanding among African heads of state that political independence and sovereignty are essential (recall the pronounced emphasis placed on sovereign statehood in the OAU Constitutive Act and the statist Pan-Africanism that prevailed under the OAU). This framing endeavor can be seen as an effort to direct attention to conflict resolution, as can be illustrated with another excerpt:

“Member States should recommit themselves to peaceful resolution of all conflicts, internal or interstate, within the spirit of African solidarity and brotherhood and enable the Organization to play a more active role in conflict prevention, management and resolution.”

The responsibility for the solution to the threat to the survival of the sovereign state in Africa was thus put upon OAU member states and the OAU as an organization, and *not* on the West. This solution, for Salim, included the idea of non-indifference on the part of the OAU:

“While the principle of non-interference in the internal affairs of Member States should continue to be observed, it should, however, not be construed to mean or used to justify indifference on the part of the OAU. African solutions to African problems must be given a new momentum in African politics and international relations.”

In sum, the report of the Secretary General provides evidence for a process of Othering the West, and it contains frames that reconstruct sovereignty in such a way as to promote a more active and interventionist role of the OAU in the resolution of conflicts. Indeed, “African solutions to African problems” were put center stage. Perhaps most importantly, it links “African solidarity and brotherhood”, shared ideas that were already part of the Pan-African identity when the OAU was established, to conflict resolution.

The Assembly of Heads of State and Government (AHSB)

Whilst the 1990 Secretary General report shows what ideas were embodied in Pan-Africanism, and how Salim attempted to reconstruct some of these ideas, a *common* identity consisting of shared ideas cannot be identified solely on the basis of discursive representations of that identity by a single agent. A 1990 declaration by the OAU AHSB, which explicitly drew on the Secretary General report, shows that all African heads of state firmly committed themselves to Pan-Africanism (Organization of African Unity, 1990b: n.p.):

“[W]e rededicate ourselves to the principles and objectives enshrined in its Charter to our faith in ourselves and to our continent, with greater determination to be masters of our destiny. In this spirit, we reaffirm our commitment to revive the ideals of Pan-Africanism and commit ourselves, individually and collectively, on behalf of our governments and people to maintain and strengthen our unity and solidarity.”

However, the declaration makes no mention of the Secretary General’s ideas regarding sovereignty as non-indifference. The only article in the declaration related to conflict resolution does not mention the possibility of increasing the (humanitarian) intervention possibilities of the OAU. This was mainly due to opposition from a few longstanding dictators, whose concerns revolved around maintaining their power (Tieku, personal communication, 2016). Overall, it can be concluded that African heads of states recommitted themselves to the ideas of African brotherhood and solidarity, and emphasized their collective self-reliance (“determination to be the masters of our destiny”). However, consensus on a policy of non-indifference as opposed to strict adherence to non-interference was not yet forthcoming in 1990.

The Africa Leadership Forum (ALF)

Another key agent that contributed to the revival and reconstruction of Pan-Africanism, was Obasanjo, the then chairperson of an African civil society organization: the Africa Leadership Forum (ALF) (Cilliers, personal communication, 2016; Mathews, personal communication, 2016; Tieku, personal communication, 2016). In a series of conferences and meetings over the course of 1990 and 1991, the ALF aimed at constructing a new vision for Africa. The most important conference was the Kampala Forum in Uganda in May 1991, organized

by the then chairperson of the OAU, president Museveni of Uganda, at the request of the ALF. Over five hundred people from both the public and private sector came together for this event (Machungo, n.d.), which laid the foundation for new thinking regarding security and sovereignty. The result of the Kampala Forum of May 1991 was the Kampala Document (Africa Leadership Forum, 1991), intended to be adopted by the AHSG during the OAU Summit in June of that year in Abuja, Nigeria (Tieku, 2015). The inclusion of the ALF's document on the OAU agenda would most definitely not have occurred had the OAU Secretary General been someone else than Salim, who shared the ideas advocated by the ALF (Cilliers, personal communication, 2016; Tieku, personal communication, 2016). What follows is an assessment of the framing in the Kampala Document, alongside excerpts from a speech delivered by Obasanjo in 1993 in Washington, entitled "Prospects for Peace in Africa" (Obasanjo, 1993).

In the preamble of the Kampala document, reference is made to the 1990 ASGH declaration that was based on the Secretary General report regarding a proposal for Africa's response to the fundamental changes that confronted the continent. In the Kampala document's principles, explicit links are made between security, stability, and development, and between these factors in one country and all other African countries:

"The security, stability and development of every African country is inseparably linked with those of other African countries."

For the ALF, this link called for a united African response:

"The interdependence of African States and the link between their security, stability and development demand a common African agenda based on a unity of purpose and a collective political consensus derived from a firm conviction that Africa cannot make any significant progress on any other front without collectively creating a lasting solution to its problems of security and stability."

Just as the Secretary General and the AHSG, the ALF emphasized *collective self-reliance on the part of African states*. The response the ALF proposed was the "Conference on Security, Stability, Development and Cooperation in Africa", the CSSDCA. The ALF called upon the AHSG to sign a declaration on the CSSDCA, including binding principles "which will guide the conduct of governance in

individual African states as well as the imperatives of intra-African and inter-African relations”. Moreover, according to Obasanjo and his ALF, both security *and sovereignty* were ought to be redefined “if we are to talk of promoting lasting peace in Africa” (Obasanjo, 1993: n.p.). On security, the Kampala document stated that:

“The concept of security goes beyond military considerations; it embraces all aspects of the society including economic, political and social dimensions of individual, family, and community, local and national life. The security of a nation must be construed in terms of the security of the individual citizen to live in peace with access to basic necessities of life while fully participating in the affairs of his/her society in freedom and enjoying all fundamental human rights.”

Regarding sovereignty, the idea of intervention was included and as such entered the agenda of the OAU:

“There is, indeed, the urgent requirement to prevent conflicts and disputes from escalating into armed hostilities. This calls for the strengthening of conflict resolution mechanisms for negotiation, mediation, conciliation and arbitration at the governmental, political and diplomatic levels, within the framework of intervention.”

Obasanjo himself was more explicit when he addressed his audience in the United States:

“The concept of sovereignty in an interdependent world must not be seen in terms of absolute sovereignty of each state but in terms of cooperation and collaboration for the overall interest of all.”

As already exemplified by the 1990 AHSG declaration on the Secretary General’s report, redefining sovereignty in such a way that intervention would become an actual possibility for the OAU, turned out to be too radical for the heads of state to accept. This became evident once again when the Kampala Document was not adopted by the African leaders in Abuja in 1991. Again, there was opposition from a small group of dictators, including Omar Hassan Ahmed el-Bashir (Sudan), Daniel Arap Moy (Kenya) and Muammar Qadhafi (Libya) (Tieku, 2015). According to Obasanjo himself, these leaders were not willing to adopt the Kampala Document because “it threatened the status quo and especially the power positions of [their] governments” (Obasanjo, 2002). Indeed:

“they saw it could potentially endanger their regime” (Cilliers, personal communication, 2016). Human rights violations in Libya, mostly in the form of political oppression, have been aptly documented (Sturman, 2003), which explains Qadhafi’s opposition to the Kampala Document. The CSSDCA process virtually disappeared from the OAU agenda after Obasanjo was imprisoned in 1995 (Tieku, 2015), allegedly for planning a coup in his country, Nigeria. According to the non-governmental organization (NGO) Transparency International (1996) and Obasanjo himself (2002), these accusations, coming from the dictatorial government of Sani Abacha, were false, and based on a testimony that was made under torture.

After the Abuja Summit had failed to reach consensus, debates on the nature of security and sovereignty continued to occupy the OAU agenda for some time, largely driven by Secretary General Salim (Cilliers, personal communication, 2016; Tieku, personal communication, 2016). In 1993, for instance, the ‘Cairo Declaration on the Occasion of the Thirtieth Anniversary of the Organization of African Unity’ (Organization of African Unity, 1993: n.p.) emphasized “the need for collective self-reliance in achieving the overall development of our continent, promotion of human and peoples rights and our ability to foresee the trend of the fundamental changes taking place in our contemporary world in the political and economic fields.” This declaration, adopted by the AHSG, again contains the need for collective self-reliance – *including when it comes to human rights promotion*. African heads of state thus effectively committed themselves to the promotion of human rights. In spite of these commitments by the African leaders, sovereignty as non-interference remained untouched in this document, pointing to the lack of consensus regarding reconceptualization.

The International Panel of Eminent Personalities to Investigate the 1994 Genocide in Rwanda and the Surrounding Events

In 1998, the International Panel of Eminent Personalities to Investigate the 1994 Genocide in Rwanda and the Surrounding Events was established by the OAU (Institute for Security Studies, 2000). The mandate of the panel existed of establishing “the facts about how such a grievous crime was conceived, planned, and executed” and investigating “the failure to enforce the [United Nations] Genocide Convention in Rwanda” (Institute for Security Studies, 2000: n.p.).

Although there are no accurate figures, it is estimated that around one million people were killed over the course of a three-month period during the genocide in Rwanda. Most victims belonged to the Tutsi ethnic group, yet thousands of Hutu were also slaughtered (Uvin, 2001). The genocide followed a four-year intrastate war in the country. Regarding the causes and consequences of the genocide, and concerning the role of the international community, NGOs, and the OAU in the events of 1994, no consensus exists. Depending on the perspective of the researcher(s) or writer(s), the 'truth' varies, which can be attributed to the extreme political sensitivities involved (Murray, 2001; Uvin, 2001). Academic articles, NGO reports, OAU and UN studies present diverging views. For the purposes of this thesis, the position of the OAU panel, and how this view differs from the position of the international community in the form of the UN, is most relevant.

The conclusions of the panel, that were presented in July 2000, differ markedly from the UN study on the genocide, presented a few months earlier. Whilst the UN report mentions the failure of the OAU to halt the genocide, it was far from as forceful in its condemnation of the African organization than the OAU was of the role played by the international community, specifically Belgium, France, and the United States (Murray, 2001). This is exemplified by the following excerpts from the OAU report (Institute for Security Studies, 2001: n.p.):

“[T]he Security Council, led unremittingly by the United States, simply did not care enough about Rwanda to intervene appropriately. What makes the Security Council’s betrayal of its responsibility even more intolerable is that the genocide was in no way inevitable.”

“President Clinton insists that his failure was a function of ignorance. The facts show, however, that the American government knew precisely what was happening, not least during the months of the genocide.”

“The Belgian government decided that its shameful retreat would be at least tempered if it were shared by others and strenuously lobbied to disband UNAMIR [the first UN mission in Rwanda] entirely. Although the US supported the idea, it was too outrageous to pursue. Instead, with the genocide taking tens of thousands of lives daily, the Security Council, ignoring the vigorous opposition of the OAU and African governments, chose to

cut the UN forces in half at the exact moment they needed massive reinforcement. As the horrors accelerated, the Council did authorize a stronger mission, UNAMIR II, but once again the US did all in its power to undermine its effectiveness.”

“The facts are not in question: A small number of major actors could directly have prevented, halted, or reduced the slaughter. They include France in Rwanda itself; the US at the Security Council; Belgium, whose soldiers knew they could save countless lives if they were allowed to remain in the country; and Rwanda’s church leaders.”

If anything, the Rwandan genocide fed into the already prevalent shared aversion to the West on the part of African leaders and the OAU (Cilliers, personal communication, 2016; Cheru, 2016, personal communication). In fact, there was “a complete distrust of the west” (Cheru, personal communication, 2016). The process of Othering the West thus continued, and became more fierce, after the Rwandan genocide. At the same time, Rwanda “really provided a momentum for advocates of change in African regionalism” (Cilliers, personal communication, 2016). The genocide contributed to strengthening the idea of collective self-reliance as part of the Pan-African identity: “[t]here was a sense that [...] Africa must be able to deal with crises like these on its own” (Cilliers, personal communication, 2016). Still, actual change could not have occurred the return of Obasanjo to the political arena as the president of Nigeria, and the rehabilitation of Qadhafi, who had been confronted by Western sanctions until 1999.

Libya’s Qadhafi

From 1992 onward, sanctions were imposed upon Libya by the United Kingdom, the United States, and the UN. The sanctions included an arms embargo and a ban on flights to Libya. The UN demanded Libya to extradite two persons who were allegedly involved in the terrorist attack on a PanAm flight over Lockerbie, Scotland, in 1988. The United States accused the country of having supported the bombing (Huliaras, 2001). Qadhafi initially turned to the Arab League for defying the sanctions, but the Arab countries refused. The OAU, on the other hand, made “a conscious effort to bring Qadhafi back” (Tieku, personal communication, 2016). This is exemplified by increased state visits by African heads of state to the country during the second half of the 1990s (Solomon and Swart, 2005) and a visit by South African president Mandela in 1997 (Huliaras,

2001). In fact, “Mandela impressed upon Qadhafi the notion of Pan-Africanism” (Murithi, personal communication, 2016). Mandela emphasized that the enemies of the West (i.e. Libya) were not his enemies, since Libya had supported Mandela’s struggle against Apartheid (Huliaras, 2001). Furthermore, the OAU AHSG adopted a declaration demanding the West to lift the sanctions. What stands out is the firm language against the Americans and the Brits (Organization of African Unity, 1997: n.p.):

“We strongly deplore the fact that one or two concerned countries have so far shown indifference to the initiatives presented to them with a view to a just and equitable solution to the crisis. This has led to an impasse and, as a result, the entire people of Libya have not only been held hostage for five years, but have also been subjected to collective suffering because of accusations none of the two countries concerned have been able to substantiate.”

African leaders felt that the West had imposed the sanctions for “other political reasons” (Tieku, personal communication, 2016). In 1999, the sanctions were lifted in part as a consequence of pressure from the OAU (Huliaras, 2001; Tieku, personal communication, 2016). This showed African leaders that the OAU had the means to take a strong stance against the West (Tieku, personal communication, 2016). As a consequence of the support of the OAU, Qadhafi firmly committed himself to Pan-Africanism (Huliaras, 2001; Tieku, personal communication, 2016). In an interview, Qadhafi proclaimed: “We are not destined to be Francophone or Anglophone or Americophone. Why can’t we be Africophone?” (Mideast Mirror, 1999). In sum, Qadhafi, who had strongly opposed the ideas advocated by the OAU Secretary General and Obasanjo’s ALF of redefining sovereignty from non-interference to non-indifference in the early 1990s, did share his aversions to the West with other African heads of state.

The Return of Obasanjo and the Ideas of the ALF

In 1999, Obasanjo, the chairperson of the ALF in the early 1990s, was elected president of Nigeria (Tieku, 2004). His position as president gave him the opportunity to reintroduce the ideas advocated by the ALF and embodied in the Kampala document to the OAU (Cilliers, personal communication, 2016; Tieku, personal communication, 2016). In fact, he made it his goal “to transform [the OAU] to be able to intervene in order to prevent crimes against humanity, human

rights violations, war crimes, and genocide” (Tieku, personal communication, 2016). How it eventually became possible to incorporate the ALF ideas, including a reconceptualization of sovereignty, into the AU Constitutive Act, is outlined in the next section. But first, a recapitulation of the above is warranted.

Recapitulation

The foregoing pages have revealed a common Pan-African identity, and have demonstrated that this identity was revived and reconstructed over the course of the 1990s. The revival was mainly based on Othering the West; portraying the West in a negative light. This Othering highlights shared aversions to the West among African heads of state, the OAU Panel that investigated the Rwandan genocide, and the OAU Secretary General. Through the discursive construction of a common Other in the form of the West, the Pan-African identity gained strength; mutual identification among African states increased markedly during the 1990s. Similarly, African brotherhood and solidarity, and the notion of ‘African solutions to African problems’, gained momentum (Cheru, personal communication, 2016; Murithi, personal communication, 2016). Reconstruction attempts included framing endeavors to introduce the idea of sovereignty as non-indifference, performed by (collectives of) transformative agents, the OAU Secretary General and Obasanjo and the ALF. Although no agreement could yet be reached between those who advocated sovereignty as non-indifference and those who opposed such a redefinition, the transformative agents and status quo agents did increasingly identify with one another based on their shared aversions to the West.

4.2.2 Reaching Consensus

Driven by the support he received from the OAU in defying the sanctions imposed upon Libya, Qadhafi convened the Sirte Summit of 1999 and paid the bills for all African heads of state to join the summit (Tieku, personal communication, 2016). Here, he submitted a proposal for the creation of a United States of Africa, with a single army and a common currency (Murithi, personal communication, 2016; Tieku, 2007). The Libyan leader later told journalists that “[t]he state cannot survive in Africa because it is artificial”

(Agency France Presse, 1999). It was the Sirte Summit where the creation of the AU was agreed upon (African Union, n.d.). Having established above that a common Pan-African identity not only existed, but was reaffirmed and strengthened over the course of the 1990s, this section aims to demonstrate how this identity informed the interests and behavior of African heads of state. Since agents act according to what is perceived as appropriate in the light of their identity and social context, identities imply behavior. The cause of consensus regarding the content of the AU Constitutive Act, during and after the Sirte Summit, can to a large extent be attributed to what was perceived as appropriate by the African heads of state.

The idea of collective self-reliance, which had increasingly become an integral part of the common Pan-African identity, entailed a commitment to African solutions to African problems (Cheru, personal communication, 2016; Cilliers, personal communication, 2016). Indeed, “there was common belief that, going forward, Africa must deal with its own problems” (Cilliers, personal communication, 2016). Hence, by consistently Othering the West, African leaders had constructed ideas about what would be considered appropriate behavior. Pointing to the West for assistance to deal with African crises, was commonly seen as inappropriate. Those leaders who would still attempt to do so, could become *rhetorically entrapped*. In addition to the logic of appropriateness that prevailed, African leaders “wanted to be able to prevent future Rwandas” (Murithi, personal communication, 2016). As Tieku (personal communication, 2016) commented:

“Rhetorically, it was hard to argue against proposals that aimed at preventing genocide, even for dictators. The memory of Rwanda was still very fresh.”

The logic of appropriateness that entailed African solutions to African problems, and thus the inappropriateness of relying on outside help, combined with the collective commitment to prevent future genocides, helps to explain the consensus regarding the redefinition of sovereignty from non-interference to non-indifference. All African leaders, including those leaders who initially opposed the redefinition of sovereignty, viewed the possibility of African intervention as at least more acceptable than Western or UN intervention

(Cheru, personal communication, 2016; Cilliers, personal communication, 2016; Tiekou, personal communication, 2016). Cheru (personal communication, 2016) aptly described this shared belief as follows:

“There is always a sense of ‘we know each other’ among African states, African leaders. [...] The track record of the UN and the West has been disastrous, you know. From the Congo crisis up to the Rwandan crisis.”

In sum, the revival of Pan-Africanism through Othering the West, and the unanimous commitment of African heads of state to this common identity, contributed to the constitution of a logic of appropriateness that rendered it inappropriate for African political leaders to seek refuge in Western assistance. Combined with the collective wish to prevent future Rwandas, this led to the incorporation of the ideas of the ALF and Obasanjo, specifically the ALF’s view on sovereignty as non-indifference, into the Constitutive Act of the AU. Furthermore, for Qadhafi, the intervention mandate of the to-be-established AU seemed of secondary importance; he primarily envisioned a strong Africa, that could collectively oppose the West. Murithi (personal communication, 2016) emphasizes Qadhafi’s aim:

“Qadhafi wanted Pan-Africanism to serve him. He wanted to become the president of Africa, with a two million troop army that could take on Europe and North-America.”

In conclusion, the overriding explanation for eventual consensus concerning the establishment of the AU in its particular form, with a changed conception of sovereignty and a mandate to intervene in its member states, is the shared aversion of African heads of state to the West. The Common Other that multiple African agents had constructed during the 1990s is what drove African leaders closer together, increasing the degree of mutual identification. Social constructivism thus helps to explain how the behavior of African heads of state was informed by their common Pan-African identity through a logic of appropriateness, leading to consensus regarding the establishment of the AU in its particular form. In order to explain why the Pan-African identity came to the fore from 1990 onwards, and what enabled transformative agency on the part of

the OAU Secretary general and Obasanjo, the analysis must turn to antecedent, underlying structural conditions.

4.2.3 Colonialism and Cold War Power Politics as Underlying Structural Conditions

The combination of two antecedent structural conditions, conditions that are irreducible to intersubjective understandings of African heads of state, offer an explanation as to why the degree of mutual identification among African states was fairly low after the OAU was established in 1963, while it increased after 1990. The first is colonialism; the second is the Cold War and the ideological opposition between the capitalist Western bloc led by the United States, and the Eastern bloc led by the Soviet Union. Both of these factors were emphasized by several interviewees (Cheru, personal communication, 2016; Cilliers, personal communication, 2016; Murithi, personal communication, 2016). These structures are strategically-selective; they legitimize certain agents whilst marginalizing others, and they make specific beliefs, ideas, and identities more readily available than others (Jessop, 2005). Ideas and identities, then, are more amendable in times of structural changes, when agents become increasingly aware of the web of structural preconditions they are embedded in (Joseph, 2008).

The structure of colonialism effectively caused Pan-Africanism to emerge in the first place, already during the nineteenth century. Pan-Africanism as a common African identity was predicated upon the shared identity of African states as victims of the European colonial practices and Western imperialism in general (Murithi, 2007a; Williams, 2007; 2009). Indeed, the common identity of Africans as colonial victims and the related ideas of African brotherhood and solidarity were produced by the antecedent structure of colonialism. Similarly, the notion of African solutions to African problems stems from the shared colonial faith of Africans (Murithi, 2007a; Murithi, Williams, 2007). The strategic selectivity of this structure can thus be said to privilege the belief that “if ideas are not designed by the Africans themselves, it will rarely be in the interests of Africans” (Murithi, 2007a: 2). Indeed, in the African context, it can be said that the structural condition of Africa’s colonial history legitimized African

agents and their ideas for Africa, whilst delegitimizing non-African agents and ideas developed outside of Africa. However, developing African solutions to African problems was precluded by the “master-servant relationship” produced by colonialism (Murithi, 2007a: 2). Hence, the antecedent structure of colonialism significantly constrained agency on the part of Africans.

Based on the constraining effect of colonialism on African agency, one might expect that agency would be enabled once African territories gained political independence. However, upon independence, African agency was still very much constrained by the effects of the second antecedent structure: Cold War power politics. Indeed, African territories that became independent during the Cold War, were subjected to the geopolitical considerations of the United States and the Soviet Union (Bertocchi and Canoval, 2002; Cheru, personal communication, 2016; Metz, 1984). Even though the OAU member states were in principle obliged to refrain from aligning with either the Eastern or the Western bloc, this was not possible in practice, non-alignment was “a dream” (Cheru, personal communication, 2016). African heads of state were forced to decide whether to align with the United States or the Soviet Union. The structural condition of the Cold War thus produced identities of East and West, leading to divisions within Africa (Cheru, personal communication, 2016). The Cold War legitimized African leaders whose political allegiance was explicitly with the communist East or the Capitalist West. Dictatorial regimes could thrive under the auspices of the ideological divide created by the great powers, as the United States and the Soviet Union granted financial and military support to the regimes of those leaders who aligned with their side, regardless of the situation within their countries (Murithi, 2007a; Shivji, 2011).

It was not until the end of the Cold War in 1989 that the Pan-African identity could be revived and collectivity – in the form of African brotherhood and solidarity – could be reaffirmed (Cheru, personal communication, 2016; Cilliers, personal communication, 2016). As Cheru (personal communication, 2016) put it:

“[I]t [the end of the Cold War] provided an opportunity to talk about African solutions to African problems.”

The space for transformative agency generated by the structural change of the end of the Cold War is nicely captured by a 1992 New York Times headline (Perlez, 1992):

“Views from Africa: Stranded by Superpowers, Africa seeks an identity.”

Overall, the end of the Cold War should be viewed as an underlying structural change which was irreducible to the intersubjective understandings of African agents. The space for transformative agency that this structural change provided, was strategically utilized by OAU Secretary General Salim. Indeed, his 1990 report on the fundamental changes taking place in the world heavily drew on the consequences of the fall of the Berlin Wall (Cilliers, personal communication, 2016). Furthermore, both the Secretary General as well as Obasanjo and the ALF framed the structural changes Africa was confronted with in such a way as to demonstrate that collective action on the part of Africans was necessary. Additionally, they could legitimize themselves as agents by presenting ideas that resonated with the structural context: both emphasized the need for collective self-reliance of Africans and African states (African solutions to African problems) – ideas that were privileged as a consequence of the structure of colonialism. Moreover, the process of Othering the West, *including the United States*, became possible only when African states and their leaders could not count on near unconditional American support anymore (Cheru, personal communication, 2016). In sum, the combination of Colonialism and the Cold War for a long time constrained agency on the part of African agents. Ultimately, the independence of most African states combined with the end of the Cold War enabled transformative agency, which made a revival and reconstruction of the common Pan-African identity possible. As was shown in the previous sections, this common identity largely explains the establishment of the AU in its particular form.

5. Conclusion

The research question this thesis has aimed to answer, was the following:

What explains the establishment of the AU in its particular form, with a changed conception of sovereignty and a mandate to intervene in its member states, despite the initial strong adherence of its predecessor, the OAU, to sovereignty as non-interference?

The main explanatory factor that has been identified, is the revival and reconstruction of a common Pan-African identity. When the OAU was established in 1963, Pan-Africanism was primarily based on the shared identity of African states as subjects of colonialism, struggling to gain political independence from their common Other – their European colonial masters. As a consequence of the identity being defined in terms of a shared faith as colonial victims, a strictly statist Pan-Africanism emerged. This statism soon drove African states further apart, when a number of dictators rose to power in several countries during the heyday of the Cold War, supported by the United States of the Soviet Union – depending on their ideological allegiance. Hence, the common Pan-African identity weakened during this period.

From 1990 onward, the common Pan-African identity was revived and reconstructed. The revival existed primarily of an increasingly visible process of Othering the West by several African agents; primarily the OAU Secretary General, the OAU AHSG existing of all member states' political leaders, and the OAU Panel that was set up to investigate the 1994 Rwandan genocide. Indeed, the West was increasingly portrayed negatively, which signals shared aversions among African agents. This strengthened their sense of collectiveness and thus their common Pan-African identity. The reconstruction process existed of framing attempts by the OAU Secretary General and Obasanjo as the chairperson of a civil society organization, the ALF. By framing violent conflicts that had plagued Africa for a long period as an important threat to the survival of independent African states, they linked their problem definition (violent conflicts) to already established shared beliefs (the importance of independence and state sovereignty). In doing so, these agents attempted to redefine sovereignty from non-interference to non-indifference. Whilst African heads of

state collectively committed themselves to the revival of the Pan-African identity, some dictators, most prominently Qadhafi, continued to oppose the idea of sovereignty as non-indifference because it threatened their power position.

This changed after Qadhafi firmly recommitted himself to Pan-Africanism in the late 1990s, as a consequence of OAU support in condemning American, British, and UN sanctions that were placed upon Libya in 1992. As a result of Qadhafi's commitment to the common Pan-African identity, consensus could be reached regarding the establishment of the AU in its particular form. The overriding explanation is the aversion to the West that was shared by all African heads of state, both the advocates and the opponents of a redefinition of sovereignty. The Othering of the West had constituted a logic of appropriateness that rendered it inappropriate for African political leaders to seek refuge in Western assistance. In combination with the Rwandan genocide of 1994, and a shared commitment to prevent such humanitarian catastrophes from happening in the future, this logic of appropriateness led to the incorporation of sovereignty as non-indifference in the AU Constitutive Act. Indeed, African intervention was collectively seen as more acceptable than Western or UN intervention.

The common Pan-African identity carries most explanatory power for the explanandum (the AU's establishment and the concept of sovereignty as non-indifference enshrined in its Constitutive Act). Still, the very revival of Pan-Africanism could not have occurred without the structural change of the end of the Cold War. During the Cold War, Africa had been divided along ideological lines, because of geostrategic interests of the United States and the Soviet Union. Despite the shared faith of African states as colonial subjects, the East-West divide for a long time suppressed mutual identification among African states. Ultimately, the end of the Cold War in 1989 enabled transformative agency on the part of Africans, which opened up the possibility for a revival of Pan-Africanism. The implications of these findings for the IR discipline are outlined below.

Implications of the Findings for the IR Discipline

The contribution of this thesis to the IR discipline is threefold. Firstly, this study has demonstrated that sovereignty is a social construct, dependent on

intersubjective understandings and discursive representations for its existence and meaning. This stands in stark contrast to how sovereignty is treated by the mainstream IR theories, neorealism and neoliberalism. Both neo-utilitarian approaches posit that sovereignty is an exogenously given fixed fact – which renders the theories incapable of providing explanations for changes in the meaning of sovereignty. Social constructivism is better equipped to deal with a change in the meaning of sovereignty, since it views the concept as a social fact that is endogenous, rather than exogenous, to state practice. In general, sovereignty should be subjected to more critical scrutiny, as its meaning may vary across different geographical contexts. This thesis has provided insights into ideas regarding sovereign statehood in Africa, which is important to show how the idea of the sovereign state might differ from Western notions. Universalist theories such as neorealism and neoliberalism, which assume that states are states (unitary rational actors with pre-given utility-maximizing behavior) are not able to account for geographical variations in the meaning of statehood and the workings of international relations. Murithi (personal communication, 2016) emphasizes the importance of academic attention to the African context:

“Statehood in general is always a work in progress in Africa. [...] It’s a construct which has to be unpacked from an African perspective. The idea of statehood in Africa is very complex and much more nuanced than some theoretical images that are thrown at Africa would lead one to believe.”

Secondly, by embedding social constructivism in critical realism, this research has conceptualized agents as individuals who are more than the bearers of structure; and structures as antecedent conditions that are (often) irreducible to the intersubjective understandings of agents. In doing so, the empirical analysis has been able to not only explain how social construction works, but also what makes social construction possible in the first place. It has shown how structures are causal in the sense that they constrain and enable agency, whilst at the same time maintaining that agents can engage in strategic behavior and have inherent properties and causal powers. A purely social constructivist conceptualization of agents and structures as entirely mutually constitutive, would not have been able to reveal the causes of the revived Pan-African identity. Furthermore, statist IR theories, including neorealism and Wendtian constructivism, would have

obscured the degree to which individual agency has played an important role in establishing the AU and in reconstructing sovereignty. Overall, the agency-structure question is a complex one, which deserves unremitting academic attention. The critical realist conceptualization of agency and structure is by no means a definitive answer to the question of how the two relate and what causal powers they might possess. The agency-structure problem will continue to occupy IR scholars from all theoretical traditions; some even doubt “whether the agent-structure debate will ever be fully resolved” (Adler, 2012: 130).

Thirdly, and finally, this study has shown that empirical IR research does not have to be forced into a positivist straightjacket in order to be able to provide important insights to the discipline. Both a positivist as well as a postpositivist research design can be considered valid science, as long as the purpose and relevance of the study are made clear, and the researcher is explicit about the theoretical, methodological, and empirical decisions that were made.

Limitations of This Thesis

The main limitation of this thesis is the lack of (access to) empirical material. For instance, the study would have greatly benefited from meeting records or proceedings of OAU and AU Summits, specifically of the AHSG. Had such records been available, more evidence could have been provided for the argument that a common identity indeed informed the behavior of African heads of state when they decided to establish the AU. Similarly, meeting records would have provided more insight into the specific mechanisms that eventually caused consensus regarding the content of the AU Constitutive Act. Because of the lack of this empirical material, the potentiality of rhetorical entrapment, for instance, could only be hinted at; the claim that rhetorical entrapment was indeed a key mechanism, could not be made, as it would have been impossible to substantiate such a claim with enough empirical evidence. Also, another method could have been chosen if more data would have been publicly accessible. For instance, an extensive and systematic discourse or framing analysis on meeting records could have been conducted, which might have increased the validity of the findings. Due to the fact that such sources were not available, the empirical analysis had to rely on a limited number of other sources.

To circumvent the lack of empirical material, semi-structured interviews were conducted. This relates to the second limitation: only interviews with individuals that were not directly involved in the establishment of the AU, turned out to be feasible. Interviews with diplomats, negotiators and/or politicians that were directly involved, would have provided more insider information. Such interviews might have given a better overview of the political positions of the representatives of African states, and their (shared) beliefs and ideas. Still, it is this researchers strong belief that academics should not let their research interests be defined solely in terms of the empirical material that is or is not available. In fact, more scholarly attention to the AU could possibly lead the AU to become more transparent; email contact with the African Union Commission Archives in Addis Ababa has already led the archivists to scan and provide certain documents that were not publicly accessible through the AU website.

Avenues for Further Research

Several options for further research arise from the findings and the limitations of this thesis. Firstly, similar research could be conducted over the course of a longer time period, which would enable the researcher(s) to conduct not only more, but possibly also more valuable interviews (with directly involved diplomats, negotiators, and politicians). Secondly, IR research might focus on how (sovereign) statehood in Africa is discursively represented and socially practiced by politicians in a particular country, or in a set of countries. This could provide more in-depth insights into how statehood is viewed in a non-Western context. Thirdly, this thesis has only slightly touched upon Africa's colonial history as one of the underlying structures that played a role in actualizing the explanandum. Further research could apply postcolonial theoretical perspectives in IR research to a particular African research puzzle. Such research could be highly valuable, as it lets postcolonial theory make incursions into IR; a theoretical possibility that is currently left quite unexplored in the discipline. Finally, future research could address questions of support for humanitarian intervention norms such as the principle of non-indifference in particular (African) states – for instance; does it matter what kind of regime is in place in the state under investigation? Are dictatorial regimes always less likely to support

humanitarian intervention? And if not, for what reasons would dictators support principles of non-indifference when it comes to human rights violations? These questions could be addressed with the help of different theoretical frameworks; be they social constructivist, neo-utilitarian, positivist, or postpositivist.

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