Exploring legal imperatives of regional integration in Africa

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Abstract

This article attempts to contribute to the on-going debate on African integration from a legal perspective. Africa's path towards consolidating unity and development, as elsewhere, is replete with fundamental obstacles. This article suggests a way forward through a number of legal initiatives designed to redress the failures usually encountered in the process of African integration. Such legal imperatives include commitment to constitutionalism in member states, a framework for ensuring compliance with transnational directives, enhanced synergy between national and regional institutions and increased interaction amongst legal stakeholders across the continent.

INTRODUCTION

During the past forty years, the need to provide solutions to Africa's numerous political and economic problems has led to the initiation of various regional integration programmes. A cursory look at the membership of Regional Economic Communities (RECs) across Africa reveals that an overwhelming majority of the 54 African states belong to two or more sub-regional organisations.[1] This suggests strong acceptance of regional integration as an effective tool for development. In addition, the success of regional integration efforts elsewhere, especially in Europe, illustrates the benefits of enhanced cooperation.

Despite general acceptance of the benefits of regional integration, a poor record of commitment to realising and implementing integration goals and objectives exists. It is argued that the lack of political will stems from wide-ranging factors, such as little or no economic incentive for compliance, non-

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[1] See *eg* Kennes 'African regional economic integration and the European Union' in Bach (ed) *Regionalisation, integration and disintegration in Africa* (1999) 40.

ratification of key integration protocols, lack of technical expertise, divergent municipal laws and macro-economic policies, and inadequate resources for implementation.[2] These factors point to a complex picture. Failed integration attempts cannot solely be pinned down to a conscious decision on the parts of governments to ignore regional integration objectives; rather, it is a combination of factors.

Taking into account the multifaceted impediments to African integration, this article attempts to tease out the legal imperatives. As such, it explores national and regional legal measures which are essential for the smooth and uniform adherence to and implementation of regional objectives. This discussion is divided into three parts. In the first part, the centrality of law in the integration process is examined. The second section explains the basis of identifying the legal imperatives of African integration. The final section contains a detailed discussion of the core legal imperatives of African integration.

The obstacles confronting African integration cut across disciplines such as politics, economics and law. Thus the question arises: why should the present discourse be limited to legal imperatives, or alternatively, why should integration problems be viewed through a legal prism? Granted that integration obstacles are multifarious, the centrality of law to regional integration cannot be understated. As Weiler pointedly notes, regional integration process is a creation of the law.[3] While the regional integration process usually germinates from the political interactions and negotiations between and/or among states, legal instruments, such as treaties and protocols, outline the road-map of such process. These legal documents provide a complete picture with regard to issues such as the responsibilities of and interactions amongst parties, powers or competencies of regional institutions, terminal destination of the integration process and the nature of such process. In this sense, there is an underlying legal framework which sets the parameters for the facets (economic, political, social and others) of the integration process. As Cappelleti *et al* observe:

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2 See *eg* Thompson 'Legal problems of economic integration in the West African sub-region' (1990) 2 *African Journal of International and Comparative Law* 85–101; Kufuor 'Securing compliance with the judgments of the ECOWAS court of justice' (1996) 8 *African Journal of International* and *Comparative Law* 1–11, at 7; Economic Commission for Africa *Assessing regional integration in Africa* (2004) 32–33.

3 Weiler *The Constitution of Europe: Do the new clothes have an emperor? And other essays on European integration* (1999) 221.

> Integration is not a simple exercise in power sharing, but goes deeper and aims at a fundamental restructuring of society and of societal attitudes, and these changes are reflected in and promoted by the law.[4]

The importance of law in the integration process can also be deduced from the common practise of establishing transnational (quasi) judicial organs with complementary and/or absolute jurisdiction on matters arising from the treaties. In Europe, the European Court of Justice (ECJ) has, through its jurisprudence, been credited as a foremost purveyor of deepening integration.[5] Similarly in Africa, sub-regional courts have made considerable contribution, especially in terms of the development of human rights.[6] The wider implication(s) of the judgments of transnational courts, not only on the issues before them but on national and regional policies, indicate how law can play a pivotal role in the furtherance of regional integration. For example, Wincott highlights how certain decisions of the ECJ have directly influenced national and regional policies on the movement of goods, gender equality and merger regulations in Europe.[7]

THE METHOD OF IDENTIFYING THE CORE LEGAL IMPERATIVES

As pointed out in the introduction, the stunted progress of African integration is a culmination of many factors. It is thus necessary to move beyond the generic phrase, 'lack of political will', by considering specific impediments. From a legal perspective, the following have been identified as major obstacles:[8]

- divergent legal systems;
- non-ratification and non-implementation of key obligations;
- lack of fully developed legal principles within the municipal law;
- conflict of laws; and
- ambiguity of treaty language.

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4 Cappelleti, Seccombe & Weiler (eds) *Integration through law: Europe and the American federal experience* (1986) 42–43.

5 See *eg* Richmond & Heisenberg 'Supranational institutional building in the European Union: a comparison of the European Court of Justice and the European Central Bank' (2002) 9/2 *Journal of European Public Policy* 201–218; See also Wincott 'The court of justice and the European policy process' in Richardson (ed) *European Union: power and policy-making* (1996) 180–197.

6 See generally Ebobrah 'Human rights developments in sub-regional courts in Africa during 2008' (2009) 9/1 *African Human Rights Law Journal* 312–335.

7 See Wincott n 5 above at 188–192.

8 See Thompson n 2 above at 85–101; see also Chayes & Chayes 'On compliance' (1993) 47/2 *International Organisation* 188–197.

Impediments of an economic nature include factors such as:[9]
- lack of (financial) incentive to ensure compliance;
- inadequate (financial and human) resources and technical expertise for implementation;
- weak economic structure of African states;
- differing macro-economic policies;
- concerns about uneven gains and losses; and
- low levels of intra-African trade.

Political obstacles to integration are listed as the following:[10]
- unbridled attachment to national sovereignty;
- inability to incorporate integration goals into national development programme;
- ineffective national institutions; and
- political instability and conflicts.

Although the above-mentioned impediments are listed under different headings, they all form part of a single thread. For example, the strengthening of national institutions will have a snowball effect on the implementation of integration goals. Similarly, the even distribution of integration benefits will enhance the motivation of member states to comply with directives and prioritise integration goals. In this regard, it is important that the consideration of legal imperatives takes place within a holistic context. Such contextual approach should thus take into account the nexus between and amongst the above factors, the peculiarities of African integration, measures that enhance implementation and the extent to which such imperatives can affect a paradigmatic shift.

Thus, for the purpose of this article, the major legal imperatives of African integration will be articulated as follows:
- political and constitutional development in member states;
- framework for ensuring compliance;

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9 Economic Commission for Africa n 2 above at 32–33; Kufuor n 2 above at 7; Chayes & Chayes n 8 above at 188–197; W Molle, *Economic integration and equal distribution*. Working Paper Series 216, Inter-American Development Bank (1997) 1–42 at 7–8; I Gambari *Political and comparative dimensions of regional integration: The case of Ecowas 2* (1991) 7–8.

10 See *eg* Economic Commission for Africa, n 2 above at 33; see also International Monetary Fund, 'West African Economic and Monetary Union: Recent economic developments and regional policy issues in 2000' (2001) available at: http://www.imf.org/external/pubs/ft/scr/2001/cr01193.pdf (last accessed 21 June 2012).

- enhanced synergy between regional and national institutions, and
- continued interaction amongst relevant (legal) stakeholders.

ANALYSIS OF THE MAJOR LEGAL IMPERATIVES OF AFRICAN INTEGRATION

The imperatives identified above are important to the extent that they speak to the need for underpinning regional integration with the fundamental norms of democratic governance. In other words, the identification is premised on the logic that the successful realisation of both the political and economic aspects of regional integration cannot disregard the existence of basic legal norms that promotes national and transnational democratic development, accentuates uniform compliance with transnational directives, and promotes and sustains continued interaction amongst relevant stakeholders. The aforementioned points thus derive from the important nexus between the principles of democratic governance and effective operationalisation of integration initiatives.

Political and constitutional development in member states

It is of utmost pertinence that any discussion on the legal imperatives of African integration begins with the consideration of the key indicators of constitutional development in member states. The nexus between constitutional development and regional integration cannot be understated. The extent to which member states adhere to indicators such as fundamental rights; good governance; transparent electoral process; independence of the judiciary; and the rule of law determines the smooth and uniform implementation of integration goals. In other words, the effective implementation of (democratic) transnational objectives is dependent on an equally democratic milieu at the national level. This realisation is mirrored in the fact that most regional instruments across the continent contain these principles.[11]

Practice, however, reveals a widespread breach rather than observance of these norms. The dismal state of democratic practises across the continent, as reflected in several democracy index reports, is indeed worrying.[12]

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[11] See *eg* arts 3 & 4 of the African Union Constitutive Act; art 7 of the East African Community Treaty; art 4 of the Economic Community of West African States Treaty and art 4 of the Southern African Development Community Treaty. Some of these instruments have also made provisions for (quasi) judicial bodies which deliver authoritative interpretations on these principles. See generally Ebobrah n 6 above.

[12] According to the 2009 Freedom House Survey of Political Rights and Civil Liberties, Sub-Saharan African countries record a poor showing in terms of adherence to rule of

African integration, through the actions of member states, has over the years ignored the importance of shared democratic norms as a launch-pad for effective cooperation. Paying nominal significance to democratic principles, as evidenced by the continued violation of national and regional ideals, diminishes the seriousness of African integration. The Togolese president, Faure Gnassingbe, puts it bluntly:

> I'm wondering if we can ever get a political union when we have very different political systems at the moment... [I]t is difficult because you have some countries adopting a democratic system and others not doing so, how could we have political unity? We do have a real problem there, because when you have a democratic system there are certain things you can do and others you can't do. But if you have some countries being run on autocratic lines, how do you get political unity with all these different systems? We must set standard of governance which we should respect and observe … "[I]f we want to have a political union, I think we should synchronise our political systems first".[13]

Therefore, it is crucial that African integration should follow a two-tier approach. The first tier should cover measures that promote the adherence to democratic principles at the national plane, while the second should aim at creating common standards based on state practises. The former deals with the democratisation process in member states, while the latter builds on such process by developing consolidating measures. Without the commitment to constitutional development at the national level, it is unrealistic to expect an effective transnational promotion and monitoring of democratic norms and standards.

Framework for ensuring compliance

Compliance, according to Chayes and Chayes, is 'the normal organisational presumption'.[14] In this sense, acceptance of institutional directives by member states is an expected corollary of creating international organisations. Without such acceptance, international institutions lack the

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law and democratic governance. Of the 48 countries surveyed, only 10 (21%) were regarded as free, twenty-three (forty-eight per cent) were rated partly free and fifteen (thirty-one per cent) were rated not free available at http://www freedomhouse.org/uploads/special_report/77.pdf (last accessed 11 April, 2009). See also, The Ibrahim Index on African Governance, Available at http://www moibrahimfoundation.org/en/media/get/20111003_ENG2011-IIAG-SummaryReport-sml.pdf (last accessed 21 June 2012).

13 Cited in *New African Magazine* March 2010 20–21.

14 Chayes & Chayes n 8 above at 179.

requisite legitimacy and consequently the ability to function efficiently. As noted in the foregoing discussion, it has been observed that non-compliance, either through non-ratification or non-implementation, cannot solely be pegged to deliberate attempts on the part of member states to ignore institutional directives.

Neyer and Wolf conceptualise compliance as a two-typed process: initial non-compliance and a compliance crisis.[15] Initial non-compliance may occur as a result of a member state's lack of the necessary resources, financial and human, to implement regulations and directives.[16] It may also be the consequence of an elastic or ambiguous rule or obligation, and the referral to a court for clarification may cause delay in implementation.[17] Other factors which may motivate initial non-compliance include a lack of effective monitoring capacity, and a deliberate process on the part of a member state to either avoid the cost of compliance, or to bring about the reinterpretation of a contentious rule.[18]

On the other hand, 'compliance crisis' is an outright disregard of the decision of an authoritative body.[19] An example is where a member state simply ignores or adduces legal reasons for not wanting to comply with the final decision of a supranational (quasi-) judicial body. In this regard, such member state may question the legitimacy of the institution by drawing attention to either the inconsistent application of rules and/or the deficiency in the procedural framework under which the decision was made.[20] An example of the latter, according to Franck, is when an ad-hoc adjudicatory body pronounces judgment.[21] Another example is when there is little or no economic incentive to induce compliance.[22]

The above exposition highlights the perspectives of non-compliance and thus the need to craft a legal framework which takes into account these realities. In the African context, such framework should be aimed at reducing the

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15 Neyer & Wolf 'Analysis of compliance with international rules' in Joerges & Zurn (eds) *Law and governance in postnational Europe: compliance beyond the nation-state* (2005) 45.

16 *Ibid*; See also Chayes & Chayes n 8 above.

17 Neyer & Wolf n 15 above at 46; See also Franck 'Legitimacy in the international system' (1988) 82/4 *American Journal of International Law* 705–760 at 714.

18 Neyer & Wolf n 15 above at 45–46.

19 *Id* at 46.

20 Franck n 17 above at 735–752.

21 *Id* at 752; see also Neyer & Wolf n 15 above at 43.

22 Kufuor links this point to the high incidence of non-compliance in ECOWAS. See Kufuor n 2 above at 7.

incidence of non-compliance, and where there is 'compliance crisis', exert maximum disciplinary measures.

In the case of non-compliance, the question as to the type of measures that may enhance compliance arises. In this regard, it is important to consider that regional *hegemons* and other international partners help strengthen the administrative (financial and human) capacity of member states to implement integration objectives. Such assistance should include measures like training programmes, exchange of personnel and the provision of financial aid. These support structures are not only necessary for ensuring compliance but will also go a long way in strengthening national institutions.

Another method of ensuring compliance is the involvement of the civil society in transnational policy-making process. Not only will this enhance the legitimacy of regional institutions, it also ensures a keen sense of ownership by the people. This kind of participation ensures that citizens will become more cognisant of the origins of rules and regulations, the obligations of member states and the compliance mechanisms. In addition, enhanced participation will propel civil society to get more involved in playing an (in)direct role in monitoring compliance, reporting infringements and exerting pressure on member states to comply.[23]

In addition, more efforts should be geared towards increased engagements with member states and their officials prior to the enactment of rules and regulations. Such engagement should carefully explore issues likely to lead to non-compliance. Concerns of member states relating to the compatibility of rules, capacity to comply, method of implementation and coherence of legal regulations should be considered. In addition, the possibility of regular and sustained partnership on the issue of review and monitoring of compliance should be prioritised. The significance of this exploratory phase goes beyond the formality of ratifying treaties by anticipating and providing possible remedial measures for ensuring compliance.

Enhanced synergy between regional and national institutions

Closely related to the issue of compliance, is the politically pragmatic idea of strengthening the synergy between regional institutions and their corresponding national counterparts. Such cooperation, based on the

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[23] *Id* at 9–10; see also Neyer & Wolf n 15 above at 51–52, 57–59.

principle of subsidiarity,[24] should be underlined by the interrelated concepts of determinacy of competence and collaborative jurisdiction.

The first, determinacy of competence, stems from the understanding that the effectiveness of regional institutions depends on the supremacy of transnational laws and policies and the exercise of institutional autonomy.[25] In this regard, it is essential that the legal provisions which empower regional institutions are stated in clear and unambiguous text. The specificity of treaty or protocol language on institutional competence not only indicates clarity of function, it also prevents inaction on the part of regional institutions. Any function exercised through a vaguely phrased provision or a provision susceptible to multiple interpretations runs the risk of eliciting non-compliance by member states, thereby diminishing the legitimacy of such institution.[26]

Conversely, the need for a determinate mandate should not be a pretext for 'whittling down' the influence of regional institutions. In this sense, the framers of regional instruments should deviate from the use of language that overtly, or tacitly, circumscribe the influence or functions of critical regional institutions. Within the context of ensuring that there is no ambiguity of assigned competence, it is also imperative to consider the reality that society evolves and thus the rules regulating societal conduct cannot remain static. As such, regional institutions, as purveyors and guarantors of transnational rules, cannot be relegated to redundant players in the integration matrix. Thus, the test should be based on the ability to carefully balance the reality of national sovereignty, particularly the fact that states remain the primary structure of international relations, and the effective management of transnational matters.[27]

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24 This principle highlights the complementary role of international organisations by prescribing that international organisations can only deal with matters which cannot be effectively dealt with at the national level. See Dashwood, Wyatt, Arnull & Ross *European Union law* (2000) 156–162.

25 See *eg* Hay *Federalism and supranational organisation: patterns of new legal structure* (1966) 69; see also Weiler 'The community system: the dual character of supranationalism' (1981) 1 *Yearbook of European Law* 273–280.

26 Franck n 17 above at 714.

27 There are a number of theoretical viewpoints on how to balance national sovereignty and the exigencies of granting regional institutions with requisite powers. Hay, for example, argues that sovereignty should be seen as a 'bundle of rights' that can be shared between states and regional institutions. See Hay supra n 25 above at 70. Lauterpacht agrees that states possess a plenitude of powers but that such powers terminates where international obligations begin. See Lauterpacht 'Sovereignty – myth or reality?' (1997) 73/1 *International Affairs* 137–150 at 149. Mitrany views that the transfer of sovereign powers to regional institutions should strictly be based on the need to execute functions

Some authors, however, have argued that the indeterminacy of competence is not necessarily a bad thing. Heisenberg and Richmond note that the broadly stated powers of the ECJ are largely responsible for its ability to (in)directly influence the development of EU laws.[28] In this regard, the ECJ, over the years, has given jurisprudential effect to principles that explain the hierarchical superiority of EU laws.[29] The potential risks of exercising judicial discretions on integration issues, particularly in the African context cannot, and should not, be overlooked. One such risk is that where the exercise of judicial discretion results in a decision that conflicts with the position of a particular, or group of, member state(s), the possibility of non-compliance increases. The corollary of this, as highlighted in the foregoing, is the diminishing or weakening of the legitimacy of regional institutions and their rules. While the incidence of non-compliance is not peculiar to African integration,[30] the prevalence of poor governance across the continent, presents a tough challenge for the liberal interpretation of integration values. Thus the best approach, as suggested above, is the consideration of constitutional development in member states as an indispensable component of regional integration.

The second point, collaborative jurisdiction, refers to an interlocking system which ensures partnership between transnational and national judicial institutions, especially as it relates to shared competence. Two issues are of importance in this regard. The first borders on the interpretation of regional treaties or protocols and the second points to the enforcement of judgments.

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that have taken a transnational look. Mitrany *A working peace system* (1966) 31. MacCormick envisages sovereignty 'more as virginity, which can in at least some circumstances be lost to general satisfaction without anybody else gaining it'. MacCormick 'Beyond the sovereign state' (1993) 56/1 *The Modern Law Review* (1993) 1–18 at 16.

28 Heisenberg & Richmond n 5 above at 11. Also in the case of the ECOWAS Court of Justice (ECCJ), Ebobrah argues that the indeterminacy of the Supplementary Court Protocol creates an avenue for the Court to exercise discretion when dealing with human rights issues. See Ebobrah 'Critical issues in the human rights mandate of the ECOWAS Court of Justice' (2010) 54/1 *Journal of African Law* 1–25 at 19.

29 Such principles include direct effect, supremacy and pre-emption. See *eg Van Gend en Loos v Nedelandse* (Case 26/62) [1963] ECR 1; *Amministrazione delle Finanze v Simmenthal* (case 106/77) [1978] ECR 629; and *Commission v Council* (case 22/70) [1971] ECR 263.

30 Neyer & Zurn note that in the 1990s, around ten per cent of EU directives were not complied with and about 1,000 infringement proceedings were brought against defaulting member states. Neyer & Zurn 'Conclusions – the conditions of compliance' in Joerges & Zurn n 15 above at 185.

In respect of the former, individuals should be allowed to raise questions on the interpretation of integration laws in national courts. In this instance, national courts would have to refer such cases to transnational courts for final interpretation.[31] The involvement of national courts in the jurisprudential process is a key element to ensuring the legitimacy of transnational rules and regulations. In addition, it provides national courts the opportunity to contribute to the development of transnational laws. On the enforcement of judgements, Kufuor suggests, in the case of the ECCJ, that there should be a stipulated provision which empowers national courts to enforce transnational judgements.[32] In this manner, national courts would have the authority to transform transnational decisions into municipal orders, thereby enhancing the prospect of compliance.[33] In order to eliminate the possibility of an asymmetric application of transnational decisions, it is important to design a framework that uniformly regulates the transformation of such orders. It must, however, be noted that the effectiveness of the above-outlined processes, interpretation and enforcement of judgment, depends on the independence of national judiciaries, a by-product of adherence to democratic values and good governance.

Continued interaction amongst relevant (legal) stakeholders

As indicated above, the interaction between national and transnational officials, with regards to enactment and application of regional regulations, is essential for limiting the incidence of non-compliance. The sustained engagement should, however, not be limited to interaction between legal officials at national and transnational levels. In addition, civil society – which includes lawyers from national bar associations, the academia and non-governmental organisations (NGOs) – should form part of such continued interaction.

What should the nature of such interaction be? In other words, what form(s) should the cooperation amongst these (legal) stakeholders take? The starting point of answering these questions should be the consideration of the overarching aims and objectives of such engagement. The main aim, as mentioned above, is to increase the level of compliance with transnational

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31 This is aimed at ensuring uniformity of interpretation and validity of transnational rules. It is also known as the 'preliminary ruling procedure' and it is commonly used in the EU. The jurisdiction on preliminary ruling is conferred on the ECJ by art 19(3)(b) of the Treaty on European Union and art 267 of the Treaty on the Functioning of the European Union.

32 Kufuor n 2 above at 11.

33 *Ibid*.

directives. Other objectives include the genuine understanding of (legal) problems confronting each member state; enhancing the awareness and familiarity with transnational policies; and ensuring that policy frameworks are the outcome of wide and sustained consultation. The above-outlined points should thus influence, and shape, the *modus operandi* of the suggested interface.

An important form of engagement is the establishment of a framework that ensures that there are regular meetings with national legal officers on topical matters that borders on current or future transnational goals. As one writer avers, such contact should also extend to national law reform agencies in order to 'ascertain the short-term or long-term law reform projects at the national level relating to key areas of cooperation'.[34] Sharing of information on key developments can only enrich the process of framing transnational policies.

In addition, it is important to set up thematic committees, composed of transnational and national legal officers, law teachers and distinguished lawyers and jurists. Writing in the context of economic integration, Thompson observes that such groupings should be charged with the following functions:

- examine areas of member states' laws that constitute obstacles to economic integration;
- make proposals for eliminating such obstacles;
- prepare draft protocols and conventions on areas of cooperation, and
- monitor the implementation of measures and actions adopted nationally especially where they require changes in member states' laws.[35]

Equally crucial is the establishment of alliances between national and sub-regional bar associations, particularly as a platform for the consideration of issues that affect integration.[36] These organisations should play activist roles in the prioritising of matters that require codification, providing technical

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34 Thompson n 2 above at 101.

35 *Id*.

36 An example is the West African Bar Association (WABA). WABA was established in 2004, with the aim of promoting rule of law, fundamental human rights and democracy in the sub-region available at: http://www.wabalaw.org/ (last accessed 21 June 2012). In East Africa, there is also the East Africa Law Society (EALS), with the primary objectives of promoting constitutionalism, rule of law, democracy and fundamental human rights across the sub-region available at: http://www.ealawsociety.org (last accessed 21 June 2012).

support to regional institutions, exerting pressure on member states to comply with directives, and the implementation of integration initiatives in member states.

Lastly, each member state should establish legal units dedicated to liaising with regional institutions. Without taking over the functions of other national legal departments, these units should be tasked with the coordination of all legal issues affecting regional integration. In this vein, such agency should be the first point of contact when legal officers of regional institutions are making enquiries about certain legal development and relevant resource persons. In order to ensure that this unit is free from political interference, its membership should consist of both public servants and civil society.

CONCLUDING OBSERVATIONS

The realities of a post-1945 global order have placed enhanced cooperation amongst states at the core of efforts to realise political and economic development. The truism that 'two heads are better than one' underlies the logic that regional groupings are better placed to advance transnational welfare and benefits. This has been affirmed by the proliferation of regional organisations across the globe.

This article has discussed the ongoing debate on African integration, particularly through a legal prism. Africa's path towards consolidating unity and development, as elsewhere, is replete with fundamental obstacles. This article builds on such obstacles by suggesting a number of legal initiatives capable of redressing the failures traditionally encountered by African integration. It is argued that effective regional integration requires the following: constitutional development in member states; a framework for ensuring compliance with institutional directives; enhanced cooperation between regional and national institutions; and increased interaction amongst legal stakeholders across the continent.

A common thread that runs through these proposals is strict adherence to democratic norms and standards. The diminution of these values continues to frustrate the ambitious goal of integrating Africa. It is, therefore, imperative that the departure point of realising the much desired unity should be the unqualified commitment to the principles of democracy and good governance. Without such commitment, African integration will remain within the realm of rhetoric.