Collective Identity and Prospects for Political Integration: A Case Study of the East African Community

Thesis

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by

Catherine Promise Biira

Supervised by

Prof. Dr. Christof Hartmann
&
Prof. Dr. Uwe Andersen

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**List of Acronyms and Abbreviations**

ACP – African, Caribbean and Pacific  
ADF – Allied Democratic Forces  
AEC – African Economic Community  
AMISOM – African Union Mission in Somalia  
AU – African Union  
BBC – British Broadcasting Corporation  
BRIC – Brazil, Russia, India, China  
CCM – Chama cha Mapinduzi  
CHADEMA – Chama cha Demokrasia na Maendeleo  
CMP – Common Market Protocol  
COMESA – Common Market for Eastern and Southern Africa  
DRC – Democratic Republic of Congo  
EAA – East African Airways  
EAA – East African Authority  
EAC – East African Community  
EACB – East African Currency Board  
EACLA – East African Central Legislative Assembly  
EACSO – East African Common Services Organization  
EAHC – East African High Commission  
EAITB – East African Income Tax Board  
EALA – East African Legislative Assembly  
EAPT – East African Posts and Telegraphs  
EC – European Commission  
ECCAS – Economic Community for Central African States
EPA(s) – Economic Partnership Agreements
EU – European Union
FAL – Final Act of Lagos
FDLR – Forces Démocratiques de Libération du Rwanda
HLTF – High Level Task Force
ICC – International Criminal Court
ICGLR – International Conference on the Great Lakes Region
ID – Identity Card
IGAD – Intergovernmental Authority on Development
IIGA – Ibrahim Index of African Governance
KADU – Kenya African Democratic Union
KANU – Kenya African National Union
LPA – Lagos Plan of Action
LRA – Lord’s Resistance Army
M&E – Monitoring and Evaluation
M23 – March 23rd
MDP – Mutual Defense Pact
MONUSCO – United Nations Organization Stabilization Mission in the DR Congo
MP – Member of Parliament
MSC – Multi-Sectoral Council
MSCC – Multi Sectoral Coordination Committee
NTV – Nation Television
OAU – Organization of African Unity
OHCHR – Office of the United Nations High Commissioner for Human Rights
PTA – Preferential Trade Area
REC(s) – Regional Economic Communities
SADC – Southern African Development Community
SADCC – Southern African Development Co-ordination Conference
SID – Society for International Development
SPLA – Sudanese People’s Liberation Army
SPLM – Sudanese People’s Liberation Movement
TANU – Tanganyika African National Union
TEAC – The Treaty for East African Cooperation
UN – United Nations
UNSC – United Nations Security Council
USA – United States of America
USD – United States Dollar
WTO – World Trade Organization
WW II – Second World War.
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Catherine Promise Biira.
Declaration

I do hereby solemnly declare that this submission is my own original work, undertaken independently and without any illegitimate assistance. To the furthest extent of my knowledge and conviction, it contains no material previously published by any other person in its current or similar form, neither has it been accepted as or part of a dissertation for the award of any other degree or qualification within the university or any other institution of higher learning. Where reference is made to previous work, due acknowledgement of the respective authors is made both in the text and bibliography of this dissertation.

Furthermore, I endeavored to maintain my study as adherent as possible to the ‘Guidelines for Good Scientific Practice’ (Leitlinien guter wissenschaftlicher Praxis) cited under §9 of the Promotionsordnung des Promotionsstudiengangs “International Development Studies”, to the best of my ability.

Errors and omissions in this document remain my personal responsibility.

Catherine Promise Biira

Bochum

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Abstract

This study is an exploration of the nature of the interaction between collective identity and regional integration processes in the East African Community (EAC) aimed at illuminating the prospects for political integration. It is premised on the assertion that agents simultaneously inhabit multiple identities whose salience varies according to the context and agrees that approaches that fail to take cognizance of this fact cannot sufficiently explain how collective identity interacts with regional integration processes. The author argues that contrary to commonly advanced positions that a collective civic identity rather than a cultural identity is relevant for political integration, different types of identity categorizations support different aspects of the process. Employing an approach which examines the manifestations of collective identity assignments of the East African Community from norms through discussions and action between states, the author shows that different aspects of the same identity categorization exist and are invoked differently by actors; that some identities support widening but not deepening regional integration and that the EAC assigned collective identity whereas rivaled by rational considerations of a ‘laggard’ state in the discursive sphere is rivaled by its state identity in the active sphere. It is recommended that if the EAC hopes to attain its aspiration of political federation, the Community must deal with the disjointedness of its collective identity both in the normative and active spheres of integration.
1.0. Introduction

This study explores the nature of the interaction between collective identity and regional integration processes in the East African Community (EAC) with a view to illuminating the prospects for political integration. Specifically, it focuses on how the EAC collective identity assigned by its norms is manifested in interstate negotiations and actions that seek to widen and deepen regional integration. Premised on the assertion that agents simultaneously inhabit multiple identities whose salience varies according to the context, (see Risse 2003; European Commission 2012) I agree that approaches that fail to take cognizance of this fact cannot sufficiently explain how collective identity interacts with regional integration processes. Such approaches that examine identity categorizations as mutually exclusive phenomena have resulted in debates which ‘pit’ identities against each other, such as ‘cultural identity’ versus ‘civic/political identity’ thereby yielding contradictory explanations about the role of identity in political integration processes. (for an insight see Kraus 2000, Cerutti 2003)

Secondly, by failing to correctly situate identities in the integration process, such studies have concluded that cultural identity and social integration are limited in their ability to lead to political community without satisfactorily explaining how. I argue that contrary to commonly advanced positions that a collective civic identity (relating to a political community) rather than a cultural identity (relating to a cultural community) is relevant for political integration, both types of identities become salient in different episodes of the integration process depending on the intricacies involved in the integration episodes in question, and support different aspects of the process. Secondly, just like agents can harbor multiple identities at the same time, the identity relationships denoted by ‘difference’ or ‘recognition’ (see Rumelili 2004) also change in salience or better still are invoked differently in interstate interactions depending on the sensitivity of an issue for a specific agent. At a methodological level therefore, this study employs an approach which allows for examination of different identity categorizations at the same time. By leaving collective identity ‘neutral’, this approach enables one to study collective identity’s different facets as they appear in the different processes of interstate interactions.

At a practical level, the East African Community presents an interesting case for the study of collective identity because unlike current regional integration schemes elsewhere, in addition

to enhancing economic integration, the 1999 Treaty for the Establishment of the East African Community explicitly states that the region aspires to a political federation of member states. This means that from the onset, by subscribing to the Treaty, member states commit themselves to working towards an eventual political federation. Although the Treaty prescribes pursuit of a neo-functionalist step by step approach in which the process starts with economic integration to later progress into political integration at least normatively, by stating the goal of integration as attainment of political federation, member states are called to steer the integration process with a consciousness to the ideal to which they aspire. This means that EAC members shall not just find themselves driven to political federation because of spillovers created by economic integration, but shall deliberately steer the integration process in a manner that contributes towards attainment of a political federation.

In fact, just five years after revival of the Community, in 2004, EAC Heads of State commissioned a study with a view to informing the possibility of attaining the political federation through a fast track mechanism, signaling their determination to make this aspiration a reality. As at 2014, the federation’s proposed constitution was being discussed by member states and the question that shall eventually be put to the East African people shall not be whether they want a federation or not, but what form it should take. Such positive developments however, are occurring in an environment in which member states are not moving together on all issues of the integration process to which they have committed and some states are even engaged in open economic hostility and sabotage of each other’s economic gains. Domestic politics is conducted without any reference to the goal of political federation among member states and the alleged shared cultural identity appears to be redundant in influencing progress in regional integration.

In an 8\textsuperscript{th} June 2006 debate in the Kenyan Parliament for example, Hon. Bett Franklin asked the Deputy Minister of Education why the number of Kenyans seeking education in Uganda was increasing, and what steps the government was taking to ‘arrest’ the situation. It was revealed that by having Kenyan students seeking education in Uganda, Kenya was ‘losing’ 2.3 billion Kenya shillings, to Uganda and the Kenyan Parliament resolved that Kenya should do everything possible to reverse this trend. (Mzalendo website; Onyango-Obbo 2007:54) What is most telling about this debate is that among all the arguments advanced, none made reference to the fact that there were several Ugandan and other East African students studying in Kenya. No Member of Parliament (MP) made reference to this as a positive outcome of the EAC integration even though they acknowledged that there were several flaws in the Kenyan
education system that made Uganda an attractive destination to Kenyan Students. (Onyango-Obbo 2007:54) The MPs also did not consider that there are areas like regional trade in which Kenya could be benefiting more than Uganda out of the regional integration scheme. Whereas the students in question as well as their parents were taking advantage of the opportunities that come with regional integration, the MPs were still inward looking, viewing the integration scheme from the narrow zero sum game perspective, where Kenya should take as much as it can out of the regional integration scheme while ‘doing everything possible’ to limit others from benefiting from the same scheme.

Negotiation of the Common Market Protocol and subsequent operationalization were targeted at promoting closer cooperation as well as social integration of the East African people. Although the implementation matrix shows that there is a degree to which the Common market freedoms are being enjoyed by ordinary East Africans, at an economic level, there are still discrepancies between the potential benefits and what is being enjoyed by different partner states. For example, in practice the provision for free movement of labour was not operational and developments such as the single customs territory and the single tourist visa were taking long to be actualized.

In some cases, there are open conflicts between partner states which involve issues that the full implementation of the Common Market Protocol would have resolved. A case in point is the feud between Kenya and Tanzania where there are reciprocal restrictions on the entry of tourist vans into each other’s territory. Emanating from a 1985 Agreement, this row has escalated several times with the latest escalation being in December 2014 when Kenya banned Tanzanian tourist vehicles from picking or dropping tourists from its Jomo Kenyatta International Airport. In March 2015, Tanzania also restricted the number of flights by Kenya Airways into Tanzania from 42 to 14 per week. This is in spite of the fact that EAC member countries are working on implementing the provisions of the Common Market Protocol which they adopted in 2009. As Onyango Obbo puts it, such feelings of ‘nationalistic competition’ among member states reveal “undercurrents of suspicion and animosity that swirl under the calm surface of the East African integration project.” (Onyango Obbo 2007:54)

On the political institutions’ front at the domestic level, there are hardly signs that member states act consciously of their membership to the EAC as political reform processes and outcomes do not reflect the broader sense of a country’s consideration of the aspirations of the EAC. In Uganda and Tanzania for example, political party manifestos are either
completely silent on EAC integration or mention it only in passing, and integration issues are never a subject of discussion on campaign trails. (Lwaitama et al 2013:19) In fact, in a meeting of EAC wide political parties held in Nairobi in August 2012, the Kenyan Prime Minister Raila Odinga accused political parties in the region of excluding regional integration from their agendas. (ibid 2013:22)

In Kenya’s 2013 Presidential election campaigns, the debate platform gave the general population an opportunity to ask questions and on only one occasion during the televised debates were candidates asked about their vision for EAC integration. Kenya’s 2010 constitution has also been said to have failed to comprehensively make reference to the regional integration process. (Lwaitama et al 2013:16) In the 2010 Tanzanian elections, only about 8 of the eligible 20 million voters actually participated in elections. (ibid 2013:18)

These cases demonstrate that domestic political institutions albeit still underutilized, may also not effectively engage and mobilize the required commitment from the EAC populace to support political federation. There is need to employ a multipronged approach that allows for all citizens to have a say on where they want the integration scheme to go. From the foregoing discussion, in what appears to be a repeat of past mistakes, it is not surprising that the EAC integration process has been persistently criticized for not allowing for effective participation of the people, (Kasaija 2004:22) being ‘alive but in need of drawing its breath from the vital organs of its grassroots communities’, (Oyugi 2009:8) and being pursued as “an economic integration project in which the interests of the dominant groups and classes are taken to be the basis of the discussions”. (Nabudere 2006)

Despite the above shortcomings however, the elite within the EAC insist that a political federation is possible. The Community has grown very rapidly into a Common Market and despite the interstate animosities, the EAC commissioned study conducted in 2004 to explore possibilities for fast tracking the federation showed that the majority of East Africans in the survey wanted a political federation. Compared to the past, observers suggest that there is greater harmony at the ideological and political level as well as greater mutual understanding to accomplish the longstanding dream of creating a political federation in the current EAC. (Mkenda 2001:21, Kikwete 2012) Use of common languages, Kiswahili and English which are widely used throughout the Community\(^2\) has even been described as the most enduring

\(^2\) In 2007, the EAC was expanded to include Rwanda and Burundi which have a Francophone colonial heritage. Rwanda’s implemented a policy to make the country Anglophone as well but Burundi is still officially Francophone. Since this study focuses on only the three founding members of the Community, this assertion is still valid.
infrastructure for political union, as this eases communication (Mkenda 2001:21) and cements historical and cultural ties, making the creation of a regional identity that can support political union more likely. An examination of the formal communications and sentiments expressed by EAC leaders also reveals that the most important pillar upon which aspirations for a political federation are anchored is mostly the belief that the people of East Africa have a common cultural heritage and that they have traded and interacted with each other for centuries even before the advent of colonialism. In fact, for many, the historical cultural ties are the “only serious ingredient in the East African Community recipe.” (Onyango Obbo 2007:57)

That the foundation for natural community exists in the EAC cannot be denied, as the commonality of language and culture across EAC states is a fact that one cannot refute. In some cases, there have even been cross border cultural meetings in which communities agree on a timetable for conducting traditional rituals such as circumcision among the Luhya of Kenya and the Bagisu of Uganda. Also, the ‘Kapsomin a cross-cultural clan, shared among the Bagisu and Sabiny from eastern Uganda and the Sabiny in Kenya, had a general meeting in Chemkeng in Trans Nzoia, elected an ‘East African president’ and resolved to promote development projects on both sides of the border.’ (Onyango Obbo 2007:61)

Such transnational social cohesion exhibited among the peoples of East Africa is not just a result of historical cultural ties. In many cases, it is also a product of the existence of transnational telecommunication enterprises and the movement of persons across borders. (ibid) These have led to a higher level of interaction and connectedness among the peoples of East Africa which has increased the feelings of fraternity and mutual sympathy among ordinary people across national borders. (Oloka-Onyango 2005:1) However, Oloka Onyango (2005) just like Tulya Muhika (2012) shows that despite this closeness among the peoples of East Africa, most people cannot concretely relate to the idea of East African integration and even scoffed at the idea of political federation even if it was to be introduced in 2050. (Oloka-Onyango 2007:1)

The preceding discussion reveals ambiguous results of support for political federation in the EAC. This could suggest that the support that we see in the EAC right now might be anchored on another form of collective identity, and that as much as a cultural identity might be a prerequisite for political federation, it only comes into play at a certain stage in the political integration process. It could also suggest that a collective cultural identity might be relevant for sustaining cooperation but not necessarily for building community and that
different kinds of collective identities might be required to support deeper integration. One could also argue that given that there are still low levels of awareness about the whole integration project among ordinary people, depending on who is included in the survey, it is not surprising that many people cannot relate to it. The real test of whether we should expect that the goal of the EAC is shared enough, to warrant such optimism for political federation therefore comes at the level of the elite who are engaged in the day to day work of advancing regional integration.

The EAC like other regional integration schemes has founding norms that anchor the institutions and practices of members within the integration process. The existence of common fundamental norms, which in effect assign a specific identity to member states, is expected to raise convergence in interpretation and adoption of regional policies, given, as Etzioni suggests that states tend to ‘make some adjustments in their behavior to suit prevailing norms in order to maintain or enhance their reputation.’ (Etzioni 2001: xlviii) The key question therefore is whether these fundamental norms bring the elites of EAC founding member states into the same ‘ideational space’ to allow for common interpretation, agreement, adoption and implementation of matters that advance common goals. If there is convergence, how is it and on what issues is it expressed by which partner states? If there is no convergence, where are the differences and what do partner states prioritize over the collective ideational assignments of the founding norms? More so, in view of the fact that the community aspires to a political federation, to what extent is the normative foundation shared at the elite level in order to ensure that there is a common ground upon which political federation can be sold to the populace to secure legitimacy of the institution once it is established, or support for it to be established?

It is these questions that this study seeks to answer and by so doing makes a contribution in the following ways; first it contributes to answering the theoretical question of how different kinds of collective identities interact in and with processes of regional integration, a question which has hitherto not been sufficiently answered. Risse (2003) for example asserted that little was known about the political and social contexts in which European (collective) and national identities might actually conflict. Second, empirically the study addresses an issue that has hitherto not been explored either in the studies or practices of the East African Community. It explores the complexities of interstate relations among EAC members from an identity perspective, thereby furthering understanding of regional integration in the EAC’s unique historical and political context. Third, by explaining how collective identity interacts
with the regional integration process, at a policy level, this study shall be useful in informing efforts at creating or reinforcing a commonality of ideals around which East Africans could be rallied for successful political federation. The study shall also be useful in highlighting the boundaries of member states’ cohesion in specific issue areas which is important in informing further efforts at regional integration. Lastly, at a methodological level, this study explores collective identity from its three dimensions of external assignment, self-ascription and collective agency to generate a more comprehensive understanding of how collective identity is manifested in regional integration processes.

This dissertation proceeds as follows; in the next chapter, I present a background to the East African Community, emphasizing the redundancy of the argument that cultural identity is a foundation strong enough to support political federation, an argument that seems to inform all efforts at political federation in the past and in the present. In chapter III, I present a theoretical framework for understanding the interaction between collective identity and integration processes with a view to making a case for my selected approach. Chapter IV is concerned with the Research Design, specifically highlighting an analytic framework for understanding how collective identity interacts with empirical episodes of regional integration along an ‘identity path’ that runs from norms, through discourse to action.

Chapter V focuses on the normative sphere showing how collective identity is represented in the normative framework of the EAC. Chapter VI explores the manifestations of normatively assigned collective identity in the negotiations for widening and deepening integration in the Community. In Chapter VII, I present the manifestation of collective identity in implementation of EAC decisions with special focus on the application of variable geometry to advance regional integration. Chapter VIII is a synthesis on the different identity interactions and their implications for the Community’s aspiration for political federation. In this Chapter, I summarize the manifestations of collective identity from its different facets showing its interaction in specific issue areas and recommend that they be treated as special areas for intervention in which a shared understanding needs to be developed.
Chapter II: The East African Community: A Persistent Attempt at Political Federation

“We the leaders of the people and governments of East Africa assembled in Nairobi on 5th June 1963, pledge ourselves to the political Federation of East Africa. Our meeting today is motivated by the spirit of Pan-Africanism and not by mere regional interests. We are nationalists and reject tribalism, racism, or inward looking policies. …… This is our day of action in the cause of the ideals that we believe in and the unity and freedom for which we have suffered and sacrificed so much……………..We share a common past and are convinced of our common destiny. We have a common history, culture and customs which make our unity both logical and natural.”(as quoted in Hughes 1963:265)

This excerpt is from the 1963 Declaration of Federation, one of two official documents that East African leaders have formally endorsed in the 50 years for which the dream of political federation for the region has been kept alive. The declaration, signed by Prime Ministers Milton Obote, Jomo Kenyatta and President Julius Nyerere of Uganda, Kenya and Tanganyika respectively was a precursor to the negotiations of a federal constitution. The second official document with the same aspiration is the 1999 Treaty for Establishment of the East African Community (EAC Treaty 1999) in which a political federation is stated as the ultimate goal of regional integration. From the excerpt, it is clear that the leaders of East Africa were aware of the challenges that awaited them in the process of forming a political federation but they were confident that their ties of unity were stronger than their differences. They were therefore banking on the spirit of Pan Africanism, a common culture and customs as well as a common history of struggle for unity and freedom to enable them overcome the divisive ethnic identity and inward looking policies. Basing on the foundation of their relationships therefore, they attempted to form a political federation ‘head on’ immediately after they had all acquired independence.

In this section, divided into three parts, I present the historical evolution of the East African Community with a focus on how the desire to federate has defined the region’s integration efforts since independence. During its lifecycle, the only time that the idea of Federation was not talked about was in the period of the first East African Community (1967-1977) which was itself a byproduct of a failed attempt at federation. I start with an account of the failed federation negotiations and then present the formation and collapse of the first EAC. The chapter ends with an introduction to the current EAC emphasizing the unwelcome continuities from its past in spite of progress in advancing regional integration.
The chapter’s main argument is that although the official discourses of East African leaders show that they have always taken the existence of a common/collective identity amongst themselves and their people as a given, this identity, be it Pan African or cultural has not supported regional integration efforts or political federation aspirations as expected. In other words, there is a disconnect between the shared heritage and sense of collective identity among East Africans and the regional integration processes. Because of this paradox, one observer described the notion of a shared identity among East Africans as “assumed identity”. (Tulya-Muhika 2012) Although the shared cultural heritage and feelings of fraternity among East Africans across borders cannot be denied, their relationship to the integration process appears to have been mostly misconstrued. Like in the past, the role and place of identity in supporting the proposed federation in the current phase of the Community is still ambiguous. This chapter lays the foundation for a theoretical framework on the role of collective identity in political integration processes and international relations.

2.1. The Proposed 1963 Federation: A False Start at East African Post-Colonial Integration

Although most of the discussion on interstate federation in Africa gained prominence at independence, some French colonial territories had been administered under a federal system of governance and the British had discussed possibilities of federating their territories on several occasions. The possibility of a North African federation had been discussed by Lord Durham as early as 1893 and the formation of a Central African Political Federation was proposed by British colonial secretary Lennox Boyd after the Second World War (WWII). (Nabudere 2010:47) The East African federation had been advocated for by colonial secretaries Winston Churchill in 1922, L.S. Amery in 1924 and in the mid-1950s, Oliver Lyttleton also alluded to the possibility of future federation. In all cases however, the idea was opposed even by the Governor of Tanganyika, because it sought to entrench the dominance of Kenyan white settlers. (Adar 2011:3; Nabudere 2010:47-48; Listowel 1968:82; Brich 1966:25)

Although proposed as a means to promote ‘better governance’ at independence, colonial federation was viewed by Africans as another ploy to keep the continent dominated - a “political vehicle from direct colonial rule to neocolonialism”. (Nabudere 2010:48) At the dawn of independence however, African leaders argued in favor of federalism between
independent states as a means by which the continent could transcend the balkanization that made it vulnerable to external exploitation and internal domination by foreign interests. This striking contrast in the way African leaders perceived political federation immediately before and after independence suggests that federation was viewed as having the potential to serve two contradictory purposes. Under colonialism, African leaders saw federation as serving the purpose of enhancing more effective exploitation of their territories whereas under independence where they were in charge of their own territories, they saw federation as serving the purpose of helping to overcome colonial imbalances and strengthening their ability to resist further exploitation.

In East Africa, federation was being discussed for a region that had been economically integrated from as early as 1903 when the Railway connecting Kenya to Uganda paved the way for formal socio-economic cooperation between the two British colonial territories. (Adar 2011:1) A series of institutional arrangements such as the East African Posts and Telegraphs (EAPT-1890) and the East African Currency Board (EACB-1905) were set up for the two territories and by 1917, a Customs Union which was fully joined by Tanganyika in 1927 had been formed. In 1940 and 1946, the East African Income Tax Board (EAITB-1940) and the East African Airways (EAA-1946) were established. (Adar 2011:1, Mwaseba 2010:3) Following Tanganyika’s independence in 1961, the East African High Commission (EAHC-1948-1961), the corporate judicial body, by the colonial office for the three Governors of Kenya, Tanganyika and Uganda was restructured to form the East African Common Services Organization (EACSO), to be run by the independent East African States. (Birch 1966:25)

From 1961-1966, the region’s Common services, Customs Union, Common Market and Currency Union were managed by the EACSO and the East African Central Legislative Assembly (EACLA-1948) as the key decision making bodies. (Adar 2011:1) The region was later transformed into an East African Community (EAC) between Kenya, Uganda and Tanzania from 1967 to 1977. These two developments occurred on the heels of independence which Tanganyika attained in 1961, Uganda in 1962, Zanzibar in 1962 and Kenya in 1963.

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3 Tanganyika was transferred from Germany to Britain in accordance with the Versailles Treaty (1919), first as a mandate territory on behalf of the League of Nations (1919-1945) and later as a trustee of the United Nations (1945-1961).

4 Tanganyika formed a federation with the Island of Zanzibar in 1964 and engaged in the EAC as the United Republic of Tanzania.
Immediately after attaining independence, the leaders of the independent East African countries attempted to form a political federation. Unlike the proposals by the colonialists whose aim was to serve the ‘political economy of imperialism’ (Mwaseba 2010:3), the idea of federation among (East) African leaders was rooted in Pan Africanism, with East Africa following Julius Nyerere’s idea that the best way to attain continental integration was through regional integration. Julius Nyerere argued that ‘regional cooperation and federations would help the cause of African unity by demonstrating the feasibility of integration’. (Rector 2009:142) Rather than emphasize territorial nationalism, Pan Africanism saw Africans as one people who had suffered the same fate under colonial domination, and who needed to unite in order to reclaim their dignity, secure their independence and assert themselves as strong players in international affairs. According to Nye, Pan Africanism was a choice of race over tribe, the two competing forces upon which ‘natural community’ is built in Africa. (Nye 1966: 9)

In addition to the foundation of ‘natural community’ the three East African States shared similarity in governance institutions given their colonial heritage and a relatively high level of economic and social integration. These included common external tariffs, single customs territory, joint management of railways and air transport, telecommunications and free movement of goods, capital and labor among others – factors which are said to be prerequisites for successful political integration/federation (Deutsch et al 1957:58; Nye 1966:60) In fact, at the time of independence, East Africa was viewed by some as the region in which a “federal movement would be most likely to succeed.” (Proctor 1966: 46)

The idea of federating East Africa was spearheaded by Julius Nyerere of Tanganyika who even offered to delay the independence of Tanganyika and wait for the other East African countries, Kenya and Uganda to attain theirs in order for them to form a federation immediately. (Nabudere 2010:45; Gitelson 1973: 69; Birch 1966:26) This request was not granted by the British and like in other cases of the independence struggle, the three East African territories attained independence on territorial basis and despite the goodwill of Julius Nyerere, the Federation did not materialize. Apart from successfully federating his country Tanganyika with the Island of Zanzibar to form the United Republic of Tanzania, Nyerere’s vision for the federation of East Africa, remains a dream to date.

Several reasons have been advanced for the failure of the East African Federation to take off in spite of having had the ‘right conditions’. In fact, it is now evident that conditions were right only as long as the East African Countries were still being governed together under a
colonial administration. Once this external control was relinquished, the equilibrium was tipped as each territory struggled to deal with internal political and economic challenges which were rooted in the colonial political and economic structures. As shall be seen in the proceeding sections, East African leaders inherited states with deeply divided societies and internal ethnic chauvinism for example in Uganda made it difficult for the state to commit to federation. More so, across states economic imbalances emanating from the nature of the colonial structure in which Tanzania and Uganda were supposed to produce raw materials to feed industries in Kenya, also made it difficult for the states to truly share a vision for the federation. As it has been argued, the unity of East African states was externally imposed for administrative convenience and with the removal of Europe from the scene; there was no guarantee that this unity would continue. (Hazlewood 1967:3)

With attainment of independence, the risk of giving power to white settlers no longer existed, but as had been foreseen by Nyerere, problems of ‘territorial nationalism’(Nabudere 2010:46) arose. These problems which include the enticing nature of independence after colonial domination, questions of nationalism within partner states; challenges of state consolidation as well as lack of goodwill among leaders, it has been argued, compromised the realization of East African federation. (Nye 1966:167; Gitelson 1973:69) Albeit aware of the challenges, in response to Nyerere’s proposition, Kenya’s Legislative Council passed a resolution to the effect that federation was both economically and politically desirable but Uganda had misgivings because it was facing internal governance challenges. (Birch 1966:26; Hughes 1963: 233) On June 5, 1963 however, the three Heads of State signed the Nairobi Declaration to the effect that they were going to federate by the end of the year. A federal constitution was immediately drafted but negotiations of the same collapsed following Uganda’s withdrawal and so ended the pursuit of an East African Federation.

2.1.1. Uganda’s internal Struggles and its Positions in Federation Negotiations

Unlike its two partners, Uganda had to deal with a unique internal situation that required balancing demands of a powerful monarchy that had been placed in a privileged position by the British colonialists. The Buganda Kingdom which had been given semi-autonomous status was opposed to the political federation of East Africa, which it saw as a threat to its dominance in Uganda. In fact, when the idea of federation was mentioned by the British Secretary at a meeting of the Diner club in Nairobi in 1953, Buganda’s Parliament (Lukiiko)
sat and opposed it. They even demanded that the affairs of the kingdom be removed from the Colonial Office to the Foreign Office (Oloo 2007:27) resulting in the Kabaka’s (Buganda’s King) forced exile to Britain where he was held from 1955-1958. (Nabudere 2010:49).

Shortly before Uganda acquired independence, in an attempted secession, Buganda declared itself independent effective December 31, 1960. (Rothchild 1966:278) This situation was contained by the British and upon independence; a federal system of Government meant to address Buganda’s fears was instituted. Buganda’s opposition to East African federation continued into the postcolonial period and on January 26, 1963 the Lukiiko passed a resolution opposing political union within East Africa. This resolution was subsequently discussed by the Kabaka’s cabinet which came up with a ‘more favorable’ position. The new position was that Buganda would support the scheme if the federal constitution provided for it to be incorporated into the East African federation as a separate constituent unit. This posed a dilemma for Uganda’s Government as this move would either amount to Buganda’s secession or at the very least; weaken the Central Government’s control over the kingdom. (Proctor 1966: 62-63)

By his engagement in a scheme to involve Uganda in an East African federation, Uganda’s Prime Minister Apollo Milton Obote was therefore walking a tight rope in which he risked loss of Buganda’s support with which he was heading a coalition government and ultimately his power. Uganda was therefore hesitant to engage in any decisions that were not favorable to its position vis-à-vis Buganda and rather than discuss the intended federation, it instead advocated for addressing of economic issues in the integration. It has also been argued that Uganda’s Prime Minister did not proceed with federation plans even when he had secured Buganda’s support because of opposition from within his party, the Uganda People’s Congress (UPC). Party elites felt that Uganda’s GDP growth was promising enough for the country to meet its development goals on its own, and that joining in a federation would lower the country’s bargaining position. (Rector 2009:145) In contrast, attributing the adverse economic effects it suffered within the EAC Common Market to a lack of political federation, Tanganyika advocated for an immediate political federation of East Africa. (Proctor 1966: 49)

Although the two countries viewed federation differently, with Uganda standing out as an apparent unwilling partner, there is no doubt that the failure of the 1963 East African Federation to take off was also rooted in the effects of the economic integration. Kenya had been the preferred host for the majority of East African institutions and industries by the
British. It was therefore more industrialized compared to the other partner states, and so was the net exporter in regional trade. Tanzania and Uganda were both disadvantaged by the skewed nature of trade within the integration project and were both interested in finding ways to lessen the adverse effects of East African integration on their economies. To ensure more equitable distribution of benefits however, meant that Kenya had to give up some of its advantages – different rules would be applied to Kenya so as to allow for the other partner states to enjoy some gains.

Tanzania and Uganda therefore went into the negotiations of the East African Federal constitution with a view to ensuring that they resulted in better economic outcomes for them. However, the 1964 negotiations held in Kampala, Uganda hit a dead end and in meeting after meeting from that point forward, the partner states did not reach agreement on the issues they were negotiating. Believing that it was still possible to make adjustments so that all partner states could benefit, East African leaders were unwilling to dissolve the economic integration attained so far, and they tried to sustain the negotiations. However, the unwillingness of the partner states to make individual sacrifices brought the scheme to the verge of collapse in the mid-1960s. (Gitelson 1973:70)

In a bid to save the process, Kenyan and Tanzanian parliaments threw their weight behind the campaign for federation. Kenyans voted that instruments of federation be ratified by August 15, 1964 and the Tanzanian parliament unanimously called for immediate federation with either or both Kenya and Uganda. These actions proved futile in influencing Uganda to change its position on issues where there was disagreement. (Proctor 1966:51) These issues included location of the Federal capital which Uganda insisted it should host after Moshi in Tanzania had been proposed as the prospective location. Being the only landlocked country, Uganda hoped that by hosting the Federal capital it would attract activity to its territory, making up for this ‘handicap’. (ibid) This difference in geographical features might not have been foreseen as a potential impediment to federation.

There was also contention on the organization of the Federal Parliament. Again considering that it had the lowest population, Uganda sought to have a senate that was stronger than the House of Representatives because each country was to send the same number of MPs to the Senate unlike the House of Representatives where it was going to be proportional representation according to population size. Members of the senate were to be elected from National Parliaments whereas Members of the House of Representatives were to be elected directly. Kenya and Tanzania objected to Uganda’s proposals that the senate should have the
power to consent to political appointments, approve treaties and agree to bills before they become law; arguing that this would make National Governments stronger than the Federal Government. (Proctor 1966:53)

Uganda also advocated for a weak federation with several competencies namely mines, agriculture, livestock and animal husbandry, higher education, trade unions, marketing boards, external borrowing, citizenship and foreign affairs proposed to remain under national jurisdiction. Although the other partner states made compromises on many of the issues, they insisted that citizenship and foreign affairs had to be ceded to the federal level because otherwise there would be no sense of genuine political association. Uganda responded that to assume that there is a standard form of political federation to be followed at all times was wrong. (Proctor 1966:53)

Uganda’s insistence on the question of citizenship was meant to limit inter territorial movement of persons, as this would compromise its ability to provide employment for its citizens. Given Kenya’s high unemployment and land hunger, Uganda was afraid that allowing for free movement of persons would cause an influx of Kenyans into its territory. Therefore, Uganda saw it beneficial to elevate the status of national citizenship relative to East African citizenship. It proposed that citizenship of any territory should automatically confer East African citizenship, but East African citizenship would not automatically make one a citizen of another partner state. Partner states did not reach agreement on this as well. (Proctor 1966:54)

In the matter of external relations, Uganda was keen on retaining its sovereignty and identity as an independent state, and argued that it was beneficial for the region to have three voices and votes in the UN rather than one. Uganda used Nkrumah’s argument that regional federation would delay African Unity (Shivji 2010:35; Proctor 1966:57) and that it would have nothing to relinquish to an African federal Government if it ceded power to handle external relations to an East African Government. The country also lent credence to its objection to cede power over external relations by noting that the preamble of the Charter of the Organization of African Unity (OAU) called on states to defend their territorial integrity and hard won independence. (Proctor 1966:54) As Proctor notes, Uganda could have genuinely been concerned about securing itself against the potential negative effects of federation to its economy, but the other partners saw the demands as unreasonable and only meant to veil its opposition to the federation. Needless to say that most of the issues of contention were never discussed conclusively and although federation appeared
impracticable, alternatives between federalism and functionalism were not fully explored. (Proctor 1966:54; Nye 1966:249)

2.1.2. Looking beyond Uganda: Why Kenya and Tanzania could not federate

Although the outcomes of the federal negotiations in the 1960s presented above are attributed to economic and intra state governance challenges, this section argues that the underlying problem was the lack of a common identity and vision among the East African states. Tanzania was obviously committed to realization of the federal project, but as a means of reversing colonial imbalances in the regional economy and delivering her people from poverty. On the other hand, Kenya’s interest lay in having as much access to markets in other states as possible since she was the economic power house. Indeed as Mwaseba asserts, a federation would have served Kenya well because in it, its ‘interests and ideology coincided’. (Mwaseba 2010:6)

From this perspective therefore, the federal negotiations represent a clash of ends. Each signatory signed the Declaration to federate, for a completely different reason. As there was no common goal to which they were all equally committed, states focused on their internal concerns and acted defensively to shield themselves from their partners. Uganda and Tanzania, even though both interested in ensuring that they are not turned into mere markets to help Kenya advance economically, were not able to take a common stand and advance the federation. Uganda seeing itself as uniquely disadvantaged by geography, population and internal political challenges did not see solutions in Nyerere’s idea that regional political federation was the platform in which both countries would be able to deal with the problems of unequal development of the region.

Secondly, there was a point at which voices in both Kenya and Tanzania were calling for a federation without Uganda. If these two countries were convinced that Uganda was an unwilling partner, the question is why didn’t they proceed to form a federation between themselves? Although Kenya actually made the offer, this position appears to have been problematic especially for Tanzania. Rector suggests that Tanzania’s decision to back out of the federal project was a result of changes in its individual circumstances. (Rector 2009:135) Tanzania which was formerly known as German East Africa had been a German colonial territory for 33 years from 1885 to 1918. It only started associating with the other British territories in 1919, after it was handed over to British administration and renamed...
Tanganyika following Germany’s defeat in the First World War. As earlier on highlighted, by the time Tanganyika joined the other two territories; they had already attained a high level of economic integration. Being the latest entrant, Tanganyika could have been skeptical about federating with Kenya alone. Whereas the ‘problems’ of Kenya had been being exported to Uganda as well, in a two state federation, Tanzania would have opened itself up to deal with them alone.

More so, Tanzania needed the support of Uganda to counter balance Kenya’s strength if it was to get the benefits it desired out of the Community. By having another disadvantaged country in, Tanzania could have had a stronger bargaining position in an ‘alliance of the weak’ (Mvungi 2011:57) than if it had to act alone against the economic power. As Rector shows, ‘without Uganda in the federation, Kenya would come closer to being able to dominate the federal government. Taking Uganda out made the transfers from Kenya less credible thereby reducing the appeal of federation to Tanganyika.’ (Rector 2009: 146) Even though Uganda had made it clear that it would not be part of an EAC federation and in both countries the parliaments had given a go ahead for federating without Uganda, it is not surprising that Tanzania refused the offer for federation with Kenya alone. (Nye 1966:187)

Governing parties in all the three countries have been blamed for focusing on how to maintain their hold on power domestically. Ugandans criticized the governance style of the Party in Tanzania, and in Kenya, the ruling Kenya African National Union (KANU) faced strong regulation by Kenya African Democratic Union (KADU) which sought to protect smaller tribes by instituting a governance system that reduced centralization. Kenya’s constitution at the time established regions, which the major opposition party was proposing to be the constituent units of the Federal East Africa. (Proctor 1966:64-65) This was similar to the demands of Buganda but even more radical because in Kenya’s case, the proposed arrangement was to apply to all regions and required dissolution of the Kenyan state; a position KANU was not prepared to accept. The Kenyan opposition saw federation as a means to deal with internal economic imbalances based on ethnic and regional lines, but this view was obviously not shared by the ruling party.

Tanzania’s internal political landscape characterized by intolerance for dissent and institution of a one party rule also appears to have become undesirable to other East Africans especially after the federation with Zanzibar and the 1964 army mutiny that attempted to overthrow President Nyerere. (ibid) These factors suggest that the two countries even if they had decided to federate on their own still faced internal challenges that could have made the
federation difficult to attain in reality. Given Nyerere’s suggestion for immediate federation, if the two countries had both been interested in ending the nation states and federating as one people, these factors would have proved inconsequential for the federation project.

Another explanation lies in the fact that the Nairobi Declaration might have elicited different levels of commitment from the East African Heads of State basing on the motivation for which it was signed. Because of utterances by Kenyan and Ugandan politicians, it is speculated that the Declaration had been signed as a ploy to compel Britain to hasten the granting of Kenya’s independence. (Jitendra 1968:400; Proctor 1966:66-69) There is a possibility that President Nyerere might have been privy to this motivation, but there is no doubt that he believed the Declaration would be a precursor to actual federation. As such, either out of genuine belief or as a scapegoat to avoid committing to federation, when Ugandan and Kenyan politicians intimated that the Declaration had met its objective when Kenya attained independence, Julius Nyerere must have been disappointed. (Proctor: 1966:66-69) Despite the sentiments regarding the goal of the Declaration, East African leaders embarked not on preliminary consultations, but on negotiations of the federal constitution. (ibid) This undertaking brought to the surface sensitivities that usually arise when making a new constitution and upset the little interstate cohesion that existed. The failure to federate created an atmosphere of animosity which still defines the relationship between the East African states to date.

In addition to territorial nationalism which created a different identity for each state, with each one looking at their domestic context only, other factors also failed the attempt. Fundamental was the colonial heritage of skewed economic development, structural imbalances and external dependence among the East African economies. This created a situation whereby each state started negotiations by focusing on how to solve its internal challenges. If there had been a common understanding of problems and a consensus on aspirations for the region, East African leaders could have been more willing to transcend the exploitative economic and political structures. These ‘era of colonialism’ structures did not take cognizance of the long term relationship that the territories needed to develop post colonialism, and so a federation which sought to rectify the ills of the past; develop the region more equitably and create a common sense of unity and identity among the peoples of East Africa ought to have been established on an ‘era of development’ structure.

In spite of being fragile economies, inward looking policies did not allow the East African states to constitute themselves into a bigger market actor by uniting. They also increasingly
failed to uphold joint decision making in their common institutions, a practice that could have built the trust necessary to support federation. Instead, as countries took different ideological positions, withdrew from joint engagements and planned individually, more arguments for why the federation was not possible arose. With the persistence of inequality, Tanzania threatened to leave the common market, which compelled the Partners to sign a new agreement on East African Cooperation (the Kampala-Mbale Agreement of April 1964). The agreement proposed measures to address the imbalances arising from intraregional trade by allowing Uganda and Tanzania to impose quotas on imports from Kenya, and compelling the latter to import more from the two neighboring countries. A redistribution of institutional headquarters and industries including giving monopoly for production of certain goods to respective countries was also provided for. (Mvungi 2011:58, 60)

The Kampala-Mbale Agreement was ratified by only the Ugandan and Tanzanian Parliaments. Inevitably, without Kenya’s ratification the agreement ran into implementation difficulties, (Hazlewood 1967:110) with most of the provisions being completely ignored. There was partial implementation of the provision that required regional based firms namely manufacturers of beer, footwear, cement and tobacco to increase their production or establish in Uganda and Tanzania so as to avoid importing products from Kenya. (ibid:96) Enforcing compliance to the resolutions was a challenge since the industries in question were neither owned nor controlled by the states. (Nabudere 2006:7).

What was more problematic however is the fact that the states themselves did not respect the agreement. In the first year of its signing, Tanzania despite having ratified it went ahead like Kenya, to invite companies to set up fertilizer plants inside its borders in complete disregard of the fact that the production of nitrogenous fertilizers had been allocated to Uganda. (Mamdani 2011) Rival US companies also established tyre production plants in both countries although these had been allocated solely to Tanzania. (ibid) If the agreement had been implemented, Tanzania would have been the sole producer of aluminium foil, circles and plain sheets; as well as motor vehicle tyres and tubes. Kenya would have been the sole producer of electric light bulbs and Uganda would have focused on production of bicycles and nitrogenous fertilizers. (Ndegwa 1968: 186)

Growing increasingly frustrated by the state of affairs in the East African Common Market, Tanzania decided to impose its own controls outside the scope of the agreement. It established a state trading corporation and drastically reduced imports from Kenya and Uganda by imposing import licenses on 70 items including major imports.(Mamdani 2011;
As was expected, Kenya retaliated by reducing its imports from Tanzania as well. During this time, with funding from China, Tanzania extended its railway system from the port of Dar es Salaam to Kapiri Mposhi in Zambia to reduce the latter’s dependence on Rhodesia’s white settlers and apartheid South Africa. This was largely interpreted as a realignment of Tanzania’s priorities away from East Africa to Southern Africa. (Mvungi 2011: 65; Mkenda 2001:17; Birch 1966:26)

In the end, although Uganda had appeared as the unwilling partner, Tanzania’s 1965 decision to withdraw from the common currency seems to be the definite point at which the aspirations for federation at the time were abandoned. Although he was aware that this was “undoubtedly a move towards nationalism and away from African super-nationalism” Nyerere argued that “in the absence of a Federal Government this was necessary if each of the governments was to meet its responsibilities to the people who elected it.” (Nyerere 1966)

Taking a cue from Tanzania, Kenya and Uganda also established their own central banks and currencies. Negotiations that had been started to bring the East African countries closer in a political federation, had only served to bring structural economic problems to the fore and resulted in the collapse of the Common Market.

In stark contrast to the spirit of the Declaration to Federate, by 1966, even Julius Nyerere was acknowledging that nationalisms were in competition with one another and national representatives were being forced to prove why investment should be made in their country rather than in another. In Nyerere’s (slightly paraphrased) words, the situation left East African states’ not only worse in relation to aid or trade, but also with a kind of fear of each other—a suspicion that the neighboring country will take advantage of any weakness the other has for its own benefit since countries had little choice in the matter.’ However much a country may sympathize with the other’s difficulty, Nyerere said, “only in rare cases will this sense of ‘oneness’ be able to transcend the hard necessities of its own economic need.”(Nyerere 1966)

This account of the failure to federate reveals that although the preexisting structure of the regional economy posed serious challenges, the bigger problem was a lack of a shared vision for the region. Such a vision would have allowed partner states to make the necessary sacrifices in order to attain the federation. Within and between states however, there was no agreement on whether or even how to proceed with the federation. Tanzania is the only country that did not face any visible form of internal division regarding the aspiration for federation. In Uganda and Kenya, different constituencies were looking at the federal idea
differently. Between states, there was no agreed upon form of federation and the understanding that sacrifices had to be made was not shared. The haste with which the project was abandoned also testifies to the lack of commitment among EAC Heads of State.

The ideology of Pan Africanism which had been the rallying spirit did not appear in the arguments as a motivation for pressing on towards federation. In fact, Uganda hid behind some of its assertions to justify its unwillingness to federate at a regional level. The sense of fraternity that was expected to be exhibited during the negotiations was absent, and if it was present, it was too weak to support the decision to federate. Faced with this scenario, EAC leaders resorted to the less ambitious attempt of holding together the weak threads of cooperation that still existed, by appointing a commission to help craft a way to salvage the situation.

The commission comprised of three ministers from each partner state and was headed by Prof. Kjeld Phillip who upon request, had been recommended to the partner states by the United Nations. Together with other advisors from the United Nations, the Commission set out to find compromises that would keep the economic integration project afloat. At this point, the ambitious aspiration for political federation lost steam to the immediate pressing problems of how to sustain day to day East African cooperation.

2.2. Formation and Collapse of the East African Community 1967-1977

The Treaty for East African Cooperation (TEAC) which formed the East African Community was drawn up by the Phillip commission and signed by the East African partner states on 6th June 1967 after which it was ratified and came into force on 1st December 1967. This Treaty provided for six major administrative organs to ensure smooth running of the community namely; 1) East African Authority only comprised of Heads of State 2) Committee of East African Ministers who were permanently based at the EAC Headquarters 3) The EAC Secretariat 4) East African Legislative Assembly 5) Five Ministerial Councils 6) East African Development Bank.

In what has earned it a reputation of being ‘forward looking, comprehensive and courageous’ (Kamanga: 2001:16) this treaty tried to address imbalances by redistributing regional offices of common services from Nairobi (Kenya) to the other partner states. The headquarters of the community were moved to Arusha in Tanzania, the headquarters of the East African Posts and Telecommunications Corporation were moved to Uganda’s capital Kampala, Nairobi
retained the headquarters of the East African Railways and Airways Corporation, and the offices of the East African Harbors Corporation were decentralized to include Dar es Salaam in Tanzania.

The East African Development Bank was also established to finance industrialization especially in Uganda and Tanzania and the two countries were allowed to temporarily levy a transfer tax on Kenyan imports under special circumstances. Since the countries had already dissolved the Currency Board and set up independent central banks and currencies by 1967, in the TEAC, they agreed to harmonize their monetary policies “to the extent required for the proper functioning of the Common Market and the fulfillment of the aims of the Community” (Hazlewood, 1975:81).

The Treaty mostly addressed functional issues and did not tackle fundamental political and ideological issues which would later become a major factor in relations among the East African Community partners. (Gitelson 1973:71) For close to ten years, the Community moved forward with strain. Nabudere suggests that this was expected because there was no political authority which could oversee the states since they were all intervening in regulating their economies. In addition, the same structural issues that bound the East African economies to the global exploitative economic system still existed with the productive function in the East African economies still in the hands of foreign multinationals. As a result, revenues from regional trade were being sent abroad, causing all EAC countries to experience Balance of Payments problems even in the face of accusations that Kenya was feeding off its partners. (Nabudere 2006: 8-9). In concordance with Nabudere, Mytelka asserts that this structure of production and trade in the Third World “impedes the realization of immediate or dramatic gains from integration. When integration is conceived, as it most often has been, as the liberalization of trade by the creation of customs unions or common markets, gains from integration under existing conditions will be forthcoming only slowly and in the long run, though sacrifices must often be made immediately.” (Mytelka 1973:243)

As can be expected, the Community eventually collapsed. Different reasons for its collapse have been advanced with different writers focusing on different issues to back up their accounts of what transpired. All with roots in the preexisting structural issues, some accounts attribute the collapse to inadequacies in the scope of application of the Treaty as well as the lack of an overseer institution that could compel states to respect their commitments within the Community. Others attribute the collapse to ideological differences among partner states
and others argue that the lack of engagement with the populace allowed differences among Heads of State to weaken and break up the Community.

2.2.1. Inadequacies in Treaty provisions

The TEAC overlooked pertinent issues which had been at the heart of the failed federal negotiations. For example apart from providing for free movement of capital albeit without any controls and guarantees in place, it was silent on freedom of movement of labour and the right to establishment, which allowed partner states to continue their unilateral limitations on labour mobility. (Mvungi 2011:72) As can be recalled, Uganda disagreed on issues of common citizenship and free movement of labor in the federation negotiations to shield itself from the influx of Kenyans. Because such a situation was not addressed by the Treaty, Uganda was given free rein on how to deal with this problem.

Despite being the centre of industry, Kenya was a net exporter of persons in East Africa. (Nye 1966:63, Mvungi 2011:73) Uganda with only a quarter of East Africa’s population at the time (Nye 1966:63) soon realized that out of a total 260,000 wage earners in Uganda in 1966, 37% were non-Ugandans of whom 12,451 were Kenyans. (Uganda Argus (Kampala) 11 July 1971). The huge number of Kenyans in Uganda compared to Ugandans in Kenya meant that there was more Ugandan money flowing to Kenya through remittances. Mazrui explains that because Kenya’s and Uganda’s currencies could be negotiated at par\(^5\) in each other’s countries, there was no need to convert them before being remitted. However, because every year the countries exchanged each other’s shillings and whoever had a surplus of the other’s currency could expect that surplus to be met in sterling, Uganda consistently found itself in a situation where it had to pay in sterling to Kenya. To curb loss of money through this exchange system, in July 1970, Uganda as part of a broader strategy to nationalize export and import trade decided to ‘Ugandanize’ its economy. (Mazrui 1971:293)

This meant restricted money transfer and limiting unskilled foreign labor including expulsion of some Kenyan workers from Uganda, a reform which seriously strained relations between the two countries. (Mazrui 1971:293; Mvungi 2011:73) Analyzed from this perspective, one would concur with Mugombawho describes the decision to end the monetary union in 1966 as having sowed seeds for the failure of the East African Community (Mugomba 1978:264).

\(^5\) One Uganda shilling equaled one Kenya shilling and either currency could be used in transactions in either country.
It is this expulsion of Kenyan workers from Uganda and the resulting public outrage Mvungi suggests, that exposed the fact that the Treaty was silent on free movement of labor, and that what had existed all along was in fact unofficial free movement of labor. (Mvungi 2011:72)

Although Mvungi’s critique of the 1967 Treaty in relation to the Common Market freedoms is substantively valid, she appears to suggest the existence of a functional common market. And yet, in view of the stance adopted by EAC states prior to the 1967 Treaty, it is accurate to say that by the time the Treaty was adopted, the Common Market was in limbo, a fledgling informal institution which members used according to convenience. In the first place, from the beginning, the Common Market had been operating not by force of Treaty, but by administrative practice. (Nye 1963:482) In fact, Mamdani says that by 1970, Tanzania was no longer an effective member of the Common Market, which had actually shrunk to a customs union following the ‘imports war’ started by Tanzania. (Mamdani 2011) This is supported by the Treaty itself which explicitly states that “although it goes a long way towards it, it cannot be said that the Treaty establishes by law a common market in the fullest sense.” (TEAC 1967). In fact, according to Nabudere, “the Philip Commission recommended the creation of a Common Market, but even they also warned that this could not function unless there was some kind of “political binding force”.”(Nabudere 2006:7) To propose the “creation” of a common market implies that either it was totally non-existent, or as Mamdani suggests, it was heavily distorted.

2.2.2. Ideological Differences

During this time, viewed within the prism of the cold war, tension mainly attributed to divergent ideological orientations was also brewing between Kenya and Tanzania and the former was getting increasingly isolated within the region. With its capitalist orientation, Kenya was at the time redistributing huge chunks of land formerly owned by white settlers to multinational companies and powerful elites at the cost of ordinary Kenyans, some of whom had been the original owners, leading Julius Nyerere to describe it as a ‘man eat man society’. Tanzania on the other hand, because of the massive poverty that its people were suffering which led a Kenyan official to describe it as a ‘man eat nothing society’, pursued a socialist-oriented path of development called ‘Ujamaa’6. This policy was ideologically closer to

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6 Ujamaa was a homegrown form of socialism that based development on traditional communal ties. It was based on Fabian socialism which advocates for the pursuit of the socialist agenda through gradual and reformist
Uganda’s ‘Common Man’s Charter’ that also tended towards the left. (Mkendi 2001:16) These strained relationships were slowly taking a toll on the community and creating fissures which worked in favor of foreign interests.

Through a ‘weaken and control’ strategy of the World Bank, Mamdani asserts, ‘rules enforcing liberalization of the road and rail sectors were imposed, and private interests took over which resulted in the destruction of some sections of Kenya’s railway. Competition by western firms (mainly North American and British) for contracts in the transport sector also led to financial inducements to individual EAC states which made their engagement in the EAC incidental. By virtue of its geographical attributes, Tanzania was perceived as better placed than Uganda to go it alone, a factor which made it the preferred ground for the machinations of global powers against success of the Community.’ (Mamdani 2011)

2.2.3. Lack of engagement with the Citizens

Since the East African Community’s primary goal was to foster economic cooperation, efforts were not made to engage with the general populace. The integration project remained a preserve of the elite and Heads of State focusing mainly on management of common services. This meant that the community’s survival was solely dependent on the health of the relationship between the Heads of State. Following Idi Amin’s January 25, 1971 coup in Uganda that led to President Milton Obote’s asylum in Tanzania, this is exactly what was demonstrated. Julius Nyerere refused to recognize Amin as well as Uganda’s appointees to the EAC. As expected, with Idi Amin in Uganda and a strained relationship between the leaders of Kenya and Tanzania, the East African Authority (Heads of State) meetings stopped being held.

The animosity between Presidents Idi Amin and Nyerere escalated when Ugandan dissidents based in Tanzania attacked Uganda in September 1972. The attackers were defeated seriously and from then on Idi Amin became more brutal, murdering people he suspected of threatening his regime. In 1978, in an attack that marked the beginning of his downfall, Amin attacked and occupied the Kagera region in Northern Tanzania. Following this attack, Nyerere together with Ugandan exiles in Tanzania organized troops that marched on Kampala and overthrew Idi Amin on April 11, 1979. By the time Idi Amin was defeated however, the EAC had already collapsed, not by an abrogation of the Treaty, but by rather than revolutionary means. Nyerere’s Ujamaa saw the foundation of development not in urbanization and rapid industrialization but in the development of rural areas. (Cole 1961:7; Komba 1995:37-38)
duplication, abandonment or usurping of EAC projects by national governments. Common services such as the University of East Africa had been systematically abandoned and rival national institutions established. The East African Income Tax Department was no longer operational and other existing EAC organs were being run as though they were national in each of the states in which they were based.

In spite of the Treaty and establishment of regional mechanisms, the East African partner states had still underutilized or bypassed the established mechanisms; run regional enterprises as national ones or developed national institutions to duplicate the roles of community wide establishments. For example, partner states sought funding for the establishment of faculties of Agriculture, Medicine and Engineering, duplicating the role of the East African University. There were also problems with cost sharing and competition for revenues and opportunities for tourism especially between Kenya and Tanzania, (Gitelson 1973:78) an obvious sign of impatience with the integration project’s inability to deliver gains as expected. As Schmitter states, the logical action was for dissatisfied actors to consider alternative strategies. (Schmitter 1970: 858) Also different accounts of the definite end of the community have been given such as February 1977 when the East African Airways collapsed and Kenya quickly established a national airline. (Mugomba1978:264) Another date is given as June 1977 when partner states failed to approve funding for the general fund services budget for the year beginning July 1, 1977, (Katembo 2008: 110) or when Tanzania closed its border with Kenya, (Ndung’u 2003:48) an incident that occurred on April 18, 1977. Suffice it to say that the Community’s illness started before it was even created, and Idi Amin’s assumption of power in Uganda set it on a path of slow death from 1971 because without meetings of the EAA, ways of resolving tensions within the community could not be explored.

Ideological differences stand out prominently in accounts of the collapse of the EAC. However, one should not lose sight of the fact that distribution of benefits and the structure of East African economies obviously shaped the regional states’ individual choices of ideological orientation. Tanzania was concerned about a development model that would deliver the majority of its people from the high poverty levels they were facing at the time. Having tried the EAC integration route, with no results, Tanzania devised its own approach to

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7 The General Fund Services was one of two service categories of the East African Development Bank, which oversaw budgetary management, auditing, training and research issues and expenditures. The other category was the East African Communities Corporation which provided railway, telecommunications and airways services.
development. The failure to implement the recommendations of the Phillip Commission meant that there was no fundamental alteration in the structure of the regional economy, a situation in which Tanzania was not prepared to continue.

After failing with the regional integration project, Nyerere channeled his energies to attainment of another Pan African ideal – the liberation of Southern African states, an engagement which still defines Tanzania’s identity to date. Unlike in the first hurdle with East African integration, this time EAC leaders did not have the will to fight on and each country walked down its own path of domestic politics. Kenya developed closer ties with capitalist economies like the USA, Uganda had to deal with a long period of political instability following Amin’s overthrow and Tanzania embarked on making its socialist experiment workable.

The 1967 TEAC had tried to undo a situation that colonialism had created for over half a century. By making bold proposals such as relocation of industries from one country to another, the Phillip commission was advocating for a revolutionary not evolutionary process (Mvungi 2011:73) to address the structural imbalances in the regional economy. Such a revolution however, requires ideological consensus and unity of purpose which were lacking. It is no surprise therefore that the postcolonial states in East Africa fell short of taking this revolutionary step forward. In the end, “the limited economic unity could not be sustained in absence of a durable political framework and a durable political framework could not be developed in absence of political unity.” (Shivji 2009:6)

With the collapse of the EAC in 1977, efforts to cooperate and integrate the region were shelved, until 22 years later when in 1999 a new Treaty that revived the Community was signed. A small glimmer of hope that this would happen had been planted in Article 14(02) of the 1984 East African Mediation Agreement for the Division of Assets and Liabilities of the Defunct East Africa Community which left open the possibility of future cooperation. Table 2.1 below is a summary of the EAC cooperation efforts highlighted in the preceding section.
Table 2.1 History of EAC Cooperation and Integration

<table>
<thead>
<tr>
<th>Year of Cooperation</th>
<th>Regional Integration Arrangement</th>
<th>Partners</th>
<th>Administration</th>
</tr>
</thead>
<tbody>
<tr>
<td>1917</td>
<td>Customs Union</td>
<td>Kenya and Uganda</td>
<td>Colonial administration</td>
</tr>
<tr>
<td>1922-27</td>
<td>Customs Union</td>
<td>Kenya, Uganda and Tanganyika</td>
<td>Colonial administration</td>
</tr>
<tr>
<td>1948-1961</td>
<td>East African High Commission - customs union, common market, common services and currency union.</td>
<td>Kenya, Uganda and Tanganyika</td>
<td>Colonial administration</td>
</tr>
</tbody>
</table>

Source: adapted from the EAC website.

2.3. Revival of the EAC 1999-2014: Revival of aspiration for Political Federation.

2.3.1. Introduction

“Ours is a mission pregnant with meaning. Africans look at our efforts with baited breath. We are, at the forefront of a rising Continent. All of you are therefore not simply Civil Servants in yet another International Organization. The hopes of hundreds of millions depend on your success. Given where we are and where we must go, where others can afford to walk, we must run!”(EAC Secretary General Richard Sezibera’s New Year’s message 2013)

With over five Regional Economic Communities (RECs), formally recognized by the African Union (AU) as well as a host of others active on the continent, Africa is not short of regional trading blocs. However, none is as ambitious as the EAC whose ultimate goal is attainment of a political federation of member states; an aspiration that is highly significant when observed within the prism of the continental aspiration for a ‘United States of Africa’. Aspiration aside, the EAC is a bloc under revival, its first attempt at integration having ended up in an acrimonious collapse in 1977 after only ten years in existence.
On November 30, 1999, the three former members Kenya, Tanzania and Uganda signed the treaty that revived the community. It came into force on July 7, 2000, following the conclusion of the process of its ratification and deposit of the Instruments of Ratification with the Secretary General by all the three Partner States. (EAC website). In order to insulate the new community from the death traps of the first one, the 1999 Treaty incorporates such safeguards as: a gradual approach to regional integration; decentralization of powers from the summit to the council of ministers; people-centred and private-sector driven integration; involvement of civil society as key stakeholders; stringent withdrawal procedures; consensus as a confidence building tool and variable geometry. (Kiraso 2009:4) This ‘cautious’ approach has however not hindered the advancement of the Community at a pace that some observers feel is too fast. Even though not attained on their ambitiously set dates, the community established a Customs Union in 2005, adopted a Common Market Protocol in 2010 and signed a Monetary Union Protocol in 2013. In 2004, the EAC Heads of State also decided that there was need to expedite the process of attaining a political federation through a fast tracking mechanism and in June 2007, two new members, Rwanda and Burundi acceded to the EAC Treaty.

2.3.2. Background to the Proposed EAC Federation

On 28th August 2004 invoking Article 123, paragraph 6, which empowers the heads of state “to initiate the process towards the establishment of a political federation by directing the Council to undertake the process”, the EAC Heads of State summit appointed a committee to carry out a study on how the political federation can be attained through a fast tracking mechanism. The committee presented its report to the EAC Heads of State summit in November of the same year with a proposal that the Federation be launched on January 1, 2010 and that in principle, “the establishment of the Political Federation should not wait for all expectations of the EAC integration to be realized. Rather, focus should be only on those areas considered to be necessary and sufficient for establishing the Federation.” (EAC 2004:9)

The Heads of State summit’s decision to fast track the political federation led into a survey by the committee to establish support for the federation among the citizens of East Africa. The survey results showed that the East African people supported the regional political federation overwhelmingly with 97% of Tanzanians, 94% of Ugandans, and 90% of Kenyans saying
they were in favour of the political federation. (New Vision August 28, 2007) On the question of whether the federation should be fast tracked, majorities in Kenya and Uganda, said yes to fast tracking the political federation. In Tanzania however of the 65,000 respondents, 74.6% rejected the idea of fast tracking the political federation and only 25% were in favour. (Lwaitama et al 2013:27) This created a schism among the states on what approach to take in order to attain the federation.

Among the arguments advanced in favor of East Africa’s political federation, is that it is necessary to guarantee effective economic integration; it brings people together in a bigger unit of identification thereby minimizing possibilities of negative ethnicity, religious and other cultural cleavages and that it shall secure regional stability by removing the possibility of war between partner states. (EAC 2004:18) President Museveni of Uganda adds that political integration shall allow for effective coordination of common defense policies in view of the fact that East Africa does not have a regional hegemony around which it could anchor. He further argues that a politically integrated EAC would form the continental ‘centre of gravity’ and serve as the beginning of a United States of Africa that can defend the continent against future re-colonization and marginalization. The federation shall also ensure equitable sharing of the gains of integration; allow for effective management of shared resources such as lakes and rivers and also increase the region’s bargaining power especially in matters of natural resources exploitation. (Museveni 2013)

Although the EAC Heads of State are determined to work towards a political federation, many of the issues that plagued the first phase of the Community appear to be alive in the current phase. As was the case in the old EAC, the hopes and aspirations of ordinary East Africans are vested in the current EAC. However, contrary to Article 7a of the Treaty which puts people at the centre of the integration efforts, as both the drivers and the beneficiaries of the process (SID 2012:9) it is evident that in many cases there is no connection between the process and the people. This is demonstrated by; 1) a lack of information among the general population on what is going on in the integration process, 2) an inability of the institutional mechanisms to give people voice and opportunity to influence the direction of integration3) a failure of gains in member states to translate into improvements in the quality of life of ordinary citizens.

Speaking at the EAC Secretary General’s forum for private sector, civil society and other interest groups, the Kenyan Cabinet Secretary for EAC Affairs, Commerce and Tourism said that although successful integration presumes solid support by the citizens of the participating
partner states, information and knowledge gaps between policy makers, executing agencies, the general public, and the media were undermining the good policy intentions, or fundamentally slowing down the integration process. (The New Vision Oct. 11, 2013) The Minister’s assertions are backed by several reports which reveal that there are low levels of awareness among the EAC population of basic occurrences in the Community. (see for example EAC Experts’ Report on Political Federation 2010:44; Afrobarometer December 2008 Briefing Paper No.5:3; Oloka-Onyango 2005:1) This is in spite of the fact that one of the reasons advanced for the collapse of the first EAC is that the approach was purely intergovernmental with no participation of private sector or civil society. (Preamble of the EAC Treaty 1999).

The East African Legislative Assembly (EALA) is the formal institutional provision that should give voice to the people of East Africa. However, members of this regional parliament are elected not by the masses but by national parliaments in an electoral process that is often manipulated by ruling parties to have party members sent to the regional assembly. More so, national parliaments may not have all political parties represented meaning that people who belong to such parties are completely excluded from having a say on who goes to the EALA. In addition, the synergies between the regional and national parliaments are not clear, and although issues that fall under the regional parliament’s jurisdiction are limited, Heads of State hold veto power over EALA decisions. (EAC 2010; Oloka-Onyango 2005:4) Under these circumstances, the institution is rendered ineffective in giving a voice to the citizens of the region. For a community that set off with an aspiration for political federation therefore, this is an issue of concern as attainment of federation is dependent on ownership by the citizenry.

With regard to the integration proceeds impacting the lives of ordinary citizens, the 2012 State of East Africa Report identifies several challenges in quality of life that the integration process has still not been able to impact positively. On account of population growth, the region has an increase in the absolute number of people living below the poverty line despite all countries apart from Kenya and Burundi being able to reduce their share of people living below the national poverty lines. The EAC region has also persistently suffered food insecurity resulting in interstate tension as domestic responses to internal food security crises threaten the wellbeing of neighboring countries. In 2011 for example, Tanzania slapped a ban on the export of grains and in retaliation, Kenya banned the export of seed. This kind of behavior creates an environment of animosity that compromises the spirit of regional
integration. (SID 2012:9-10) The three issues highlighted above collectively point to a democratic deficit - the failure of EAC states to support political expression and guarantee the democratic aspirations of their people at the grassroots.

At the elite level, there is need for a common understanding that the essence of regional economic integration is securing better outcomes for all the participating member states. One member state may gain directly from increased exports to other partner states while another may have the benefits accruing from the service industry due to increased movement of persons across borders. Another partner state might benefit from revenues that are solicited collectively by the group, for example through a single tourist visa arrangement in which the visa fees are shared out among the participating member states whether or not the tourists actually enter each territory. In order for these diverse modes of benefiting from the integration project to serve their purpose, partner states have to accept that in some sectors, they may not benefit as much as others – in other words, as Hazlewood asserts, benefits are likely to come from the sectors in which each partner has a comparative advantage. (Hazlewood 1967:6)

In conclusion, despite the weaknesses highlighted above, some observers are optimistic about the prospects for integration this time round because of the quality of the Treaty and greater harmony among partner states. President Kikwete says that the 1999 Treaty took into account some of the weaknesses which were embodied in the institutions and processes of the former East African Community by incorporating Articles 77 and 78 which “are critical for the creation of a win-win situation which is the very essence of regional integration.” (Kikwete 2009) In addition, there is optimism because this time round, the partner states are all pursuing market-oriented economic policies. (Mkenda 2001:20) and in an effort to engage the private sector, the East African Business Council is permanently represented in the decision making bodies of the EAC. In view of the collapse of the first EAC, this is critical for laying the foundation for political federation. One can say that like in any other integration scheme, the EAC is faced with challenges which do not necessarily amount to obstacles in the advancement of regional integration. If the political federation is to be attained however, EAC partner states need to be sure of the strength of the foundation upon which they intend to build it and this means that the stated challenges cannot be overlooked.
Chapter III: Understanding (Collective) Identities in Political Integration Processes: A Theoretical Perspective

3.1. Introduction

Although modern states are ‘naturally wired’ to defend their sovereignty, in a globalized world where states cannot function totally independently, different constellations of interstate cooperation may in some cases call for voluntary ceding or pooling of sovereignty to more effectively coordinate interests. This may be required for example in alliances where states pool their resources for a common defense, in international organizations where states deal with transnational challenges such as climate change or in regional integration schemes where states may be required to give up their ability to act unilaterally in economic and political matters. Despite its desirability however, in cases where states have aspirations to form political federations, national identities and attachments appear to constitute obstacles to the same. (Terrinha 2007:3, Kasujja et al 2014:47)

The primacy of national level identity in determining the outcomes of regional integration efforts has been discussed from as early as the first steps towards regional integration of the European Union, whereby genuine integration was seen to result from or into ability to shift allegiance from the nation states to a regional level entity. It is with the development of a common identity for example that Karl Deutsch (1957) and Haas (1958) were preoccupied, (Adler 2013:118) and even today, the role of identity in regional integration processes still features prominently in debates on the future of the European Union. (see for example Risse et al 1999; Banchoff 1999; Kohli 2000) The importance of studying collective identity in the context of regional integration or international relations processes cannot be overstated, if one takes Oelsner’s assertion that “institutions develop around clear ideas, goals, and interests that work as a centripetal force making membership and participation appealing to members and potential members and on which these base their support for the institution.” (Oelsner 2013:115)

Both grand theories and middle level theories of regional integration somewhat hold collective identity as a central concept whereby it is conceptualized either as an end point or a precursor to certain levels of regional integration. In (neo) functionalism and transactionalism, collective identity is embedded in the concept of ‘community’ as a possible
end point or outcome of regional integration processes, that may or may not also take the form of a federal state. In social constructivism, a theory which has among others been credited for making (collective) identity a preoccupation in International Relations studies, it is firmly asserted that ‘identity lies at the core of national and transnational interests’. (Adler 2013: 127) Empirically however, the jury on how to understand ‘anything identity’ in interstate integration processes is still out as different studies yield ambiguous or even contradictory results in explaining how much identity matters for advancing integration. The fact that discussions on collective identity rarely ‘speak with one voice’ has been attributed to among others, differences in theoretical perspectives employed, implicit assumptions about associations between various dimensions of identity, inconsistent use of labels and constructs and weak linkage between the operational definition and the intended construct. (Ashmore et al 2004:82)

It has been argued that as integration deepens, a collective identity rather than the mere benefits of interdependence becomes inevitable to sustain willingness among the people to make the sacrifices necessary to advance the integration process. (Kania and Karolewski 2009:6). On the other hand, David Easton argued that a ‘we-feeling’ was perhaps not relevant ‘to the possibility of a political community but to its duration under stress.’ (Easton 1965: 187 as cited by Kania and Karolewski 2009:5) He was of the opinion that in principle, it is possible ‘to bind a group together before feelings of mutual identification have emerged’. People’s beliefs in the benefits of working together, for instance, could also hold a group together. Thus, we-feelings come as a result rather than a precondition of cooperation. (Easton 1979: 325)

In the East African Community as the preceding chapters have revealed, the assumption that a common cultural identity supports advanced integration seems to be in doubt and in the European Union where a lot of scholarship has focused on the subject, the theoretical assumptions on how identities would be shaped by integration and vice versa seem to be hanging in the balance. Checkel asserts that “prominent Europeanists are deeply divided on the question of socialization and its identity shaping effects on national agents.” (Checkel 1999a:545) In this section therefore, I aim at presenting the theoretical explanations on the interaction between collective identity and regional integration processes. I start by a general situation of collective identity in grand theories of regional integration. These theories can be categorized into two; ‘beyond the state’ theories, or those that can imagine a supersession of
the state during or as a result of regional integration namely functionalism, transactionalism and federalism and a realist/ state centric theory, liberal intergovernmentalism. Although liberal intergovernmentalism has very little to say about ideational issues, like the rest of the theories, it treats states as rational actors. It is especially of value in this review because it places interstate negotiations at the heart of regional integration, an issue that is central to this study. I shall then turn to a review of international relations theories highlighting how they would explain the phenomenon of interest in the study. Particularly, I lay emphasis on an ideational centric theory (social constructivism) to put into perspective the unique context of this study, namely interstate decision making with a normative foundation as a starting point, as well as accommodate a discussion on the concept of collective identity which is at the heart of this study.

3.2. Situating Collective Identity in Classical Theories of Regional Integration

Although different, all definitions of integration are descriptive of a relationship between integrating units. With the exception of the level of detail and those that combine both aspects, these definitions can be categorized into two; those that focus on administrative convergence and those that focus on value convergence among integrating units. Albeit emphasizing different outcomes, Deutsch et al and Chime both define integration in terms of convergence of values as “attainment within a territory of a ‘sense of community’ and of institutions and practices strong enough and widespread enough to assure for a long time, dependable expectations of peaceful change among its population.” (Deutsch et al 1957:2) For Chime, integration is ‘a process of cohesion between two or more social units whereby these units come to constitute a political whole which can in some cases be described as a community.’(Chime 1977:32)

Ørvik on the other hand emphasizes the administrative convergence when he defines integration as “organized, mutually obligatory international cooperation with a central supranational authority.” (Ørvik 1967:54) When states within a given region formally adopt frameworks within which to cooperate, regionalism is taking place. Regionalism refers to a “set of policies by one or more states designed to promote the emergence of a cohesive regional unit, which dominates the pattern of relations between the states of that region and the rest of the world, and which forms the organizing basis for policy within the region across a range of issues.”(Hurrell 1992:123)Ørvik and Hurrell see this as entailing supranationality
of institutions but do not go so far as to suggest value integration among the populations of integrating units. It is in the sphere of value integration, defined by Weiner as ‘minimum value consensus necessary to maintain a social order’ (Weiner 1965:54) or existence of ‘acceptable procedures for resolution of conflict’ (Weiner 1965:58) that the idea of political integration has been explained by regional integration theories.

Basing on the experience of the European Union, at the grand theoretical level, federalism, functionalism and transactionalism are the three strands of theory that explain integration. Federalism, functionalism and transactionalism see international community or collective identity forming in the process of identification with a polity, a market and a culture respectively. This results into what (Nye 1968:858) categorizes as political integration (formation of transnational political interdependence), economic integration (formation of a transnational economy) and social integration (formation of a transnational society) respectively. The ideals of these three theories correspond to post-nationalism, supranationalism, and trans-nationalism, what Eder refers to as ‘formal network structures of social relations’. (Eder 2009:438)

Post-nationalism could correspond to the federalist logic of a ‘federal peace’ which posits that by placing people under the same political entity, differences would be ameliorated and identities would be transformed to form a shared sense of oneness that would eventually sustain peace. Supra-nationalism, following the functionalist logic posits that increased economic interdependence shall make the cost of interstate war too high and so lead to peaceful coexistence among states. Lastly, trans-nationalism corresponds to the transactionalist logic which argues that increased social interaction shall transform people’s relations to the extent that they shall find it unnecessary to resort to violence and shall therefore settle differences peacefully. (Eder 2009:438) These grand theories were all primarily aimed at answering the question of how peace could be maintained among states, and they represent explanations on how relationships among peoples of different states could be transformed in such a way as to guarantee peaceful coexistence.
Table 3.1. A synthesis of Integration theory and collective identity.

<table>
<thead>
<tr>
<th>Theory</th>
<th>Federalism</th>
<th>Functionalism</th>
<th>Transactionalism</th>
</tr>
</thead>
<tbody>
<tr>
<td>Locus of identification</td>
<td>Polity</td>
<td>Market</td>
<td>Culture</td>
</tr>
<tr>
<td>Resulting form of integration</td>
<td>Political integration</td>
<td>Economic integration</td>
<td>Social integration</td>
</tr>
<tr>
<td>Formal network of social relations</td>
<td>Post nationalism</td>
<td>Supra-nationalism</td>
<td>Transnationalism</td>
</tr>
<tr>
<td>Explanations for achievement of peace</td>
<td>Shared sense of oneness due to belonging to same polity</td>
<td>Economic interdependence makes war too costly</td>
<td>Interpersonal relationships so tight that differences can only be settled peacefully.</td>
</tr>
</tbody>
</table>

Source: Author’s own illustration synthesized from Nye (1968) & Eder (2009)

3.2.1. Functionalism, Neo functionalism and the idea of Political Community

Notably propounded by David Mitrany, functionalism, based on neoliberal institutionalist ontology was primarily driven by the need to find a working international system that could ensure peaceful relations among states. Fundamental to the functional approach is the ‘association of nations for common action’, emphasizing international cooperation as a means of addressing practical needs without necessarily resorting to constitutional norms or federation of states. The functional approach sees the practical response to common problems, concerns and interests as the best foundation for international cooperation and lasting peace, arguing that even if federations of states were adopted, the ‘political division with other units would obstruct that necessary coordination’ of interests common to populations belonging to different territorial entities. (Mitrany 1966:99-104) According to the functional approach, the ideal of formal union, as a possible ultimate goal can only be arrived at through active international society. (Mitrany 1966:113) Mitrany appears to argue that for a formal union to serve the purposes of ensuring peace among states, it should be created only through the evolution of relations between people across borders. In other words, relationship precedes and motivates union not the other way round. This position affirms Etzioni’s assertion that, ‘not all federations command superior loyalty’ from the
people. (Etzioni 2001:xxiii) Functionalism and its ‘neo functionalist’ variant (a theory that explains the integration process) both envisage cooperation in welfare issues between states leading to cooperation in political issues and the consequent establishment of institutions and organizations to regulate interstate interactions in the various areas of cooperation. (Gehring 1996: 228-229)

3.2.1.1. Neo-functionalism and Political Integration

Neo-functionalism like functionalism subscribes to the idea of taking responsibility for certain technical tasks away from the nation state to an interstate agency; and they both envisage an eventual automatic increase in cession of responsibility to a level where there is less independent action by states. (Wiener and Diez 2009:5) However, the two diverge on the envisaged goal and trajectory of the initiated trend of interstate cooperation, with neo-functionalism suggesting that the integration in economic areas shall ‘spill over’ from one sector to another and eventually to the political arena resulting in the creation of a supranational entity. The theory posits that in a process virtually uncontrollable by national governments, cooperation in technical areas shall create conditions that shall necessitate further cooperation. Political integration is therefore a consequence of pressure to deepen integration gradually from the areas of low politics (welfare issues) to areas of high politics (power issues), whereby high politics bears the potential for the ‘collective pursuit of common interests’. (Gehring 1996:228-229)

Neo-functionalism notably proposes three types of spillovers namely the functional, political and cultivated spillovers. (Tranholm-Mikkelsen 1991:4) Functional spillover occurs when integration in one functional area creates the necessity for integration in other functional areas (Tranholm-Mikkelsen 1991:5) while political spillover occurs when political elites realize that their interests are better served by the supranational rather than domestic level and so shift their loyalties to the supranational level. (Tranholm-Mikkelsen 1991:5) Cultivated spillover on the other hand is that which occurs when an institutionalized mediator works to expedite interstate bargaining processes. (Haas, 1961:367-8) The other key attributes of neo-functionalism include its faith in the elite as vanguards of integration, the belief in the irreversibility of ‘spilled over’ processes and the view that political integration is a consequence of economic integration. Ernst Haas, one of the most distinguished proponents of neo-functionalism sees the end point of the integration process as a political community or political union, a concept he says subsumes a federal union. (Haas 1970:630)
Haas and Schmitter (1964) deal with the question of whether economic union automatically triggers political union or whether there is need for deliberate action to create the desired political unity. They posit that integration involves the ‘gradual politicization of the actors’ purposes which were initially considered “technical”. Politicization implies that the actors in response to miscalculations or disappointments with respect to the initial purposes agree to widen the spectrum of means considered appropriate to attain them, which tends to increase the controversial components.’ (Haas and Schmitter 1964:707) Political objectives are shown to be vulnerable to economic hardship—‘unless the union rests on force rather than consent.’ (Haas and Schmitter 1964:709) This means that political integration is only guaranteed by a continued enjoyment of economic returns, since ‘whenever key actors perceive their post union welfare as diminished because of real or alleged hardships attributed—rightly or wrongly—to the economic union, political disintegration is almost certain to set in.’ (Haas and Schmitter 1964:708)

Haas and Schmitter provide a typology of integration patterns for instances where economic union was supposed to or led to political union. They say that ‘adaptation has taken place whenever crises and disagreements engendered by the increasingly politicized context of debate are resolved in such a manner as not to involve threats of secession and promises of revolt even though the solution extends the scope of central control.’ (Haas and Schmitter 1964:710) They present three sets of conditions that could help to show the likelihood of political union. Background conditions existent prior to the decision to launch economic union, the conditions at the time of economic union as well as the process conditions during integration.

Key in the process conditions is the decision making style. A style that most likely favours eventual political union is one characterized by ‘supranationality in practice as well as institutional competence’ while the opposite of supranationality-in-practice “is a style of bargaining in which the participants tend to disagree on the outcome they desire but nevertheless agree on many of the background and antecedent factors entering into a decision.” (Haas and Schmitter 1964:715) Another process variable presented is the rate of transactions between integrating states since the process was initiated. The other variable is the adaptability of actors after crisis. The question of whether actors are able to transcend situations that caused a breakdown in consensus and distrust to have more mutual interdependence and delegation of power also shows the likelihood of attaining political
union. The test of transcendence, they argue, is the occurrence of a spillover into new fields, economic at first but increasingly political as the process continues. (Haas and Schmitter 1964:716) The progression from economic union to political union is seen as a continuum and the basic assumption is that common economic interests shall lead to political union.

3.2.1.2. Political Integration as Supranationality

There is consensus that political integration represents a degree of interstate engagement that is deeper than cooperation and economic integration, whereby cooperation is understood as the removal of administrative and fiscal barriers to trade while the introduction of centralized administrative control signifies a movement from cooperation to the area of economic union/integration.” (Kurtz 1970:407) Neo-functionalists however are not united on what they see as amounting to political integration. Some emphasize transformation of identities whereas others emphasize supra-nationality without transformation of identities. Nye asserts that political integration can mean; consultation over foreign policy, supranational handling of increasingly important and controversial tasks and creation of federal institutions.(Nye 1968:856)

Notably, Lindberg defines political integration in terms of supranationality but not transformation of identities as (1) ‘the process whereby nations forego the desire and ability to conduct foreign and key domestic policies independently of each other, seeking instead to make joint decisions or to delegate the decision-making process to new central organs; and (2) the process whereby political actors in several distinct national settings are persuaded to shift their expectations and political activities to a new centre.’ (Lindberg 1963:149) By referring to the pooling and delegating of decision making (joint decisions), Lindberg’s definition embodies the idea of supra-nationalism. It also makes explicit mention of foreign policy and ‘key domestic policies’ as falling within the jurisdiction of political integration. By saying that nations ‘forego the desire and ability’ to act unilaterally in certain matters, Lindberg also sees the integration process as inevitable for states to engage in; leaning heavily to the neo-functionalist idea that cooperation in one area automatically generates the necessity for cooperation in another area suggesting that political integration is a consequence of economic integration. The definition also mentions the shift in expectation and political activities from the states to a centre.

To this end therefore, political integration gives this new centre not just the decision making burden, but also transforms it into a locus of interaction among political actors, ultimately
laying the responsibility for results in this regard on the centre. Lindberg specifically argues that “it is logically and empirically possible that collective decision-making procedures involving a significant amount of political integration can be achieved without moving toward a ‘political community’.” (Gehring 1996: 229-230) By so suggesting, Lindberg views political integration in terms of supranationality of institutions but not necessarily transformation of identities and transfer of primary allegiance from the nation state.

3.2.1.3. Political Integration as Community

Political integration implies a ‘relationship of community among people within the same political entity, who are held by mutual ties that give them a feeling of identity and self-awareness.’ (Jacob and Teune 1964:4) It is “a state of mind or disposition to be cohesive, act together, to be committed to mutual programs…..” (ibid pp.10) Jacob and Teune lay their emphasis on the relationship and attitude of people under the same political entity, ideas which are also fundamental to the definitions proposed by Haas. According to Haas, political integration is “the process whereby political actors in several distinct national settings are persuaded to shift their loyalties, expectations and political activities toward a new centre, whose institutions possess or demand jurisdiction over the pre-existing national states.” (Haas 1958:16) For Haas the end result of a process of political integration is ‘a new political community, superimposed over the pre-existing ones.’ (Haas 1968:16) Haas emphasizes the development of a collective identity when he asserts that; “as the process of integration proceeds, it is assumed that values will undergo change, that interests will be redefined in terms of regional rather than purely national orientation and that the erstwhile set of separate national group values will gradually be superseded by a new and geographically larger set of beliefs” (Haas 1958: 13).

A political community has three types of integration: a) monopoly over the legitimate use of means of violence, some of which monopoly may be delegated to member units; b) centre for decision making that has a bearing on resource and reward allocation throughout the community; c) a claim to superior focus of political identification for the large majority of the politically aware citizens. (Etzioni 1962:45) Etzioni further clarifies that although all political communities have supranational government, they may differ in the scope of the decisions that these centers handle. A community is fully established when its continuation of life and character are guaranteed by its own internal processes not those of systems external
to it or even its constituent units. (Etzioni 1962:44) The community idea of Etzioni and Haas fit under ‘intangible forms of political integration’ to the extent that they talk of shifting ‘loyalties’. To a large extent however, although they do not describe the terminal condition as federalism, one would not be wrong to describe them as formal institutional communities with an ‘above the state’ entity implied. The political communities could be said to combine both the statist framework as in a federal union as well as a degree of cognitive transformation on the part of the people in the member countries in which they see themselves as citizens of the federal union not their formerly independent states. Rector on his part defines political communities exclusively in terms of how members feel about one another. Collective identity can come about in two ways namely by members believing that they are alike in unique ways (Finnemore 2003 as cited by Rector 2009:43) or by members internalizing the welfare of others on the basis of mutual recognition as legitimate members of the group. (Adler 1997 as cited by Rector 2009:43)

In Kurtz’s reasoning, Lindberg’s conception would only amount to an intermediate step, because for Kurtz, if one considers an end to the integration process, it only occurs when there is exclusive loyalty to the supranational institution. A political union is the stage attained just before integration gets ‘locked in’ with transformation of primary identities. “The logical end of economic union is a political union, attained when ‘nations no longer act as independent decision makers in an important range of policies’. A political union is perceived not just as an end but also as a requirement for successful integration in which the relevant actors transcend their exclusive loyalty to the nation state and transfer it to the new, integrated unit.” (Kurtz 1970:407) Kurtz’s conceptualization marries the two forms of the end point of integration envisaged in the literature referred to in the preceding paragraphs. The ‘supranationalist’, dwelling on institutional arrangements among integrating units and what could be described as the ‘relational’ (communities) which dwell on transformation of interactions and relationships among populations and groups in the concerned integrating states. The differences in Lindberg’s outlook whereby he saw political integration as not necessarily leading to community resulted from his study of the European Economic Community, a general integration field unlike Haas whose conclusions were drawn from the European Coal and Steel Community focusing on sector specific integration. (Gehring 1996:230)
3.2.2. Transactionalism and the idea of Security Community

The idea of a security community was proposed by Karl Deutsch as an international organization that can bring an end to interstate war. For (Deutsch et al 1957:2) integration is attainment of ‘institutions and practices strong enough and widespread enough to assure for a long time, dependable expectations of peaceful change among the population’, that is development of a security community. “A security community is one, in which there is real assurance that its members will not fight each other physically, but will settle their disputes in some other way.” (Deutsch et al 1957:124). Deutsch gives two types of security communities, one amalgamated and the other pluralistic; where in the case of the former, formerly independent units merge to form a single government. In the case of pluralistic communities, two centres of power are maintained and each unit retains its legal independence. (Deutsch et al 1957:124)

The security community differs fundamentally from the political community by the guarantee of stable peace that exists in the former. In fact, for Deutsch, political communities are regarded as social groups with a process of political communication, some machinery for enforcement, and some popular habits of compliance. However, they are not necessarily able to prevent war within the area they cover. (Deutsch et al 1957: 123) To arrive at a security community, the people in the different territories should have a ‘sense of community’ that goes beyond the mere verbal profession of attachment to the same set of values. Deutsch stresses that sense of community is the existence of “mutual sympathy and loyalties; of “we-feeling,” trust, and mutual consideration; of partial identification in terms of self-images and interests; of mutually successful predictions of behavior, and of cooperative action in accordance with it – in short, a matter of perpetual dynamic process of mutual attention, communication, perception of needs and responsiveness in the process of decision-making.”(Deutsch et al 1957:129) It is this sense of community, Deutsch stresses that is important for integration. Its development requires ‘some particular habits of political behavior on the part of individuals and some particular traditions and institutions on the part of social groups and of political units, such as provinces or states, which habits are acquired by processes of social learning.’ (Deutsch et al 1957:130)

Deutsch’s conception of community is consistent with Chime’s description of community. “In the community-model, nation states although retaining their sovereignty modified the way in which they deal with each other by means of harmonization of values, perceptions and habits – with harmonization of activities and values taking precedence over the emergence of
political structure.” (Chime 1977:35) It can also be discerned that as integration deepens, actor interactions may change but there is need for increasing solidarity among actor constituencies both at the domestic and regional levels for it to proceed. The idea that common purpose is indispensable for stability of integration outcomes is also highlighted by Etzioni who argues that commonality in ethnic origin, language, identity or other commonalities may not be prerequisites for unification, but once the process has progressed, there is need for cultural integration to sustain it. (Etzioni 1962:60) From the security community perspective, political integration amounts to ability for peaceful resolution of conflict. (Jacob and Teune 1964:5)

3.2.3. Federation
Regional integration theory has been preoccupied with explaining the transition from economic to political integration, which as seen from the preceding discussions can take either a statist or non-statist form. From a regional integration perspective the federal state is the expression of full supranationality, denoted by two major attributes namely ‘supranational government’ and ‘community’, (Etzioni 2001:xxii) where ‘loyalties to the supranational community must be stronger than those to the member national communities.’(Etzioni 2001: xxiii) According to Etzioni’s conceptualization, in the regional integration process what is required to attain full supranationality is consistent with the attributes of a federal state namely adoption of binding institutions to which states are accountable but must also include a transformation of relations among people to the extent that they see themselves as one people sharing a common fate and a common destiny. The idea of political federation found its way in the discourse on European regional integration as a means of curtailing the possibility of states to act unilaterally to the detriment of their neighbors. (Spinelli et al 1941)Since then, calls for political federation have somehow coexisted alongside the active processes of regional economic integration in Europe. In Africa, in the immediate post-colonial period, federation was also fronted in order to promote unity, serve as a foundation for economic integration and possibly insulate the new African states from manipulation by the former colonial powers. Kwame Nkrumah one of the leading proponents of the idea believed that a political union of the whole continent of Africa ‘could render the colonial territorial boundaries of African states obsolete and give way for mobilization of the unified economic planning organization and a unified military and defence strategy’. (Nkrumah, 1963; 1970) Fifty years later however, Nkrumah’s dream though evidently alive in the
rhetoric on African integration has not yet been realized. Despite making several strides in deepening integration the European Union also is yet to realize the deepest level of political integration possible—a constitutional political federation.

All the above mentioned motivations for federation are based on collective gain, with the security argument being predominant. However, Rector states that collective gain is inadequate in explaining the willingness of states to totally cede sovereignty in federal unions when the same goals could be met through cooperation in international organizations. (Rector 2009:161) Arguing against the conventional view that federal unions result from shared interests, Rector asserts that they are a result of the fear and mistrust that states harbor against one another. (Rector 2009:11, 161) From this vantage point, he explains both why states choose federation instead of self-sufficiency and also why they choose federation rather than cooperation through international organizations.

Rooted in the structure of the cooperative relationships Rector argues that “cooperation requires unequal levels of relationship specific investments.” (Rector 2009:2) This necessitates that countries which are vulnerable to extortion in the cooperation relation demand that their partners make commitments that hold them captive to the cooperation so that “the more they cooperate, the more they lose if the partnership ends.” (Rector 2009:2) It is through this mechanism that weaker states demand that stronger states get into a political integration that is as deep as possible, a mechanism that also allows for states to reach a federal agreement even when they are pursuing their individual goals. By this assertion, Rector in essence argues that the pursuit by states of individual interests does not preclude the possibility for their attaining a federation as long as cooperation is structured in such a way as to compel stronger members to ‘lock in’ cooperation through arrangements with high exit costs.

“Not only is political integration costly to undergo, but it creates costs of secession that are distinct from those costs that arise from either the benefits of cooperation foregone or from lost investments in other relationship specific assets” (Rector 2009:33) Adding that costs of exit rise with the level of political integration, Rector asserts that federations are costlier to exit than international organizations or ad hoc arrangements. (Rector 2009:39) In addition to the rationalist arguments advanced above, Rector also advances a constructivist argument that federal commitment can also be attained as a result of change in political identity among leaders and citizens of integrating states, when they make choices based on their
understanding of themselves as members of a political community. (Rector 2009:43) There appears to be an inherent contradiction between the idea that federations occur as a result of interstate mistrust and the constructivist view that transformation of identities could result in federation. It might be more accurate to assert that the origin of the idea (why states would even consider discussing federation) could stem from feelings of suspicion and the quest for peaceful coexistence, but for states to actually cede sovereignty to form a federation, unless it is a forced federation, the need to feel as part of the bigger community is necessary.

It is also argued that making a credible commitment to federation involves a transformation in the functioning of political parties, the bureaucracy as well as popular ideas of national identity, (Rector 2009:37) an idea which is also expressed by Riker who suggests that there is need for political vanguards willing to advance the idea of federation by ceding sovereignty to meet security interests or any other goal for which they are federating. (Riker 1964:12). These ideas tend towards the neo-functionalist logic that the integration effort is primarily driven by political elites. The theories dealt with in the preceding discussions have some kind of supersession of the nation state implied. Functionalism makes the supranational entity prominent in determining the outcomes of regional integration. In transactionalism, the impetus for integration comes from transnational communication and exchanges between states, and it could result in either an amalgamated or pluralistic community while federalism in the context of interstate regional integration leads to creation of a super state. I now turn to a state centric theory of regional integration.

3.3. (Liberal) Intergovernmentalism

Based on realist ontology, liberal intergovernmentalism argues that interstate processes are subordinate to state processes in their capacity to influence the direction of regional integration. From this perspective, states are reluctant to give up their sovereignty, as they feel the need to keep strict control of the integration process. This theory posits that the integration process is essentially intergovernmental and it would go only as far as the governments were prepared to allow it to go. (Wiener and Diez 2009:12) The theory was propounded by Stanley Hoffmann as a critique to neo functionalism. Especially criticizing the assertion that functional and induced spill-overs would drive integration forward, intergovernmentalism’s defining element the ‘logic of diversity’ is presented as a better theoretical proposal. The logic of diversity places national governments in a more prominent role in the integration process vis-à-vis supranational agencies. It takes national governments
out of the ‘helpless’ position in which neo-functionalism places them – unable to control the integration process that they themselves initiated. Hoffman asserts that the logic of diversity ‘sets limits to the degree to which the “spill-over” process can limit the freedom of action of the governments; it restricts the domain in which the logic of functional integration operates to the area of welfare.’ (Hoffmann 1966:882)

Like functionalism, inter-governmentalism also has an elaborate strand. Notably propounded by Moravcsik, liberal inter-governmentalism also places states at the centre of focus in regional integration. While proposing that the self-criticism of neo-functionalists should be taken seriously, (Wiener and Diez 2009: 12) liberal inter-governmentalism recognizes the primacy of interests both domestic and transnational which are aggregated in the political processes of states and also takes into consideration the role of institutions. Liberal intergovernmentalism assumes that states are rational actors and they are the decisive drivers of integration. As main actors, they achieve their goals through negotiations and bargaining amongst each other. As rational actors, their decisions to cooperate and positions taken in international negotiations depend on a calculation of their interests. (Moravcsik and Schimmelfennig 2009:68; Wiener and Diez 2009:13). In suggesting that states are the main actors in regional integration, liberal intergovernmentalism also challenges the ‘automaticity’ argument advanced by neofunctionalism. In addition, it attributes choices made by states to powerful domestic interests, asymmetrical interdependence and the role of institutions. (Moravcsik 1998:18) For Moravcsik, commitment of states to an international regime can only be done ‘insofar as it strengthens, rather than weakens their control over domestic affairs, permitting them to attain goals otherwise unachievable’ (Moravcsik, 1993: 507). Liberal intergovernmentalism therefore is a theory that assumes that states shall guard their sovereignty jealously and they shall not commit to decisions that seek to limit their ability to control the integration process. It does not make any allusions to convergence of values, only coordination of policy in as far as it enables states to meet their interests.

### 3.4. Cooperation among states: An International Relations Theory Perspective

The preceding discussions lead us to anticipate different outcomes of the integration process. However, as Laursen puts it, “it seems fair to say that collective decision making is an important aspect of all regional integration efforts.” (Laursen 2008:4) It is through interaction in the process of collective decision making that relationships among actors are redefined,
making interstate decision making an important site for investigating the functioning of collective identity. The process of decision making is therefore a balancing act between the goals of integration with interests of individual actors, which interests may also be changing in response to domestic and geopolitical demands. It is recommended or expected that as integration deepens, solidarity among constituencies of the integrating units should also deepen so as to support the advanced forms of integration. Regardless of whether it is the transactionalist or functionalist logic, the communities of regional integration are founded on a constructivist ideational space as the glue that holds people together to ensure peaceful coexistence among states.

Like in integration theory, international relations theory suggests that this ideational space and the consequent development or expression of community or collective identity is governed within an international structure that could either enhance or constrain it depending on what aspects of structure define the dominant relationships between the actors. Defined as a set of relatively unchangeable constraints on the behavior of states, (Hopf 1998:172) structures can be material or ideational, amicable navigation of which requires states to acquire norms and rules that govern their relations. In this section, I give a brief account of the assumptions of the dominant theories of international relations; (neo) realism, (neo) liberalism and constructivism with a view to highlighting how they make sense of interstate cooperation.

3.4.1. Neo-Realism

From a neorealist standpoint, the structure of international relations is material. A leading realist himself, John Mearsheimer asserts that “realism paints a rather grim picture of world politics,” where states can engage only in limited cooperation because they are in a constant state of competition for security dominance. (Mearsheimer 1995:9) Realism is based on the following assumptions; that the world is an anarchic system where “sovereignty inheres in states, because there is no higher ruling body in the international system.”(Mearsheimer 1995:10) This ‘every state for itself’ assumption does not mean that the world is chaotic (Mearsheimer 1995:10) but that every state is looking out for its own interests so to speak. Therefore, states cannot just act altruistically or simply because rules prescribe a certain type of behavior. They only act in ways that advance their standing in terms of material strength.
Secondly, realism assumes “states inherently possess some offensive military capability.” This makes them predisposed to war and although the weaponry at their disposal is the measure of their military strength, “even if there were no weapons, the individuals of a state could still use their feet and hands to attack the population of another state.” (Mearsheimer 1995:10) The third assumption is that states cannot be sure that other states shall not attack them whether or not there is cause for worry about the same. (ibid) By this assumption, realism is fundamentally built on mistrust because states are always uncertain of the motives of other states. Realism’s fourth assumption is that states are basically driven by the survival motive. The fifth assumption is that states are instrumentally rational and they make strategic calculations about how to behave. (ibid)

Cooperation under neo-realism is possible but limited because of concerns with relative gains and fear of cheating, even when states share common interests. (Grieco 1988: 498) As Waltz puts it, “When faced with the possibility of cooperating for mutual gains, states that feel insecure must ask how the gain will be divided. They are compelled to ask not ‘Will both of us gain?’ but ‘Who will gain more?’ If an expected gain is to be divided, say, in the ratio of two to one, one state may use its disproportionate gain to implement a policy intended to damage or destroy the other. (Waltz, 1979:105) Realists do not agree that institutions markedly affect the prospects for international stability, (and by extension, cooperation). They maintain that institutions are ‘just a reflection of the distribution of power in the world; that they are based on the self-interested calculations of the great powers, and that they have no independent effect on state behavior.’ (Mearsheimer1995:7) From the preceding discussion, in a realist world, collective identity would not play any role in determining the progress of integration. Also adoption of decisions that require states to share information about security for example is unthinkable.

3.4.2. (Neo) liberal Institutionalism

Originally ‘packaged’ as functionalist integration theory (early 1940s-1950s) then neo-functionalist integration theory (1950s-1960s) and later interdependency theory (1970s) (Grieco 1988:486), liberal institutionalism dwells on the normative and institutional rules that govern structures. The liberal institutionalist school posited that states were not the major actors in world politics. Other actors included supranational entities, specialized international organizations, and interest groups. It also posited that states were not unitary rational actors but rather fragmented and that state preferences and actions were not primarily shaped by
anarchy but by other forces such as knowledge, technology and domestic interests. In addition, the theory saw institutions as independent forces in international cooperation and was optimistic about prospects for cooperation. (Grieco 1988:494)

Post the 1970s which were filled with international conflicts, the assumptions of liberal institutionalism which had been overly optimistic about the capacity of institutions to help states achieve cooperation were revisited. (Grieco 1988: 486) The new liberal institutionalism accepts the realist view that states act on the basis of self-interest in an anarchic structure, and thereby concentrates on devising rules that facilitate cooperation among states, emphasizing that in spite of the anarchic structure, with the help of international institutions, states can cooperate. (Mearsheimer 1995:9; Grieco 1988:487) Neo liberal institutionalism suggests that institutions promote cooperation by reducing verification costs, offering opportunities for repeated interactions (iterativeness) and making it easier for cheaters to be punished. (Grieco 1988:498)

In contrast to realism, liberal institutionalists assume that state leaders are primarily motivated by absolute gains. (Grieco 1988:487) This means that the calculation that states make regarding cooperation is based on whether it shall leave them better off rather than focusing on how much they are getting out relative to other states. For Keohane, the realist assumption of states as rational egoistic actors is challenged by their failure to act in myopic self-interest but rather comply with international rules. Myopic self-interest is the tendency to consider the relative costs and benefits to them of alternative courses of action with regard to a particular issue, when that issue is considered in isolation from others” (Keohane 1984:99). This argument also challenges the assertion that “those for whom cooperation is most attractive relative to unilateral (or mini-lateral) policy making—have the most intense preferences for agreement. They are thus willing to compromise the most on the margin to further it.” (Moravscik and Vachudova 2003:44)

Keohane and Nye (2001) propose an alternative/call it a critique if you will of realism. They argue that interstate relations may be more accurately explained in terms of complex interdependency than realism. Complex interdependency has three main characteristics namely that multiple channels not just the formal interstate channels connect societies. Secondly, that the agenda of interstate relations consists of multiple issues that have varying weight and which invoke different levels of cooperation and salience including formation of
coalitions within and across states. Thirdly, when complex interdependency prevails, military force is not used by governments against other governments in the region but may be important for the region’s governments when dealing with another region. (Keohane and Nye 2001:21-22) They also allude to the ambiguity of national interest as a challenge to the realist assertion that the state is a monolithic rational actor. “The state may prove to be multifaceted even schizophrenic. National interests will be defined differently on different issues at different times and by different governmental units.” (ibid: 30)

An example of the divergences in state cooperation depending on the sensitivity of the issues in question is explained by Lipson who argues that cooperation in economic and security matters differs because “security issues and economic issues lend themselves to quite different types of strategic interaction.” (Lipson 1984:12) According to this view, Lipson argues, “economic games often involve relatively simple coordination or mutually beneficial exchange. Security issues, by contrast, are inherently more conflictual and their equilibria less stable.” (Lipson 1984:12) Using a game theoretic perspective to explain his assertions, Lipson also argues that if economic and security cooperation are understood as games in which the states are going to engage in together over time, “cooperation is most likely if (i) the future is not highly discounted, and (ii) the penalty for unreciprocated cooperation is not devastating. What is typically different in economic and security affairs is: the immediate and potentially grave losses to a player who attempts to cooperate without reciprocation; and the risks associated with inadequate monitoring of others’ decisions and actions.” (Lipson 1984:14) When states are aware of the risks involved in cooperation in security matters, “prudent states are reluctant to cooperate with adversaries unless they can monitor with confidence, prepare in time to meet a prospective defection, and circumscribe the arrangements to minimize vulnerability.” (Lipson 1984:14) Ultimately, Lipson argues “that both economic and military issues are often characterized by the opportunity for joint gains and by interdependent but autonomous decision making, so these factors cannot adequately differentiate their regulation. The crucial differences appear to lie in the costs of betrayal, the difficulties of monitoring, and the tendency to comprehend security issues as strictly competitive struggles.” (Lipson 1984:18)

In order to deal with dilemmas such as those cited by Lipson above, neoliberal institutionalism provides for regimes. Through regimes, neoliberal institutionalism addresses structural complexities within a broader framework in which norms are at play as part of a
broader platform of ‘convergence of expectations’. Jones defines regimes as “sets of implicit and explicit principles, norms, rules and decision making procedures around which actors’ expectations converge in a given area of international relations.” (Jones 2002:171) Regime theory stipulates that expectations converge within regimes and diverge outside them. A divergence could be attributed to factors such as actors’ “participation in other (overlapping) regimes, original endowments or environmental influences.” Finally, the focus for convergence can be influenced by whether all rules; norms and procedures will receive equal attention from political actors, and by how actors resolve ambiguity or contradiction within the regime.” (Jones 2002:172) By laying out the likely effects of the normative provisions when applied to actor interactions, regime theory lays a strong basis for studying the nature of identity that is prescribed to a group through the group’s normative framework. However, the theory is not without criticism in this endeavor. Even though regime theory provides a comprehensive framework in which to study interstate expectations, Checkel argues that ‘it is limited in the reach of norms, for it sees them as constraints to behavior but not as constitutive of identities and interests.’ (Checkel 1999b:84) Christiansen et al (1999:533-34) have also argued that by maintaining that actors’ interests are exogenously given, regime theory erroneously applies a positivist epistemology to a social ontology (which is inherently inter-subjective since regimes are seen as entailing converging views on norms, principles, rules and decisions in a specific issue area).

3.4.3. Constructivism

It is usually underscored that the bone of contention between constructivism and realism for example is that realism lays too much emphasis on the material structure and downplays ideational issues, while constructivism argues that the structural base of interstate relations is fundamentally ideational. The bone of contention between regime theory rooted in neo liberal institutionalism and constructivism as shown in the preceding paragraph is that in the former, norms are not seen as constitutive of identities and interests but merely as constraints on behavior. “Constructivists view norms as shared collective understandings that make behavioral claims on actors.” (Checkel 1999a:551) Norms, as core beliefs about standards of appropriate state behavior, are the foundation on which more specific rules are constructed. (Mearsheimer 1995:8) The basic tenet of constructivist approaches is that “the building blocks of international reality are ideational as well as material; that ideational factors have normative as well as instrumental dimensions; that they express not only individual but also
collective intentionality; and that the meaning and significance of ideational factors are not independent of time and place.” (Ruggie 1998:33)

Based on a social ontology, constructivism emphasizes the constitutive role of ideational elements including such things as inter-subjective meanings, norms, rules, institutions, collective identity formation, routinized practices and discourses, symbolic politics, political actors’ identities and the process of socialization as independent variables in international politics. (Quaglia 2006: 22, Christiansen et al: 1999:530). Consistent with constructivist reasoning, Quaglia argues that “the normative component of a policy paradigm must be congruent with the shared values and collective identities in a polity at a given time.” (Quaglia 2006:10) In social constructivism, interests are a function of both material and ideational considerations and interests cannot be inferred from structural locations of agents without reference to their interpretive frameworks and self-understanding (identities). (Quaglia 2006:33)

There are several forms of constructivism that are recognized in the literature. Here, I highlight the classifications by Jeffrey Checkel (2007) and Ted Hopf (2002). Checkel presents three classifications namely; conventional, interpretative and critical/radical constructivism. Conventional constructivism focuses on the role of norms, has a positivist orientation and mostly applies process tracing as a key method. Interpretative constructivism on the other hand focuses on the role of language and adopts a post positivist epistemology, with narrative and textual analysis as key methods. Critical constructivism focuses on both linguistic and normative elements and employs discourse theoretic methods (Checkel 2007: 58-59). Hopf presents three forms namely “normative constructivism, which focuses on states’ adherence to international norms; systemic constructivism which seeks to account for interstate identity structures; and social constructivism which relies on domestic socio-cognitive roots of state identity” (Hopf 2002: 278) Each of these constructivisms has its own critiques, but these are issues that are outside the scope of the present write-up. Suffice it to say that for a thorough critique of Wendt’s systemic constructivism see Hopf 2002:284-294.

Socially constructed elements affect politics and policies through three main functions. First, ideas provide the ‘cognitive frames’ through which actors evaluate their individual or collective interests. Second, by defining what is or is not appropriate in a polity ideas
symbolically and normatively function as ‘legitimating devices’ (Quaglia 2006:25) Third, ideas are political resources identifying focal points of agreement between policy makers as well as facilitating coalition building, thereby determining inclusion and exclusion. (Quaglia 2006:26) Defined as “collective expectations about proper behavior for a given identity,” (Jepperson et al 1996:54) norms are the identity ignition key. Some regulate morality; others prescribe accepted practice while others regulate the character of actors. (Kowert and Legro 1996:452)

Social constructivism focuses on studying the impact of norms on actors’ identities, interests and behavior. (Christiansen et al 1999:535) If we take social construction to imply “a creation resulting from processes of interaction between agents (individuals, states, non-state actors) and the structures of their broader environment, that is, through a process of “mutual constitution” between “agents and structures,” (Checkel 2008:72) then the communities of regional integration are social constructions. Integration theory tells us that they are a result of the transformations of relations among populations of integrating states which occurs in the process of interaction. By focusing principally on identities and shared norms as the essence of the communities resulting from the integration process therefore, social constructivism is the logical link between integration theories and international relations theory in explaining possible political integration.

Wendt accounts for the formation of collective identity among states from three causal mechanisms namely, structural contexts, systemic processes, and strategic practice. (Wendt 1994:388) Inter-subjective systemic structures consist of the shared understandings, expectations, and social knowledge embedded in international institutions and threat complexes, in terms of which states define (some of) their identities and interests. The greater the degree of conflict in a system Wendt asserts, the more the states will fear each other and defend egoistic identities by engaging in relative gains thinking and resisting the factors that might undermine it. The ability of states to create new worlds in the future depends on the old ones they created in the past. (Wendt 1994:389)

In addition to the structural context, Wendt also presents two “dynamics in the external context of state action” (systemic processes) that could also account for formation of collective identity. One is rising interdependence between states which could result from increased trading or emergence of a common other such as a common enemy or other threat. Rising interdependence reduces a state’s ability to meet corporate needs unilaterally and
increases the extent to which actors share a common fate, thereby changing interests and identities. A second systemic process that may encourage collective identity formation is the transnational convergence of domestic values as they are aligned to shared norms. (Wendt 1994:389) These mechanisms are represented in integration theory’s idea of functionalism which sees economic interdependence as leading to community, and the common enemy can find a place in the security argument for states to join together in a political federation.

In terms of strategic practice, through repeated acts of reciprocal cooperation, actors form mutual expectations that enable them to continue cooperating. By teaching others and themselves to cooperate, actors are simultaneously learning to identify with each other – to see themselves as a “we” bound by certain norms. (Wendt 1994:390) However, as Marcussen et al (1999) show, there is evidence that different states, albeit equally engaged in interstate interactions for a common purpose have varying levels of adaption of their state identities to the collective identity of the group. This they say is dependent on three factors namely the extent to which the vision of the new political order resonates with preexisting collective identities, the ideas selected by political elites as compatible with their interests during times of crisis and the internalization of nation state identities. (Marcussen et al 1999:615) Risse et al suggest that collective nation state identities when constructed and embedded in a country’s political culture and institutions over time are usually sticky and can only change gradually. (Risse et al 1999:156)

The foregoing explanations serve several purposes that are relevant for this study. First they show the different sources of collective identity. Second they show how those collective identities work to sustain interstate cooperation and third they show the behavioral patterns of actors informed by their interpretations of others’ identities. Although social constructivism has been criticized for not explaining which power structures and social conditions allow for changes in values, (Synder 2004:59) it is nonetheless valuable in explaining interstate relationships in regional integration processes that aspire to political federation. Constructivism stresses “that a consensus on values must underpin any stable political order, yet it also recognizes that forging such a consensus requires ideological struggle with the potential for conflict.” (Synder 2004:55)
3.5. Collective Identity in Regional Integration Processes: An Insight into the Debates

Collective identity has become a key preoccupation of studies of the EU integration process because of the largely accepted belief that normatively embedded convictions better guarantee the sustainability of integration processes beyond just utilitarian calculations especially as the integration process gets deeper and makes demands on the sovereignty of the nation states. (Kania and Karolewski 2009:6) The debates on collective identity and its interaction with the integration process have taken several different forms and focused on different themes. Some have been preoccupied with dealing with the relationship between national and EU level identities. Liebert suggests that specifically for Germany, debates focus on two main issues a) “whether or not to consider a collective identity for the EU necessary, and if so, what functions and consequences should be ascribed to it.” b) The kind of European identity possible, i.e. what its characteristics are, how it relates to national identities, on what premises and in what ways it might develop – through targeted political strategies, conflicts, institutions and discourses. (Liebert 2010:38)

Identities are prescriptive representations of political actors themselves and their relationship to each other. (Kowert and Legro 1996:452) To talk about collective identity therefore, is to acknowledge the existence of individual unit identities. These individual unit identities and their collective variant in interstate integration processes, could make reference to two sites namely at the level of the citizenry of integrating states and at the level of states (represented by elites who speak and act on behalf of states in interstate interactions). Studies on identity at the former site have mostly been examined from the social psychological perspective whereas those at the latter site have used the normative approach, which two approaches Eder suggests, have dominated the study of identity construction in the European Union. (Eder 2009:434)

3.5.1. Collective Identity as a Precondition or Outcome of Political Integration

The former explores whether, how and to what extent identity markers emerge in social processes while the latter bases on normative discourses which Eder asserts are a part of collective identities. (Eder 2009:435) Normative approaches “generally assume consensual meaning and stability as a precondition for international norms to be considered legitimate and thus to have an impact on the domestic level.” (Schwellnus 2009:125) Taken from the perspective of norms and their interaction with identities, for each partner state to embrace
norms that exist at an international level, the elites of those states should be able to share a common perspective of what they stand for and equally abide by them, so as to influence the socialization process among the citizens in favor of the regional agenda. Schwellnus’ perspective and therefore the normative approach suggest that socialization among the elite precedes socialization at the level of the citizenry. Once the citizenry have been socialized along the same lines, then the commonality of aspiration or ‘we-ness’ is created among citizens of different states. It is this collective identity; it is argued that may lead people to desire to live together under a single state. (Rector 2009:85)

If one takes the ‘superior focus for political identity’ as a key element of political communities, somehow during the integration process, a ‘normative community’ in which members have a sense of shared norms and values as Deutsch suggests, should develop. It is this shared identity that eventually leads to an integrated unit to become the single focus for political identity. This view that collective identity is a necessary precondition for attainment of political integration is shared by authors like Kraus (2008), Smith (1992) and Calhoun (2001). On the other hand, others also acknowledge that there is a linkage between collective identity and political integration, but do not agree that collective identity should be seen as a prerequisite rather as an outcome of the full process of integration. In other words, they argue that the apparent lack of a collective identity does not constitute an impediment to political integration.

These differences in perspective and consequent conceptualization of what kinds of collective identity matter for political integration have been split along two lines; the nationalism perspective and the social constructivist perspective. Basing on the fact that there is a lack of ‘cognitive transformation’ among the people as well as capacity of a central authority to ‘manipulate’ identities in order to create the desired form, Walkenhorst suggests that in the European Union, ‘identity formation should be regarded as a possible end product rather than a prerequisite for a successful integration process.’ (Walkenhorst 2008:3) He argues that the two main pre-requisites for European collective identity construction namely; ‘the willingness of the people to belong to a supra-political entity’ and ‘the possession of identity forming instruments by a central authority’ do not exist in the EU. (ibid) In his view, the EU is still engaged in building a geographical space, institutional setting and legal basis and has not yet reached the level of creating a European collectivity.(ibid:17)
Walkenhorst’s argument, however one looks at it, brings out one fundamental fact. You cannot talk about the question of collective identity in regional integration without confronting the question of nationalism. (Padmore 1971:91) defines nationalism as ‘organizationally heightened and articulated group demands directed towards securing control of the distributive system in a society’. According to Tilly, “nationalism” has evolved into two strands and can be either ‘state-led’ or ‘state-seeking’. State-led nationalism relates to rulers speaking in the name of the nation demanding that citizens identify themselves with that nation and subordinate other interests to those of the state. In state-seeking nationalism, representatives of some population that does not have collective control of a state claim an autonomous political status, or even a separate state, on the ground that the population has a distinct, coherent cultural identity. Tilly adds that common to the two forms of nationalism is the principle of national self-determination: ‘that states should correspond to homogeneous peoples, that homogeneous peoples had distinctive political interests, that members of homogeneous peoples owed strong loyalties to the states that embodied their heritage, that the world should therefore consist of nation-states having strongly patriotic citizenries.’ (Tilly 1994:133)

Discussions of collective identity in regional integration especially in the EU that use the nationalist locus have given rise to terms such as cultural identity which basically posits that a collective identity should be based on shared cultural values and roots. Also based on nationalism thinking is the idea of ‘multiculturalism’ whose proponents argue that in reality, members of a regional collective would possess multiple cultural identities, and rather than seek to homogenize populations, ways in which all existing cultural loyalties can be mutually accommodated should be sought. That is, people do not have to transfer their ‘primary locus of identity’ to the supranational level. Instead, they can share loyalty between their states and the regional entity.

Cederman (2001) presents four possible forms of nationalism based identities arising from their nature of construction which is either essentialist of social constructivist. In the essentialist paradigm, collective forms of identity such as national identity are regarded as genetic and biological phenomena that have always existed and always will. Ethnicity is a key concept in the essentialist paradigm, which emphasizes the resilience and primacy of ‘ethnic cores’. In essentialism, identities are assumed to stem directly from the ‘ethnic cores’ of society and the ‘nationalist entrepreneur’ only serves to rediscover and transform them into politically operational identities. Essentialist theories also say that the chances of superseding
the nation state as the main locus of identity are slim. (Cederman 2001:142). The resulting kind of identity if a conventional essentialist path is pursued is ethno-nationalism (ibid: 145) and the other possibility is pan-nationalism, which could arise where the identity is anchored to a ‘civilization’ amounting to a partial supersession of the nation state. (ibid: 150)

In the social-constructivist paradigm, perceptions of identity and nationalism are regarded as relative phenomena that are transformed through socialization. Identities may be abandoned, changed or reconstructed through constitutional means, such as cultural policies and strategies. (Deulund 2011:2) Constructivism places more emphasis on politics, with instrumental constructivism even taking political identity as a starting point and presenting culture as a mere side effect of this process. In this process, political leaders mobilize the population by selecting the cultural cleavages to be activated. (Cederman 2001:142) Theoretically the constructivist path leads to the development of a collective identity that can be referred to as post-nationalism. (ibid:145) In post nationalist thinking, culture works for politics in that in case of a clash of the two principles, the latter shall prevail. (ibid:148)

Noted by Cederman also, is that post nationalism is closely associated with the neo-functionalist thinking on identity except that post nationalists do not embrace a ‘statist framework’ like the neo-functionalist proposed federation. The fundamental difference between post nationalists and ethno nationalists is that the latter see cultural continuity as the infrastructure for national identity and the former see stable political identities as originating in and being maintained by explicit engineering. (ibid:150). In the study of collective identity in the context of regional integration, the nationalism theoretic perspective has mainly been concerned with explaining the relationship between culture and politics, as well as exploring the question of whether or not the nation state shall be superseded as the main locus of identification. (ibid:141,144) The quest for homogenization of regional groupings for purposes of nation building through instruments such as language policy, culture, media, youth and education is an approach to identity construction typical of nationalism. (Walkenhorst 2008:6) In dealing with the question of further EU integration for example, studies have tended to focus on a collective cultural identity as a basis for political identity, with many assessing the effectiveness of identity technologies. The arguments advanced from a perspective of nationalism basically suggest that collective identity of the Europeans cannot be achieved without cultural homogeneity.
3.5.2. Cultural versus Political Identity as a driver of Political Integration

Another site of contention in the debate on the place of collective identity in regional integration relates to the contribution of different identities. More explicitly stated this site raises the question of what kind of collective identity is actually relevant for regional political integration. (Kraus 2000:142) shows that propounded by people like (Grimm 1995), often heard in the debate on Europe’s future is the idea that ‘the pronounced cultural heterogeneity within the EU inhibits the formation of and articulation of a common political identity among Europeans.’ This argument highlights a concern relating to interactions among identities; as it implies that there are certain identities that should precede others, or on which others can be founded.

This apparent assumption that a collective EU political identity should be linked to a collective cultural identity or that the political identity should follow a cultural identity has been questioned by some. Cerutti for example argues that cultural and political identities are two different things which should be examined separately. “Political identity results from the mental elaboration of political and social experience, which in Europe is the experience of past wars and cooperation of the Union for the last fifty years.” (Cerutti, 2003: 28). Citing (Risse 2002:79) who showed that in 1999, 52 percent of Europeans supported the integration process, while only 38 percent believed in a European cultural identity, Cerutti argues that political and cultural identity neither coincide conceptually nor overlap empirically. A lack of cultural identity among the Europeans cannot, therefore, he asserts, be used as an argument against the possibility of their political identity. Rector also emphasizes that it is the collective political identity (shared political values) that has been put forward as an argument for willingness for political union. (Rector 2009:85)

This argument illuminates the understanding that collective identity is defined differently and plays different roles depending on what it is anchored upon. In the forgoing discussion of Cederman’s work, a cultural identity is anchored on a shared cultural aspect such as ethnicity or a civilization. In the empirical example advanced by Risse above, a political identity for example could among other things be said to be anchored on a shared sense of political destiny. Cerutti, defining political identity as a subspecies of group identity, says it is a set of political and social values and principles that people recognize as theirs or in the sharing of which they feel like a political group or entity.(Cerutti:2003:27) Identity, Cerutti states is a ‘precondition or rather metacondition for legitimizing a polity or regime…..’(ibid: 36)
This idea is inherently articulated in classical European regional integration theories which place collective identity at the heart of political integration. Again, if one takes the ‘superior focus for political identity’ as a key element of political communities articulated by these theories, somehow during the integration process, a ‘sense of community’ or ‘we feeling’ should develop, as a basis upon which political integration takes place. Increased interaction between transnational communities, it is envisaged would produce feelings of “mutual sympathy and loyalties; of …… trust, and mutual consideration; of partial identification in terms of self-images and interests; of mutually successful predictions of behavior, and of cooperative action in accordance with it-in short, a matter of perpetual dynamic process of mutual attention, communication, perception of needs and responsiveness in the process of decision-making.”(Deutsch et al 1957: 129) Deutsch’s attributes of sense of community are almost exactly reproduced in different conceptions of collective identity. According to Polletta and Jasper (2001:298), ‘collective identity describes imagined as well as concrete communities, involves an act of perception and construction as well as the discovery of preexisting bonds, interests, and boundaries. It is fluid and relational, emerging out of interactions with a number of different audiences (bystanders, allies, opponents, news media, state authorities), rather than fixed.’

Perhaps one site of investigation that best captures collective political identity in interstate relations is foreign policy. In a comment about the lack of a unified foreign policy on the gulf war and Yugoslav conflicts, Smith asserts that: ‘a common European cultural identity, if such there be, does not yet have its counterpart on the political level; to date, each state of the European Community has placed its perceived national interests and self-images above a concerted European policy based on a single presumed European interest and self-image.’(Smith 1992:56) By this assertion, Smith implies that we can at least ‘see’ collective identity through interstate decision making processes. What decisions actors take and in whose favor can be a good indicator of whether or not there exists a collective identity. What the debate on cultural versus political identity seems to suggest is that collective identity is an interpretation or redefinition of people’s relations with others in a group that could emanate either from cultural or political values and principles or both.

3.6. Conceptualization of Collective Identity and Theoretical Framework

Despite the ‘definitional anarchy’ that Brubaker and Cooper so decry about the concept of identity, (see Brubaker and Cooper 2000), there are basic agreed upon attributes of identity.
Rumelili (2004:29) explains identity by separating its ontological basis from its behavioral manifestations. From an ontological perspective, identities are always relational, constituted in relation to difference between ‘self’ and ‘other’ but this difference does not necessarily perceive and represent the other in antagonistic terms. The ‘self/other’ relationship is oppositional only sometimes. (Rumelili 2004:29; Hopf 2002:7) Neumann says that the self/other was introduced to the idea of identity by Hegel who asserted that by knowing the other, the self has the power to give or withhold recognition. (Neumann 1999: 3)

According to Social Identity and Self-Categorization theories, members of social groups define themselves in terms of ideas with which they can positively identify and which make them distinct from other groups. (Marcussen et al 1999:616) Members can also hold multiple identities at the same time to which they appeal differently depending on the context in which they find themselves. (European Commission 2012:8) The literature on identity presents three types of identities: personal, social and collective identity. According to Snow (2001) ‘personal identities are self-ascribed attributes and meanings by the actor where as social identities are grounded in established social roles and are ‘attributed or imputed to others in an attempt to situate them in social space.’ (Snow 2001:3) The essence of collective identity resides in a shared sense of ‘one-ness’ or ‘we-ness’ anchored in real or imagined shared attributes and experiences among those who comprise the collectivity and in relation or contrast to one or more actual or imagined sets of ‘others’. Within this ‘we-ness’ is the sense of collective agency – the action component of collective identity. (ibid) This idea is similar to Cerulo’s who suggests that collective identity “addresses ‘we-ness’ of a group stressing the similarities or shared attributes around which group members coalesce” (Cerulo, 1997: 386)

Rumelili gives three ‘constitutive dimensions of identity interactions.’ First he explains that self/other interactions depend on the inclusive/exclusive nature of the identity that the self claims in relation to the other. These identities could be defined around inherent characteristics such as geography or constructed characteristics. “If the difference is constructed to be deriving from inherent characteristics (the other as non self), then the possibilities for change in the ‘other’ are by definition non-existent. If difference is constructed to be deriving from acquired characteristics (the other as less self), then there is a possibility that the other will become like the self one day. (Rumelili 2004: 37) Identity interactions can also be constituted by the recognition or resistance of one’s identity by the other as well. If the identity is inclusive and it is recognized by the other, the self’s identity is seen as superior and if it is resisted by the other, the self’s identity is undermined. If the
identity in question is exclusive, recognition means an acknowledgement by the other that they can never be like the self, while resistance entails a claim by the other to the identity of the self. Resistance in this case blurs the boundaries of exclusive identity while recognition reproduces them. (Rumelili 2004: 38) How the self is socially distanced from the other is also an important constitution of identity interactions. Association and disassociation with an inclusive identity makes the said identity recognized or insecure respectively. Associating with a given state in international relations for example would symbolize belongingness within the same identity community. (Rumelili 2004:38)

Weller (1997) argues that in addition to external ascription, the concept of collective identity should include a ‘reflexive individual basis’, where each of the individual members of a collective perceives all the others primarily as members of precisely the same collective. (Weller1997:29) In addition, Weller highlights the contribution of self-categorization theory in the understanding of identity as its capacity to explain theoretically which category is used for categorization and formation of social identity. He argues that: ‘all social situations contain the potential for certain categorizations, according to which perceptions are structured and which are used as bases of self-perceptions’. (Weller 1997:31) Citing Oakes et al 1994: 100, Weller asserts that self-categorization results in depersonalization of self-perception and behavior, which depersonalization ‘makes group behavior possible and produces its emergent, irreducible properties.’(Weller 1997:32)

The exploration of collective identity in the context of interactions that call for collective action has been emphasized by authors like Melucci and Wendt. Looking at the concept from the perspective of social movements, Melucci argues that it “cannot be separated from the production of meaning in collective action ….”(Melucci 1995:42) He defines collective identity as ‘an interactive and shared definition produced by several individuals (or groups at a more complex level) and concerned with the orientations of action and the field of opportunities and constraints in which the action takes place.’(Melucci 1995:44) Melucci asserts also that collective identity is a process which comprises of a ‘network of active relationships between actors who share a certain degree of emotional investment, which enables individuals to feel like part of a common unity. They interact, and make decisions and cognitively define the ends, means, and field of action within a language that is shared by a portion or the whole of a society or that is specific to the group’. (Melucci1995:44-45) Melucci’s definition denotes commonality as well as specificity to the group in relation to other groups, an idea also expressed by Snow. Defining self-interest and collective interest as
“effects of the extent to which and manner in which social identities involve an identification with the fate of the other (whether singular or plural),” Wendt argues that “the ability to overcome collective action problems depends in part on whether actors’ social identities generate self-interests or collective interests,” adding that “collective identity refers to positive identification with the welfare of another.” (Wendt 1994: 386) Collective identity represents a reference by which costs and benefits are defined and within the framework of which preferences are constructed. (Pizzorno (1983) as cited by Eisenstadt and Giesen 1995:73)

This relationship between identities and interests is explained in the logics of consequentialism and appropriateness advanced by March and Olsen (1998) who assert that action based on the former logic is concerned with interests while that based on the latter logic is concerned with identities and the obligations that they dictate to actors in specific situations. (March and Olsen 1998:951) If one takes Wendt’s assertions above, appropriateness oriented action would correspond to collective interests while consequentialism would correspond to self-interest. The two logics are not necessarily mutually exclusive and one takes precedence over the other depending on the contextual situation. March and Olsen posit that a clear logic dominates an unclear one. (ibid: 952) They also suggest that they may play different roles in decisions with one logic being used to establish fundamental constraints on a decision while the other may govern minor refinements within the decision. Rules may also constrain interest based calculations in specific situations as a result of experience. (ibid: 953)

The discussion above yields the patterns of behavior that would be expected to be exhibited between groups that are acting on the basis of a common collective identity. Such behavioral phenomena include mutual consideration of interest, reciprocity of advantage, common view of outsiders; and group interest superseding individual interest. In the context of international relations, Sasley asserts that identity as a motivator of state behavior also transmits emotions that one state holds towards another. He cites William Connolly (1991), who noted that the identity of a given group is based on a sense of difference from other groups; the understanding of which difference is not just cognitive particularly when it is built on a foundation of threat and challenge— which in turn are built on emotional scaffolds, such as fear. In view of this, Sasley suggests that ‘states can thus only identify themselves as themselves when they feel that other states are different. In other words, intergroup relations may well be necessary for constituting group identity.’ (Sasley: 2011:466)
The preceding discussion explains collective identity from a perspective of the relationship between rationality (interests) and identity. Implicitly, the argument is that where a collective identity exists, individual interests can be eschewed in favour of the collectivity. Group members have the ability to identify with the fate of the other since they acknowledge their mutual boundedness, interdependence and inevitability of cooperation. Secondly, the discussion has also revealed that cultural and political identities are separate entities which play different roles in supporting or inhibiting the integration process. However, Cerutti’s argument has presented the lack of cultural identity as not necessarily working against the EU integration and the political identity as superior in securing further integration. In a study such as this which adopts a normative approach, I argue that when applied to empirical testing, since the normative framework could include both political and cultural aspects of identity that bind partner states in a regional integration process, either could have elevated importance relative to the other. This is contrary to ‘conventional’ arguments such as Cerutti’s or the nationalism arguments such as those earlier on cited. The adoption of an approach which includes norms that touch on different types of identities and by extension on domestic processes thereby incorporating insights into ‘social change’ enriches the framework from which collective identity can be examined.

Cerutti’s argument illuminates Weller’s (1997) idea of dominance of identity categorizations and Snow’s (2001) idea of salience and pervasiveness/comprehensiveness of identities. Recognizing that different identities could coexist in a group at the same time, citing (Stryker 1980) Snow defines salience as the ‘relative importance of an identity in relation to other identities’, while pervasiveness or comprehensiveness refers to the ‘situational relevance or reach of any particular identity and the corresponding degree to which it organizes social life including collective action.’ (Snow 2001:6) These concepts are very fundamental as they embody the theoretical assumptions upon which this study is based. A collective identity conceptualization that combines Snow’s idea of collective agency with Weller’s idea of collective identity as a shared sense of ‘we-ness’ with both an external and self-ascription attribute is preferred for this study. This kind of concept captures what I shall call the ‘collective identity path’ of assignment (externally assigned/prescribed), profession (self-ascribed) and expression (collective agency) through which this study analyses the concept of collective identity.
Chapter IV: Research Design and Methods

4.1. Theoretical Context of the Study

The aim of this descriptive case study is to explain the nature of the relationship between collective identity and regional political integration. Premised on the assumption that different types of collective identities become salient in different integration episodes depending on the nature of the issues involved, the study seeks to establish and thereafter interpret what these manifestations of different collective identities imply for further political integration. The general approach is an investigation of collective identity manifestations among elites within the context of interstate interactions in the East African Community (EAC). Consistent with social constructivism’s assumptions that state identities are constructed inter-subjectively, (Wendt 1994:385) the study recognizes that EAC states interact with each other starting from the vantage point of their individual national identities. A collective identity among them is therefore, basing on the normative prescriptions of the Community, denoted by the ‘East Africanization’ of those national identities in this process of interaction.

4.2. Research Paradigm and Approach

In view of the fact that this study is concerned with interpretation of the manifestations of collective identity focusing on the “intersubjective validity of norms in processes of argumentation and justification,” (Schwellnus 2009:128), the author adopted a qualitative case study approach. The qualitative approach aims at examining a phenomenon “within its real life context” or as “it occurs naturally” (Guest et al 2012:3, Hancock 1998:2) and is best suited to study phenomena that lend themselves to interpretation basing on the social constructivist assertion that ‘meaning is socially constructed by individuals in interaction with their world.’ (Merriam 2002:2)

The case study as part of the interpretive qualitative research design allows for deep understanding of a situation in its ‘uniqueness as part of a particular context and interactions.’ (Merriam 2002:5) This approach also allows for employment of various strategies to check data coherence and ensure reliability such as the use of multiple data collection methods and purposive sampling of respondents. (Baxter and Jack 2008:556) The case study approach enlisted insights into the cases of interest from the perspective of key participants and allowed for not just in-depth discussion of what transpired but also of how events had
unfolded following interstate negotiations. As such, it bridged the inter-temporal divide which the study as designed needed to overcome in order to effectively answer the research question.

4.3. Research Question:

What is the nature of the interaction between Collective Identity and Regional Political Integration?

4.3.1. Sub questions

1. How is collective identity at the elites’ level within the EAC represented in the Community’s normative framework?
2. What categorizations of collective identity have been salient in the empirical episodes that have furthered regional integration in the EAC?
3. What do these manifestations of collective identity imply for further political integration of the EAC?

4.4. Operationalization of Collective Identity

In this study I primarily aim at understanding the pervasiveness of collective identity in the East African Community integration process. I take different empirical episodes that amount to advancement of regional integration and analyze the role played by collective identity in decision choice and what this means for the prospects for political integration, given that the East African Community aspires to political federation. Looking at the definitions of collective identity presented in the theoretical framework of the study, one can deduce at least three points from which collective identity can be observed in such a study.

For this study therefore, I develop an analytic framework with which I empirically investigate identity manifestation at these three levels. The first is the ‘normative level’ where laid down norms and values as can be observed in the EAC founding documents assign certain identities to EAC member states. The second is the ‘discursive level’ at which the identities assigned by laid down norms and values as well as other identities may be professed in interstate negotiations and discussions that aim at furthering integration. The third is the ‘active level’ at which the identities that are manifested at the normative and discursive levels are expressed in or influence action related to widening or deepening of regional integration as negotiated.
The three levels of examination stipulated in the preceding paragraph when taken together comprehensively cover what I call the collective identity path. They take seriously the reality of many interstate interactions, which is less that there are no binding decisions reached, but that these decisions may not be matched by action. Consistent with social constructivist reasoning, certain choices may be made purely because a state wants to fit in (identity concerns). At the implementation stage however, other dynamics may come into play and the decision may be challenged by rational calculations (concerns with costs and benefits) emanating from domestic pressure or from resistance to change (‘habitual factors’) or even competing identities held at the state level. The ‘inter-subjective reality’, that is the environment in which to make sense of interstate interaction, is therefore as Neumann suggests, ‘not just spoken into existence, but is acted into existence, too. (Neumann, (2002) as cited by Hopf 2010: 544).

Taking a cue from the external assignment and self-ascriptions of collective identity described by Weller (1997), as a starting point, this study examines official documentation of the community namely the founding treaty and communiqués of Heads of State, to establish what conceptions of collective identity are embedded within the norms of the community and therefore assigned to the member states of the EAC. The ‘assigned identity’ here means that identity which the different norms governing members of the collectivity assign to them. The assigned identity provides a framework for analysis of the ‘professed’ identities in recognition of the fact that normative prescriptions 1) may not always translate into validation of the identity in question by individual members of a collectivity and 2) could also be validated by some and not others, given as Checkel points out, that norms can have dissimilar effects on actors. (Checkel 1999a:554)

The ‘professed identity’ captures an identity’s salience in a particular decision making situation and takes cognizance of the various multiple identities that could be represented in the assigned identity, as well as other silent identities that might not be explicitly stated in the assigned identity. The site of investigation of professed identity is the processes of decision making relating to empirical episodes that amount to deepening and widening regional integration. In sum, the professed identity amounts to a validation in the discursive sphere by partner states, of the assigned as well as other ‘silent’ identities which may be uncodified but emanate from the past or everyday habits and practices.
The explicitly assigned identities would fall in the realm of ‘logic of appropriateness’ (Hopf 2010) defined by formally laid down normative expectations whereas the silent/latent identities could fall under the realm of informal normative expectation which is closest to the ‘logic of habit’ persuasively argued for by Hopf. Hopf argues, that a focus on the logic of habit ‘returns the taken-for-granted life-world to the center of attention in constructivism’s theorization of inter-subjective structures’. (Hopf 2010:539) In recognition of the fact that there is a long history of interaction between the partner states of the EAC, it might be possible that certain norms governing their relationships could have arisen from socialization or internalization of previously formal norms that are now taken for granted and are not laid down in formal documents, but are nevertheless expected to shape the identities of the states as members of the East African Community.

At the active level I examine whether/which of the identities at the normative and discursive levels have been acted upon beyond just prescription in founding documents, and validation in discourse. The active level shows what collective identities in question cross the bridge between rhetoric and action, and as such informs the study on what role collective identity might play in future collective action. These ‘expressed identities’ are observed mostly at the stage of (non) implementation of agreed upon decisions or debates on implementation modalities of previously agreed upon actions.

As a starting point, the study employs part of the analytic framework proposed by Abdelal et al (2006) as the foundation for defining and examining assigned identity. Abdelal et al’s framework divides the concept of identity along two dimensions; content and contestation, where content describes the meaning of a collective identity. It is the content dimension that is of interest to this study. The framework presents four forms of non-mutually exclusive types of identity namely: constitutive norms; social purposes; relational comparisons with other social categories; and cognitive models. ‘Constitutive norms’ refers to the formal and informal rules that define group membership, while ‘social purposes’ refers to the goals that are shared by members of the group. ‘Relational comparisons’ refers to the definition of an identity group by what it is not, i.e., the way it views other identity groups, especially where those views about the other are a defining part of the identity, while ‘cognitive models’ refers to the worldviews or understandings of political and material conditions and interests that are shaped by a particular identity.’ Abdelal et al (2006:3). Applying Abdelal et al’s framework to define prescribed identities, I develop the analytic framework presented below to study the collective identity path.
4.4.1 Examining further regional integration

The EAC Treaty explicitly mentions a political federation as the ultimate goal of the region’s integration efforts. It is important to note that in theory and practice, discussions on the ‘terminal conditions’ of integration efforts are still not conclusive. The single terminal conditions that were envisaged in the literature such as political community, security community, political union, federal union were once described as ‘putative dependent variables’ (Haas1970:631) because at the time, none of them had been realized in reality.
Likewise, the envisaged political federation of the EAC is still an aspiration and there exists no real life example of a regional integration project that has attained political federation status as yet. To this extent therefore, this study focused, as recommended, on ‘separate dimensions or conditions which constitute a higher degree of integration.’(Haas 1970:631)

Using the analytic framework earlier on presented, the study focused on the following dimensions of regional integration to answer sub question 2;

1) **Pace of integration**: Pace of integration refers to the rate at which the community moves from one level of integration to another. Given that the study focuses on two empirical episodes, this pace does not necessarily correspond to movement from one distinct stage of integration to another such as from a customs union to a common market, but from adoption to actual implementation of resolutions within and between stages. As such the application of variable geometry within the Community is a major focus of the study.

2) **Scope of integration**: This basically refers to what areas could be included in the integration process. Borrowing from the (Lindberg 1970:59) definition (*with slight modification*), functional scope refers to “how extensive collective activity is – how inclusive it is of the decision making activities of the constituent political system”. (Dolan 1975:296) presents Lindberg’s proposal of four areas from which functional scope could be examined namely external relations, political-constitutional, social-cultural, and economic functions. From this perspective, functional scope relates to the overall process of integration. As the interest of this study lies in examining collective identity manifestations in specific empirical episodes, functional scope was examined using an empirical episode whose adoption encompasses several policy areas, in this case, the Common Market Protocol and these four proposed areas were examined within this episode in as far as they are applicable.

3) **Depth of integration**: Depth of integration is herein defined as how far within a functional area the regional arrangement can have jurisdiction. For example how much of a member country’s trade related issues would be handled commonly at a regional level in the name of a Common Market. Depth of integration is examined from the perspective of the areas provided for under the Common Market Protocol’s ‘freedoms and rights,’ since these were the most controversial issues not just in the negotiations of the common market, but also featured prominently among the fears for political federation expressed by the citizens of the East African Community.
4) **Salience of integration**: This refers to the extent to which the integration area of interest belongs to the field of ‘high’ versus ‘low’ politics (based on Hoffmann 1963:531) or as otherwise stated by Lindberg (1970:667). Salience of an issue area is determined by three issues namely: intensity of controversy, measured by the strength of feelings and preferences held by the concerned actors; power of groups involved, measured by whether the groups involved are the ‘most potent political forces in the system’ or hold little power; and ‘anticipated deprivation’ measured by the zero or non-zero sum nature of the conflict, whereby one examines whether the issues involved can be resolved without loss to any party or whether their resolutions creates one winner with loss to the rest.

5) **Geographical coverage**: refers to inclusion and exclusion of new members. Since geographical coverage and therefore widening of regional integration can only be achieved by admission of new members, this study focused on issues around accession discussions. The EAC started off with three founding members and was enlarged to include two new members in 2007. Whereas Rwanda and Burundi were admitted to the Community, the application of Sudan was rejected. This study explores the identity issues that influenced the founding members to reach both decisions.

4.5. **Linking Research Questions and Data collection sites**

4.5.1. **Sub Question One**

How is collective identity at the elites’ level within the EAC represented in the Community’s normative framework?

To answer this question, an examination of the normative framework of the EAC, namely the EAC Treaty (1999) and Communiqués of Heads of State was conducted and the identities/character of partner states prescribed therein deduced. The mechanisms by which they are prescribed as well as the potential relationship between them in terms of reinforcement or undermining was explored. The different categorizations of the EAC collective identity were established as a basis of analysis of patterns and motivations for decision choice that would follow in answering sub question two.
4.5.2. Sub Question Two

What categorizations of collective identity have been salient in the empirical episodes that have furthered regional integration in the EAC?

To answer this question, the study focused on empirical episodes/decisions taken that corresponded to the highlighted indicators that ‘constitute a higher degree of integration’. The decisions were analyzed from all decision making stages proposed by Lasswell (1955) and explained by Lindberg (1970:670) namely; a) problem recognition which involves ‘gathering and exchange of information and the process of generating alternative solutions or proposals for action.’ b) decision which refers to ‘those activities involved in choosing between alternative solutions’. c) application which covers ‘those activities involved in the implementation of policies and rules’.

The idea in studying these episodes was to establish the types, patterns and possible explanations behind the collective identities that were (not) manifested. These manifestations were then used to analyze the community’s potential to achieve political federation. For sub question two using the analytic framework for studying collective identity presented in Figure 4.1, the concept was examined at the following sites;
Table 4.1. **Empirical Episodes for studying Collective Identity**

<table>
<thead>
<tr>
<th>Specific Episode</th>
<th>Empirical Episode</th>
<th>Justification for selection</th>
<th>Regional Integration dimensions that can be examined</th>
</tr>
</thead>
</table>
| 1.               | Adoption and implementation of the Common Market Protocol. | The common market effectively opened up borders allowing for free movement of goods and persons, with a right to establishment, but issues such as land ownership still remain under the jurisdiction of national governments. | - Functional Scope of integration  
- Salience of integration  
- Depth of integration.  
- Geographical Coverage |
| 2.               | a) Decision to admit Rwanda and Burundi to the community  
b) Decision to reject Sudan’s application. | One of these decisions admitted members while the other decision rejected an application for membership. The examination of motivations behind these two decisions shall shed light on what kind of Community the EAC perceives itself to be and what kind of membership we are likely to see in the future. | - |

**Source: Author’s own illustration**

At these empirical sites, the study focused on records of how the above mentioned decisions were reached and established if and what kinds of identity categorizations motivated decision choice. Documents from each committee involved in the decision process were examined to see the underlying arguments for or against certain choices, focusing on which actors took which positions and for what reasons. Ultimately, three issues were established, 1) the types of collective identity that influenced decision choice. 2) The behavioral expressions revealed in the style of bargaining or in the arguments for and against certain decisions throughout the negotiation process that led to the above mentioned agreements. 3) The other considerations that influenced decision choice other than collective identity.
4.5.3. Sub Question Three

What do these manifestations of collective identity imply for further political integration of the EAC?

Sub question three was concerned with what collective identity manifestations in ‘the evolution of cooperation’ imply for ‘the evolution of a community’ to use Vio (2011:8) terminology. This question effectively takes the analysis from just the relationships among elites at the regional level to include the more dynamic processes of transformation of relationships among citizens of member states at all levels. To answer this question, the arguments advanced by states to reach their decisions in the empirical episodes of interest are examined in light of broader issues that would have a bearing on progress towards political federation.

4.6. Scope of the Study

The EAC is still a young integration project. Given the evidence of big knowledge gaps regarding the integration process among the general population, in the quest to understand collective identity, it would be prudent to start with the group that is more directly engaged in driving the integration process. Political and societal elites have been identified as the most important actors in cases of construction of a collective identity. (Walkenhorst 2008:7) reports on Rokkan’s study which showed that ‘before full mobilization of the economy and the political masses took place, new linkages between national and local elites proved to be decisive for the consolidation of the government system.’

This study therefore examined the nature of identity expressed by representatives of the EAC founding states during interstate negotiations and explored the extent to which it was shared by alignment to the normative prescriptions proposed in the 1999 Treaty Establishing the East African Community which is supposed to bind all partner states to the same sense of ‘we-ness’ - a collective identity. As such, respondents were primarily bureaucratic elites who were the lead negotiators involved in each of the stages of the negotiations that resulted in the adoption of the Common Market Protocol and the admission of Rwanda and Burundi into the Community.

The study was limited to the elites of the three founding member states of the EAC namely Kenya, Uganda and Tanzania, as these are the critical driving states of the integration since they are also the ones who were members of the community in its first phase before it
collapsed in 1977. Given their long history of relations, it was deemed that they were the best candidates for studying collective identity. More so, they are the states that determined the admission of Rwanda and Burundi, the other two member states of the EAC. From the perspective of studying community enlargement, it was therefore not plausible to include the subjects of discussion as objects of study as well. For these reasons, Rwanda and Burundi are only referred to in as far as their involvement in the Community serves to explain developments and relations between the founding members, but not as principle objects of investigation.

4.7 Data Collection Methods

The data that inform this study were obtained using three major data collection methods; document review, reading / watching commentaries and media reports and in-depth interviews with selected elites from member states as well as the East African Community Secretariat. The field research was conducted in two phases with the first phase focusing on a document review at the library of Uganda’s Ministry of East African Community Affairs. The main purpose of this phase was to acclimatize the researcher with the study environment and generate preliminary findings. During this time, (May-July 2013) two officials, one working with the said ministry and one working with the East African Community Secretariat were interviewed to enhance understanding of the workings of the East African Community and also to get recommendations on who needed to be interviewed for this study. The second field research was conducted between March and May 2014. This included an official visit to the EAC Secretariat in which the activities of the Community were discussed and another document review of mostly internal reports at the library of the East African Community Secretariat in Arusha Tanzania conducted. It was followed by in depth interviews in Nairobi, Kampala and Dar es Salaam with the persons who served as chief negotiators on behalf of Kenya, Uganda and Tanzania in negotiating the Common Market Protocol of the EAC, as well as other relevant persons involved in the integration episodes of interest.

4.7.1. Document Review

The documents reviewed included key legal and policy documents of the East African Community namely the Treaty for the Establishment of the East African Community (1999) and the Protocol on the Establishment of the East African Community Common Market
(2009). Internal reports namely the reports of the High Level Task Forces (HLTF) to negotiate the East African Community Common Market Protocol, reports of the Council of Ministers and Summits of the EAC Heads of State on various issues relating to the interest in this study as well as verification reports for the admission of Rwanda and Burundi into the community were examined. The document review also included EAC commissioned surveys and other reports on the Community, minutes of meetings and other written reports of events, administrative documents such as progress reports, as well as presentations by technocrats at the EAC Secretariat and those in focus countries.

Document review has the advantage of enabling one to trace when, how and possibly why changes in the phenomenon of interest occurred (collective identity or its absence in this case). The variation in the types of documents examined could also offer an ‘in-method’ triangulation to establish authenticity especially if one considers the fact that some public statements are made for political reasons. Juxtaposing public with closed door documents serves to reduce the risk of misrepresentation in publicly issued statements. The document review therefore served two major purposes. On one hand, it was a source of information in its own right, especially on the professed identity and on the other hand, it revealed the pertinent issues that arose during the negotiations which would need to be addressed in the in-depth interviews.

4.7.2. In-depth Interviews

In depth interviews lasting a minimum of one and a half hours each were conducted to give deeper insight and clarify findings from the reports that were examined. They also enabled deeper understanding of the motivations for decision choice by eliciting responses that for the sake of ‘political correctness’ could not have been advanced as arguments during the course of negotiations. By allowing for one on one interface between the researcher and the respondents, the in-depth interviews also allowed for exploration of answers and other issues that were not necessarily touched upon in the said reports but which had a bearing on the study. Such issues included the interstate row between EAC partner states that had been sparked by the decision of a group of states to implement certain aspects of the Common Market Protocol without involving the rest.
4.7.2.1. Selection of Respondents

The respondents comprised of the following categories of persons: the persons who were designated to act on behalf of the founding member states as chief negotiators or signatories to reports during the negotiations of the EAC Common Market Protocol. In Uganda’s case the person who signed the negotiation reports other than the chief negotiator was also interviewed. Since Uganda also initiated the application of variable geometry to implement some aspects of the Common Market Protocol, another officer from the Ministry of EAC Affairs was interviewed to give an insight into Uganda’s motivations and role in the EAC Trilateral arrangements between Uganda, Kenya and Rwanda, dubbed the ‘coalition of the willing.’

The officer in charge of implementation of the Common Market Protocol at the EAC Secretariat was also interviewed and some answers were also obtained from the Public Relations Officer of the EAC in a question and answer session during an official visit to the EAC secretariat by the East African alumni of the Catholic Academic Exchange Service (KAAD) in which the researcher participated. A former Secretary General of the EAC who oversaw the process for the admission of Rwanda and Burundi into the community was also interviewed. In total, 8 in-depth interviews with key respondents considered to have been in possession of accurate, thorough and officially reliable information by virtue of their responsibilities in the negotiations of interest were conducted.

4.7.3. Commentaries and Media Reports

Using Google alerts which stored every news item on the East African Community appearing in print media, the study was able to keep abreast with developments in the phenomena of interest. News reports by television stations in the countries of interest were also frequently watched in order to complement and also verify data obtained from print media sources. Commentaries and media reports gave an insight on issues that arose behind the scenes and also pointed to interesting areas to which the study needed to pay attention. In view of the fact that some of the phenomena under investigation were unfolding on a daily basis, the media sources were particularly useful in ensuring that the study did not miss out on developments that were of interest.
4.8. Data Management and Analysis

For data management, where respondents allowed for it, audio recordings of the whole interview were made, and field notes were also taken by the researcher and an assistant alongside. The two sets of field notes were then compared and the recordings transcribed to generate a comprehensive report. Since the interview guide was made up of mostly open ended questions, narrative analysis was then employed to explore the perspectives of the respondents. The analysis focused on understanding arguments and motivations for or against certain policy options while taking cognizance of the extent to which they were aligned to the normative prescriptions of the East African Community. Similarities and differences in perspectives, issues stressed and arguments were also noted in order to deduce what was shared and what was uniquely of interest to one state compared to another. The responses were then compared with other sources, namely official reports and media sources to deepen understanding and check for authenticity. The data were then interpreted and findings were recorded in correspondence to the analytic framework of the study.

4.9. Limitations of the data

Because the data collection took place at a time in which the Community was experiencing tensions among the member states resulting from the decision by some to employ variable geometry, the responses tended to be skewed towards this particular situation. Respondents tended to give their answers with the prevailing conflict at the time as a vantage point. This had an advantage of yielding in depth information regarding the controversial actions, but it tended to put a lot of focus on Tanzania which was the ‘aggrieved’ party in this case. Media reports also yielded a lot of information regarding Tanzania’s feelings about the variable geometry arrangements compared to any other state. As a result, the discussion on variable geometry tends to be skewed towards Tanzania’s reaction and although this is valuable in highlighting the identity differences among EAC partner states, it falls short on illuminating the shared identities among the partners in the variable geometry arrangement.
5.0. Representation of the EAC Collective Identity

5.1. Introduction

The Treaty for the Establishment of the East African Community was signed in Arusha, Tanzania on November 30, 1999 after a 3 year Treaty-making process, which involved negotiations among the member states as well as wide participation of the public. This Treaty entered into force on July 7, 2000 following the conclusion of the process of its ratification and deposit of the Instruments of Ratification with the Secretary General by all the three founding partner states, thereby creating the East African Community. (EAC website) The Community is headquartered in Arusha Tanzania, a city that is centrally located in proximity to the capitals of the founding members and which was also the seat of the EAC 1967-77. The Community currently has five members, Kenya, Uganda, Tanzania, Rwanda and Burundi, with a combined population of 143.5 million people, land area of 1.85 million sq kilometers and a combined Gross Domestic Product of $ 49.5 billion. (EAC Secretariat, 2014) Somalia and South Sudan have applied to join the Community and their applications are still being discussed.

In this chapter, I present the EAC collective identity as normatively represented in official Community documents and narratives on the Community. The chapter starts by giving an insight into the institutional arrangements and organs of the East African Community as provided for in the EAC Treaty (1999). The aim of presenting selected information on the operational context is to enhance understanding of the discussions that shall follow. In the next section of the chapter, I apply the first part of my analytic framework to examine relevant documents and official discourse in order to discern the EAC collective identity as normatively assigned. The primary premise of this chapter and its linkage with the chapters that follow is that embedded within the normative framework of the EAC is a collective identity - a shared ideational space within which states can express their loyalties to the EAC. Recognizing that self-given laws are assumed to be accepted as binding for the concerned parties (March and Olsen 2006:692), the extent to which the founding members can each own the collective identity of the EAC as represented in its normative framework shall more or less point to their potential for building an EAC political federation on shared values.

Although members of a Regional Economic Community are usually referred to as “member states”, in the EAC, despite all states being full members, the official documents tend to use the term “partner states”. In this dissertation, the terms “member state(s)” and “partner state(s)” unless otherwise stated, should be considered as synonyms.
5.2. Formal Organization of the East African Community

The East African Community has seven organs established by the Treaty namely the Summit, the Council, the Coordination Committee, Sectoral Committees, the East African Court of Justice, the East African Legislative Assembly and the Secretariat. (EAC Treaty 1999: Article 9)

5.2.1. The Summit

The Summit consists of Heads of State or Government and it gives general direction to the Community on achievement of Community objectives. Although the Treaty provides for possibility of delegation of some of the powers of the summit, the summit retains the prerogative and there is no delegation possible on the following responsibilities; a) the giving of general directions and impetus b) the appointment of judges to the East African Court of Justice c) the admission of the new members and the granting of observer status to foreign countries d) assent to bills. (EAC Treaty 1999: Article 11:9) The office of the Chairperson of the summit is held in rotation among partner states every year. The summit meets at least once annually and can hold extraordinary meetings at the request of any of its members and summit decisions are made by consensus.

5.2.2. The Council

The Council of Ministers is the policy organ of the Community. It consists of the Minister responsible for East African Community Affairs of each partner state, or any other Minister determined by a partner state, as well as the Attorney Generals of each Partner State. The Council oversees implementation of the programmes of the Community and it makes policy decisions, initiates and submits Bills to the Assembly. Subject to the Treaty, the Council gives direction to the Partner States and to all other organs and institutions of the Community other than the Summit, Court and Assembly. The Council meets twice a year with one meeting held just before the summit meeting. Extraordinary meetings can be called by the Council at the request of a partner state or the Chairperson of the Council. Council members can record their objections to a proposal submitted for the decision of the Council and if there is an objection, the Council does not proceed with the proposal and shall, unless the objection is withdrawn refer the matter to the Summit for decision. Subject to a protocol on decision making, the decisions of the Council shall be by consensus. (EAC Treaty 1999: Article 15)
The regulations, directives and decisions of the Council, subject to Treaty provisions are binding on the partner states, on all organs and institutions of the Community other than the Summit, the Court and the Assembly within their jurisdictions. (EAC Treaty: Article 16)

5.2.3. The Coordination Committee

The Coordination Committee consists of permanent secretaries responsible for East African Community Affairs in each partner state and such other permanent secretaries as each Partner State may determine. The Coordination Committee implements the decisions of the Council and submits from time to time, reports and recommendations to the Council either on its own initiative or upon the request of the Council. The Coordination Committee also coordinates the Sectoral Committee and receives and considers reports from it. The Coordination Committee is supposed to meet at least twice a year preceding the meetings of the council and may also hold extraordinary meetings at the request of the Chairperson of the Committee. (EAC Treaty 1999: Articles 17, 18, 19)

5.2.4. The Sectoral Committees

The Sectoral Committee is recommended to the Council by the Coordination Committee. Its role is to monitor and review the implementation of the programmes of the Community with respect to its sector. It is also responsible for the comprehensive implementation and setting of priorities with respect to its sector as well as regularly submitting reports and recommendations to the coordination committee concerning the implementation of the provisions of the Treaty that affect its sector. The Sectoral Committees meet as often as necessary, subject to any directions that may be given by the Council. (EAC Treaty 1999: Article 21 and 22)

5.2.5. The East African Court of Justice

The East African Court of Justice is the judicial body established to ensure the adherence to law in the interpretation and application of and compliance with the Treaty. It has a maximum of 15 judges appointed by the Summit from among persons recommended by partner states who meet the stated requirements for appointment to such a position. Judges can only be suspended or removed from office by the Summit following laid down
procedures provided for in the Treaty. The Summit also has the power to revoke the suspension of a judge. Partner states, the Secretary General of the Community and any legal or natural persons resident in any partner states can refer an issue to the Court for determination. Partner states can refer matters to court when they consider that another partner state has failed to fulfill an obligation under the Treaty or has infringed on the provisions of the Treaty through a regulation, act, directive, decision or action. If the Secretary General considers that a partner state has contravened the provisions of the Treaty, (s)he communicates to the partner state in question which state should respond within a 4months period. If the partner state does not respond or if the response is unsatisfactory, the Secretary General refers the case to the Council which either resolves the issue or advises that the Secretary General refers the matter to the Court. The Court also handles cases between the East African Community and its employees on matters to do with Terms and Conditions of Service. In matters of interpretation and application of the EAC Treaty, the East African Court of Justice takes precedence over national courts. (EAC Treaty 1999: Articles 23, 24, 26, 28, 29,31)

5.2.6. The East African Legislative Assembly

The East African Legislative Assembly is the legislative organ of the Community. Membership of the Assembly comprises nine members from each partner state elected by their national assemblies. Its ex official members include Ministers for East African Community Affairs from each partner state as well as Assistant Ministers, Deputy Ministers or Ministers of State who participate in the meetings of the Assembly if the substantive Ministers are unable to attend. The Secretary General and the Counsel of the Community are also ex officials of the Assembly. Members of the Assembly hold office for a period of 5 years after which they are still eligible for reelection for one more term. The Terms and Conditions of the members of the Assembly are determined by the Summit on the recommendation of the Council. The Assembly is responsible for liaising with national parliaments on matters relating to the Community; debating and approving the Community’s budget; considering annual reports and other reports related to the Community and discussing issues relating to implementation of the Treaty. It is also responsible for making recommendations to the Council, among other responsibilities. Bills of the Assembly are assented to by the Summit. (EAC Treaty 1999: Articles 48, 49, 50)
5.2.7. The Secretariat

The Secretariat is the executive organ of the Community. It has the Office of the Secretary General, Deputy Secretaries General, Counsel and other offices in the service of the Community. The Secretary General of the Community is appointed by the Summit upon nomination of the relevant Head of State under the principle of rotation. The Secretary General serves a fixed 5 year term and acts as the accounting officer of the Community, secretary to the Summit and Head of the Secretariat. (EAC Treaty 1999: Articles 66, 67) The Deputy Secretaries General assist the Secretary General and they hold office for a 3 year term with possible renewal once. The Counsel of the Community is the principal legal advisor in matters pertaining to the Treaty and the Community (EAC Treaty 1999: Article 71, 4) The Secretariat does resource mobilization and acts as an interlocutor between different organs of the Community. It initiates research and studies related to the implementation of the Treaty; harmonizes policies and strategies relating to the development of the Community through the coordination committee and disseminates information on the Community to stakeholders, the general public and the international community among many other responsibilities. (EAC treaty 1999: Article 71) The staff of the Secretariat are international civil servants with no allegiance to their countries of origin and are only responsible to the Community. The Community is financed by equal contributions by partner states and receipts from regional and international donations and any other sources as may be determined by the Council. (EAC Treaty 1999: Article 132)

5.3. Discerning EAC Collective Identity from Official Discourse

The assigned identity of the three founding member States of the East African Community, Kenya, Tanzania and Uganda is examined from the constitutive norms, social purposes, relational comparisons and cognitive models stipulated in the Treaty Establishing the East African Community (1999) as well as Communiqués of the EAC Heads of States summits on different subjects. Particularly, the focus is placed on statements regarding the distinctiveness of the EAC, statements relating to others (nonmembers) of the EAC and statements concerning the vision for the EAC.
5.3.1. Constitutive Norms and Assignment of EAC Collective Identity

According to Abdelal and others, constitutive norms ‘define social meaning by establishing collective expectations and individual obligations. They do not determine group preferences but define the boundaries and distinctive practices of a group. (Abdelal et al 2006:697) They also “provide rules regarding acceptable behaviors and practices, demarcate the boundaries of membership, and dictate what people expect from other group members.” (Schildkraut 2007:598) Taking a cue from these delineations of constitutive norms, the EAC constitutive norms were obtained through examination of the following aspects: criteria for admission to the EAC; fundamental and operational principles of the Community; obligations of members of the EAC in the “General Undertaking as to Implementation” and the political affairs and regional security ‘code of conduct’ as stipulated in the Treaty for Establishment of the East African Community (1999). In addition to Treaty stipulations, narratives on the EAC were also considered, as ‘narratives highlight how individuals and groups construct historical experience to provide a collective understanding of making sense of the past, situating the present and acting towards the future.’ (Barnett 1999:8) Given the unique history of the EAC as a Community that existed before and collapsed after 10 years of existence, the narratives constructed around its experience would constitute part of the normative content of its identity. To this end, Communiqués of the Summits of the EAC Heads of State which inform on ongoing self-expressions and actions of the Community were also examined.

5.3.1.1. Criteria for membership of the EAC

The criteria for membership of the Community stipulated in Article 3 of the Treaty states that in order for any state to be accepted as a member of the EAC, it must fulfill the following conditions: acceptance of the Community as set out in the Treaty; adherence to universally acceptable principles of good governance, democracy, rule of law, observance of human rights and social justice; potentially contribute to the strengthening of integration within the East African Region; have geographical proximity to and interdependence between it and the partner states; establishment and maintenance of a market driven economy; and its social and economic policies should be compatible with those of the community. (EAC Treaty 1999: Article 3) These membership criteria are very closely related to several factors that ‘appear to exert an integrative influence’ such as geographical proximity, homogeneity, transactions, or interactions among persons or groups, knowledge of each other, shared functional interests,
structural frame or system of power and decision making highlighted by Jacob and Teune (1964:11-12).

The membership criteria of the EAC primarily reveal the Community’s values, and define the boundaries for inclusion and exclusion of potential members. In addition to geographical proximity, these boundaries are limited to political, social and economic policy homogeneity. The EAC’s political identity is marked by a cherishing of the values of liberal democracy such as, rule of law, observance of human rights and good governance. In the sphere of economics, its identity is that of a ‘market driven economy’ and it is clear that the Community aspires to advance regional integration, including eventual political federation. Geographical proximity, the potential for contributing to integration as well as interdependence are important criteria in view of this aspiration. The emphasis on the fact that a prospective member should have social and economic policies that are compatible with those of the Community appears to suggest that the Community is being established on the basis of pre-existing commonalities that are shared by the founding members.

Apart from the explicit signing up to eventual political federation being part of ‘acceptance of the Community as set out in the Treaty’, the rest of the criteria could easily form values that any liberal democratic state is expected to exhibit at a domestic level. There is no ethno-cultural identity specified herein, but domestic social policies also matter for the Community. These criteria therefore can be said to show an EAC which is only willing to accept a state that espouses the values of liberal democracy, and as such one that is acceptable in the wider family of democratic states.

5.3.1.2. Fundamental principles of the Community

“Members of the East African Community are governed by the principles of mutual trust, political will and sovereign equality; peaceful coexistence and good neighborliness; peaceful settlement of disputes; good governance including adherence to the principles of democracy, the rule of law, accountability, transparency, social justice, equal opportunities, gender equality, as well as the recognition, promotion and protection of human and peoples’ rights in accordance with the provisions of the African Charter on Human and Peoples’ Rights; equitable distribution of benefits; and co-operation for mutual benefit.”(EAC Treaty 1999: Article 6)
Whereas the criteria for admission are essentially outward looking (aimed at those outside the community), the fundamental principles govern relationships between the members of the Community. They place the same expectations of upholding the values of liberal democracy on the EAC member states but specify ‘in accordance with the African Charter on Human and Peoples’ Rights, emphasizing an African contextual aspect of this identity. The African Charter on Human and People’s Rights specifically recommends among others, that the concept of human and people’s rights should be inspired and characterized by the ‘virtues of the African historical tradition and the values of African civilization.’ (Preamble) These principles also emphasize a security community where there should be no war between member states but ‘peaceful settlement of disputes’. The requirements for peaceful coexistence and good neighborliness, mutual trust and sovereign equality also portray an aspiration towards harmonious living, with the African Charter on Human and People’s Rights specifically prohibiting signatories from allowing their territories to be used “as bases for subversive or terrorist activities against the people of any other State party to the present Charter.” (Article 23b)

Equitable distribution of benefits and cooperation for mutual benefit also depict a just society in which all members should expect to gain from the integration process. The EAC is therefore portrayed as a liberal democratic security community in which members cooperate for each other’s benefit. The Community is founded on African values of democracy and members have equal say with no member state(s) dominating the rest. The idea of political will seems to denote a community whose integration process is elite driven with expectation of joint commitment from major decision makers to drive the integration agenda. The fundamental principles are very critical to the identity of the EAC that under Article 146 of the Treaty, a partner state may be suspended from the Community, if it “fails to observe and fulfill the fundamental principles and objectives of the Treaty including failure to meet its financial obligations within a period of 18 months.” Provided for under Article 147, a partner state can be expelled from the Community for “gross and persistent violation of the principles and objectives of the Treaty.”
5.3.1.3. The operational principles to govern practical achievement of the community’s objectives

The operational principles include people-centered and market-driven co-operation supported by partner states; the principle of subsidiarity; the principle of variable geometry which allows for progression in co-operation among groups within the Community for wider integration schemes in various fields and at different speeds; the equitable distribution of benefits accruing or to be derived from the operations of the Community and measures to address economic imbalances that may arise from such operations; the principle of complementarity; and the principle of asymmetry as well as a commitment to abide by the principles of good governance. (EAC Treaty 1999: Article 7)

The operational principles of the EAC spell out the practical aspects involved in realization of the goal of integration. In addition to an emphasis on the need to uphold liberal democratic values, the operational principles depict a community whose primary goal is to make economic integration work, and which also recognizes the need for good governance among member states. It is also a community which aspires for social integration of its people, as well as involvement of different social groups in the integration process. The community recognizes that some members shall benefit more than others, and is confronting this reality by instituting measures to protect the less advantaged. Equitable distribution of benefits appears as a key issue in both the fundamental and operational principles of the Community. This particular attribute is pertinent in view of the fact that part of the explanation for the collapse of the first EAC lies in the fact that member states did not institute measures to deal with the inequitable distribution of benefits among partner states. (Deya 2007: 116) In fact, the EAC Treaty itself attributes the collapse of the Community in 1977 to ‘lack of strong political will, lack of strong participation of the private sector and civil society in the co-operation activities, the continued disproportionate sharing of benefits of the Community among the partner states due to their differences in their levels of development and lack of adequate policies to address this situation.’ (EAC Treaty 1999: Preamble)

The operational principles also recognize differences in the ability of member states to adapt their systems to meet EAC obligations and provides for flexibility in meeting these obligations. By allowing for variable geometry, the operational principles allow for formation of a ‘coalition of the willing’ in which certain member states can lead in certain areas of integration after which others can follow. The operational principles of the Community are seen in the light of making up for the weaknesses that the Community exhibited in the past.
The identity of the EAC is to some extent anchored on its past experiences, especially on what was perceived as factors that led to its collapse. What is being prescribed by the present day norms as exhibited in the operational principles is therefore an anti-thesis of the past, effectively making the former EAC the ‘other’ from which the current EAC should distinguish itself. The operational principles dwell on defense against risks rather than exploring potentials and building upon successes. Although the first EAC had achieved a lot in some areas of regional integration, what are seen as the successes of the 1967-1977 Community are hardly alluded to or drawn upon to represent the identity of the current EAC.

5.3.1.4. General Undertaking as to Implementation

The partner states are also required within a specified timeframe to institute the necessary policy and legal frameworks as well as set aside resources to support achievement of the objectives of the Community and the implementation of the provisions of this Treaty. The coordination of economic and other policies necessary for meeting the said aims is supposed to be done through the institutions of the Community, and partner states are supposed to abstain from any measures likely to jeopardize those aims. Each partner state is also required to designate a Ministry which can serve as the partner state’s primary point of contact with the EAC Secretariat. Community organs, institutions and laws take precedence over similar national ones on matters pertaining to the implementation of the Treaty and partner states are supposed to institute the necessary legal instruments to confer precedence of Community organs, institutions and laws over similar national ones. (EAC Treaty 1999: Article 8)

This article defines the Community’s relationship with member states, a relationship which shows that operationalizing the Treaty and EAC shall depend on the cooperation of member states. Key here is that the EAC is portrayed as a Community whose member states shall be subordinate to the regional body that is being established, whereby in matters relating to the Treaty implementation, ‘community organs, institutions and laws shall take precedence over similar national ones.’ The partner states retain some autonomy of action but are required to act in a manner that advances not hinders the implementation of Treaty provisions. To demonstrate the commitment to advancing the integration process, all member states have designated ministries that specifically handle matters of regional integration, suggesting that the regional integration process is a priority issue not to be subordinated to and dealt with under other ministries such as those handling foreign relations.
The Article also separates the ‘Objectives of the Community’ from ‘implementation of the Treaty provisions.’ This dichotomy appears to suggest that the two issues though complementary might not necessarily be achieved through the same mechanisms. The objectives of the Community for example could be met through mechanisms that may not necessarily be part of implementation of the resolutions of the Treaty such as individual intra state actions that make the partner state better placed to be a strong player in advancing the integration process. Such actions may be its bilateral relations with non- members of the Community and internal reforms to build a stronger foundation for economic and political cooperation with other EAC partner states.

5.3.1.5. Political Affairs ‘code of conduct’

In order to promote the achievement of the objectives of the Community as set out in Article 5 of the Treaty particularly with respect to the eventual establishment of a Political Federation of the Partner States, the Partner States are obliged to establish common foreign and security policies whose objectives are detailed in the Treaty. The Community shall pursue the objectives set out above by: establishing systematic co-operation between the Partner States on any matter of foreign or security policies of general interest within the Community in order to define and support a common position to be applied by the Partner States in international organizations and at international conferences. As in the general undertaking, Partner States are also asked to avoid any action on their part which is contrary to the interests of the Community or is likely to impair the effectiveness of the Community as a cohesive force in international relations. Expected also is peaceful resolution of disputes and conflicts between and within the Partner States; the co-ordination of the defense policies of the Partner States; and the promotion of co-operation between Legislative Assemblies in the Community. (EAC Treaty 1999: Article 123)

The call for cooperation on foreign and security policy portrays the EAC as a Community of emerging or growing democracies which is calling for a common foreign and security policy to among others ‘develop and consolidate democracy’ but also preserve stability among and within member states. The normative prescriptions recognize that the Community is made up of emerging or imperfect democracies and peer influence or socialization appears to be seen as a possible means of fostering democracy in individual EAC partner states. The Community

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9 The paragraph highlights only key issues. The EAC Treaty 1999: Article 123 gives more details on objectives for the cooperation in security and foreign affairs and some of these are alluded to in the paragraph that follows.
recognizes the threat of transnational insecurity and sees it as an issue that should have a collective response. It also recognizes that taking a united stand in international affairs is the only way partner states can get their voices heard, and as such partner states are encouraged to adjust their relationship with the community in such a way that they support united action at a community level. To form a united stand when dealing with international affairs is key to the identity of the EAC. By alluding to the need to preserve their independence, the EAC member countries appear to be recalling their common colonial heritage and recognizing the threat of neocolonialism, denoting a community which places a lot of value on its collective sovereignty. Although they are not specified, EAC member states are presumed to have common values that the Community sees the need to preserve. These particular rules are also very specific to working towards achieving the political federation and cooperation in political affairs is stated as an obligation not an option for partner states.

5.3.1.6. Regional Peace and Security

Article 124: Prescribes as follows:

With regard to regional peace and security, EAC Partner States see peace and security as pre-requisites to social and economic development within the Community. In view of this, Partner States undertake to promote and maintain good neighborliness as a basis for promoting peace and security within the Community and pledge to cooperate and consult each other on issues pertaining to peace and security.(EAC Treaty 1999: Article 124) Here partner states make reference to intra as well as interstate security concerns as well as other regional security concerns that might not necessarily have any of the partner states as the primary states of interest. The EAC regards peace and security not just as a priority but as a prerequisite for successful integration. In addition to the call for a security community where members are supposed to resolve disputes peacefully, the Community calls for mutual support and cooperation among partner states to deal with security challenges of a transnational nature like refugee settlement, drug trafficking, terrorism and cross border criminal activity, but also to come to each other’s aid in case of disaster. At the heart of the Community’s security concerns is terrorism, which member states are called to handle collectively. To this end, the Community draws on the United Nations model of joint response to crime.
The EAC’s constitutive norms presented in the preceding discussion reflect the preconditions for federalizing that are proposed by Wheare, namely; a sense of military insecurity and the consequent need for common defense, a desire for independence from foreign powers, a realization that only through union can independence be secured, a hope of economic gain from the union, some prior political association, similarity of political institutions and geographical contiguity. (Wheare 1964:37-38)

5.3.2. Social Purposes, Relational Comparisons and Assignment of EAC Collective Identity

The purposive content of a collective identity defines the specific goals a group attaches to its identity. It also helps to define the group’s interests, goals and preferences and creates obligations to engage in practices that make the group’s achievement of a set of goals more likely. (Abdelal et al 2006:698) The social purposes of the EAC as stipulated in its 1999 Treaty are: the strengthening of economic, social, cultural, political, technological and other ties for fast balanced and sustainable development; with an East African Customs Union and a Common Market as transitional stages to, and integral parts thereof, subsequently a Monetary Union and ultimately a Political Federation. (preamble of EAC Treaty 1999)

The Treaty also reveals that the countries of the EAC “desire to foster and to promote greater awareness of the shared interests of their people,” given, as stated in the first paragraph of the EAC’s preamble, that they “have enjoyed close historical, commercial, industrial, cultural and other ties for many years.” (Preamble of EAC Treaty 1999). The distinctive social purpose of the EAC is to establish a regional integration project that goes beyond just economic integration but creates a political federation, as way of “strengthening economic, social, cultural, political, technological and other ties for their fast, balanced and sustainable development.” These social purposes are based on attachment or preexisting ties that the partner states would like to preserve. In fact, political federation and all the preceding integration processes are not seen as an end in themselves but as a means of attaining the goals of preservation of bonds and attainment of development.

The relational aspect of the collective identity represents “the understanding of oneself in relationship to others. It is defined by the actor’s interaction with others and place within an institutional context.”(Barnett 1999:9) The EAC’s relational identity is investigated in relation to the African Union (AU), Common Market for Eastern and Southern Africa
(COMESA) and Southern African Development Community (SADC) to which it closely relates either through universal membership as in the case of the African Union or partial membership as in the case of the COMESA where two of the three founding member states Kenya and Uganda are also members and SADC where only one founding member state Tanzania also belongs.

Stipulated in the EAC Treaty is that “co-operation at the sub regional and regional levels in all fields of human endeavor will raise the standards of living of African peoples, maintain and enhance the economic stability, foster closer relations among African states and accelerate the successive stages in the realization of the proposed African Economic Community (AEC) and Political Union. (EAC Treaty 1999: Preamble) With regard to relations with other international regional organizations and development partners, EAC Partner States are obliged to ‘honor their commitments in respect of other multinational and international organizations of which they are members.’ Furthermore, they ‘reiterate their desire for a wider unity of Africa and regard the Community as a step towards the achievement of the objectives of the Treaty Establishing the African Economic Community.’ Additionally, ‘with a view to contributing towards the achievement of the objectives of the Community, the Community shall foster co-operative arrangements with other regional and international organizations whose activities have a bearing on the objectives of the Community.’ Lastly, ‘the Partner States shall accord special importance to co-operation with the Organization of African Unity (OAU)\textsuperscript{10}, United Nations Organization and its agencies, and other international organizations, bilateral and multi-lateral development partners interested in the objectives of the Community.’ (EAC Treaty 1999: Article 130)

The principles of relating with other blocs spelt out in the Treaty have further been professed in the joint communiqués of Summits of the EAC Heads of State. In the 5\textsuperscript{th} Extra Ordinary Summit of EAC Heads of State joint communiqué, EAC leaders heralded the tripartite cooperation framework amongst EAC, COMESA and SADC as an important forum for coordination and cooperation among the three RECs as well as a major milestone towards eventual unification of Africa. (Communiqué of EAC Heads of State Summit June 2007:8) During the same summit, EAC partner states agreed to configure so that they negotiate Economic Partnership Agreements (EPAs) with the European Union (EU) as a bloc.

\textsuperscript{10}The Organization of African Unity was later transformed and succeeded by the African Union which was inaugurated in July 2002.
The Communiqué notes that “the EAC configuration for EPA negotiations with the EU would not imply that the partner states cease their membership to the other Regional Economic Communities (RECs) namely COMESA and SADC, given that the main focus under EPA was fostering trade and development arrangements with the EU.” EAC –EC (European Commission) EPA negotiations would take into account and build on the milestones already achieved under EAC- EPA and SADC-EPA to advance EAC interests. (ibid) The 10th Ordinary Summit of EAC Heads of State also reiterated the need for RECs to be strengthened as building blocks towards African political integration. (Communiqué of EAC Heads of State Summit April 2009:4) In the 9th Extraordinary Summit of EAC Heads of State “the summit expressed support for the African Union (AU) and Intergovernmental Authority on Development (IGAD) positions backing the request by the transitional government of national unity in Somalia to extend its tenure for one year before elections in order to allow for the maintenance of the security and stabilization efforts.”(Communiqué of EAC Heads of State Summit April 2011:5-6)

The relational comparisons show the non-exclusive nature of the EAC identity. Partner States of the EAC can be members without having to relinquish their membership to other regional blocs and they in fact are encouraged to continue meeting their obligations to the other blocs. In addition, they view the EAC as part of a larger vision, one building block towards the realization of Africa’s political union. The EAC operates within the overall framework of the African Union and by this view, the African Union can be said to be the ‘friendly other’ of the Community. The EAC, SADC and COMESA tripartite cooperation is also pursued in the framework of promoting continental integration and as such these two regional blocs are also seen as the friendly others of the EAC. Multiplicity of membership by EAC partner states to different regional blocs rather than an obstacle is seen as an opportunity to bring the blocs to which the partner states belong closer together. In terms of relational comparisons, the EAC identity is very ‘African unity’ oriented but the dynamics of membership configurations have to be revisited to find a working balance that best serves their particular interests when dealing with external actors such as in the case of the EU.

This means that EAC partner states could lean more heavily in one bloc compared to another depending on the issues at hand. Despite accepting multiple memberships in other regional blocs, the East African Community emphasizes solidarity by members when dealing with external actors on economic issues. The core objective of establishing a political federation is explicitly expressed as key to the social purposes of the EAC and the steps to its attainment.
are presented in an incrementalist neo-functionalist manner with one stage of integration leading to the next and ultimately resulting in a political federation.

5.3.3. Cognitive Models and Assignment of EAC Collective Identity

Cognitive models refer to “a framework that allows members of a group to make sense of social, political and economic conditions. It describes how group membership is associated with explanations of how the world works, as well as descriptions of the social reality of a group.” (Abdelal et al 2006:699). The EAC is being studied in light of multilateralism, in light of emerging powers and in light of regional security challenges specifically the threat of terrorism and the Congo crisis as well as crises in member countries. The East African Community is located in the Great Lakes region - a region which has been a hotspot for armed conflict with conflicts and their consequences spilling over across borders. This has shaped the EAC partner states’ worldview as well as their role in the region. The cognitive models of the Community are tracked through the frequently occurring EAC Heads of State summit meetings since they are by definition dependent on trends that define the environment at a given point in time. The changing dynamics of the international environment require the EAC partner states to revisit their strategies, relationships and responses to occurrences in their broader environment.

At the 12th Ordinary Summit of the EAC Heads of State, the summit noted that incidents of piracy on the Indian Ocean had increased and extended into the territorial waters of the partner states posing a serious economic and security threat and called for coordinated efforts at national, regional and international level to fight this problem. The Summit also strongly rejected the 2010 mapping report on human rights abuses in the Democratic Republic of Congo produced by the Office of the United Nations High Commissioner for Human Rights (OHCHR) ‘on account of its flawed methodology, selective period of coverage, timing and intended negative impact that undermines regional peace, security and stability in the Great Lakes Region’.

It should be noted that the said OHCHR report covered Human Rights abuses committed in the Democratic Republic of Congo between 1993 and 2003. Three of the five EAC partner states Uganda, Rwanda, and Burundi are included in the report among the countries “that could be held responsible for serious violations of human rights committed by their national armies during the period under consideration in the DRC.” (OHCHR (2010) Info note 6 pp:
2) The EAC Heads of State summit reiterated its commitment to forging lasting peace in the Democratic Republic of Congo and in the Great Lakes Region. It also noted that on 1st December 2010, the EAC signed a Memorandum of Understanding with the International Conference on the Great Lakes Region (ICGLR) which ‘would usher in a higher level of cooperation on matters related to peace and security in the Great Lakes Region including cooperation on human security issues.’ (Communiqué of EAC Heads of State Summit December 2010:6-7)

In the same meeting, the summit reviewed the status of the negotiations by the riparian states on the Nile waters that were going on at the time and noted the sensitivities that have emerged over the utilization of the said waters. ‘In the spirit of the African Union framework of promoting and upholding mutual understanding and solidarity,’ the EAC summit expressed readiness to ‘immediately host a special summit to advance the negotiations with a view to realizing a mutually acceptable solution.’ (Communiqué of EAC Heads of State Summit December 2010:7)

On democratization in partner states, ‘the summit welcomed the growing democratization processes within the partner states which have engendered an environment of peace and stability in the region and noted that although the political processes in the region are becoming increasingly intense, they are nonetheless peaceful and pluralistic.’(Communiqué of EAC Heads of State Summit December 2010:5)

The summit also noted the progress made by the COMESA-EAC-SADC tripartite taskforce towards the proposal for the establishment of the grand free trade area. (Communiqué of EAC Heads of State Summit December 2010:8). It also noted the good progress made by the Uganda People’s Defence Forces and the Kenya Armed Forces in their joint efforts to disarm the illegally armed pastoralists on the common border between Kenya and Uganda, noting that the coming of lasting peace in the region along the border would create the necessary conditions for sustainable development. (Communiqué of EAC Heads of State Summit December 2010:6)

The 13th Ordinary Summit of EAC Heads of State expressed support for the regional initiatives to bring peace to Somalia and to Congo. The Summit expressed support for the Kampala Accord aimed at restoring peace to Somalia and welcomed and expressed support for the Republic of Kenya’s intervention in Somalia to safeguard peace, security and stability in the Republic of Kenya. (Communiqué of EAC Heads of State Summit November 2011:7)

The 14th Ordinary Summit congratulated the Republic of Rwanda upon being elected non-permanent member of the UN Security Council and asked her to use her tenure to
advance the cause of Africa in general and East Africa in particular. The summit also noted the application of the Republic of Burundi to join the Commonwealth and pledged to support her application. (Communiqué of EAC Heads of State Summit November 2012:8)

In the 11th Extraordinary Meeting of the Summit of Heads of State held in April 2013, “the summit noted that the emergence of BRICS was a welcome phenomenon for the maintenance of global peace, security, economic development and prosperity for the people on the African continent and the region needs to strengthen relations with the BRICs countries with a view to developing regional infrastructure, industrialization, skills development and technology transfer. (Communiqué of EAC Heads of State Summit April 2013:7)

Based on the Heads of States’ discussions above, one can observe that the EAC sees itself as a bloc that needs to lead and become a major player in international affairs. It believes it can lead in managing the unending negotiations on the use of the Nile waters, and considers itself as a key player in regional security and stability – actually almost one on whom regional stability is dependent, and demands to be respected by the international community as such. It is pertinent to point out here that each of the five EAC member states are involved in peacekeeping missions within the Great Lakes Region. Uganda and Burundi have troops stationed in Somalia as part of the African Union Mission for Somalia (AMISOM), Tanzania has troops stationed in Eastern DRC as part of the UN Stabilization Mission, Rwanda has troops deployed in the peace keeping mission in Darfur in Sudan and Kenyan forces entered Somalia initially in pursuit of the Alshabab after they kidnapped tourists and aid workers on its territory. Kenyan forces were eventually co-opted into AMISOM.

The Community is seen also as a means of getting the interests of would be small actors carried forward in common positions of the EAC in realization of the fact individual partner states cannot compete on the international scene. The support for Rwanda joining the Commonwealth as well as the promise to support Burundi’s application to the same body even though Rwanda and Burundi were never British colonies, creates a commonality and boundedness that seems to suggest a preference to British association and which at the same time could be interpreted as a strong statement against the Francophone colonial legacy especially in Rwanda’s case. More importantly, it shows that the historical colonial experience still influences member states’ associations and underscores the importance that the EAC places on belonging to a larger community of States with whom it can associate. Within the commonwealth therefore, all EAC members shall have the same obligations and
shall be further bound by the same values and expectations prescribed by membership to the Commonwealth.

In addition to being outward looking in its security policy, the Community also sees security challenges within partner states as a threat to the whole community and acknowledges a member state’s right to unilaterally respond to aggression against its sovereignty as in the case of Kenya’s intervention in Somalia. The Community also believes that a geopolitical system in which there are players with different approaches to relating with the Continent is beneficial to the continent’s development. To this end, the Community welcomes the cooperation among Brazil, Russia, India, China and South Africa (BRICS) as an alternative to ‘traditional’ development partners. On the whole, the EAC is a Community that recognizes the need to reposition itself in the current geopolitical environment. Peace and stability are fundamental to its development and unity is not only a strategy to deal with intra-regional security challenges but also external threats. What remains to be seen is whether the common perception of need for economic development and response to security challenges that primarily drive EAC integration can carry the Community forward to attain full integration.

5.4. Normative Assignment of EAC Collective Identity: A Synthesis

Following the elucidation of the various stands taken, norms and agreements adopted by the EAC partner states as seen from the constitutive norms, social purposes, relational comparisons and cognitive models of the Community, in this section, I make sense of the ways in which the normative framework of the EAC as explained above assigns a given collective identity to the elites of the Community. An examination of the preceding discussions reveals that the normative framework bases on preexisting attributes and voluntary action to assign a collective identity to EAC member states. By preexisting attributes I mean attributes such as geographical location (for example the requirement that a new member should share a border with a partner state of the EAC) and ethnicity/cultural heritage that are unchangeable about the nature of the states in question. Such preexisting attributes when included in the normative frameworks prescribe a non-contestable identity. Voluntary action on the other hand, refers to choices or approaches taken by the partner states that constitute them into a Community with a particular kind of collective identity. Voluntary actions include issues such as policies and governance structures adopted by a state. From the voluntary action and preexisting attributes’ perspectives, the normative framework of the
EAC can be said to assign a collective identity to the Community through six mechanisms namely; reflection on the Community’s history, appeal to Pan African ideals, reemphasis of desired attributes, encouragement of ‘integrative’ behavior, creating obligations and prescription of domestic policies.

5.4.1. Reflection on the Community’s past experience

Reflection on the Community’s past especially its failure and the fact of its collapse is one of the ways through which the EAC normative framework informs its identity. This reflection is visible in the operational principles which can be said to have been tailored to addressing issues that are held responsible for the collapse of the 1967-1977 Community. These principles dictate that the Community should have people centred and market driven cooperation and should also ensure equitable distribution of the proceeds of regional integration. Among the fundamental principles, sovereign equality assigns an identity of equal sovereign states which could be meant to promote trust and solidarity given that there are still feelings of hurt and suspicion resulting from the breakup of the first Community.

When it comes to regional peace and security, partner states are asked to avoid any actions on their part which are contrary to the interest of the Community or that are likely to impair its effectiveness as a cohesive force in international relations. Partner states are also required to settle differences peacefully. It should be recalled that the breakup of the first EAC happened when individual member states decided to create alternative agencies and policies that worked against the integration process, and also, shortly after the breakup of the Community, Uganda and Tanzania went to war not because of the breakup but because the relationship between the states had so deteriorated that Uganda’s dictator Idi Amin attacked Tanzanian territory. The normative prescriptions dwell on an acknowledgment of the weaknesses of the first Community and as earlier stated, norms are instituted in such a way as to create a relationship that ensures that history does not repeat itself. The failure to invoke the successes of the previous Community seems to suggest that the previous Community is the undesirable other, and for the current Community to succeed, it should focus of avoiding past mistakes. The normative framework therefore represents the current EAC’s identity as a positive contrast of the previous one.
5.4.2. Appeal to Pan African Ideals

The normative framework of the EAC exhibits existence of trust among the states when dealing with other African states and as such, partner states can associate in other continental blocs without it necessarily being perceived as working against the integration potential of the EAC. The EAC can only make sense of these membership conglomerations as such through appealing to the ideals of Pan Africanism. As opposed to dealings with other African regional groupings where EAC membership is not restrictive and members can join blocs of their choice and take individual positions without being bound by their membership to the EAC, when dealing with non-continental actors such as the European Union, the EAC emphasizes solidarity and the need to take a common position. This ‘enemy is without not within’ posture is rooted in the Pan African ideal of the fraternity of the African people, and the commonly held view that a lack of solidarity was responsible for the continent’s subjugation. It is also in recognition of the fact that African states are disadvantaged in the global economic and political plane and in order to project strength and negotiate better deals, African states have to present a united front when facing external actors. By dwelling on a commonality of disadvantage and destiny, the normative framework informs the collective identity of the EAC states.

When dealing with blocs internal to the continent, multiplicity of membership and therefore loyalty to another bloc is not perceived as such a big problem. It is viewed in light of Pan African solidarity and as such with an apparent assumption that conflicts arising from these membership configurations can easily be dealt with, but the costs of not belonging far outweigh costs of belonging to more than one bloc. More so, these blocs preceded the current East African Community. The Treaty establishing the Common Market for Eastern and Southern Africa (COMESA) was signed in Kampala Uganda on 5th November 1993 with Uganda and Kenya among the 16 founding members. Tanzania joined the bloc in 1994 but quit in 2001.

The COMESA started as a Preferential Trade Area (PTA) established ‘to take advantage of a larger market size, to share the region’s common heritage and destiny and to allow greater social and economic co-operation, with the ultimate objective being to create an economic community.’ Its establishment and subsequent transformation into COMESA, was in “conformity with the objectives of the Lagos Plan of Action (LPA) and the Final Act of Lagos (FAL) of the Organization of African Unity (OAU). Both the LPA and the FAL envisaged an evolutionary process in the economic integration of the continent in which
Regional Economic Communities (RECs) would constitute building blocks upon which the creation of an African Economic Community (AEC) would ultimately be erected."(COMESA website) In spite of the nomenclature and more ambitious aspiration upon transformation, the COMESA is in reality not yet a Common Market in the technical sense of term.

The Southern African Development Community (SADC) on the other hand started as the Southern African Development Co-ordination Conference (SADCC) (1980-1992) formed to “advance the cause of national political liberation in Southern Africa, and to reduce dependence particularly on the then apartheid era South Africa through effective coordination and utilization of the specific characteristics and strengths of each country and its resources.” (SADC website) SADCC itself was preceded by a loose alliance of states called the Frontline states which gave support for the independence of Southern African countries. Tanzania was a member of the frontline states and is also a founding member of the SADC. As can be seen, membership to competing blocs preceded membership to the current EAC which was revived in 1999. It is these blocs that provided partner states with an alternative to the EAC after its collapse and as such, especially in the case of COMESA maintained some kind of economic cooperation between the EAC partner states when the EAC spirit was still buried in the ashes of its collapse.

5.4.3. Re-emphasis of Desired Identity

The Community’s conception of who is worthy of EAC membership is largely based on liberal democratic values. To cross the boundary between membership and non-membership, one must possess several credentials most notably values of liberal democratic societies such as respect for human rights and the rule of law. There is no credential that is emphasized as much as this particular attribute. It appears as part of the membership criteria, dominates the fundamental principles of the Community, features in the details of the operational principles, and development and consolidation of democracy, rule of law, respect for human rights and fundamental freedoms are also given as one of the objectives of obliging partner states to adopt a common foreign and security policy. Reemphasis of these attributes in different aspects of the normative framework of the EAC prescribes to the EAC an identity of a Community of liberal democratic states and partner states are inclined to abide by these pretexts not just as they aspire to join the Community but also as they conduct their affairs within it. By emphasizing these attributes and making them first a requirement for
membership and second a standard for appropriate behavior within the Community, the normative framework of the EAC prescribes its collective identity by compelling countries to have a commonality in their political, social and economic policies.

5.4.4. Focus on ‘integrative influence.’

Issues that set out the EAC as a bloc that over and above all else exists to enhance regional integration are locked into its normative framework through the criteria for membership of the EAC. The requirement for a market driven economy, interdependence between prospective members and partner states, potential for an aspiring partner state to advance integration as well as compatibility of social and economic policies with those of the community, all aimed at building an integrative environment work together to define the identity of the EAC. For example it is clear that a state whose character was not compatible with this integration environment such as a communist state would not be allowed to gain membership as the criterion is explicitly stated as a prerequisite for membership.

From a physical attribute perspective, part of the requirement for membership is that a country that wants to join the East African Community should have geographical proximity with the partner states. This requirement for physical boundedness emphasizes mutuality that makes it inevitable for one state to be concerned about what happens on the territory of another state. Because states are by virtue of their location predisposed to gain or suffer depending on what is going on in the neighboring environment, it becomes in their interest to see that only those conditions prevail which do not adversely affect them, which interests may be shared by another state. The geographical location is responsible for the role assignment of the EAC in the Great Lakes Region security dynamics and also its identity regarding the political issues on the use of the Nile waters by the riparian states. In both cases, the EAC postures as a leader in efforts to pacify the regions of interest. Geographical interconnectedness increases chances of states working with the collectivity to resolve issues which inevitably have trans-boundary implications since the unity of the group is seen as preordained by geographical factors. The portrayal of partner states as sharing a common destiny also acts as the basis for calls of solidarity, an attribute to which the collective identity of the Community greatly appeals.
5.4.5. Creating Obligations

The security identity of the EAC is specifically shaped by normative provisions that oblige partner states to adopt a common security and foreign policy. Although other provisions could also be said to have a compulsive element to them, the adoption of a common security and foreign policy is stated as an obligation of partner states. The obligation seems to suggest the existence of unquestionable mutual interests. In view of its location in a hotspot for conflict, it appears that the EAC would like to bind partner states to not just a common response to security and foreign policy challenges, but also to a relationship that makes it impossible for countries to develop rivalries. Given the fact that African states are seen as susceptible to manipulation by external powers, which manipulation is also somewhat helped by the ‘external posturing’ of these countries, the normative framework of the EAC makes cooperation in security and foreign policy obligatory. It is this obligation that informs the identity of the EAC as an actor in security and foreign affairs.

5.4.6. Prescribing Domestic Policies

The normative framework of the EAC also prescribes what it sees as legitimate state behavior at a domestic level. It prescribes what kind of domestic policies constitute a state that is worth joining the EAC like adherence to ‘universally accepted’ principles of good governance and all other attributes of liberal democracies that are required for membership of the Community. The collective identity of the EAC from this perspective is constructed through a prescription of domestic policies based on internationally accepted values. In other words, international assessments on the domestic policies of an aspiring state with regard to these values could become a legitimate basis for a state to be included or excluded from the Community. The requirements for partner states to adhere to the same standards creates a commonality with which all members can be associated, and provides a basis against which the democratic credentials of partner states could be questioned.
5.5. Conclusion

In this chapter I have explained the collective identity assigned to the EAC member states through an examination of the Community’s founding norms laid down in the 1999 Treaty for Establishment of the East African Community, as well as the Communiqués of EAC Heads of State. The analysis went beyond the discernment of the prescribed identities to also reveal the mechanisms through which the said normative framework assigns the identities in question. The discussion shows that an examination of the several identities when taken together may sometimes reveal positive interconnections, grey areas and even contradictions among the different identities.

Source: Author’s own illustration
Key in the discussion is that security is a very central aspect of the EAC identity both in its own right and as a foundation for the development and consolidation of democracy. The regional bloc sees itself as having a responsibility to make a contribution in pacifying the region which role is partly attributed to the fact that geographical proximity to a volatile state inevitably affects one’s own security. In addition, since most intra-state conflicts in this region have an interstate dimension as well, for example in cases where rebels fighting one state may have bases in another state, or people fleeing war end up as refugees in a neighboring country, the regional bloc sees its role in security and stability in the region as inevitable. Very closely linked with this security identity also is the quest for good neighborliness where states want to live at peace with their neighbors. To this end, these different identities are mutually reinforcing in a positive way to achieve Community objectives.

In the grey area lies the reference to values of liberal democratic states which are mentioned as part of the value base of the Community as well as what the Treaty refers to as ‘African values’. It is not clear whether there is indeed a difference between these two since African values are not explicitly defined, although the fact that values are described as ‘African’ seems to have at least a symbolic meaning. Simply from the normative framework, one is unable to tease out the distinction between ‘African values’ and other values of liberal democratic states. This dilemma of inability to show what is distinctly African has been alluded to by Mama in her reference to the concept of African identity. “Not only is there no all-encompassing concept of identity in much of Africa, but there is no substantive apparatus for the production of the kind of singularity that the term seemed to require.” (Mama 2001:10)

However, the persistent reference to these ideas by African leaders may not necessarily be redundant. Such an assertion allows for maneuverability, the possibility to bypass or model a value to fit the unique contextual situations on the continent in case of eventualities. Probably the closest that one could come to such a distinction is to make reference to the rhetoric of African Heads of State when they have had a conflict with international institutions or foreign countries that are perceived to be ‘promoting western interests’ rather than ‘providing solutions to the problems of the African people.’

A recent case is the stand against the International Criminal Court in the prosecution of the Kenyan Head of State H.E Uhuru Kenyatta and his Deputy William Ruto as sitting Heads of State. Before the case against Uhuru Kenyatta was dropped, the African leaders had
requested that the prosecution be deferred until the term of office of the two leaders ends, a request that the UN Security Council did not grant. President Museveni of Uganda, who has been the most outspoken critic of the ICC in this matter, argued that the ICC process would threaten the process of national reconciliation and healing in Kenya. President Museveni was calling on the ICC to prioritize the ‘needs’ of Kenyans rather than just sticking to its narrow mandate that might not take into account the consequences of its actions on the Kenyan society.

Without pretending that President Museveni’s views necessarily represent the views of the African people, it is not uncommon for people to argue that the need for reconciliation and long term healing should take precedence over the dispensation of justice as strictly stipulated in the law, if the exercise of justice is going to keep the underlying tensions that caused the conflict alive in the long run. (see Young 2013) The idea of employing traditional justice systems in cases of mass conflict on the African continent resonates with such reasoning. It is cases like these in which arguments allude to the uniqueness of African values and context that give meaning to references of Africanness, as seen in the EAC Treaty. Apart from these instances in which the differences between African and other values might be shown to lie in the way they are defined or applied in different contexts, the reference to unique African values without them being specified might remain a redundant assertion with no real value in informing the identity of the EAC.

In the sphere of obvious contradiction lies the aspect of aspiration for political federation and the allowance for non-exclusive membership to the EAC. As political federation demands exclusive membership, it is self-contradictory for the Community to allow partner states to have multiple memberships in other regional blocs whose objectives may not necessarily be reinforcing the goal of political federation of the Community. Much as the acceptance of multiple memberships is tagged to the aspiration for attaining continental unity through economic communities, how these communities affect the EAC’s own primary goal as it establishes itself as the nucleus for continental integration has not been very carefully considered. It is likely that multiple memberships especially in a bloc that also demands some level of political commitment from partner states might compromise a state’s ability to make certain commitments in another bloc. Membership of EAC partner states to the African Union a case of multiple vertical memberships does not pose a contradiction in view of the aspiration for continental union because every regional bloc and therefore every member country is at least normatively bound by the same expectations in relation to the AU.
Allowing for horizontal multiple memberships (across Regional Economic Communities) however, places different and potentially contradictory demands on states with shared membership depending on the identity and interests of the Economic Communities in question. Since these regional blocs have different integration agendas, it might prove difficult for a state to equally fulfill its responsibilities in each bloc.

In addition to the potential inter (dis)connections revealed in the normative framework; the collective identity assigned to the EAC also reveals the inevitable interaction with member states’ domestic structures. Issues such as social policies and democracy credentials contained in the identity elements assigned to the EAC dictate a scrutiny of the domestic governance structure and how it conforms to the assigned identity of the Community. Such diffusion mechanisms like societal pressure, elite learning and domestic structures; (Checkel 1999b:89) as well as domestic norms which determine a ‘cultural match’ between a state and the Community and thereby influence state preferences (Checkel 1999b:91) therefore come into play when manifestations of the assigned identity are explored in the discursive and active sphere shared by member states.

The foregoing discussion is located in the ‘normative sphere’ of the analytic framework of the study in which the assigned collective identity of the EAC is reflected. If the assertion at the beginning of this chapter by March and Olsen that “self-given laws are assumed to be accepted as binding for the concerned parties” holds, it is expected that the identity categorizations presented in the outer ring of Figure 5.1 shall be professed and expressed by EAC member states in negotiations and implementation of the Community processes of interest to the study. This chapter therefore lays the foundation for the discussions that follow in the subsequent chapters in which an analysis of this assigned collective identity as manifested in the discursive and active spheres is presented. Unlike in the normative sphere where one is presented with laid down norms and their prescribed identities, the next chapter focuses on the reach of these identities in influencing decisions on expansion of the Community (admission or rejection of new members) and the provisions of the Common Market Protocol.
6.0. Exploring the manifestations of Collective Identity in Empirical Episodes that Advance EAC Regional Integration

6.1. Introduction

Collective identity matters in regional integration processes because having a sense of oneness is important for functional reasons and also for legitimizing the integration process. (Checkel 2013) By extension therefore, the plane of interstate interaction where ideas are exchanged, relationships built and collective decisions made is a platform for both the legitimization of the integration process as well as an enabler for the implementation of agreed upon resolutions. As the EAC agenda is primarily driven by member states, the success of EAC decisions heavily depends on the ability of the elites of the member states to balance domestic demands with EAC level obligations. As the President of Tanzania put it in his speech at the opening of the East African Legislative Assembly during the negotiations of the Common Market Protocol, “the major challenge for all of us remains how to strike a balance between regional and national interests in the negotiation process.” (Kikwete 2009)

By this assertion, Kikwete was acknowledging that in interstate negotiations, rational concerns of states compete with the collective interest. As such, a member state’s ability to define their interests in terms of the collectivity gives a better guarantee for success of EAC decisions and programmes. It demonstrates that member states do not only share the same concern for the fate of the region, but that they also see its advancement as advancing their own individual aspirations. Collective decisions that shall advance the regional integration process demand that states should be able to define the ‘self’ of ‘self-interest’ in collective terms.’ (Wendt 1992:184) In the case of the subject at hand, this would imply that acting from a collective identity perspective does not mean that individual states do not make rational calculations but that these calculations are made in accordance with the states’ conception of who they are as a collectivity. In other words, states’ interests shall be redefined in accordance with the Community’s assigned collective identity.

In the preceding chapter, I dwelt on an interpretation of the type of collective identity that the EAC projects by virtue of its founding norms and communiqués of Heads of State on various issues. Following this elucidation, this chapter treats this identity as an independent variable explored as a ‘reason for action’ (Ruggie 1998:869) in the decisions to enlarge the Community and in negotiations of the EAC Common Market Protocol. By so doing, this chapter in effect merges the interpretivist approach of the first part with a ‘quasi-positivist’
approach to study collective identity in the EAC. The previous chapter has indeed shown that there are different identity categorizations that could form the collective identity of the EAC. Whereas they are assigned to member states by virtue of their subscription to the Treaty, as earlier on stated, these identity categorizations may not have the same relevance for decision making in different partner states. Applied to the state’s domestic setting, they may compete with the state’s national identity, the political structure or rational calculations. As such, in the chapter, I look for evidence that the assigned collective identities among the EAC elite served as a motivation for decision choice specifying which identities were invoked in the decisions on Community enlargement and in the negotiations of the Common Market Protocol. This chapter is limited to the discursive sphere of the analytic framework of the study and is a precursor to the discussion on identity manifestations in the active sphere that shall follow in the next chapter.

6.2. Enlargement of the Community: The Admission of Republics of Rwanda and Burundi and the Rejection of the Republic of Sudan.

6.2.1. Procedure for Admission of New Members into the EAC

The EAC Treaty as has been shown in the preceding chapter stipulates the criteria upon which a decision to reject or admit a new member is based as: acceptance of the Community as set out in Treaty; adherence to universally acceptable principles of good governance, democracy, the rule of law, observance of human rights and social justice; potential contribution to the strengthening of integration within the East African region; geographical proximity to and interdependence between the applying state and the partner states; establishment and maintenance of a market driven economy and compatibility of social and economic policies with those of the community. (EAC Treaty 1999: Article 3; paragraph 3)

To operationalize the provisions of the Treaty, on 15th January 2001, the EAC founding members adopted the procedure for admission of new members into the Community. The said procedure provides for two categories of membership namely ‘Member’ (admitted pursuant to the Treaty) and ‘Associate Member’ (granted membership by association with the Community). (EAC 2001 Procedure for Admission of Members to the Community: Article 2) Article 3 (f) of the same rules however adds that a foreign country “wishing to cooperate with the Community may be granted membership, association or right of participation in the activities of the Community.” By providing for the right of participation, the procedure
therefore adds another mode of cooperation not stipulated in the Treaty. Consistent with the Treaty, the procedure for admission also stipulates that the power to admit or reject a new member into the Community is vested in the Summit.

In order to get admitted into the Community, a prospective member is required to submit an application for admission in writing to the Secretary General of the Community, specifying the intention and type of membership sought. The Secretary General then avails a copy of the application to each partner state and the issue is placed on the agenda of the Council, which discusses it and makes a recommendation to the Summit. After consideration by the Summit, the decision is communicated to the applicant state by the Secretary General. If an applicant state is considered to be a potential partner by the existing member states, a verification committee is sent to the interested state to ascertain whether it meets the criteria for admission into the EAC.

The verification reports are discussed at the ministerial level and then recommended to the Summit for action. Even before conclusion of the process, representatives of the applicant state may be invited to attend high level EAC meetings as observers as was the case with Rwanda and Burundi before they were fully accepted into the Community. The admission criteria do not assign weights to different aspects of the requirements and say nothing about total or partial fulfillment of requirements, thereby giving discretion to the Summit to set benchmarks of what levels of achievement are acceptable to the Community as well as possibility for compromise on some of the issues stipulated in the criteria for admission.

Since its revival, the East African Community has received a total of five applications for membership from the Republics of Rwanda, Burundi, Sudan, South Sudan and Somalia. The first expansion of the Community occurred on 1st July 2007 when the Republics of Rwanda and Burundi acceded to the EAC Treaty, after submitting their applications for membership as early as July 1999. On the other hand, the application of the Republic of Sudan to join the EAC was rejected, and as at 2014, discussions on whether to admit South Sudan and Somalia into the Community were ongoing. In fact, for South Sudan the verification process had already reached advanced stages before civil war broke out in the country in December 2013. The section below presents the identity issues that played a role in influencing the decision to accept Rwanda and Burundi’s applications for membership whereas that of Sudan was rejected.
6.2.2. Admission of Rwanda and Burundi

6.2.2.1. Delay in Admission

The Republics of Rwanda and Burundi had been in close relationship with the founding members of the EAC and showed interest in joining the Community even before the formal establishment of the Community in November 1999. Both countries had experienced devastating civil wars which had far reaching implications for peace and stability in the region. Rwanda’s civil war had broken out on 1st October 1990, and despite interventions by regional leaders to broker a political settlement, the agreements reached between the regime in Rwanda at the time and the rebel Rwandese Patriotic Front were never respected. The assassination of the Head of State Juvenal Habyarimana sparked off genocide between the country’s dominant ethnic groups the Hutu and the Tutsi, which genocide ended in July 1994 after the Rwandese Patriotic Front took power.

During the time of the Rwandese civil war, Burundi which has the same ethnic structure as Rwanda was also experiencing ethnic violence after a prolonged period of political instability sparked by the 1993 assassination of the country’s first Hutu Head of State and democratically elected leader Melchior Ndadaye. (BBC News Africa April 2008) Although the civil war in Rwanda ended with the takeover by the Rwandese Patriotic Front, Burundi continued to experience waves of violence alongside an active peace process led by the international community. In 2005, after waves of assassinations and military takeovers, the country held elections that brought Pierre Nkurunziza to power. There was some calm but settlements with several rebel groups still had to be reached in order to completely pacify the country. In 2008, a short lived violent confrontation between the surviving rebel group and the country’s military occurred. Burundi still has a fragile peace and EAC partner states are involved in assisting the country to make the reforms necessary to secure peace and stability.

In an EAC summit meeting in 1999, a decision was taken to postpone Rwanda and Burundi’s admission. This had been preceded by a ministerial meeting in which it is reported that inclusion of the postponement on the agenda caused a heated debate as the Ugandan delegation wanted Rwanda to be admitted at that point. Tanzania disagreed arguing that it was not possible to admit new members at that stage, as the procedure for doing so was still being debated. Uganda’s proposal was defeated when the Tanzanian and Kenyan delegates voted against it. (Institute of Security Studies 1999) In a Summit meeting in April 2002, the issue of admission of Rwanda and Burundi was reviewed and it was agreed that the two
countries be considered after the operationalization of the Customs Union which was being negotiated at the time. (Communiqué of EAC Heads of State Summit April 2002)

In the 5th meeting of the Summit held in March 2004 under the Chairmanship of President Museveni of Uganda, Rwanda and Burundi were invited to attend the Summit meeting where they witnessed the signing of the Protocol for the Establishment of the East African Community Customs Union. The two countries were also invited to attend the 6th Summit meeting held in November 2004 under the Chairmanship of the Tanzanian President Benjamin Mkapa. At this meeting, the Report on Fast Tracking the East African Political Federation was received by the Heads of State and a decision was taken to operationalize the Customs Union effective January 2005. After this, a verification Committee was instituted to handle the applications of Rwanda and Burundi to join the Community. The decision to postpone the admission of the two countries on one hand can be explained from a practical perspective in that the founding members wanted to lay the foundation for the economic integration and admitting Rwanda and Burundi could have delayed this process. From an ideational perspective, admission of Rwanda and Burundi before laying the foundation for the customs union could have compromised the symbolism of the rebirth of the EAC. It is significant that the three states which had previously failed to work together launched a new drive for integration, a message to the world that they had put the past behind them.

6.2.2.2. Considerations in the Admission of Rwanda and Burundi

Between February 28th and March 2nd 2005, the verification team comprised of technocrats from each of the three founding member countries as well as the office of the Community’s Counsel visited Rwanda to verify its application against the criteria provided by the EAC Treaty. The team was received in Rwanda by the Country’s Prime Minister who in reference to the Genocide that occurred in 1994, thanked the EAC partner states for showing solidarity with Rwanda during its time of trouble. The Prime Minister portrayed Rwanda’s character as consistent with the interests of the EAC and said that Rwanda sought to join the Community because of the long historical, cultural and geographical ties it has with EAC partner states. He also presented Rwanda’s perception of global, continental and regional issues and explained Rwanda’s achievements in recovery following the civil war and genocide. (Report of the verification Committee 2005)
The verification focused on six broad issue areas namely: general areas, concerned with political, social and economic transformations made in the prior five years, expectations from EAC, policy on regional integration, membership to other regional and international organizations and proposals on how to handle multiple memberships, projected/proposed contribution to the EAC, identifiable areas of convergence between the applicant and EAC programmes, projects and positions in international issues. Under political affairs, the issues examined were: nature of Government/ constitutional framework, administrative system, parliamentary system, projection for the development of the EAC and Great Lakes’ Region, role in sustaining peace, security and stability in the Great Lakes’ Region, role in preventing conflicts in the region and involvement in peace initiatives, position on small arms, political commitments in the UN, AU, COMESA, SADC and other blocs, position on referendum and public consolidation of popular views, view on EAC political federation as well as visa requirements for EAC citizens.

In economic affairs, Rwanda was assessed against the following issues; economic policy, macro-economic performance, economic, commercial and trade arrangements with EAC partner states, economic commitments to COMESA and other regional bodies, policy and performance in infrastructure and services development, infrastructure, communication and civil aviation linkages to EAC networks, natural resources base and commitment to sustainable use of natural resources (sustainable development of Lake Victoria), commitment to joint approach with other upper riparian states on Nile basin development and management. Under Social Policy, the policies on health, education, culture, language, gender, religion and private and civil society’s involvement in the management of public affairs were examined.

Under legal affairs, the EAC was interested in the country’s constitutional base and performance, administration of law and justice, promotion and protection of human and peoples’ rights, regional and international commitment to protection of human rights, showing treaties signed and ratified to that effect as well as the institutional framework for good governance and adherence to good governance. Budgetary commitment to international agreements and arrangements and the core ministry in charge of regional cooperation were the issues of interest under the financial and administrative aspect of the assessment. (Report of the verification Committee February 28th- March 2nd 2005)

With regard to performance in the stated areas, it was reported that Rwanda believed that geographically, historically and culturally, it belongs to the EAC and the country wanted to
make a contribution in expanding the trade and investment area, infrastructure development as well as regional peace, stability and security. Rwanda was also said to adhere to the principles of good governance, democracy, human rights, rule of law and social justice, evidence of which was the country’s ratification of global as well as African conventions relating to the issues of concern. In political affairs, Rwanda was reported to have instituted a governance system with functional political institutions following a transition period that ended in 2003. The country said it was in support of an EAC political federation and was already giving preferential treatment to the three founding members’ citizens in issues of immigration. Rwanda’s external trade policies were said to be designed to create an enabling environment for regional and international integration. The country reported that it had trade agreements with the Common Market for Eastern and Southern Africa (COMESA), the Economic Community for Central African States (ECCAS), the Economic Community of the Great Lakes’ Countries as well as the African Economic Community (AEC).

Rwanda also reported on its social policies, which aimed at development of a proactive and well performing health system, developing its human resource and meeting international development targets in education and building a knowledge based and technology led economy. The country also aimed at establishing itself as a regional services and information centre and was committed to dealing with gender inequality by promoting girl child education and the representation of women at all levels of decision making in the country. Rwanda scored highly on the benchmarks for admission, and its score was even described as much higher than that of the founding member states if assessed by the same criteria. (Telephone Interview, April 16, 2015) The verification committee therefore recommended that Rwanda be admitted to the Community.

Unlike Rwanda which had attained a commendable level of internal stability by the time it was admitted as member of the EAC, Burundi was still experiencing turmoil with short lived periods of fragile peace. The country also had a serious institutional deficit at the time including not having a permanent independent Electoral Commission. The verification report of Burundi shows that the country expressed its readiness to make the necessary reforms to enable it live up to its expectations as an EAC partner state. The verification team recommended that the admission of Burundi be deferred as the country was not ready for admission. However, at its 13th Ordinary Meeting held in November 2006, the Council of Ministers recommended to the Summit that Rwanda and Burundi had “satisfied the criteria
and benchmarks set out for their admission and should therefore be admitted into the East African Community.” (EAC Gazette 2007)

If one strictly looks at the criteria for admission therefore, the country can be said to have been admitted more on the basis of its pledge to make the necessary reforms to align itself with EAC membership requirements, than on the fact that it fulfilled the admission criteria. In fact for both Rwanda and Burundi, the verification process turned out to be a formality which was not going to hinder their admission. The admission criteria were by passed in both cases and instead benchmarks for the two countries to meet after admission were set. The main argument for this among EAC member states was that having both countries in the Community would enable it to help in stabilizing them. EAC founding members therefore decided that rather than keep them out and risk further insecurity and instability in these countries and the entire region, security advancement should become their primary consideration.

In spite of the security motive being the strongest single explanation for the admission of Rwanda and Burundi into the Community, the security identity of the EAC was not shared between the two elite groupings that had a stake in the decision. Shared by the political elite, but not the bureaucrats, security concerns rendered the bureaucrats’ opinions irrelevant in the face of the Summit decisions. It was established that bureaucrats advised that the two countries be admitted as observers first as they work on meeting the accession criteria, but when the issue came up for discussion, the Heads of State on the recommendation of the Council, decided to pull the bureaucrats out of the negotiations and asked them to prepare Accession Treaties instead. As one respondent put it, “technocrats became irrelevant all over a sudden whenever there was an issue regarding the tense environment in Burundi. Technocrats were afraid of the admission but the top thought otherwise and if the presidents agree, anything goes.” (Interview March 25, 2014, Nairobi)

6.2.2.3. Collective Identity manifestations in the decision to admit Rwanda and Burundi

There were two issues at the heart of the debate on the admission of Rwanda and Burundi. One was the debate on the reason for admission or non-admission of the two countries and the other was the pace and type of membership the two countries should be accorded. Rwanda and Burundi were admitted at a time when the EAC was still young and founding members were still trying to solidify their own relationship given their acrimonious past.
According to an interview respondent, there was a proposal that the Community should admit one country at a time, with Tanzania initially being against the admission of Rwanda because there was no laid down procedure and benchmarks against which it would be assessed. Although the verification team recommended that Rwanda but not Burundi be admitted, President Museveni of Uganda proposed admitting both countries at ago. He advanced three arguments; that given the geographical location, it would still risk the Community if Rwanda was admitted and Burundi was left out; that the EAC had a moral obligation by virtue of Pan Africanism to help Burundi stabilize and that expansion of the Community would make the EAC a stronger trading bloc. In Rwanda’s case Uganda’s insistence was based on its special relationship with the country given that the ruling elite had been part of the liberation struggle in Uganda and had taken power in Rwanda with Uganda’s support. This is despite the fact that the two countries’ relationship was so tense at the time that Rwanda had started imagining that Uganda was trying to delay its admission. (Interview, February 12, 2014, Kampala)

Although all the elites agreed that the two countries had close historical and cultural ties with the EAC partner states and that their admission would therefore be a “natural reunion of people who had been separated by colonial borders,” their volatile history caused unease among some sections of people within the Community. The two countries were seen by some as potentially bringing instability if they were allowed to join the Community. Also, the consensus at the level of the Secretariat that the two countries should be admitted was not reflected in the opinions of the elite in some partner states as there was a difference of opinion between bureaucrats and politicians as has been shown in a preceding section. Those who opposed the admission argued that the countries needed to stabilize first if they were to make any contribution to the advancement of the Community, while those who favored the admission felt that the countries should be admitted and helped to stabilize. Uganda’s Minister in Charge of EAC Affairs at the time is said to have argued that Burundi’s governance structures had been so weakened by the war that the country would never be able to meet the admission criteria if it was left to recover on its own without assistance from EAC member states.

Ultimately, the argument for admission and assistance for the countries to stabilize took the day. EAC states felt that they could provide moral and political support for Burundi’s peace and reconciliation process and that the economic benefits it would gain from its Community membership would help it to stabilize. (Salim 2012) According to one former EAC Secretary
General “the determining factor for Burundi’s admission into the EAC was basically the security aspect that you would rather bring Burundi into the fold and be able to help it go through the constitutional and security transition rather than leave it outside and it becomes a destabilizer from outside of the internal workings of the East African Community.” (Mwapachu 2013) It can be concluded that in view of the assigned identity of the EAC as a regional pacifier, one could say that at least at the political level, this identity was salient and shared in the decision to admit Rwanda and Burundi.

The second point of contention was the timing of admission as well as the category of membership to be granted. Expressed mostly by Tanzania, there was a feeling that the admission of Rwanda and Burundi was being rushed. Tanzania was particularly concerned about the admission and was advocating for further deepening of integration and longer socialization among founding members before the Community could be enlarged to include new members. Although he says that the EAC Secretariat was solidly in support of the admission of Rwanda and Burundi, the EAC Secretary General at the time the admission was negotiated, now says that looking at things as they stand today, enlarging the Community without actualizing the already agreed upon resolutions was counterproductive to the Community’s aspirations for political federation. (Interview, February 12, 2014 Kampala) This view seems to support the position that was taken by Tanzania at the time of the discussions on admission.

It is also important to note that despite the fact that concessions had to be made in order for Burundi and Rwanda to be admitted, they were brought on board as full members with equal responsibilities and entitlements as the founding members, a factor which determined their stake in the Community. The admission of the two countries reveals a rift between the matter of fact objective assessment of bureaucrats and the strategic approach of the politicians. The fact that Heads of State have not just a final say but also space for compromise on laid down requirements in matters such as Community enlargement, allows for them to disregard the opinions of bureaucrats. This puts the normative portrayal of the EAC as a ‘people centred’ Community in question.

More so, it allows for weaknesses within partner states that could compromise their ability to build the Community to thrive. At the time of its admission for example, Rwanda was ranked among the states that were not free by Freedom House.11 Issues of domestic governance and

the country’s democratic credentials were not brought under scrutiny and neither was its relationship with EAC member states. Probably if accession negotiations had been allowed to take place as required, a discussion on issues of concern to the EAC members could have been generated. The fact that political elites are empowered to determine whether such a discussion on EAC shared norms and their assigned identities can take place or not limits the states’ ability to take them seriously. In the matter of enlargement therefore, the EAC’s decision making structure did not allow for full consideration of different aspects of the EAC assigned identity. On the other hand, the fact that EAC Heads of State can take such decisions allows them to act basing on identity concerns rather than rational concerns against which assessment by bureaucrats are likely to be based. Indeed the admission of the two countries is said to have been motivated by security, market and fraternity concerns. (Telephone Interview, April 16, 2015)

The professed identities by individual member states in the matter of the admission can be deduced by examining the speeches of the EAC Heads of State on the occasion of signing the EAC Treaty by the Republics of Rwanda and Burundi. President Jakaya Kikwete of Tanzania described the event as “a landmark in achieving the diplomacy levels raised,” and added that Tanzanians would “continue to support and cooperate with all neighbors and were looking forward to live with Rwanda and Burundi in one family.” President Mwai Kibaki of Kenya described the joining of the two member states as “a completion of the missing link in the region disintegrated by artificial borders.” He added that, “Rwanda and Burundi are historically, geographically, culturally and economically connected to the traditional EAC states and with a population of close to 120 million EAC should be able to influence many issues of own interest and set positions that will be respected than before as a small economy.” President Yoweri Museveni of Uganda said: “EAC can lead the rest of balkanised Africa towards full integration by emerging as a strong bloc.” (Panapress online 18th June 2007)

The foregoing discussion shows the identity issues that played a role in the decision to admit Rwanda and Burundi as having been primarily the security identity whereby EAC partner states saw themselves as having a role to play in the pacification of Rwanda and Burundi. The best strategy for them in order to effectively play that role was to accept the two countries as members of the EAC, because this bound them under the same norms, but also protected the member states from insecurity. The speeches of Heads of State on the other hand show how each state interpreted the admission of the two countries and the meaning
that the event had for each of the founding members. Tanzania’s leader focused on the fraternity of Community members and emphasized support and good neighborliness, pledging to live with Rwanda and Burundi in one family. Kenya’s President emphasized a shared cultural heritage as well as the well as the social purpose; a bigger market that can be respected. Uganda’s President emphasized the Pan African unity identity with his view of the enlarged Community as a leader that shall drive full integration of the continent. It could be argued that these categorizations are the aspects of the EAC assigned identities that informed individual member states’ decision to admit Rwanda and Burundi.

However, whereas these identities could be said to be the aspects of the assigned collective identity of the EAC that are represented in the particular states’ identities, there is no evidence to suggest that each of these perspectives influenced decision choice as a shared view of all the founding members. It may be more accurate to consider them as the aspects of the EAC collective identity that are consistent with the national identities of the respective states. One could say that the shared idea about the role of partner states in the security of the two countries enables each partner state to find an encompassing identity through which individually held beliefs could be expressed.

6.2.3. Issues in Sudan’s Rejection

In June 2011, the Republic of Sudan wrote to President Nkurunzinza of Burundi (the EAC Chair at the time) expressing its interest in joining the Community. This application which was submitted almost a month before the Republic of Southern Sudan formally attained its independence was rejected in a decision by the EAC Heads of State summit on the grounds that the Republic of Sudan did not meet the criterion on geographical proximity and contiguity. (Communiqué of the 13th Ordinary summit November 2011:5) Prior to the secession of Southern Sudan, this criterion would not have been valid as the Republic of Sudan would still be sharing a border with some EAC member states.

Although the lack of geographical proximity was formally given as the disqualifying factor for Sudan, media reports suggest that Uganda and Tanzania were specifically concerned about Sudan’s practice of sharia law. At the level of bureaucrats, Uganda and Tanzania refused to endorse Khartoum’s application arguing that they ‘differed with Khartoum on the concept of democracy and the way it treats women.’ (New Vision Newspaper November 30,
This is supported by other media reports which quote Uganda’s Minister of EAC Affairs at the time saying that “we rejected their application after looking at several issues like their democracy, the way they treat women and their religious politics and we feel they don't qualify at all.” (Sudan Tribune, 28th November 2011)

At the Council of Ministers’ level, although all other EAC member states apart from Tanzania and Uganda thought that Sudan’s application could be considered, a bureaucrat at the EAC who was interviewed said that in Uganda’s case, the issue is deeper than concerns about democracy in Sudan. He stated that Uganda’s President Yoweri Museveni ‘cannot accept to sit alongside President Bashir of Sudan on the same table as equals.’ The relationship between Uganda and Sudan’s Government had been sour for a long time with Sudan accusing Uganda of supporting the secession of Southern Sudan, and Uganda accusing Sudan of supporting the Lord’s Resistance Army (LRA) a rebel group that operated in Northern Uganda for about 20 years.

Another bureaucrat with Uganda’s EAC Ministry attributed Sudan’s rejection to the perception that the people of Sudan are Arabs and therefore do not share a real African identity with the citizens of other member states. At a press conference held jointly in Uganda by President Museveni of Uganda and President Salva Kirr of South Sudan, President Museveni appeared to validate this view albeit indirectly. The President pledged Uganda’s support for the membership of South Sudan in the East African Community and all regional bodies saying that “the Sudanese People’s Liberation Army (SPLA) were Pan-Africanists out of power, and now that they are in government, we shall help them live up to their aspirations.” (New Vision newspaper November 18, 2011) President Museveni’s comment at the same conference regarding Sudan’s treatment of the South points at the fact that a clash of cultural identity could have also influenced Uganda’s decision on Sudan’s application. “The word Sudan means ‘land of black people’ ”, he said. “Sudan is an Afro-Arab country. The mistake of the Khartoum government was to manage it as an Arab country.” (ibid) Also according to a former EAC Secretary General, the problem with Sudan was that it is partly African and partly Arab. He asserted that its membership of the Arab league gave the country more of an Arab than an African identity. In view of the fact that membership gives a state entry into a club the admission of Sudan would have amounted to admission of ‘an outsider’.
The common concern for regional security which was a deciding factor for Burundi’s admission did not play the same role in Sudan’s case, although one could argue that the admission of Sudan could have led to significant strides in dealing with regional security challenges, especially in view of the fact that the Republic of Southern Sudan has also applied to join the EAC. The two warring countries could have been bound by the same values under the EAC and member states facilitating the peace process would have been viewed in a different light. Ugandan and Tanzanian elites also commented on Sudan’s democratic credentials as incompatible with the identity of the EAC. For Uganda and Tanzania, consistent with the assigned democratic identity of the EAC, internal governance issues namely social policies such as the practice of sharia law and the treatment of women influenced their decisions on Sudan’s application. Given President Museveni’s comments, one could also add that at the summit level, the cultural identity probably played a role in Uganda’s vote against Sudan’s admission. The Ugandan leader perceives Sudan’s ‘Arab’ identity as inconsistent with the EAC’s ‘African’ identity. In view of the fact that a decision to admit or reject a new member to the Community is made by consensus of all summit members; and in view of the fact that lack of geographical proximity was the official reason given for Sudan’s rejection, one could argue that the other aspects of the assigned EAC identity, albeit harbored by individual partner states might not have been shared in the collective decision to reject Sudan’s application for membership. If they were shared, then partner states did not own them enough to openly be associated with them as determinants of their decision on not accepting Sudan’s application for membership.

In the foregoing discussion about decisions on Community enlargement, it is clear that even in the same scenario (enlargement) different identities play different roles depending on the applicant in question. The discussion centered on examining the aspects of the assigned EAC identity that played a role in the decisions on Community enlargement. It revealed that cultural identity can be salient in cases of recognition and not be invoked in cases of difference. In the case of ‘recognition’ as applied to Rwanda and Burundi, the partner states did not shy away from talking about their shared cultural heritage and common destiny that gave them an obligation to the two countries. In Sudan’s case where there is evidence that some member states saw it as culturally different, the EAC partner states avoided collectively making reference to the other aspects of Sudan’s identity, and focused on geographical contiguity.
The discussion has also shown that the security identity was invoked in the cases where member states felt that the security of the EAC would be disturbed by insecurity in Rwanda and Burundi. The verdict on Sudan’s application was made, after South Sudan’s secession and the former no longer shared a border with any EAC state and so lack of geographical contiguity was used as a disqualifying factor. Considering the opinions of the Tanzanian and Ugandan elite, it seems plausible to suggest however that in case the country had still shared a border with the EAC, it would not have been admitted. Also in Sudan’s case which is more socially removed from the EAC partner states, some member states were not afraid to criticize its standards of democratic governance and its domestic social policies. A similar argument could have been brought against Rwanda and Burundi given that the two countries, especially Rwanda also had questionable democratic credentials at the time of admission. EAC member states chose to overlook Rwanda’s democratic credentials probably because of how they interpreted the reasons for that state and their ability to contribute in changing it.

The Pan African identity as given in the normative framework of the EAC also appears to be split, or falls short of mention as referring to ‘black Africa’. President Museveni of Uganda is the only one who openly distinguished between ‘black’ and ‘Arab’ and described the people who struggled for the independence of South Sudan as ‘Pan African’. For President Museveni, Pan African refers to black African. If one also makes reference to the fact that President Museveni also sees the EAC as the regional bloc that shall lead in integrating the whole continent to form the African Economic Community, this conception of the Pan African identity being synonymous with ‘black Africa’ contradicts the idea of the African Economic Community given that the Arab Maghreb Union, a community of ‘Arab countries’ is also recognized by the 1994 Abuja Treaty as one of the blocs that form the pillars of the African Economic Community. Taken at a state by state level, one could say that each of the three founding members alluded to certain aspects of the EAC assigned identity. The way in which admission of Rwanda and Burundi was conducted however, did not provide an opportunity to check whether these identities were indeed motivations for the admission. In the discussion that follows, I turn to an examination of the manifestations of the EAC collective identity that informed decision choice during the negotiations of the EAC Common Market Protocol.
6.3. Negotiating the EAC Common Market Protocol

The EAC Common Market Protocol, signed in 2009 represents a decisive step towards deepening regional integration in the Community. The Common Market is very critical because it is the stage of integration at which the benefits of regional integration can be directly accessible to ordinary citizens. By allowing for free movement of persons for example, other citizens who have hitherto not been direct beneficiaries of the economic integration scheme can start getting benefits from the rights and freedoms guaranteed by the Common Market. The ease of movement and right of residence in any partner state which come with the common market for example also promote interaction and social integration among citizens of different partner states.

Because it confers the right to work, reside and establish in any partner state, most of the fears of ordinary citizens such as loss of land, competition for employment and other resources also relate to this stage of regional integration. By virtue of the sensitivity of the rights and freedoms guaranteed by the Common Market Protocol, the negotiations and implementation of the Protocol establishing the EAC Common Market constituted a test of the unity, trust and collective identity among the EAC member states. The Common Market Rights and Freedoms are therefore an important site from which I study collective identity manifestations. In the section that follows below therefore, I present the issues that arose during the process of negotiating these aspects of the Common Market Protocol.

Decisions regarding the provisions of the Common Market Protocol were reached at four levels of the negotiation chain. The foundation level at which the gist of the negotiations took place was the High Level Task Force (HLTF) comprised of bureaucrats representing different partner states. If there were technical issues that required a seal of approval or ironing out emanating from the HLTF negotiations, they were discussed by the Multi Sectoral Coordination Committee (MSCC) comprising Permanent Secretaries (Accounting Officers/ Technical Heads of Ministries) alongside the members of the HLTF. At a more senior level in authority, is the Multi-Sectoral Council comprised of Ministers from partner states and then the Summit of Heads of State. Whereas the HLTF and MSCC were comprised of technical officers, the MSC and Summit were comprised of political leaders. Issues that could not be resolved at a technical level were recommended for resolution to the Council of Ministers which also forwarded them to the Summit in case it failed to reach an agreement at that level.
6.3.1. Sticky issues in the Negotiations

The inaugural meeting of the High Level Task Force (HLTF) to negotiate the EAC Common Market Protocol took place February 19th-21st 2008 in Arusha Tanzania and the said Protocol was signed by all 5 EAC partner states in July 2010. Among other aspects of trade covered by the Protocol, it provides for the free movement of persons, labour and goods within the community and as such attempts to open the borders of partner states to nationals of other states. The Protocol also provides for the right of establishment, right of residence as well as the free movement of capital and services. As the EAC Secretary General at the time stated in his opening remarks of the meeting, ‘the common objective in deepening integration remained the reinforcement of a common EAC identity with guaranteed free movement of the factors of production.’ (Report of the HLTF Meeting February 19th-21st 2008)

A review of the reports on the negotiations by the High Level Task Force, the Multi Sectoral Coordination Committee and the Multi Sectoral Council reveals that there are issues within the framework of the Common Market rights and freedoms that remained as sticking issues throughout the negotiations of the Common Market Protocol and failure to get a consensus on them led to their incorporation into the Protocol as having equal application to all partner states but implementation of which shall be by bilateral arrangements. At each stage of the negotiation process, no consensus was reached on issues related to free movement of persons such as access to land and premises, use of identity cards for travel within the community and residence in any partner state by any EAC citizen. These issues were consequently referred by the Council of Ministers to the Summit of Heads of State for guidance.

The 10th Ordinary Summit of EAC Heads of State meeting resolved that the draft protocol on the Common Market shall not contain provisions which ‘seek to give authority to override national policies and laws.’ (Communiqué of the 10th Ordinary summit of EAC Heads of State, April 2009) As the Common Market Protocol is aimed at spelling out the objectives, scope and institutional mechanisms for cooperation and integration (CMP Preamble) to operationalize the Treaty, this is in direct contradiction with the Treaty provision which states that in the implementation of the Treaty, EAC level policies and laws shall take precedence over national ones. (EAC Treaty Article 8) In summary, as a compromise, it was agreed that the draft protocol should lay a basis for eligibility for the rights of establishment and residence as well as access to land, but that these rights were not going to be automatic. Cross border investments were to be protected, and national identity cards would not constitute an acceptable form of travel document on an EAC wide basis but partner states that were ready
to allow them to be used on a bilateral basis could so proceed. (Communiqué of the 10th Ordinary summit of EAC Heads of State, April 2009) In the discussion that follows below, I present the country positions on the sticky issues with a view to deducing the identity issues that informed those positions.

6.3.1.1. Travel Documents

The issues referred to the Heads of State above had been exhaustively discussed in the High Level Task Force (HLTF) comprised of technocrats and the Multi Sectoral Council (MSC) comprised of ministers from partner states, but no consensus had been reached. The November 2008 Report of the MSC to negotiate the EAC Common Market Protocol (CMP) (pp 7-8) states that the meeting did not reach consensus on Articles in the draft protocol relating to travel documents required to move within the EAC.

Burundi, Kenya, Rwanda and Uganda proposed that Article 6 (5&6) stating that: ‘Partner States shall establish a common system of issuing national identification documents.’ And ‘the national identification documents issued by Partner States shall be the basis for identifying Citizens of the Community and shall, among other common standard travel documents, facilitate the free movement of the holders thereof’ be retained as the basis for allowing East African citizens to use their National Identity Documents (IDs) for travel within the Community. Their argument was that: (i) the process of acquisition of national passports was cumbersome and not easily accessible to the majority of East African citizens. (ii) Since all Partner States are obliged to issue national identity cards in line with Council decisions (CM4a of 13th September 2002 and CM14/Directive 48 of 28th September 2007) the same will be accessible to all Community nationals and should be used to facilitate their free movement within the Common Market. (iii) IDs will ease the movement of cross-border communities who have hitherto used temporary movement permits for which they are charged for each crossing and in the alternative engage in illegal crossings. Elevating IDs to travel documents will alleviate this problem. (iv) The use of national IDs for travel within the Common Market will not stop the use of national or East African passports. It will only enrich the travel document regime for the benefit of the common person.

Tanzania on the other hand proposed to retain the alternative phrasing Article 6 (7&8) which read as follows; 7. “the national identification documents issued by Partner States shall be the basis of identifying Citizens of the Partner States.” 8. “The Partner States shall maintain
common standard travel documents for their citizens to facilitate the free movement of the holders thereof.” Tanzania argued that: (i) IDs are used for identification of nationals but are not internationally recognized as standard travel documents. (ii) The Treaty under Article 104 (3) (b) provides for Partner States to maintain common standard travel documents (iii) There is already an East African Passport which is accepted as a common standard travel document in East Africa. (iv) For public security, given the size of the country and porous borders, Tanzania cannot accept Identity Cards as a travel document. By the time of the MSCC meeting 6th-7th April 2009, the issue of travel documents was still unresolved and Tanzania reported that it would consult further on the matter and report its position during the subsequent meeting of the Council. (Report of MSCC meeting 6th-7th April, 2009) The issue of travel documents was never agreed upon and the Multi Sectoral Council agreed to refer it to the Summit of Heads of State for guidance and resolution.

The EAC Common Market Protocol (2010) provides that Partner States shall establish a common standard system of issuing national identification documents to their nationals which shall be the basis for identifying the citizens of the Partner States within the Community. A citizen of a Partner State who wishes to travel to another Partner State shall use a valid common standard travel document. The Partner States which have agreed to use machine-readable and electronic national identity cards as travel documents may do so, and those Partner States which have agreed to use machine-readable and electronic national identity cards shall work out modalities for the implementation of the same. (EAC CMP 2010 Articles 8&9)

6.3.1.2. Abolition and Non-Introduction of Restrictions

Burundi, Kenya, Rwanda and Uganda proposed that sub-paragraph 4(d) stating ‘by enabling a national of one Partner State to access and use land and buildings situated in the territory of another Partner State for purposes of establishment in accordance with the national laws of the Partner States’ be retained in text as one of the ways of ensuring the right to establishment considering that: (i) a person cannot exercise the Right of Establishment without access to land and buildings; (ii) land is an important factor of production, and therefore a Common Market issue. Rwanda even proposed that the words in the paragraph should be ‘acquire/access’ so as to allow East Africans to own land and property in other
partner states, and it further proposed that the requirement ‘in accordance with national laws of partner states’ be deleted from the text. (Report of the MSCC April 6-7, 2009: 9)

Tanzania proposed that the sub-paragraph 4(d) dealing with access to and use of land and buildings for establishment be deleted for the following reasons: (i) land is not a common market issue and investors establishing in Tanzania are adequately covered under Tanzania investment rules. (ii) Land is sensitive and most civil conflicts in the region are connected to the unequal distribution of land. At the end of the meeting, the Tanzanian representative pledged to consult further on this issue and report the country’s position during the subsequent meeting. (Report of MSC November 2008:11-12) In addition to the arguments earlier on submitted by Tanzania on the issue of abolition and non-introduction of restrictions, the report of the meeting of the Multi Sectoral Council that was held 8th -9th April 2009 shows that Tanzania brought forward more arguments about why it would not concede on the issue of land ownership.

Using the findings of a study commissioned by the Summit in 2004 on possibilities of fast tracking the East African Political Federation(widely referred to as the ‘Wako Report’ ) to lend credence to its arguments, Tanzania argued that the committee that conducted the study recommended that land should not be a political federation matter. It added that even despite having quite an advanced form of integration itself, land in Tanzania was still treated as a non-union matter. Tanzania also argued that the partner states also have different land policies and tenure systems. As a result of failure to reach a consensus, the EAC Common Market Protocol 2010provides that access to and use of land and premises shall be governed by the national policies and laws of the Partner States. (EAC CMP 2010 Article 15)

6.3.1.3. Permanent Residence

In the meeting of the HLTF held 20th – 27th September 2009 in Bujumbura Burundi, Tanzania proposed that the right of residence should be linked to the right of establishment and the right to provide services arguing that it was not a Common Market issue, a fact it said was underscored by Article 104(1) of the Treaty. (Report of HLTF 20th -27th September 2009:7) The article in question states as follows: “the partner states in question agree to adopt measures to achieve the free movement of persons, labour and services and to ensure the enjoyment of the right of establishment and residence of their citizens within the Community.” Although the said article defines the obligations of partner states namely instituting measures
to facilitate the enjoyment of rights and freedoms that come with the common market, Tanzania interpreted it as implying that the rights were dependent on the exercise of the freedoms. With regard to permanent residence, the reports of the meetings of the Multi Sectoral Coordination Committee April 6-7, 2009 and that of the Multi Sectoral Council of November 2008 show that partner states still had disagreements on the place of permanent residence in the common market arrangement.

Rwanda, Kenya, Burundi and Uganda submitted that permanent residence is a Common Market matter as it is linked to the other freedoms and should, therefore, be retained in the Protocol, on the basis that the provision was necessary in order to accord people who had resided in a partner state for a given period of time, a right to reside there permanently. This position was also backed by the opinion of the EAC Secretariat. Tanzania, on the other hand, was of the view that this issue should be referred to the Chiefs of Immigration for consideration and should, therefore, be deleted from the Common Market Protocol although it had earlier said that in principle, it agreed with the provisions. (Report of the MSC November 2008)

In the Multi Sectoral Coordination Committee meeting held in April 2009, Tanzania submitted that the issue of permanent residence is not provided for in its constitution and in any case it was a sovereignty issue. (Report of the MSCC 6th-7th April 2009 pp.9) Again invoking the Wako Report, Tanzania argued that since it was recommended in the said report that land should remain a national issue in the proposed federation, the issue of permanent residence should not be mandatory and should be left for handling by the respective immigration authorities in accordance with the national policies (Report of the MSCC 6th-7th April 2009 pp. 10)

In both meetings, Tanzania pledged to consult further on this issue and report its position during the subsequent meetings. The issues remained unresolved and the Multi Sectoral Council agreed to refer them to the Summit of Heads of State for guidance and resolution. (Report of the MSC meeting 8th-9th April 2009: 6) In the July 2009 meeting of the HLTF, Rwanda and Burundi insisted on the earlier position that the Common Market Protocol should provide for the possibility of eligibility for permanent residence in any state for any EAC citizen as well as their spouses and dependants as long as the citizen has resided in the state for a given period of time and has fulfilled conditions required by the host partner state. Kenya, Uganda and Tanzania on the other hand agreed that the provision should be deleted
from the Protocol and the issue left to national jurisdiction. (Report of the Meeting of the HLTF 20th-29th July 2009:6)

In view of the stands that had been taken by Tanzania, press reports in the region intimated that the country was not committed to the negotiations. The Tanzanian representative felt the need to assure other partner states that Tanzania was committed to negotiating the Common Market Protocol contrary to negative press reports that were suggesting otherwise. (HLTF Report August 2008:9) Having failed to reach a consensus on the issue of permanent residence, the EAC Common Market Protocol 2010 provides that matters relating to permanent residence shall be governed by the national policies and laws of the Partner States. (Article 14(7))

6.4. A behind the Scenes Insight from the Chief Negotiators

The objectives of the EAC Common Market are to accelerate economic growth and development through providing the common market freedoms and rights; to strengthen, coordinate and regulate economic and trade relations among partner states; to sustain and expand integration of economic activities within the community; to promote common understanding among the people of East Africa and to enhance research and technological advancement. (EAC Common Market Protocol 2010 Article 4) During the negotiations of this Protocol, the major constraint was the differences among partner states on the vision for the EAC as a Community. As mentioned by one respondent, partner states were driven by the question “what is in it for me?” rather than “integration for what?”(Interview, February 18, 2014, Kampala) As such, they presented positions that were focused on national interests rather than the collective interest of the region with the stickiest issues being those highlighted in the preceding section.

6.4.1. Focus on Relative Gains

From the onset respondents said, the approach to negotiations was clouded by a lack of common vision and the idea that the Community members share a common destiny and an aspiration for political federation was not reflected in the spirit of the negotiations. One said that “countries negotiated out of fear and wanted to protect national interests and people focused on giving as little as they could.”(Interview February 18, 2014, Kampala) For example, Tanzania expressed fear that its labour was not as competitive as that from the other
two partner states of interest. As a result it opposed free movement of labour for many categories of labourers including teachers. A respondent said that the country was only willing to grant free movement of labour to highly specialized workers like heart surgeons who are even difficult to find in the region. This was in spite of the fact that there are many Tanzanian students who pursue their secondary and university education in Uganda and the fact that Tanzanian Kiswahili teachers would have had a comparative advantage in the whole region given that Kiswahili is the lingua franca of the Community. Had it allowed for free movement of teachers, Tanzania and Uganda for example could have exchanged English for Kiswahili teachers. As a result of the fear of competition, even issues of cross country training and capacity building were not accommodated in the Protocol. Generally, to borrow the terminology of Schneider and Cederman (1994) Kenya and Uganda made attempts at being ‘integrationist’ in their positions while Tanzania stood out as a ‘laggard’ or a ‘staller’.

Among the three founding members, Uganda is described as having been the state that tried to rise above national interest. The Minister in Charge of East African Affairs at the time was described as having been a Pan Africanist who argued that it was to the collective advantage of all EAC states to integrate so that they could become a more formidable force to face the world and so “Uganda should not be afraid to compete with fellow dwarfs”. Uganda saw a functional regional bloc as providing a bigger market and expanding the labour reservoir, factors the country saw as being advantageous to it in attracting investors. One of Uganda’s negotiators said that the country made so many concessions just to keep the negotiations going.

Although the reports show that Kenya was also integrationist, it was reported in the interviews that its motivation was different from Uganda’s. To quote one respondent, “Kenya was only focused on self-preservation as the region’s strongest economy, and it pushed so hard where it knew that it had an advantage. Its negotiators had participated in the World Trade Organization (WTO) – African, Caribbean and Pacific group of countries’ (ACP) negotiations and they wanted to impose the same level of restrictions on EAC partner states.” (Interview February 18, 2014, Kampala.)

6.4.2. Reputation of Tanzania as staller

Tanzania acquired a reputation for being a staller because it placed restrictions on issues which other partner states considered important for the advancement of regional integration
even beyond the Common Market. The reasons advanced in the reports on the negotiations somewhat veil some of the real fears that the country had and towards whom. With regard to the issue of land, Tanzania mentioned that land belonged to the state and the country’s chief negotiator argued that the other partner states have land tenure systems that do not protect the poor. On the issue of using National IDs as travel documents, a respondent said that Tanzania’s real fear was that the other two partner states (Kenya and Uganda) had very big populations of Somalis and that if Tanzania made it easy for people to enter its territory, they could easily get in and cause instability. The refusal to allow for permanent residence was attributed to the fact that the country has fears that Rwandese and Burundians would flood it to take advantage of such an opportunity. Given the small size of Rwanda compared to Tanzania in one of the meetings the Tanzanians expressed fear that being such a densely populated country, Rwanda is going to face land pressure and its citizens shall want to take up residence in Tanzania, which is the Community’s country with the least population density.

Although the Tanzanian negotiators took these positions, other respondents felt that their hands were tied most of the time. They said that because of Tanzania’s structural set up inherited from the past as well as its lengthy processes of consultation from the grassroots to the parliament, on almost all matters, the technocrats had very little space for maneuver. Even in cases where they agreed with what others were proposing in principle, the Tanzanian negotiators are said to have calculated that making the necessary changes to operationalize such proposals might prove complicated for the country and they chose to oppose them instead. Generally, the stark differences in the domestic decision making contexts between Tanzania and the other partners largely dictated the country’s behavior.

6.4.3. Stereotypes at Play?

The Common Market Protocol negotiations also met hitches when it came to debates on the free movement of persons, which freedom was granted in principle but with restrictions in form of standard travel documents. According to one of the respondents, security concerns largely determined this provision as well as the amount of other freedoms granted by the Protocol. Free movement of labour was also controversial because Tanzania was concerned that it was going to be swarmed by what one respondent described as “educated Ugandans” and “crafty Kenyans”. Uganda like Tanzania is said to have initially had reservations on free
movement of people which it saw as also allowing for free movement of goods and it was afraid that its market would be flooded with Kenyan goods. (Interview February 14, 2014, Kampala.) In the opinion of another respondent, “although restrictions based on security and health concerns should have been the only legitimate ones, restrictions were motivated by other concerns as well.” (Interview February 18, 2014, Kampala.) The fact that Tanzania perceives Kenyans as “crafty”, a negative stereotype from the experience with the first EAC in which Kenyans are perceived as a shrewd people who will want to earn from other countries regardless of whether the means are legal or illegal might imply that the stereotypes that East Africans harbor about each could still be having an influence on decision choice for individual members in the Community.

6.4.4. Loss of the Big Picture?

The EAC countries as seen by the proceedings of the negotiations, instead of creating mechanisms to track which people entered which countries, focused on the problems that would be encountered if they allowed for free movement of people. The arguments that were raised by the representatives of Kenya, Uganda, Burundi and Rwanda to ease movement of people across borders were cognizant of the reality on the ground in some EAC States. Unlike Kenya, Tanzania and Uganda are just embarking on projects to issue National Identity Cards. In addition, the majority of the population in all EAC partner states do not possess passports, which at Tanzania’s insistence should be the only ones regarded as the common standard travel document. By leaving the possibility for national IDs to be used as a travel document to bilateral agreements, Tanzania was increasing its possibility to keep as many East Africans out of its territory as possible. This, like other hidden barriers which according to the EAC Secretary General¹² every country is culpable of at some point, have been blamed for stifling the operation of the common market, and as a result, the citizens of the EAC have not benefitted as they should from the progress that has been made in deepening regional integration.

The right of establishment also suffered the same fate as partner states sought explanations on why they would not grant it. According to one of the negotiators, the ideal should have a been for them to grant the right on the basis of meeting accepted standards set by the partner states in question. In the assessment of one of the lead negotiators, what was reached was less than

¹²http://www.youtube.com/watch?v=qIKE_mRPKm8
optimal as countries and both economic and political decisions were affected by a lack of trust. Tanzania’s limitations stifle non-commercial movements of East Africans and compromise the attainment of social integration necessary to support political federation.

There was and still is also a feeling that Tanzania was less cooperative because of its membership in SADC with a widely held view that it gains more from its SADC than EAC membership. The same concerns were not raised about the membership of Kenya and Uganda in COMESA. Indeed if one looks at the total volume of trade and exports by Tanzania to the rest of the EAC and SADC, one notices that the country’s volume of Trade with its 4 EAC partners grew from 810, 346 (US $ Thousands) in 2008 to 1,515,878 (US $ Thousands) in 2013. Its exports grew from 362,439 (US$ Thousands) to 613,516 (US$ Thousands) during the same period. Tanzania’s total volume of trade with its 12 SADC partners grew from 1,371,985 (US $ Thousands) in 2008 to 1,986,296 (US $ Thousands) in 2013. Its exports to SADC members also grew from 406,153 to 1,307,624 (US$ Thousands) during the same period. (EAC 2013) Two respondents tried to counter the belief that Tanzania’s perceived lack of enthusiasm for EAC integration was attributed to its dual membership. One asserted that contrary to popular belief economically, Tanzania gained more from its membership of the EAC than of SADC, whereas the other argued that if dual membership to regional blocs was a problem in itself, Uganda and Kenya’s membership to COMESA would have also posed a problem for EAC integration. Generally what the data show is that if Tanzania was focusing on absolute gains in trade, it would not hesitate to further integration. Not only has the country’s volume of trade with EAC partners increased every year, its exports have also shown the same trend.

6.5. Analysis of Collective Identity issues in the Negotiations

6.5.1. Negative Relational Comparisons

When one observes the perceptions of other EAC member states regarding Tanzania’s membership to SADC, one notices that the relational comparisons disfavor SADC. There are three possible reasons for this; first, SADC has membership of South Africa one of the continent’s economic powers which makes the bloc not just a strong competitor for the EAC but also an attractive alternative for the EAC partner state which is a member. In the next chapter, I present evidence that these fears are not entirely unfounded. Secondly, SADC unlike COMESA which is primarily concerned with economic cooperation is politically
sensitive. SADC membership for example may make demands on the sovereignty of Tanzania than COMESA would on the sovereignty of Uganda and Kenya. Having its roots in political solidarity makes the SADC more alert to its political environment. The bloc members have also made politically sensitive commitments such as a Mutual Defense Pact that may curtail partner states’ maneuverability when engaging with other blocs to which they belong. Thirdly, the membership of the Democratic Republic of Congo in SADC and the involvement of some EAC partner states in that country’s politics may also be one of the issues that increase the sensitivity of membership of an EAC partner state to SADC. These issues shall be discussed in more detail in the chapter that follows.

6.5.2. Application of Constitutive Norms and Social Purposes

A look at the interaction between the identity constellations and the purpose for establishing the Common Market reveals that the market identity of the EAC was probably the only identity that could be confidently pointed out as having been shared in reaching the decisions on the Common Market. The idea of fraternity and the view that the East African people are one people who were merely separated by colonial borders does not appear to have held sway against inward looking attitudes that sought to limit the ability of East Africans to enter and settle in any country of the Community. As such, even the distinct social purpose of the EAC-the aspiration for political federation is completely absent as a motivation for action when one looks at the attitudes towards migration in some partner states especially Tanzania. One would hope that as a foundation for political integration, East Africans would be allowed to freely move and reside in any partner state in order to create the necessary social integration among the people that can garner the support for and sustain a political federation. The arguments advanced in favour of restrictions on the rights and freedoms granted by the Common Market were based on instrumental calculations and a lack of consideration for the common goal to which member states ultimately aspire.

To some extent, the Common Market tests the strength of the fraternity argument that influenced the decision for the admission of Rwanda and Burundi into the Community. Whereas the two states were partly admitted on the understanding that their people were one with the people of the other EAC states, when it comes to living as such on the same territory, other concerns far outweigh the fraternity and solidarity argument. The idea of a common heritage and destiny supports decisions on widening integration which could be said as
merely increasing the geographical sphere of influence of the Community. When it comes to decisions on deepening integration however, individualistic calculations appear to take over as the sensitivities that come with the requirement to share domestic endowments with the wider ‘family’ of states in the Community come to the fore.

Although both widening and deepening of integration embody an aspect of what states shall get and what they shall give in the integration process, the tendency in the EAC during enlargement was to focus on what the outsiders could potentially bring to the Community whereas in the case of deepening integration states tended to focus on what they could potentially lose to the rest. It is this skewed way of looking at the integration process that gave rise to arguments that bordered on subordinating Community provisions to preexisting domestic legislation and policies. The Treaty establishing the East African Community is clear that Community rules shall take precedence over similar national ones. In fact, conventional wisdom dictates that there was no way countries should have been expected to have laws that automatically coincide with the demands of EAC integration. That is why countries are required to domesticate EAC level protocols by reviewing their laws and policies to allow for the operationalization of EAC resolutions. When states advance arguments such as the fact that their domestic laws do not provide for something that is being recommended at the EAC level, they are simply veiling their reluctance to accept the proposal.

6.5.3. Conclusion

As in any other economic integration scheme, when a collectivity is made up of states which differ in economic structure, the benefits accrued from adopting a Common Market may be much more quickly accessed by some states than by others. In the short run therefore, certain states might feel that they are opening up for the benefit of others yet they themselves are not benefiting as much (relative gains thinking). In the specific case of the EAC, this situation is even much more difficult to cope with given the history of the Community and the fact that one of the reasons that the first EAC collapsed was because of the inequitable distribution of gains from the integration scheme. When it came to deepening integration, Tanzania dictated the pace and substance of the debate. The discussions showed a heavy leaning towards rational calculations and relative gains thinking. The historical experience of the EAC namely the rivalries and stereotypes that arose because of the breakup also appeared to be prominent
in informing the stands that were taken by Tanzania. If identity was referred to, it was the national identity that showed the distinctiveness of Tanzania and why it would not easily accommodate the proposals that were being made at an EAC level.

To protect themselves from what they perceive as adverse effects of the Common Market, states may employ two strategies. One is insisting on given positions that limit the possibility of the adverse effects to occur, such as not allowing for full enjoyment of the rights and freedoms granted by the Common Market as Tanzania did given its positions in the negotiations. The second strategy is to allow for a given provision but not implement it. Among countries where decision making is by consensus, states may take such a decision because they do not want to be perceived as stallers or because it is the best alternative for the collectivity under specific circumstances although the decision might not necessarily be agreeable for their individual interests.

It is possible therefore that states make commitments but then decide to hold back when it comes to implementation as a strategy to protect themselves from what they perceive as likely negative consequences of going forward. The uncertainty of gains as well as the fear of losses dictates how a given state is going to proceed from the discursive to the active sphere. In the following Chapter therefore, I mostly explore the identity issues that arose when three partner states of the EAC decided to apply the principle of variable geometry on the pretext that the integration process was not proceeding as fast as it should. The chapter further sheds light on the motivation for certain decisions during the negotiations of the Common Market Protocol which motivations might not have been revealed had the conflict resulting from the exercise of variable geometry not arisen.
7.0. Identity Manifestations in the Active Sphere of the EAC Integration Process

7.1. Introduction

The active sphere of integration refers to the field of implementation of agreed upon resolutions. In regional integration processes where states have multiple memberships to other regional blocs, the active sphere could touch on both an individual state’s unilateral action in another bloc if it affects implementation of EAC level policies as well as collective action. In both aspects, the bottom line is a member state’s practical contribution whether unilaterally or in collaboration with others to ensuring that the common goals and aspirations of the Community are attained. From a constructivist perspective, the state’s willingness or unwillingness to act in favour of a given collectivity emanates from its definition of interests. These interests are inferred from both the structural location of agents and their interpretive frameworks and self-understandings. (Quaglia 2006:33) In the discursive sphere, rationalist calculations as well as arguments pegged to domestic political structure were shown to constrain profession of the assigned collective identity of EAC by individual states in the negotiations of the Common Market Protocol.

Once decisions have been reached however, it would be expected that since member states put forward their arguments for and against them, and these decisions were subsequently adopted by consensus, the member states should be amenable to implementing them. As such it would be expected that states would be driven less by the logic of consequences and more by the logic of appropriateness. This means that if states genuinely adopted resolutions, apart from practical considerations, issues of implementation would most likely lie in the sphere of the logic of appropriateness. It is argued that collective action may be challenged by state identity at the domestic level, but if states make reference to the shared EAC identity, there shall be less credible arguments against implementation. A laggard’s arguments against implementation are therefore likely to shift the identity reference point from the fit between the member state’s identity and that one assigned by the Community to a comparison of that particular state’s identity with that of its fellow member states.

In this chapter therefore I explore the manifestations of the assigned collective identities of the EAC in the active sphere of the EAC integration process. I look for aspects of the EAC collective identity that have been expressed in decisions for (non) implementation of EAC level resolutions. I start by looking at the issues of coexistence between the new and founding members as a follow up to examine if there is a linkage between the collective identity issues
that motivated their admission with the reality of their existence as members of the EAC. I then look at the Implementation matrix of the EAC Common Market Protocol with specific interest in the reports on status of implementation regarding the sticky issues which came up during the negotiations of the Common Market Protocol. As the documentary evidence at this point does not serve the purpose of highlighting which aspects of the collective identity were expressed therein, I explore the issues that arose from an attempt to exercise the principle of variable geometry in furthering regional integration by a selected group of partner states. Whereas the conflicts that arose in the discursive sphere related to adoption of resolutions, conflicts that arise in the active sphere relate to action/implementation of resolutions.

7.2. Relationship between New and Founding Members

Rwanda and Burundi, as has been seen from the previous chapter were largely admitted on the basis of two aspects of the EAC identity, one was the security identity argument anchored on two bases, the first being the desire by EAC member states to avert insecurity and instability in the region, following the rational logic that insecurity is your neighborhood, shall inevitably affect you as well. The second security argument was anchored on an identity base whereby the EAC founding members felt that they had a historical and moral obligation to help the two countries to heal and develop viable democracies. The feeling of fraternity from this perspective enabled the founding members to overlook aspects of the accession criteria in order to accept Rwanda and Burundi into the Community.

Examined from a general perspective, the relationship between the new and founding members shows that the security identity as well as the feeling of fraternity especially in the case of Burundi still influences relations between EAC states. Interview respondents asserted that EAC membership has somewhat helped Rwanda and Burundi to learn from other EAC member states and to contain their internal political situations. Their membership was said to be a positive element because other EAC partner states harbor a huge number of refugees from these two countries and the refugee problem can be better addressed. In Burundi’s case, EAC member states are commended for averting war in the country when the opposition political parties threatened to boycott the 2010 elections and take up arms. EAC Heads of State threatened to sanction Burundi and according to an interview respondent, the war idea was dropped when EAC and other leaders threatened to repatriate the families of the
opposition leaders back into the country so that they could start a war well knowing that their own families would suffer the consequences.

With hind sight however, after their admission and challenges emanating there from, there is a general feeling among the respondents, that the admission of Rwanda and Burundi was rushed and that EAC member states ought to be stricter about further enlargement when considering the applications of South Sudan and Somalia. Contrary to what was hoped that EAC membership would cause a positive transformation, in certain fields, not much has been achieved. Both countries have fragile stability and weak democracy. Rwanda is not a free country and in both countries, there has been talk about extending/removal of Presidential term limits at some point. Recalling that there was an assessment of the two countries prior to their admission whose recommendations were overlooked by the Summit, it was asserted that their accession treaties contain benchmarks that they should have been met after admission. Although the EAC Secretariat should have assessed the two countries on the extent to which they have attained the stated benchmarks, it has not done so. The inability of the EAC to hold Rwanda and Burundi to account is explained by the fact that they were admitted as full members from the onset and therefore automatically obtained the same privileges and status as those of the founding members. If the EAC was to assess them, one respondent stated, they would ask why other partner states are not being subjected to the same measures. (Interview, March 27, 2014, Dar es Salaam)

This failure of the EAC however is not limited to the cases of Rwanda and Burundi as the Community has not been able to compel other partner states to uphold the Community’s stated values. In the matter of good governance at the domestic level particularly, if there was a functional mechanism by which all EAC partner states could be subjected to assessment with sanctions imposed on those who do not fulfill the stated requirements, it would be easier for Rwanda and Burundi to be held accountable for their pledges. However, there is no such linkage between stated assigned identity and compulsion for its expression in the active sphere of the EAC although the Treaty states that a partner state could be suspended for flouting the fundamental principles of the Community, principles which include the ideals of good governance and democracy.

In fact the delay in adoption of the EAC protocol on Good Governance has been attributed to the fact that it contains the issue of Presidential term limits in members states and yet Uganda for example removed term limits from its constitution, an issue that is seen as highly problematic for a country like Tanzania. The possibility of removal of term limits from
Tanzania’s constitution was even described as “something that can never happen,” because an earlier attempt to do so was strongly condemned by the Late Julius Nyerere, the country’s founding father and Tanzanians learned that it was something that they should never accept. (Interview, March 27, 2014, Dar es Salaam)
The fact that the EAC is not able to influence the development of genuine internal democracy among member states especially the failure to hold partner states accountable for their failure to practice democracy and good governance limits the reach of its assigned identity as a Community of democratic states in the active sphere.

Burundi is also said to be lagging behind in adapting to the reality of integration. It was described as having failed to cope with the pace of the negotiations of the Common Market Protocol and has also had problems in meeting its financial obligations in the Community. It is on record for example that Burundi was not able to raise its quota for the annual contribution to the EAC in the first two years of admission, a fact that is not surprising given its fragile peace and economic situation. Having been unable to meet its obligations, the country asked for a lowering of its budgetary contribution, a request that was granted in the 9th Ordinary Summit meeting. The Summit accepted Burundi’s request to pay only USD 1.0 million as budget contribution for the two Financial Years 2007/08 and 2008/09, and it was decided that the shortfall in the contribution arising from Burundi’s request be shared equally by the other four member states.

The Summit, in this regard also further decided that the Secretariat should undertake a study on other budget funding modalities which the Summit could examine and pronounce itself on. (Report of the 9th Ordinary summit June 2008:3) The willingness of other EAC partner states to meet a financial burden on behalf of Burundi is indicative of the fraternity and solidarity that they share with Burundi in its difficult times and their determination to keep the country in the Community despite its constraints in meeting its obligations. In addition to the fact that at the time of its admission Burundi was still a very fragile state, one could also say that probably other EAC member states were not surprised by the fact that the country experienced difficulties in meeting its financial obligations at a certain point. For Burundi, the concerns for security as well as the moral obligation that EAC states feel towards supporting the country still govern the relations between the country and its EAC partners.

Rwanda on the other hand has become a more assertive state in the region, sometimes even posturing a militant attitude in relations with neighbors as shall be shown in detail in the discussion that follows on the EAC trilateral arrangements. Rwanda’s relationship with
Tanzania can be said to be less than cordial. In fact, when it came to holding neighbors responsible for the apparent isolation that Tanzania felt when other partner states decided to apply the rule of variable geometry and move without it, Tanzania pointed the finger at Rwanda. It claimed that bilateral meetings between Kenya and Uganda had been being held but none of the issues on the agenda had been controversial. When Rwanda was invited to the meetings however, the whole agenda changed to include items that were not agreeable to Tanzania. (Interview March 27, 2014, Dar es Salaam)

During the negotiations of the Common Market Protocol, Rwanda is said to have had a very close relationship with Uganda and the two countries sponsored each other’s positions. In fact, Uganda relied a lot on Rwanda’s input because the former had little or no research done to inform its positions as compared to the other partner states. Unlike in the run-up to its admission when its relationship with Uganda was sour, it appears that the post admission relationship between Rwanda and Uganda has been mostly cordial. The country also enjoys a good relationship with Kenya in spite of the two countries not sharing a border. Rwanda appears to be the country that is creating a counterbalancing effect in the EAC. With it, Kenya and Uganda can proceed to make binding commitments which would have otherwise been delayed given Tanzania’s cautious approach.

7.3. Implementation of the Common Market Protocol

The EAC has instituted a mechanism for monitoring compliance of partner states to the provisions of the Common Market Protocol. An examination of the Monitoring and Evaluation Framework for the Implementation of the EAC Common Market Protocol reveals that the partner states have policies and assigned institutions to operationalize the Common Market Protocol. In fact, many of the trade related provisions are being adhered to, but there are still gaps in implementation of some of them. Such gaps include existence of Non-Tariff Barriers (NTBs) reported against partner states, where in spite of making progress in their abolition, as at December 31, 2013, some were still outstanding as follows: Burundi – 8, Kenya – 19, Rwanda – 8, Tanzania – 19, Uganda – 11. (M&E Framework for Implementation of the Common Market Protocol June 2010-December 2013)

In terms of the freedom of movement of persons provided for under the Common Market Protocol, each of the partner states had a law or administrative procedure that guarantees six months period of stay to citizens from other EAC partner states in its territory. Also as at
December 31, 2013, all partner states apart from Tanzania had laws providing gratis student passes for students from other countries who are studying in institutions in their territories. Tanzania reported that although there was no such law, its Immigration Services Department was granting students from other member states Exemption certificates free of charge, and the issue was going to be addressed in its Immigration Act No. 7 of 1995 which was under review.

With regard to laws that restricted free movement of persons that had been identified for review, as at December 2013, all partner states reported that the said laws had either been repealed, amended or were under review. Regarding the machine readable and electronic National Identity Cards that are considered as standard travel documents under the Common Market Protocol, as at December 31, 2013, Tanzania and Uganda had a system in place for issuance of such IDs but Kenya did not have a system in place yet. As at 2013, bilateral agreements concerning the use of National IDs as travel documents had been reached between Kenya and Rwanda and Rwanda and Uganda. (M&E Framework for Implementation of the Common Market Protocol June 2010-December 2013)

In the matter of free movement of workers, by December 2013, none of the partner states in the study had amended the laws that were identified as restricting citizens of other partner states in relation to employment, remuneration, and other conditions of work and employment. Non-Tariff barriers have also persisted among the partner states. For example, it was reported that Tanzania cannot export rice to Kenya or Uganda and member states have not reviewed their legal frameworks to accommodate the various protocols that have been signed especially the Common Market Protocol. (M&E Framework for Implementation of the Common Market Protocol June 2010-December 2013) All these inefficiencies prevent member states from enjoying the full benefits of the Common Market. As can be observed, by not aligning their domestic laws and policies to accommodate EAC protocols, each EAC member state can in one way or another be held culpable for the slow progress of integration.

7.4. Variable Geometry as a means of circumventing implementation paralysis in the EAC

In June 2013, three member states of the EAC decided to discuss infrastructure development and ways of expediting measures that would facilitate trade along the ‘Northern Infrastructure Corridor’ serving Kenya, Uganda and Rwanda. Being landlocked countries, Uganda and
Rwanda stood to benefit a lot from measures that reduced costs and time for goods to reach their capitals from Kenya’s Mombasa Port. These infrastructure summits later became controversial for the EAC given the timing of their initiation, the scope of issues discussed and the choice of partners. Because of these factors, this attempt at variable geometry in the Community ended up causing a rift between member states. The EAC Treaty (1999) recognizes that in some cases, some partner states might want to take time to implement commitments and so although it provides for consensus decision making in the Council and the Summit, the Treaty also provides for variable geometry - the possibility of members states who feel ready to proceed in certain areas of integration to so proceed while others follow.

In this respect, the provision for variable geometry bridges the gap between urgency and caution. In hesitating to take a given step, it is possible that some member states might employ ‘genuine caution’ before proceeding to the next stage of integration because of uncertainty and practical concerns, whereas others may simply be employing a strategy of non-commitment as a way of protecting ‘selfish’ interests. In the first case, for those who choose to proceed, application of variable geometry serves as an opportunity to generate lessons and going by the experience of the others, states can learn and make the necessary adjustments and preparations before following.

In case of ‘feigned caution’ where states are only using hesitation as a cover up for defending their interests, application of variable geometry could serve as some kind of shock therapy by creating a counter balancing effect. For states that would like to proceed with integration, the provision for variable geometry allows them to make progress without being held back by those hesitating. Given the variance in the actual and potential benefits enjoyed from the integration process by some countries, in a bid to actualize the promise of the Common Market, the three partner states highlighted at the start of the section, based on the principle of variable geometry to form what the media dubbed a ‘coalition of the willing’. The coalition sought to deepen integration primarily through expediting the implementation of joint infrastructure projects and held ‘infrastructure summits’ without the participation of Tanzania and sometimes Burundi. In the case of East Africa variable geometry which in itself was allowed by the EAC Treaty was perceived as a deliberate ploy to ‘isolate’ Tanzania given that: 1) the country was not notified that the partner states were going to get into such an arrangement. 2) The ‘coalition partners’ discussed issues way beyond the scope of what they claimed was the supposed agenda of the meetings. These issues had a direct impact on
Tanzania since it also had a stake in them. 3) The commencement of this process occurred at a time when there was heightened political tension between Tanzania and one of the coalition partners.

7.4.1. Immediate Context of the Tri lateral Summits

The first trilateral infrastructure summit caused a lot of unease within the Community partly because of its timing. The summit meeting which happened to take place on the eve of President Obama’s visit to Tanzania also happened at a time when Tanzania and Rwanda were having a serious diplomatic standoff. This standoff resulted from a May 2013 suggestion by the Tanzanian President Jakaya Kikwete at an African Union (AU) summit that Rwanda, Uganda and the Democratic Republic of Congo negotiate with rebels forces based in the Democratic Republic of Congo (DRC). Although Uganda did not publicly respond to the suggestion that it negotiates with the Allied Democratic Forces (ADF) rebels, President Kagame of Rwanda poured scorn on President Kikwete’s suggestion that Rwanda negotiate with the Forces for the Liberation of Rwanda (FDLR), a rebel group he holds responsible for the 1994 Rwandan genocide.

In an address to the Rwandan people, President Kagame described the suggestion as something ‘he had contempt for’, ‘utter nonsense’, ‘ignorant’ and most likely ‘an ideological problem.’ (Kagame, video published June 19, 2013). In another address to Rwandan youths, President Kagame said that he would wait for President Kikwete at the right place and ‘hit him’. (Kagame June 30, 2013) President Kikwete had probably offered this advice against the backdrop of the fact that Tanzanian troops were part of the United Nations Organization Stabilization Mission for the Democratic Republic of Congo (MONUSCO). MONUSCO’s mandate had been extended by a United Nations Security Council (UNSC) Resolution 2147 of March 28th 2014 to include engaging in combat in support of the Government of the Democratic Republic of Congo to ‘neutralize armed groups through the intervention brigade.’ Although the resolution lists the FDLR among the armed groups targeted for neutralization, a move which should be welcomed by Rwanda, the March 23 (M23) rebel group, alleged to be supported by Rwanda had had incursions in Eastern DRC in the recent months and if it did not respect the ceasefire agreement it had signed at the time, it risked being a target of the intervention brigade as well. It was in this atmosphere of animosity between two member
states that the infrastructure summits which included one of the feuding partners and excluded the other, were held.

In addition, it was widely speculated that President Obama’s visit to Tanzania the only country he chose to visit in the region, signaled an ‘anointing’ of Tanzania as the preferred strategic ally of the United States of America (USA) in the region and that the neighboring countries were not happy about it. In fact, the question of the timing of this summit meeting in relation to President Obama’s visit was put before President Museveni who answered “Oh please, Obama is not part of our programme.” (Museveni, Press Conference June 25, 2013) According to one of the interview respondents, the trilateral started as President Museveni’s “sell of an idea to people who had problems.” Rwanda was in the spotlight for its involvement in the conflict in Eastern Congo and it was having a standoff with Tanzania as well and Kenya’s President Uhuru Kenyatta was battling charges at the International Criminal Court (ICC). In both cases, Uganda was acting as a pillar of support.

As Chairman of the International Conference on the Great Lakes Region, (ICGLR) President Museveni was spearheading the negotiations for peace between the Government of the Democratic Republic of Congo and the M23 rebel group alleged to have been supported by Rwanda. He was also the most outspoken critic of the International Criminal Court with regard to the charges against the President and Vice President of Kenya at the time. In his address to the 68th UN General Assembly, Museveni said that the ICC was ‘manifesting arrogance’ in its handling of the cases and that it has continued to handle ‘complex African issues’ in a ‘shallow biased way.’(Museveni Statement 25th September 2013)

Although the initiation of the trilateral arrangements is attributed to President Museveni, according to a respondent, bilateral meetings between him and President Kenyatta of Kenya on removal of non-tariff barriers were the precursor to the summits that later became controversial. Museveni and Kenyatta had discussed non-tariff barriers and in one of their meetings, the issue of infrastructure came up. Those bilateral meetings and the substance of discussion were agreeable to Tanzania. As earlier on highlighted however, in the third bilateral meeting which Rwanda had also been invited to attend, issues common to all member states that were already being handled under the EAC found their way onto the agenda.
7.4.2. The 1st Trilateral Infrastructure Summit

At the invitation of Yoweri Museveni of Uganda, Kenya, Uganda and Rwanda held their first EAC infrastructure Summit in Kampala, Uganda June 24-25, 2013 “to provide direction on the deepening of regional integration.” This summit decided on the railway development, petroleum products development, crude oil pipeline development, oil refinery development, power generation and transmission, developing a single tourist visa, single customs territory and fast tracking political federation. In this meeting the three countries assigned each other responsibilities for the undertakings with Kenya being asked to spearhead oil pipeline development and electricity generation and distribution. Uganda was asked to take the lead in railway development, oil refinery and political federation, while Rwanda was supposed to spearhead arrangements for acquisition of a single customs territory, single visa and EAC e-identity cards. Media reports speculate that the Republic of Burundi’s Head of State had been invited to this summit but ‘chose to stay away citing scheduling difficulties.’(The East African Newspaper August 31, 2013)

In addition to discussing infrastructure projects the partner states also discussed political federation, which is ultimately the most fundamental common aspiration of all EAC partner states. When asked at a press briefing why the three leaders had discussed the issue of political federation of the EAC without Tanzania and Burundi, President Museveni of Uganda responded that the political federation is not an issue to be discussed once a year ‘like Christmas’, but whenever there is an opportunity. Quoting a bible verse that says ‘where two or three are gathered in my name, there in their midst I shall be’ he added that the three EAC states are discussing as part of the EAC and shall discuss the same issues together with the other two member states when they meet. (Museveni, June 25, 2013)

When one looks at the agenda of the ‘infrastructure summits’, there is an obvious contradiction between what the leaders wanted East Africans to believe about their intentions and what they were actually doing. They not only discussed but even assigned themselves responsibilities on matters such as the Single Customs Territory well knowing that all EAC member states are signatories to the Customs Union Protocol. The Single Tourist Visa as well as the Political Federation were also under discussion under the auspices of the EAC and there were even clear timelines on when member states would report on progress.

13 As used in the context of the EAC summits, ‘Single Customs Territory’ was concerned with issues of customs administration and trade facilitation. In the strict sense of the term, a Single Customs Territory is a stage towards full attainment of a Customs Union denoted by centralized customs administration, removal of restrictive legislation and minimization of internal border controls on goods moving between partner states. (Lyimo 2014)
7.4.3. The 2nd Infrastructure Summit

A second infrastructure summit was held in Mombasa, Kenya August 28-29, 2013 and this time only the United Republic of Tanzania was absent as the Republic of Burundi sent its Minister for Transport, Public Works and Equipment to represent the President. This meeting was also attended by the Minister of Foreign Affairs and International Cooperation representing the Republic of South Sudan which applied for EAC membership in June 2011. The objectives of the Mombasa summit were; ‘to review progress of implementation of the decisions reached during the 1st infrastructure summit held in Entebbe, to provide direction on the deepening of regional integration and to integrate the Republic of Burundi and the Republic of South Sudan into the summit.’ (Summit Communiqué August 28, 2013).

At the 2nd infrastructure summit meeting in Mombasa - Kenya, the Presidents of Kenya, Uganda and Rwanda commissioned the launch of Berth 19 at Mombasa Port, a 240-metre long new berth expected to boost container handling operations and increase capacity at the Port. In his remarks, President Uhuru Kenyatta of Kenya said “since it is our stated commitment to accelerate integration through enhanced movement of people, goods and services across our borders, it is my hope that the symbolism of hosting the summit at the Gateway to Eastern and Central Africa will not be lost. The Port of Mombasa is our common resource. That is made abundantly clear by looking at the data on movement of goods into and out of the port.”

Hailing President Museveni of Uganda and President Kagame of Rwanda for the progress so far made on the resolutions from the first infrastructure summit, President Kenyatta said he was happy that the Heads of State “share a common vision to catalyze the momentum of regional growth through deliberate actions to anticipate challenges.” And as if to send a message to Tanzania he added that, “just as the imperative to integrate has been inevitable, the realization that the scope of this project is dictated by unavoidable dynamics impelled us to welcome Burundi and South Sudan into these discussions.”(Kenyatta, August 28, 2013)

According to a Tanzanian former Secretary General of the EAC, since Kenya’s Mombasa port is in direct competition with Tanzania’s Dar es Salaam port in serving the land locked countries of Uganda and Rwanda, having these two countries intensify use of the Mombasa port directly threatens Tanzania’s economic interests. (Mwapachu July 7, 2013)
7.4.4. The 3rd Infrastructure Summit

The third infrastructure summit was held in Kigali Rwanda on October 26-28, 2013. It was attended by the Ugandan, Kenyan and South Sudanese Heads of State alongside their host, the President of the Republic of Rwanda. As Southern Sudan’s application to join the EAC has not yet been disposed of, the country participated as an observer. During this summit meeting, a Single Customs Territory among the three EAC partner states was launched, whereby taxes on goods would be paid at the point of entry into the Community, a move which would drastically reduce the time and costs of moving goods from the port at Mombasa in Kenya to Uganda and Rwanda.

At this summit, Uganda also announced the abolition of work permit fees for Kenyan and Rwandan citizens seeking to work in its territory, effectively adopting a policy that Rwanda and Kenya had earlier on implemented bilaterally. In their statements, the Heads of State reiterated their commitment to the process of hastening integration, with President Museveni saying that integration is the surest way of ensuring Africa’s sovereignty. President Museveni told journalists that their reference to the EAC leaders in the summit as the ‘coalition of the willing’ was inaccurate. He reiterated as in the first infrastructure summit that it was the ‘northern infrastructure corridor’ which includes Kenya, Uganda and Rwanda under discussion and that Tanzania would be involved when the ‘southern infrastructure corridor’ that links mostly Tanzania, Rwanda and Burundi was being discussed. In the same meeting, it was resolved that a single tourist visa for tourists visiting Kenya, Uganda and Rwanda be introduced and that the three countries could be marketed as a single tourist destination. The Communiqué at the end of this summit was silent on the issue of political federation and the head of the team tasked with drafting an EAC constitution – Uganda’s Minister of Internal Affairs, declined to comment on the issue. (The East African October 28, 2013). The single tourist visa to Kenya, Uganda and Rwanda was subsequently launched in November 2013 at the World Travel Market expo in London. Tanzania said it would not join the arrangement unless the revenue sharing and infrastructure arrangements to handle the visas were streamlined. As can be seen, the tide of the trilateral summits kept changing with new members invited and some items dropping off the agenda. This was most likely influenced by the reaction of Tanzania who’s political and bureaucratic leaders made public statements expressing their discontent that these summits were taking place as such. It is not clear why Burundi was not in attendance of the 3rd Summit.
7.4.5. Progress of Trilateral Summits following Tanzania’s Reaction

Following the public reaction of Tanzania to the trilateral summits, the members in question took note and started inviting it as well as Burundi as observers in the subsequent summit meetings. In the 4th Northern Corridor Integration Projects Summit (as the Trilateral Summits became formally called after the 3rd summit meeting), Burundi and South Sudan were in attendance and Tanzania sent a delegation led by its Vice President as observers. In this summit, follow up was made on the commitments from the first 3 summits and partner states also agreed to develop a joint power generation project. The partner states also signed a Mutual Defense Pact and a Mutual Peace and Security Pact to strengthen regional security and partnership in the fight against terrorism and cross border crime. They also launched the use of national identity cards, student cards and voters’ cards as acceptable travel documents to allow entry into the three partner states.

During the meeting, the Republic of Burundi expressed interest in cooperating in all the projects with the three partner states. (Joint Communiqué 4th Northern Corridor Integration Projects summit 20th February 2014) The 5th summit notably called on the concerned partner states to expedite ratification of the Mutual Defense and Peace and Security pacts. The 6th and 7th summits were held all with Tanzania in attendance as an observer and in the 8th Summit meeting, held in December 2014, the partners were asked to involve their Ministries of Foreign Affairs, to join the Defence, Peace and Security cluster and particularly develop a Comprehensive Conflict and Dispute Resolution Mechanism. It should be noted that by the time of the interviews, it was reported that Tanzania had come on board to work on the issue of the Single Customs Territory alongside other EAC countries.

7.5. Opinions of EAC Bureaucrats on the Trilateral Summits

Among the state elites interviewed in this study, there was unanimous agreement that the EAC partner states wronged Tanzania in the way they approached the application of variable geometry. The respondents argued that Tanzania was doing its part on the Community resolutions on the common matters that the trilateral partners had decided to discuss. The political federation for example was being discussed by partner states, clear timelines had been agreed upon and comments were supposed to be submitted to the summit in a meeting that was scheduled for November 2013.In addition, Tanzania had not objected to anything in the single customs territory and had also agreed to cooperate on the single tourist visa. In fact,
there was an interstate task force already in place to discuss the single customs territory. In both decisions however, as was the case with the discussion on political federation, Tanzania was not consulted. The respondents said that they did not see any good reason why the trilateral partners ‘hijacked’ these issues unless indeed they wanted to send some kind of message to Tanzania. Tanzania said that it considered the discussion of issues common to all member states in an alternative platform as illegal and that it would not give its consent for the arrangements to go ahead.

As most commentaries on the infrastructure summits intimated that Tanzania was dragging its feet in implementation of EAC decisions, all but the Kenyan respondent said that this accusation was not backed by evidence. The general feeling was that the main point of contention between Tanzania and the rest was the issue of political federation. All respondent said that in their opinion, the federation should be attained gradually, and asserted that the decision to fast track it was purely a political one. The Tanzanian respondent said that the insistence on fast tracking the political federation was derailing the integration agenda and taking the focus away from the real issues such as working to operationalize the protocols that were already in place. Whereas the idea of political federation was seen as a genuine one, it is discredited by the fact that states do not match words with deeds when it comes to it. Uganda has also distinguished itself as the country with the biggest interest in the political federation idea and there was a general feeling that President Museveni’s long stay in power in Uganda is designed in order to enable him to become the first EAC Head of State. Two respondents however argued that in pursuing attainment of the EAC federation, President Museveni was motivated by the ideals of Pan Africanism. In principle, respondents felt that there was need to deliberately expedite the integration process, but the manner in which it was done was more likely to draw EAC countries apart than bring them together. EAC bureaucrats appear to have a shared opinion on the substantive issues pertaining to the integration process. They feel that the process should be gradual with the next steps being taken after ensuring that the ones preceding them are solid. On the other hand, the political elite appear to be driven by other considerations. The decision to fast track political federation for example is not shared by both groups and even the trilateral summits were a political decision with bureaucrats in Uganda’s EAC ministry saying that they were not involved in those specific arrangements.

Given the fact that media reports were constantly suggesting that Tanzania was being isolated by the three partner states involved in the tri-lateral arrangements, the EAC Secretariat was
compelled to respond. The Secretariat issued a press statement assuring East Africans that the trilateral would strengthen not weaken the Community and that it was in line with the provision of variable geometry spelt out in the EAC founding Treaty. In an interview with Nation Television (NTV) Kenya, the EAC Secretary General Richard Sezibera acknowledged that there were certain challenges being faced by the Community as a result of hesitation of some member states to implement agreed upon resolutions. He pointed out that whereas each of the EAC partner states had failings when one looks at the implementation matrix, the United Republic of Tanzania was slower especially on the issue of free movement of people.

The Secretary General said that he thought it was good for some partner states to use the variable geometry provision to move ahead. However, he acknowledged that this move as well as the decision of Tanzania to expel other East Africans who were illegally in its territory had also created some problems in the Community. On November 1, 2013, the EAC Secretary General issued another press statement saying that the Republic of Burundi and the United Republic of Tanzania had made their concerns about the trilateral in infrastructure summits public. The statement also said that progress occasioned by the said meetings as well as challenges arising had been shared and these challenges were being dealt with. (Sezibera, November 1, 2013)

7.6. Tanzania’s response to the application of Variable Geometry in the EAC

7.6.1. Expulsion of Illegal Immigrants

On July 25, 2013, in a move that was widely interpreted as the United Republic of Tanzania’s response to the standoff with Rwanda, President Kikwete ordered the expulsion of illegal immigrants from Tanzania by August 11, 2013 saying that there were procedures of acquiring Tanzanian citizenship and those who had refused to take it should leave. The majority of those expelled from the country’s Kagera region were of Burundian and Rwandan origin with estimates at 15,000 migrants of Burundian origin and between 7,000 and 8,000 of Rwandan origin being expelled. However, this exercise was not properly handled and there were several reports of family separations, confiscation of properties and expulsion of people who claim to have been born in Tanzania as well as those who migrated there as early as the 1970s. Many of the expelled immigrants of Rwandan origin entered Uganda instead and by August 24, 2013, 1,200 were officially registered in Uganda although Ugandan police had been deployed at the borders to prevent further infiltration because it is reported that criminal
elements had infiltrated the group and were finding their way into the country as well. (Daily Monitor August 24, 2013)

In an address to the Tanzanian people on the expulsion, President Kikwete appeared to be hitting at other EAC member states that have each experienced violent conflict when he said that ‘people were not happy about Tanzania’s stability’. He said that whereas the neighboring countries had had conflict because they were divided along ethnic and religious lines, this was not the case in Tanzania, but some people within and outside the country were trying to introduce the vice in order to destabilize the country (Kikwete 2013). In the same address, President Kikwete said that if the Tanzanian people do not watch out, in the next 50 or 70 years, the country’s borders may change because of infiltration by foreigners. Although there had been expulsions before, the timing of this particular expulsion and the manner in which it was handled raised concern in the region. President Kikwete’s address also does little to shield the attitude that the country has towards other East Africans. The issue of illegal immigrants is indeed a legitimate concern for any state, but to equate the presence of foreigners in the country with the possibility of changing the country’s borders could easily lead to an aversion to foreigners by ordinary Tanzanians. Such a statement issued at such a time especially could imply that foreigners shall steal Tanzanians’ land, an issue which the people should watch out for.

7.6.2. Tanzanian Elites Speak Out

Tanzania used a dual pronged strategy to respond to what was going on in the Community without its involvement. The tone with which the Tanzanian Ministers responded to the trilateral summits tended to be hard hitting, dismissive of the goings on and even threatening. President Kikwete on the other hand took a different stance when he addressed the Tanzanian Parliament on the matter. In an address to the Tanzanian National Assembly, the country’s EAC Minister Mr. Samuel Sitta is reported to have said that Tanzania was not standing idly by and watching its partners sideline it, but was looking at strengthening its integration with the Democratic Republic of Congo which has a lot of economic potential. The Minister also noted that Tanzania had decided to pull back on its involvement in EAC activities. (The Citizen Newspaper October 31, 2013.) In an official statement issued by the head of communication in Tanzania’s EAC Ministry, the trilateral meetings that took place without Tanzania’s involvement were described as illegal, because in Tanzania’s understanding, the
decisions reached require consensus of all member states before implementation. The statement said that although the meetings and their resolutions were being run under the respective countries’ Ministries of Foreign Affairs and not under the EAC secretariat, they were still subject to Article 7(1)(e) which required that all members agree on the issues before implementation. (The Sunday Monitor Newspaper, October 23, 2013.)

In an interview with the East African Newspaper however, the Tanzanian Deputy Minister for East African Cooperation Mr. Abdulla Juma said that statements relating to the Country’s move towards deepening integration with the Democratic Republic of Congo were just views of parliamentarians and not a stand of the Government. He added that Tanzania believed in consulting the people and its parliament before making crucial decisions in the EAC and that is why it was slow at decision making. In response to the fact that the coalition partners had decided to fast track the political federation, he said that Tanzania believed in a gradual process where the Common Market and Monetary Union must be in place before the Political Federation. He added that the country was amending its constitution to deal with the question of resource sharing with Zanzibar, and Tanzania needed to put its house in order before it could be involved in an EAC political federation.

When asked about why Tanzania maintains work permit fees for citizens of other partner states, Mr. Juma said that although the three coalition partners had agreed to remove work permit fees for each other’s citizens, the Treaty allowed for permit fees and only talks about harmonization of permits. When the interviewer asked about the fact that the East African Legislative Assembly (EALA) had passed a law to the effect that work permit fees be abolished by all partner states, he said that Tanzania was a sovereign state and the EALA cannot decide for it. Still commenting on the fact that the other three member states had scrapped work permit fees, he said “It’s not about reciprocating; there is no EAC rule on reciprocation. Some of the states are overwhelmed with degree holders and are looking for a window to address this. Some are after Foreign Direct Investment.”

On the Single Tourist Visa, Mr. Juma said that Tanzania believes that there should be a workable legal framework and infrastructure for all partner states first before the arrangement can be operationalized. On the question of land harmonization he said, Tanzania was against the issue because land laws differ in partner states. In Tanzania he added, the president is the custodian of land in the country and this will not change even if the other EAC partner states want it to. (The East African Newspaper November 2, 2013) On his part, the Minister for EAC Affairs, Sitta described the trilateral arrangements as underhand and intended to
undermine Tanzania and that they had broken trust within the Community. (Sitta, November 29, 2013).

In a discussion with Channel Ten a local Television station however, Mr. Membe, the Foreign Affairs Minister gave a more candid insight into Tanzania’s feelings. The minister described the trilateral arrangements as a ‘coalition of the fearful,’ which was being divisive and placing the EAC Secretariat in a dilemma. He expressed concern that the meetings also involved South Sudan as an observer, a country whose application for admission to the EAC was still being discussed. Since the three coalition countries represented the spirit of fast tracking political integration and yet Tanzania favours a gradual process, the Minister wondered what impression was being created for South Sudan and whether it was inadvertently being told to choose whether it would join the coalition or the East African Community. (Membe, discussion with Channel Ten November 6, 2013)

It is important to note that the sentiments of the Tanzanian elite put into question EAC level identity and instead emphasized not just Tanzania’s uniqueness compared to other states but also its position as a country that the EAC cannot afford to lose. Tanzania for example insisted that an East African Legislative Assembly resolution was not binding on it because ‘it is a sovereign state’. It also said that there was no EAC rule on reciprocity, which could be interpreted as the country not feeling bound by the logic of appropriateness when dealing with other member states. Tanzania referred to itself as the EAC’s centre of gravity and saw itself as superior to its partners in the Community in the areas of relations with other states, resources, population, strategic location, labour force, self-sufficiency in food production and its membership to SADC.

Describing the landlocked countries in the coalition (Uganda and Rwanda) as ‘prodigal sons’, the Minister said that they cannot completely rely on a country with only one port, because in case of any eventualities they shall need an alternative route through which to deliver their goods. The Minister added that by allowing refugees to enter the country, Tanzania is making a contribution in averting problems in those neighboring states from which the refugees come. (Membe, discussion with Channel Ten November 6, 2013)

Mr Membe speculated on the possible reasons why the coalition partner states would want to ‘push Tanzania out of the Community’. Among the likely reasons, the Minister said that it might be that some states do not want Tanzania to disarm the M23 in DRC, or that some states might be interested in heading the EAC political federation but Tanzania was delaying
the process or it also might be because Tanzania refused to concede that land matters be governed under the Common Market arrangement. The Minister also said that Tanzania was the only country from which others could learn about the experience of interstate political federation since it has had a federation with Zanzibar from the time the countries got independence. Saying that political federation cannot be a political decision, Mr Membe said that the willingness to federate among East Africans is not going to come from sensitization of the people but from the pressure arising from economic integration. (Membe, discussion with Channel Ten November 6, 2013)

On November 7, 2013 President Kikwete addressed the Tanzanian National Assembly and told legislators that Tanzania would not leave the regional bloc. He said that the country had invested a lot of resources in making the bloc come so far and acting in a way that weakens the bloc or quitting was too costly an endeavor to undertake. He also said that Tanzania had fulfilled its obligations to the Community and had done nothing wrong to deserve being left out of discussions that relate to the Community. In his opinion, the accusations against Tanzania being an unwilling partner were unfounded since the country had never been invited to any meeting attended by the leaders of Kenya, Uganda and Rwanda, nations that had come to call themselves willing partners. He also decried the persistent impression created that Tanzania was delaying progress in integration and compromising EAC’s ability to develop. (Jakaya Kikwete Address to Tanzania National Assembly November 7, 2013)

President Kikwete said that Tanzania was not delaying regional integration and added that the union of Tanganyika and Zanzibar to form Tanzania was a practical reality that shows that Tanzania is not opposed to integration. He said that the country sincerely believes in the stability of East African and African countries at large. The President mentioned fast tracking of the integration, land, employment and immigration as the only aspects that Tanzania does not agree on. President Kikwete insisted that Tanzanians want a gradual implementation of the EAC Treaty from the entry point of a customs union, a common market, subsequently the monetary union and ultimately a political federation. “If there is something we have not done well, it is because of its foundation and not because we have ignored decisions,” he said. (Jakaya Kikwete Address to Tanzania National Assembly November 7, 2013)

The President made it clear that his country did not have a problem with some of the decisions reached by the trilateral meetings of the Heads of State such as the construction of the oil pipeline. However, the case of the Single Customs Territory and fast tracking the political federation were clearly beyond the mandate of trilateral partners. The President said
that he was wondering what was going on in the community and why it was happening. He added that he did not know whether the neighbors wanted to form their own Community or push Tanzania out of the existing EAC, or if they had a problem with him as a person. Nevertheless, he pledged that Tanzania would continue to work for strengthening and survival of the EAC because it does not want a repeat of 1977 and does not want to be held responsible for a breakup of the Community. He advised other Heads of State to abide by the Treaty provisions so that East Africans can benefit from the Community. (Jakaya Kikwete Address to Tanzania National Assembly November 7, 2013)

7.7. Identity Dynamics in the Tri-lateral Arrangements

In the preceding sections I highlighted some of the dynamics that came into play in the EAC’s negotiation and implementation of the Common Market Protocol. What is evident is that the perspectives from which the partner states viewed the Common Market are different. Whereas all partner states have rational concerns, improvement of the business climate for their population and making their countries more attractive for tourism and foreign direct investment, the means and especially the pace at which this should be achieved is highly contested. Right from the start of negotiations, there were differences in interpretation of what was or was not part of the common market, and Tanzania unlike other partners sought to restrict the extent to which other East Africans could be integrated in its society.

In the application of variable geometry in the Community EAC collective identity was hardly expressed. The tri lateral partners were not sensitive to the fact that the heightened tension between Tanzania and Rwanda could make the former feel insecure and isolated. The motivation for initiating the infrastructure summits was also based on the need to find practical solutions to rational concerns. Tanzania made its discontent clear and although it disagreed on practical issues when one looks at the Single Customs Territory and Single Tourist Visa, the country advanced identity arguments when it came to the areas in which member states failed to reach agreement during the negotiations of the Common Market Protocol.

The collective identity of the EAC which should have been the reference point even in Tanzania’s value arguments was completely sidelined and instead the country’s values vis-à-vis its partners in the Community became the reference point for explanations on why Tanzania was perceived as it was and on why it differs with the rest of the Community.
members in the issues that it pointed out. Of significance also is Tanzania’s self-perception as a state central to the strength of the EAC. In the section below, I draw on the arguments advanced by Tanzanian elites in reaction to the application of variable geometry to show the perspectives from which the country sees itself as different from other EAC members. Despite the existence of rational concerns, the sentiments of the Tanzanian elites show that its national identity defines its interests in such a way that there are even issues it says it cannot compromise on regardless of how strongly other member states appeal to it. In these matters therefore, for Tanzania, identity might be a more powerful force than rational calculations in determining the extent to which the country can embrace further EAC integration.

7.7.1. The Land Question

Tanzania has not veiled its concerns about the place of land in the common market arrangement. However, different perspectives have been given to explain the country’s position. In the negotiations of the Common Market Protocol, they made it clear that the differences in the land tenure systems of partner states and the fact that in Tanzania all land is vested in the state was a point of departure. Examining the rhetoric of Tanzanian leaders on the trilateral arrangements one notices that the country now appears to explain its position using what it thinks are the interests of other partner states in its land. Although the country refused to concede on the issue, its politicians interpret the desire by its partners to include land ownership in the common market as a move by its neighbors to export ‘their excess populations’ or to encroach on Tanzania’s land.

President Kikwete’s and other Tanzanian Ministers’ remarks on issues of land ownership are consistent with the principles of the Arusha Declaration authored by Julius Nyerere for the Tanganyika African National Union (TANU) at the introduction of his socialist economic system – Ujamaa. These principles state that all citizens together possess all the natural resources of the country in trust for their descendants and that in order to ensure economic justice the state must have effective control over the principal means of production. (Arusha Declaration 1967: The TANU Creed) This philosophy of land ownership appears to be central to the Tanzanian identity and is presented as an ‘irreconcilable’ difference that cannot allow for full operationalization of the common market in its territory. In fact, it is not just that Tanzania’s land management system differs from that of other partner states, but also that the country sees its system as superior to that of the other partner states.
The Tanzanian respondent described the land tenure systems in other member states as “the poorest land tenure systems,” saying that in Tanzania it is not possible for one individual to own square miles of land as is the case in Kenya for example. In his opinion, Tanzania’s legal framework that placed land in the hands of the Government protects the poor from exploitation all that Tanzania is saying to other member states is that they should “clean up their houses first and rectify the injustices against the poor.” The respondent also said that dramatizing Tanzania’s position on the Common Market issues is being done purposely to divert people in the other partner states from their internal domestic concerns. He said that the people who were displaced in the 2007 post-election violence in Kenya have never been resettled and it is a shame that the biggest slum in Africa is in Kenya, the region’s economic power house. The fact that Tanzania uses a value based argument against the land tenure systems in other countries is very significant in showing the distinct identity that it thinks other member states do not share.

7.7.2. Process of Integration

The official argument for the cautious approach to regional integration by Tanzania is explained by two reasons. One is that the country needs to be sure that there are economic benefits for the Tanzanian people before they can proceed to the next stage of integration, and the second is that there is need to consult their Parliament on issues before they proceed. By this explanation, it would be expected that expanded economic benefits and more equitably distributed growth would make agreement on the part of Tanzania easier. In an address on the State of East Africa made in Nairobi to the East African Legislative Assembly, the Tanzanian President said that the Customs Union had had a positive impact on the economies of the Partner States contrary to the original fears. He said that between 2005 and 2008 intra-East African Community trade increased from USD 1,847.3 million to USD 2,715.4 million. Instead of government revenues dropping as had been feared, there was evidence of increase. (Kikwete 2010) However, although by his own admission the Customs Union had positively impacted all the economies of the partner states, Tanzania was still hesitant in allowing for crucial aspects of the Common Market to be operationalized. The country was still reluctant to open up further and was not enthusiastic about adopting the single customs territory, an issue that has been on the table since 2008.
A former Secretary General of the EAC also states that if one takes 2005 as the base year, Tanzania has benefited most from the EAC Customs Union in terms of increased exports to other EAC partner states. (Mwapachu 2013) Mr. Mwapachu who was seconded by the Tanzanian Government to the position says that as Secretary General he discovered that there appeared to be a view that Tanzania needs to consolidate its economy first if it is to benefit from the EAC, an issue that made it a staller in the EAC integration process. Below the surface however, Tanzania’s reluctance and skepticism appear attributable to the loss the country suffered when the first EAC collapsed. Tanzanian rhetoric about the collapse of the EAC portrays the country as a net loser and Tanzanian officials keep pointing to the past and talking about fear of repeating past mistakes as an explanation for their ‘caution’. The lack of trust for its neighbors that Tanzania developed after the collapse of the first Community determines the positions that the country takes especially in issues concerning resource sharing such as the single customs territory and single tourist visa. As Mwapachu put it, Tanzania needs to “exorcise the ghosts of the past and think more positively to deal with its ‘zero-sum’ mindset.” (Mwapachu 2013)

7.7.3. Demography and Labour Force

The reluctance to open up further and allow for enjoyment of the benefits of the common market could also be explained from the way Tanzania compares itself to its neighbors in relation to competitiveness of its labor force and geographical endowments. Tanzania identifies itself as a country whose labor force may be out competed in terms of skills if it allows for opening up and also appears to see itself as a would be destination for job seekers from neighboring states. The Tanzanian minister’s reference to the fact that some partner states may be aiming at ‘exporting excess degrees’ testifies to the view that Tanzania may not look at itself as equally competitive in terms of education advancement of its population. From a point of advantage, the country sees itself as a potential engine of growth, as having the largest population compared to any other partner state and as a food basket for the region; advantages which it thinks should be taken more seriously in EAC integration processes. This self-perception has placed Tanzania in a position where it sees itself as the place where other East Africans would go to overcome unemployment and demographic challenges in their own states. Even though Tanzania harbours this view, evidence suggests that Rwanda is the preferred destination for job seekers from all other EAC states but Tanzania. (M&E Framework for Implementation of the Common Market Protocol June 2010- December 2013)
7.7.4. Island of Peace in a Sea of Turbulence

The Tanzanian President made reference to the ethnic and religious divisions in neighboring countries while portraying his country as an island of stability in the region. He attributed crime in the country to illegal immigrants who he said might be used to destabilize Tanzania by forces both within and outside the country. Tanzania is the only EAC country that shares a border with each of the other partner states, all of whom have been associated with war or some form of large scale violence at some point. It appears to see this as something that makes it more susceptible to migration from each of the partner states. Tanzanian identity to this extent is also influenced by its geography, its vast size and the fact that it shares borders with unstable neighbors. The feeling that allowing people from the neighboring countries to come and settle in Tanzania could enable them to introduce their vices in the country is very prevalent in the psyche of the Tanzanian State.

7.7.5. Multiple Memberships as a Wild Card

Albeit contradictory, the statements by Tanzanian officials show that the country’s engagement in SADC may to some extent be compromising their commitment to the EAC. The assertion that as a response to ‘isolation’ the country was considering deepening cooperation with DRC which is also a member of the SADC, shows that for Tanzania, SADC membership may be the card that can be used to keep its EAC partners in check. Although the assigned EAC identity appears to relate to multiple memberships to regional organizations not as a problem but as an opportunity, this belief may not be shared by individual members. Secondly, the Tanzanian stance also brings in question the idea of the universally held view that the regional blocs are in effect complementary building blocks for greater African integration. Individual member states may actually be relating to them as parallel blocs in competition which provide a convenient opportunity for them to meet their individual interests if they cannot be met in another bloc. Multiple memberships for Tanzania appear to be a cushion against threats posed by EAC membership which the country is not afraid to express in view of its ‘cautious approach’ to deepening its integration in the EAC.

7.7.6. Perspectives on Security

The security identity of the EAC as a regional stabilizer does not appear to enjoy a universal understanding. Although the EAC obviously sees itself as positioned to play a significant role
in regional stability, there does not appear to be a well agreed common strategy to do this by partner states. The nature of conflicts in the Great Lakes Region has usually had an international dimension with neighboring states being involved in intrastate conflict albeit indirectly. In 1979, Tanzania provided bases and backup to Ugandan fighters who deposed Idi Amin. The war that brought President Kagame to power in Rwanda was launched from Uganda. Uganda was sympathetic to the Sudanese People’s Liberation Army (SPLA) struggle that resulted in the creation of the Republic of South Sudan. The current regimes in DRC and Burundi also used Tanzania as a launch pad. Uganda and Rwanda have always had an interest in the situation in DRC because rebels fighting both countries have bases in the DRC.

That in his address to the National Assembly on Tanzania’s position on the trilateral arrangements that exclude it, the Tanzanian leader felt the need to mention that he was genuinely committed to stability of all countries in the region is not a coincidence. With specific reference to the context in which the Trilateral infrastructure summits were held, with animosity between two partner states related to the situation in DRC, one could argue that Tanzanian forces under the UN intervention force launching an offensive against the M23 alongside the DRC troops which forced M23 to surrender and declare a permanent end to rebellion in November 2013 is a statement by one member state to another. If indeed Rwanda was sympathetic to the M23 as alleged, and in view of the fact that Rwanda’s President warned that he would ‘wait for an opportune time and hit President Kikwete’, the defeat of the M23 is very significant to Rwanda. In the case where individual member states have different interests in regional conflicts, the unity and common stand to responding to regional conflict professed in the EAC identity may not hold and instead yield to pursuit of individual or other group interests.

Hopf (2002:8) notes that the most threatening ‘other’ is one who has inter-subjectively relevant differences and is better placed to replace the self than any other alternative. The EAC allows for multiple memberships to different regional blocs but depending on the scope of engagement, one bloc might pose a threat to the other relative to a particular state’s identity and interests. It is noteworthy that multiple memberships also lead to multiple loyalties especially in matters of security. This is clearly exhibited by the dilemma that Tanzania faces when SADC and EAC (member) States’ interests clash. President Kikwete’s advice to Uganda and Rwanda to negotiate with rebels was the official UN and SADC position. In fact, in one of its Communiqués, SADC had said instability in Eastern DRC ‘is
being perpetrated by rebel groups with assistance of Rwanda, and urged the latter to cease immediately its interference that constitutes a threat to peace and stability, not only of the DRC, but also of the SADC Region.’ (Final Communiqué of the 32nd Summit of SADC Heads of State and Government August 18, 2012) As a signatory of the SADC Communiqué and member of the EAC, Tanzania was in effect accusing a fellow EAC partner state of involvement in the DRC and condemning the partner state to the consequences that come with such a label. In cases where EAC and SADC positions clash, therefore Tanzania is caught up in the middle.

7.7.7. Historical Experiences and Relationships

The historical circumstances under which Tanzania joined the SADC also assign a special identity to Tanzania that Kenya and Uganda may not share. SADC emerged as an organization coordinating economic co-operation and integration among the former ‘frontline states’. It included South Africa and a few other states after the end of the apartheid regime. (Mkenda 2001:16) Although Uganda was also part of the Mulungushi club which was a precursor to the frontline states, it did not come to be associated with the struggle as much as the frontline states. Tanzania’s active engagement and ability to make the sacrifices that came with it placed it at the forefront of the Frontline African States which supported the liberation struggle against apartheid South Africa, white settler-ruled Zimbabwe (then Rhodesia), and Portuguese-ruled Mozambique and Angola.’ (Anderson 2005; Mwapachu 2013) These observations suggest that joining SADC therefore was not primarily motivated by instrumental reasons but by the late Nyerere’s need to support the struggle for African liberation – an expression of fraternity and solidarity. This is symbolic for Tanzania and it is this part of Tanzanian identity as vanguards for African liberation that in addition to instrumental reasons that still keeps Tanzania as a member of the SADC. A respondent said that Tanzanians shed blood for the liberation of Southern African countries and it is this bond that keeps the country in SADC and by virtue of its relations with other states, Tanzania sees itself as being truer to the cause of Pan Africanism.

7.8. Conclusion

It is acknowledged that the integration journey is not a smooth one and hiccups such as the one that occurred when the Tri lateral arrangements were instituted are inevitable. However,
how states emerge from such relationship slumps determines whether they can be able to ‘continue together in the same direction.’ Although the Heads of State involved in the trilateral infrastructure summits attempted to create the impression that Tanzania need not worry about being excluded, participation and collective action theory seem to suggest otherwise and justify Tanzania’s feeling of isolation and suspecting something sinister as its Minister for East African cooperation put it.

In explaining expressive voting, Shuessler argues that in addition to the negligible outcome related benefits from public good participation, participants derive other benefits that may be expressive or moral in nature such as a sense of belonging. (Shuessler 2000:88) Also, in his explanations about the constitutive dimensions of identity interactions, Rumelili shows that when states decide to associate with others in international relations, it is a ‘symbol of their co-belongingness within the same identity community’ and the reverse is true. (Rumelili 2004:38) From this perspective therefore, even though the issues under discussion in the trilateral related to the Northern infrastructure corridor in which Tanzania was not a primary stakeholder, its involvement would have at least generated a feeling of belonging and assured the country that its interests were not being targeted by the development since “expressively motivated action first and foremost is a form of identification and attachment” (Shuessler 2000:90)

In addition, as Schuessler also notes, “the expressive value of an act, depends on who else also does it, how many do it, and who does not do it.” (Shuessler 2000:91-92 as cited by Calvert 2001:10.) In view of this, the fact that the trilateral meetings involved two founding members of the EAC (Uganda and Kenya), and a country that was having strained relations with Tanzania at the time (Rwanda) becomes very significant. The meetings left out Burundi which many do not consider a major player in the integration process as well as Tanzania which had consistently taken different stands from the rest of the partner states on issues considered vital for operationalization of the Common Market Protocol. It is therefore not surprising that this development generated different interpretations and meanings for observers and the Tanzanian leader said that he did not know how to make sense of it.

On one hand, it could be interpreted as a statement by the other founding members to Tanzania that Rwanda provided an alternative with which the integration process could proceed as desired given Tanzania’s hesitation. Secondly, it could be interpreted as a gesture of support or sympathy for Rwanda’s position in the conflict with Tanzania. Thirdly, it can also as the three member states have tried to portray, be a genuine attempt at getting the
customs union and common market to benefit the land locked countries of Uganda and Rwanda as evidenced by the immediate gains when Heads of State took deliberate steps to ease movement of goods from the port in Mombasa to the two countries in question.

With the launch of the single customs territory, presidential pronouncements led to the removal of barriers such as roadblocks and weigh bridges for goods in transit, drastically reducing the number of days it takes for a container to move from Mombasa port in Kenya to Uganda and Rwanda’s capitals. The days reduced from 18 to 5 for Kampala, and from 21 to 8 to move goods from Mombasa to Kigali in Rwanda. This is a clear demonstration that indeed the hesitation of partner states to implement the Customs Union and Common Market Protocols compromises the possibility of some countries, especially the land locked ones to enjoy the benefits of the regional integration project as intended. As much as Tanzania felt unfairly treated, its own continued approach to regional integration from an overtly nationalistic rather than collective regional perspective gave sufficient ground for the exercise of variable geometry.

The discussions throughout this chapter have shed light on the issues that really matter for EAC partner states, which issues came to the surface when the calmness of the regional bloc was shaken by three partner states’ decision to apply the rule of variable geometry and get ahead in the process of actualizing the Common Market. The timing and choice of partners cast a shadow on the whole process given that Tanzania felt that it was being targeted by the move because of taking certain positions during the negotiations. In consideration of the verbal exchanges that went on between Tanzania and other states, the normative assignment of good neighborliness as part of the EAC collective identity did not stand the test when it came to its application in the active sphere.

The coalition partners seemed to be sending a message to Tanzania that they had run out of patience with its hesitation in matters that were important to them and that they were ready to proceed without it. Albeit contradictory, the reaction of the Tanzanian leaders is evidence of the fact that they still see variable geometry as a mechanism that allows for others to move ahead in certain issues, but not one that completely denies a member state a say in the developments taking place between ‘coalition partners’. The sentiments expressed revealed a discrepancy between the country’s view of what role variable geometry should play vis-à-vis community unity. First is the clash between the symbolism of variable geometry, whereby Tanzania felt that even though another partner state might not be directly affected by a development between two other partner states in the Community, the spirit of integration
demands that they should be informed about what is going on and be allowed to participate whenever possible. The respondent from Tanzania pointed out that when Tanzania was going to commission the road in Arusha that opens the border to Kenya, other EAC partner states were invited even though it could have very easily been handled as a bilateral matter. This part of what Tanzania thinks should be a collective identity is located in the ‘latent’ sphere where the country makes its arguments based on previous practice and what it thinks should be ways of doing things.

The second difference in perspective between Tanzania and the rest on variable geometry is how they interpret the relationship between the idea of variable geometry and the mode of decision making in the Community. Whereas variable geometry is in essence instituted to allow for progress among those who are ready to deepen integration, the mode of decision making requires that all partner states make decisions by consensus. Whereas the coalition partners might have thought that they can reach agreements and implement them, Tanzania asserted that it could veto their actions. Indeed what the EAC is experiencing now in the words of Mwapachu is a ‘clash of speeds’. The disagreement in the matter of how political federation should be achieved in the EAC, as well as how fast the Common Market should be actualized shows that long after their demise, Nkrumah and Nyerere are still at war as they were at the dawn of Africa’s independence. As Chachage (2009) writes, ‘the debate on how to unite African states has not changed significantly since Kwame Nkrumah and Julius Nyerere locked horns on the matter in the early 1960s. The clash is still between Nyerere’s ‘step by step’ and Nkrumah’s ‘fast track’ approach to building African unity. It appears that when applied to the regional level, Kenya and Uganda subscribe to Nkrumah’s idea and unsurprisingly Tanzania remains true to Nyerere. The difference is that in the case of the East African Community, the lack of trust and suspicion that defines the relationship between member states keeps this fight alive.
8.0. Collective Identity Manifestations in the Context of Political Federation Aspirations: A Synthesis

8.1. Conclusions

In this study I set out to explore the interactions between collective identity and regional integration processes in the East African Community (EAC) with a view to illuminating the prospects for political integration. I started on the premise that agents simultaneously inhabit multiple identities whose salience varies according to the context and argued that approaches that did not take cognizance of this were insufficient in explaining how collective identity interacts with regional integration processes. As there was little known about the reach of different identity categorizations in supporting integration, I set out to explore the contexts in which identities gain or lose salience in the processes of widening and deepening regional integration.

This study sought to contribute to answering the theoretical question of how different kinds of collective identities interact in and with processes of regional integration specifically the political and social contexts in which identities compete with rational calculations and with each other. I also set out to make a case for the added value of studying integration in the EAC from an identity perspective as well for adoption of an approach that follows identity from norms through discussions to actions between states. Since each of these interactions changes state considerations, this path is more likely to generate a deeper understanding of the phenomena of interest. Finally, by accomplishing these, I hoped to also generate recommendations that could inform efforts towards further integration.

In this chapter, I do a synthesis of the collective identity manifestations as they appear along the identity chain. By pointing out the areas that came up as areas of difference between the partner states in the course of their interactions with each other on matters relating to widening and deepening regional integration, I make sense of the collective identity manifestations in view of the EAC’s aspirations for political federation. I then present the theoretical contributions that the study makes and end with recommendations in lieu of the identity interactions.
8.1.1. How collective is the Collective Identity of the EAC?

Represented in the normative framework of the EAC is the fact that the EAC is a Community with the following character traits as aspects of its collective identity. As part of the constitutive norms: a shared view of security especially the community’s role as a regional pacifier and its character of a security community; the idea that the EAC states have sovereign equality and market driven economies, key here being the fact that integration is being pursued for the collective gain of every member; a belief that the people of East Africa are one by virtue of a shared cultural heritage; the view that the people of East Africa are geographically and culturally bound and as such share a common destiny; the idea that the EAC is a community of liberal democratic states which uphold the ideals of good governance and the idea that the current EAC is an antithesis of the first one by virtue of being people centred and comprising of united and friendly states.

With regard to relational comparisons and social purposes, EAC states are supposed to be bound by: a belief that multiple memberships in other African regional blocs does not compromise EAC integration; a belief that the EAC is a building block for creation of a Pan African Economic Community; a belief that the partner states share a common aspiration and commitment to attaining an EAC political federation. In terms of cognitive models, the partner states believe that relations with external non-African actors are good for promoting trade and development within the community and as such, cooperation with the BRICs is a welcome idea. The partner states also believe that the threats to East African unity and development come from actors external to the continent and therefore partner states are also bound by the belief that united, they form a stronger actor on the international scene and as such, should put up a united front when dealing with external actors. Recalling their history of colonization, the EAC states are weary of neo-colonization and see the development of the African continent as depending on the continent’s ability to take charge of its own destiny by becoming less dependent on the developed world.

8.1.1.1. Cultural Identity

The discussions in the preceding chapters reveal that there are different EAC identities exhibited in the Community. Rooted in the norms of the EAC, these identities are expected to be shared by partner states and to influence decisions and actions during the integration process. There is a cultural EAC which is the uncontested view that the citizens of East
Africa have a common cultural heritage and they are therefore one people who were just separated by artificial borders created by the colonialists. This cultural identity is mentioned by EAC leaders when they refer to the language groupings in the EAC states, the sharing of ethnic groups across borders, the migrations of huge populations from one state to another and the social integration among the people brought about by the media and cross border interaction. This identity made Rwanda and Burundi eligible for admission but it does not appear to have equal application in the relations between all partner states beyond the discursive sphere. To some extent in the case of Burundi, fraternity was displayed in the active sphere when partner states accepted to make financial contributions to help the country meet its financial obligations in the Community. However, when one looks at the unwillingness of partner states to allow for free movement and residence of persons in any partner state, it becomes evident that the whole idea of the fraternity of the East African people is relevant for widening but not deepening regional integration. The partner states use of the same colonial borders that they decry to keep other East Africans out of their territories. If we assess the collectiveness of this identity by looking at the extent to which partner states have or were willing to allow for full enjoyment of the Common Market freedoms and rights, one could say that the sense of oneness was shared between Kenya and Uganda, but it does not apply at the level of all three founding members since Tanzania was the least willing to allow for opening up its territory to other East Africans.

8.1.1.2. Security Identity

The second identity categorization observed at play is the security identity which could be looked at from three perspectives. The first perspective is the role of regional security in the integration process, the second is the relationship between integration processes and domestic security and stability within partner states, and the third dimension is the EAC’s role as an actor in the security dynamics of the region. From the first perspective, one could say that the view that that regional peace and security are critical for integration enjoys universal acceptance. This view assigns an identity to the EAC which also features as a key determinant in the admission of Burundi into the Community as well as the role played by the EAC in the country’s peace processes. From this perspective, the EAC collective identity is traced through the whole identity chain from assignment, through profession to expression.
However, when one looks at the ‘collective’ attribute of the EAC security identity from the perspective of domestic politics and actorness of the EAC, there is doubt that the collective thread follows through the identity chain. The views that partner states harbor about the increased migration of citizens across borders differ. Whereas other partner states think that increased movement of East Africans across borders shall lead to increased socialization and understanding among people which could lead to the development of shared identity that could secure peace in the region, Tanzania out rightly sees migrants as a potential source of political instability. The belief that increased socialization among East Africans could lead to the spread of undesirable traits such as ethnic divisions as observed in some neighboring states is so pervasive to the extent that it puts Tanzania’s own arguments for gradual integration in question.

Tanzania’s basic argument is that the EAC should adopt a gradual approach to regional integration and that increased socialization resulting there from shall naturally create the desire for political federation among the people of East Africa. This can only be possible if every country is willing to guarantee the rights and freedoms granted by the Common Market. Each country should also be able to sensitize its citizens about the benefits of the political federation and help the citizenry to deal with their fears and uncertainties about the integration process. Tanzania’s view of the linkage between regional integration and the country’s security differs from that of other partner states because of its susceptibility to in migration. These differences in opinion on the place of security in the free movement of persons and right of residence make the security identity of the EAC rather fragmented instead of shared by all partner states.

To promote the security identity of the EAC through the Community’s actorness as a single entity, the EAC Protocol on Peace and Security was signed on 15th February 2013. Almost a year later, very close to the one year timeline given for ratification, in January 2014, only Uganda and Rwanda had ratified the Protocol. When one looks at the EAC security identity from the perspective of the Community’s actorness, it is clear that partner states do not attach the same urgency to signing and operationalization of the Protocol and yet the assigned identity obliges them to act in unison on issues of security. Furthermore, in cases where the Community has been presented with an opportunity to act as one in issues of peace and security in the region, such as in the cases of pacifying South Sudan and Somalia, countries which have both applied to be considered for membership of the EAC, there has not been a coordinated EAC response.
In the case when a civil war broke out in South Sudan in December 2013, there was no coordinated EAC response and Uganda intervened alone to avert the attempted coup even though South Sudan’s accession negotiations to join the EAC had been at an advanced stage at the time the war broke out. Since South Sudan was already seen as a real potential partner state, it is surprising that the Community members could not come up with a collective strategy on how to help the country to deal with the challenges that it was facing given the threatened coup. The argument that instability in the neighborhood was a threat to regional peace and therefore the EAC had a responsibility for promoting peace and stability in neighboring states did not appear to enlist any collective response of the EAC as a bloc to the South Sudan crisis.

The peace process was spearheaded by the Intergovernmental Authority on Development (IGAD) with Ethiopia standing tall as the main driver of the negotiations. Ethiopia publicly called on Uganda to withdraw its troops from South Sudan if the Cessation of Hostilities agreement was to be respected. The armed opposition in South Sudan made the same demands because Uganda was engaged in combat in support of the sitting government. It was eventually agreed that Ugandan troops shall be withdrawn after a regional force has been formed and deployed in South Sudan to secure key installations. Alongside the peace negotiations however, other talks to reunite the Sudanese People’s Liberation Movement (SPLM) which had broken up into three factions were underway, spearheaded by Tanzania’s ruling party the Chama cha Mapinduzi (CCM). Dated January 21, 2015, the SPLM reunification agreement brokered by Tanzania was signed in Arusha Tanzania, and was seen as addressing one of the root causes of the current crisis in South Sudan.

With regard to the intervention in Somalia, although several African countries pledged troops to form part of the African Union Mission in Somalia (AMISOM), only Uganda and Burundi fulfilled their pledge and sent troops to pacify the country. Uganda therefore entered Somalia on the mandate of the African Union and the international Community which is funding the mission. Kenya on the other hand entered Somalia unilaterally following attacks by Al shabab militants on Kenyan soil. According to Tanzania’s foreign minister, Kenya approached Tanzania for help and Tanzania advised that Kenya should first seek the mandate of the international community with a specific resolution before it could get support from Tanzania to enter Somalia, given that there was a political process going on to form a viable government in the Country. (Bernard Membe, interview on in focus- Voice of America June 2012.)
Again it is noteworthy that in all these cases, a look at the founding partner states shows that Tanzania has consistently had a unique approach to regional conflict. Whereas the other two partner states Kenya and Uganda might come with the tag of ‘enemy state’ among sections of the warring factions in Somalia, Tanzania might not be perceived in the same light. Uganda and Kenya are perceived as enemy states by the Al shabab in Somalia. Tanzania on the other hand unlike the two has chosen not to take a military approach and deployed a strategy of building the capacity of the Somali to have meaningful self-governance by supporting processes of instituting constitutionalism and training the country’s army and police in Tanzania. When the question regarding the disjointed nature of an EAC security strategy was put before the Tanzanian Foreign Affairs Minister, he acknowledged that it was somewhat disjointed but added that it was not contradictory. The Minister said that Tanzania ‘tolerates’ the approach of Kenya and Uganda in Somalia and added that the other two partner states also ‘tolerate’ Tanzania’s approach. (Bernard Membe, interview on in focus- Voice of America June 2012.)

The security identity is further disjointed when one takes into consideration the fact that as part of the trilateral infrastructure summit processes, the three EAC coalition partners decided to deepen integration in defense and security using variable geometry. Rwanda, Kenya and Uganda signed Mutual Defense and Peace and Security Pacts in a process that is parallel to the one started within the framework of the EAC. The EAC wide Protocol on Cooperation in Defense was signed by the bloc’s five Heads of State, on April 28, 2012, in Arusha, Tanzania but by November 30, 2012 the deadline for its ratification, none of the partner states had ratified it. It had also been agreed that within one year after the Protocol coming into force, the partner states would negotiate and conclude a Mutual Defense Pact. The separation of the Mutual Defense Pact from the rest of the Protocol’s provisions was pushed for by Tanzania which objected to a clause in the proposed Protocol that stated that an attack on one state would be deemed an attack on all member states. Citing similar obligations in SADC, Tanzania argued that it wanted to first establish how it would find a balance between the two pacts. As stressed by respondents in this study, the feeling of most people was that the Mutual Defence Pact would never be signed because Tanzania was not being honest with its loyalty to the EAC.

When the rest of the partner states finally conceded that the Mutual Defense Pact should be negotiated separately from the rest of the Protocol, the Tanzanian Minister of EAC
integration is reported to have described the decision as a ‘victory’ for Tanzania. In an earlier attempt at getting the Protocol on Cooperation in Defense signed in 2011, Tanzania said it did not want to be drawn into ‘unjustified wars initiated by a belligerent member.’ (Salim & Eyakuze 2012:3) Its Minister of EAC Affairs also questioned the wisdom of the Mutual Defense Pact when he said that “there are circumstances that do not make sense. Why should you help your neighbor when he is the aggressor?” (The Citizen, December 1, 2011) This attitude made it clear that the promised Mutual Defense Pact would never see the light of day if it was left to the adoption of all the EAC partner states.

The trilateral summits however by passed this constraint and initiated a parallel process that included signing a Mutual Defense Pact. A section of Uganda’s Parliamentarians said that they would not approve of the Mutual Defense Pact signed under the variable geometry arrangement because by leaving out Tanzania, it was threatening to break up the EAC. They added that the Mutual Defense Pact would also make Uganda accountable for crimes committed by and in other states because it calls for collective responsibility. (Chimp reports online December 10, 2014) However, in view of the fact that the protocol was already approved by cabinet and members of the ruling party caucus summoned to get support for it, it is highly likely that it shall be ratified in Uganda by the August 2015 deadline as the Ugandan Parliament is predominantly comprised of ruling party members whose ability to vote against the regime’s proposals is in question.

By end January 2015, Kenya was yet to present the Pact to its National Assembly for ratification and the East African Newspaper of January 4, 2015 reported that Rwanda had become the first country to ratify the Mutual Defense Pact. The pact was made open to other regional states who would be interested in joining it even though they were not members of the EAC and the partner states said Burundi and Tanzania were free to join it when they are ready. By adopting this pact, the states in question are creating an enclave of a security community within the EAC and if non-member states like Ethiopia which had been attending some of the Northern Corridor Integration Projects’ Summits join in, it could alter the security horizon of the region.

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What exists in the EAC therefore is a community in which partner states each have stakes in regional security and stability as individual states but not as a regional bloc. In terms of expression of the EAC security identity therefore, one could say that it is only in the case of Burundi where the partner states have sustained the EAC security identity as that of a collective from prescription through discussion to expression. Differences arise however when it comes to the interpretation by founding members on the implications for their own internal security and when it comes to acting in relation to non-members of the community. In cases of non-members, individual partner states have acted according to their own internal considerations with little seen as unified action by the EAC partners in regional stability, peace and security and they have not even ‘othered’ non-members against the same identity bases.

8.1.1.3. Economic Identity

Being a market driven economy is a primary requirement for membership to the EAC because for regional integration to work, partner states need a shared economic character that can accommodate the liberalization demands that shall come with regional integration. The EAC regional integration scheme is aimed at widening the EAC market and enabling partner states to reap benefits from increased market access, joint investments and coordinated engagement with other actors. In short, partner states act in cooperation with others for their own self-interest. The economic identity assigned to the EAC is one of enlightened self-interest – an identity in which the “‘self’ in self-interest is defined in collective terms”. This is evidenced by the EAC’s emphasis on the need to ensure that everyone benefits from the integration scheme and by its pledge to ensure equitability of gain as well as institution of mechanisms to help those who might be adversely affected by the integration in its principles. There is no doubt that the steps made in advancing regional integration are deliberately made with an aim of delivering the promise of economic integration for each partner state. However, the hesitation to deal with non-tariff barriers and the apparently deliberate actions by some states to limit the ability of others to gain from the integration scheme, as well as the perceptions about each other’s intentions point to a Community whose members are inclined to interpret their relationships from a competition rather than cooperation perspective. The economic identity of the EAC as a result is defined more by selfishness than by enlightened self-interest, since states appear to be acting to crowd out others from the benefits of regional
integration rather than share them. To this extent, the economic identity of the EAC is challenged both in the discursive and the active sphere.

8.1.1.4. Multiple Memberships as a Positive Aspect

The non-exclusive membership of the EAC partner states presupposed that multiple memberships to other regional blocs are positive for laying a foundation for continental integration. EAC perceives partner states’ membership to other regional blocs as a positive development and not a problem to the region’s own integration efforts. In the discursive sphere of the EAC, there was no time that the non-exclusive nature of the assigned identity compromised decision making although there was suspicion that Tanzania’s reluctance to make commitments within the EAC was tagged to the fact that it could still enjoy the same benefits from the SADC. When the serenity of the EAC was shaken by application of variable geometry however, it became evident that Tanzania related to SADC as a buffer against eventualities it might face in the EAC.

To this extent, we see this identity that falls under the relational comparisons of the EAC being manifested in the active sphere but actually in direct contradiction of what the EAC prescribes it to be. Closely related to the idea of multiple memberships is the EAC’s social purpose of attaining a political federation (discussed in the next section). The general tendency for states to act selfishly, unwilling to make the common market operate fully also puts the social purpose of the Community in as far as it relates to aspirations for political federation in question. The relational comparisons to COMESA and the AU did not come into play in the discursive and active spheres, but as can be seen, the role of SADC membership is ambiguous in relation to the EAC. At the EAC, in terms of actualizing the market identity, dual membership is both advantageous and threatening when one looks at the advancement to an African Economic Community and when one looks at deepening integration within the EAC respectively. When it comes to the active sphere when actualization of the security and political identities of the EAC is attempted, the view on multiple memberships with specific reference to the SADC obviously becomes contradictory to what is assigned.
8.1.1.5. The Enemy is without not within

The collective identity of the EAC prescribed by the cognitive models in which the outside world is seen as a threat to the internal workings of not just the EAC but the African continent as well thereby calling for united action when engaging with external actors also fails to hold up in the active sphere in the issues under examination. It is very interesting that among the issues that were stressed by the Tanzanian Minister of Foreign Affairs, is mention of the fact that that his country had a good relationship with members of the UN Security Council, as if to say to the coalition partners that it is in a privileged position. Again, it appears that the domestic state identities do not coincide with the EAC collective identity when it comes to cognitive models. East African states are still externally postured and they get their confidence from the validation of external actors.

The foregoing discussion reveals a discrepancy between the assigned and expressed identity among EAC founding members. It appears that EAC member states have taken their understanding of each other for granted and failed to put into proper perspective the weight of domestic politics and rational calculations vis-à-vis their collective identity. It is also evident that in the case of Tanzania, the experience of the collapse of the first EAC is still very much a part of how the country makes sense of the current integration project. This could mean that there is need for further socialization and therefore member states need to reacclimatize themselves with each other, communicate better and deal with issues of distrust before they can proceed to integration stages that are more intrusive on the sovereignty of member states.

Otherwise, if tensions such as the one that was experienced when the tri-lateral arrangements were instituted persist, the community may not survive, for with each such experience, a member state that feels aggrieved shall develop the experience as a frame from which to make sense of future interactions. For as Hudson (2005) puts it, “culture, history, geography, economics, political institutions, ideology, demographics, and innumerable other factors shape the societal context in which the decision maker operates.” Whereas the idea of the current EAC is to refer to the history of the Community with a view to avoiding past mistakes, in the active sphere, it is evident that certain states rather than use past experience to build a better community, hold onto the trauma of the past to avoid going forward. Mistrust and suspicion therefore are still very much a defining feature of partner states’ relations.
8.1.2. ‘Lost Identities’

Figure 5.1 shows the identity categorizations assigned as part of the collective identity of the EAC. Most of these identities appeared albeit intermittently for some in the episodes under study. However, there is a categorization that was conspicuously absent. The view that the EAC is a community of liberal democratic states. As observed earlier on, the Community has not instituted a mechanism for ensuring that good governance standards within member states are upheld. The 2014 Ibrahim Index of African Governance (IIAG) for example shows that the three EAC countries of interest to this study scored very low on accountability and personal safety and only averagely on rule of law. Although they scored highly on national security, two of them were still ranked among the bottom 20 on the continent in this measure. On rule of law, which includes indicators such as judicial process, judicial independence, sanctions, transfer of power, and property rights, out of 100, Kenya scored 55.4, Tanzania 54.0 and Uganda 53.6. The countries were ranked 16th, 18th and 19th respectively on the continent. With regard to personal safety which includes measures such as violent crime, safety of the person, human trafficking, political terror, police services and social unrest, out of 100, Kenya scored 34.3 and was ranked 39th on the continent. Tanzania scored 45.9 and was ranked 27th while Uganda scored 49.1 and was ranked 23rd. With regards to accountability which was measured by indicators such as prosecution for abuse of office, diversion of public funds, corruption in the bureaucracy, accountability of public officials, public sector corruption bodies and others, Kenya scored 42.9 and was ranked 18th, Tanzania scored 39.9 and was ranked 24th while Uganda scored 36.0 and was ranked 31st. Taking just a few of the Ibrahim index indicators, one can see that EAC countries are not living up to their assigned collective identities of liberal democracies. This aspect of the assigned identity did not seem to play a role in the episodes under discussion in this study. Member states did not scrutinize each other’s domestic governance credentials and neither did the EAC hold member states to account on these issues.

8.1.3. Prospects for Political federation

8.1.3.1. Background to the Current Debate on Political Federation of the EAC

As earlier on stated, the ultimate goal of the EAC is attainment of a political federation among member states. In 2004, EAC Heads of State commissioned a study on fast tracking the EAC political integration. At the time, there were two major arguments for a political
federation; enhancing peace, political stability and security and catalyzing economic development. It was argued that formation of a large economic and political entity would deal with ethnic divisions and allow for identification at a higher level such as (East African-Kenyan, East African-Ugandan and East African – Tanzanian). It was also envisaged that bound in a common political entity, countries would not fight each other (security community). (EAC Report 2004:18)

The report mentioned the East African Court of Justice and the East African Legislative Assembly as institutions already in place that would serve as building blocks for the political federation. The committee appointed to carry out the study on political federation did consultations in each of the member states and summarized their findings as follows; “During the consultations, it clearly emerged that the people of East Africa are united in their quest for the Federation. The only issue is how and when it should be attained. There were those who wanted it immediately. There were others who wanted a cautious approach to ensure that the Federation rests on a solid and firm foundation. The proponents of both approaches were united in their call that the Federation should be people centred and not emanate only from the leaders; it should be a bottom-up instead of a top-down approach.” (EAC Report 2004:48)

The report highlighted several expectations and fears of the different population groupings within member states, and as regards practical achievement of the political federation, it called for resolving the issue of multiple memberships to regional groupings in order to be sure how a federated EAC would relate to other regional blocs. Among the biggest fears that were harbored by East Africans, was the fear of loss of land resulting from the political federation. In view of this, the report recommended that land as is presently held in the Common Market Protocol continue to be managed using national level systems. The report notes that “such arrangements in the interim would put to rest Tanzania’s fears that the envisaged Common Market, particularly its provision relating to Right of Property and Residence, might open the floodgates to Kenyans who might be more advantaged, to migrate into Tanzania and take up land rights. There is need during the negotiations of the Common Market Protocol to accord Partner States flexibility to evolve land policies and legislations with safeguard provisions within land ownership and residence rights in the respective Partner States.” (EAC Report 2004:56)

Whereas people involved in the survey in all the three founding partner states favored political integration by over 50%, they differed significantly in support for fast tracking the political federation. In Uganda 56.3% said they were in favor in fast tracking. Support for fast tracking in Kenya was 64.9 % and only 25.4% were in favor of fast tracking political
federation in Tanzania. Based on the findings of the report, in a meeting of Parliamentary speakers from the EAC partner states, the Tanzanian speaker said her country still did not feel stable enough to engage in a political federation in the near future. (The New Times, May 8, 2012) The domestic situation in Tanzania with friction between the mainland and Zanzibar which has necessitated review of the constitution as well as the fear that Tanzanians have about being dominated by other East Africans especially Kenyans makes them see political federation differently from Kenyans and Ugandans.

Incidentally, although President Kikwete said that the fact that Tanzania has maintained a federation between Tanganyika and Zanzibar is testament to the fact that it is not against federation, the experience of tensions between the two partners 50 years after federating could be informing their desire to tread cautiously before engaging in another federation. Tanzania in spite of having a federation is the most reluctant to have a political federation in the EAC fast tracked. Otherwise, being the only federated state in the EAC, one would expect that it would be the most enthusiastic, or at least the least skeptical about federating. In order to allow for ownership by the population, the report recommended a referendum in all member states. However, according to information obtained from interviews, development of a constitution is already underway, and what shall be put before the people of East Africa in a referendum shall not be the question of whether they want a political federation or not, but what structure it should possess. This move raises questions on the extent to which adoption of a political federation meets the aspirations of the majority of East Africans since although most of the people who were asked said that they wanted a political federation, views from different countries also suggested that there was little awareness about the integration process for the majority of citizens.

It is noteworthy that the decision to fast track the political federation came on the heels of the Customs Union and the experts’ report was submitted to a summit meeting which Rwanda and Burundi had been invited to attend. This is significant in two ways; first the idea of fast tracking in itself put the step by step approach to regional integration which it explicitly stipulated in the Treaty in the balance right from the start. Secondly, for the decision to be taken even before Rwanda and Burundi were admitted was to lay a clear direction and show the tone that the integration process was going to take. Rwanda and Burundi therefore got the signal that political federation was a serious aspiration that EAC leaders and people were determined to pursue and so the two countries could make the decision to accede to the Treaty well aware of what they were expected to bring to the table.
In addition, given that the accession criteria provided for classes of membership, in view of the developments, the two states had the option to negotiate for a membership class that would not commit them to certain issues if they so wished. This kind of development could have brought a whole new dynamic on how the EAC integration was perceived. Rwanda and Burundi however towed the line that had been signaled and among the first EAC activities they conducted as new members was to carry out a similar study to establish the views of their citizens with regard to both the proposed political federation and its fast track. In both countries, the majority of citizens favored both aspects, leaving Tanzanians as the only East Africans who in spite of being in favour of a political federation did not favour its attainment through a fast track mechanism.

All partner states of the East African Community are by summit directive supposed to have a Ministry that is directly concerned with EAC Affairs. However, the Tri-lateral summits which discussed issues that are primarily discussed in EAC level member state summits were organized under the docket of Uganda’s Ministry of Foreign Affairs not Ministry of EAC Affairs. The Committee that was selected to put together a draft constitution of the political federation was also said to be headed by Uganda’s Minister of Internal Affairs. Uganda is perceived as having too much interest in the formation of an EAC political federation. In fact, one of the interview respondents noted that part of the reason that the common market freedoms were looked at with a lot of suspicion is because Uganda was pushing very vigorously for them, and other partner states felt that once the Common market is actualized, Uganda would then push for the political federation. (Interview, February 14, 2014 Planning House Uganda)

Veiled within the provisions of the Common Market therefore, it was the implications of a political federation that other partner states especially Tanzania were afraid of. The prospects for attaining the political federation of the EAC according to the findings of the study are therefore hinged on the ability of the EAC to balance the interests of partner states and the collectivity in the areas highlighted below. Examining the identity manifestations from the previous sections, these areas are critical for the progression of the EAC into a political federation. They form the basis for the beliefs that shape how partner states look at each other and therefore their willingness to engage with each other in politically sensitive issues that shall inevitably form part of the political federation arrangement.
8.1.3.2. Critical Issues for consideration in view of Political Federation aspirations

8.1.3.2.1. State interests and Identities

States’ interests were informed by several issues including geographical location which impacts majorly on security interests and identities. Kenya is more likely to cooperate with Uganda because it shares a border with Somalia and Ugandan troops are actively engaged in the AU mission to stabilize Somalia and neutralize the Alshabab who have attacked Kenya on various occasions. Tanzania on the other hand has security concerns more because it borders with Rwanda which it sees as a security threat. So although the security identity is common, there is no convergence of security policy in the region as it is geared towards different loci and also influenced by different ideological bases for individual partner states.

Uganda intervened in South Sudan alone and it was even asked to pull out by other EAC member states. Although it could be argued that Uganda was protecting its economic interests in South Sudan as the country was a big market for Ugandan businesses, it is also important to note that like Tanzania in SADC, Uganda has always had a political and ideological interest in South Sudan. Uganda’s President in an address to the 5th Meeting of the 2nd East African Legislative Assembly described the country as “a frontline state against Arab chauvinism espoused by some regional countries.” (Museveni, February 26, 2008, Arusha)

These preexisting political identities and ideological interests in neighboring states make EAC member states more likely to take the lead in security issues in their interest without recourse to the regional policy of engaging as a bloc. In view of the volatility of the region in which the Community finds itself, a common perspective on security challenges is not only indispensable for its stability but also necessary to serve as a foundation for political federation.

8.1.3.2.2. Multiple Memberships

The observations on the ramifications of geography for partner states’ ability to portray a common security identity are closely related to those that emanate from multiple memberships to regional groupings. The case of the DRC conflict between M23 and SADC which de facto pitted Tanzania against Rwanda (and Uganda), if the allegations in the UN reports are anything to go by attests to the fact that it is not easy to maintain harmony among EAC partner states when some of them have obligations such as this elsewhere. The interactions between commitments in the trilateral Mutual Defense Pact (MDP) and
obligations emanating from commitment to an EAC wide Common Security and Defense Policy of partner states, as well as the interactions between a Mutual Defense Pact in SADC and EAC security and defense commitments are still unclear. This shall or may continue to pit partner states against each other given that the patterns of conflict in the region have been defined by cross border involvement such as the case of ADF in DRC, LRA in Sudan, M23 in Rwanda, FDLR in DRC and SPLM in Uganda. Multiplicity of memberships allows for constructing of interdependence with extra regional actors and although ideologically meant to serve a higher purpose of making continental integration more likely, may reduce the level of a partner state’s dependency on regional cooperation as they see an alternative in the next region.

8.1.3.2.3. Lack of Trust

The argument that an EAC wide Mutual Defense Pact could not be signed because Tanzania has a similar commitment in SADC brings important issues to the fore. The Security sensitivities in the region are too serious for Tanzania to make such a commitment and not find itself stuck in the middle of two blocs. As such, before looking at the relationship of partner states with the outside world, EAC partner states need to look at their own intra EAC relationships. It is obvious that the major reason that a MDP could not be accommodated within the framework of an EAC wide Security and Defense cooperation is the suspicion and lack of trust that exist among the partner states. Since the MDP requires sharing of intelligence information, in a region where partners are suspicious of each other, this cannot be actualized. Even if the pact were signed, it shall become another paper tiger that shall not take effect unless the underlying issues that cause the suspicion and mistrust among partner states are dealt with decisively. It is striking that EAC partner states did not sign up to a Mutual Defense Pact within the framework of EAC integration, but signed up to it within the framework of the ‘coalition of the willing.’

Unlike in the economic arena where the suspicions among EAC partner states are rooted in the Community’s past experience, the suspicions in the political arena are more serious and based on concerns for the security and stability of partner states. According to a respondent who preferred to remain anonymous, there is credible intelligence information that rebels who want to attack Uganda have bases in Tanzania and the Tanzanian Head of State suspects Uganda’s leader of supporting Tanzania’s main opposition party Chama cha Demokrasia na Maendeleo (CHADEMA). Although there is no open hostility between Uganda and Tanzania, the respondent disclosed that there is a silent mistrust between the two Heads of
State and the trilateral arrangements initiated by President Museveni were a message to Tanzania that it can be isolated.

Also, by virtue of its mandate as part of the United Nations Force Intervention Brigade under MONUSCO, together with Malawi and South Africa, Tanzanian troops in the DRC have a responsibility to carry out targeted offensive operations to neutralize armed groups that threaten State authority and civilian security, in the DRC. Although the force alongside the Congolese national army carried out a successful offensive against the 23 March (M23) that forced the rebel outfit to surrender, it has not been very effective in engaging the FDLR which Rwanda sees as its major security threat. This is significant for Rwanda because a UN report suggests that the M23 received various forms of support from the Rwandan Government, including recruitment, troop reinforcement, ammunition deliveries and fire support even during the time they were engaged in battle with the DRC-MONUSCO forces. The same report suggests that even after defeat, there was credible information to the effect that the sanctioned M23 leaders were moving freely in Uganda and that the group continued to recruit in Rwanda. (UNSC Report S/2014/42: 3, 11)

In a press conference held on January 15th 2015 Rwanda’s President Paul Kagame said that given the history, he had very little confidence that the international community was going to deal with the FDLR as it should, because unlike when dealing with other armed groups in the DRC, there have been all sorts of excuses when it comes to dealing with the FDLR. (Kagame January 15, 2015) Following on the heels of this press conference, media sources in the region reported that a January 12th 2015 UN Report had shown that FDLR leaders and their supporters had been holding meetings in Tanzania. (The Daily Monitor, January 21, 2015)

These reports appear to support allegations that the FDLR has always had external support networks in Burundi and Tanzania also reported by the UN news centre in 2009. (UN News Centre December 7, 2009) As long as EAC member states do not believe that their partners shall not harbor rebels who might have an interest in destabilizing them, they cannot trust each other with intelligence information as is required under the Mutual Defense Pact arrangement. This also means that the states actually do not see each other as friends but as threats. This kind of attitude makes the domestic plane of partner states too slippery for a collective EAC identity to take root and as such also compromises the development of feelings of oneness that are necessary for supporting political integration.
8.1.3.2.4. Demography

The question of demography is also pertinent to the progress that the EAC can make in attaining political federation. The constant mention by Tanzanian leaders of the fact that they still have a lot of arable land and that other countries already have a land shortage could explain their holding onto the idea of not making it easy for other East Africans to migrate and settle in Tanzania. Tanzania has not veiled its fears for other East Africans entering its territory with the mention of ‘excess degrees’ and ‘land ownership’ as key issues. According to an EAC Report (2012), the population density per square kilometer of Burundi, Tanzania, Uganda, Kenya and Rwanda stood at 312.2, 50.3, 164.7, 67.6 and 406.3 persons respectively. The Community’s most densely populated countries Rwanda and Burundi are also extremely small in size and Tanzania harbors a huge population of refugees from them. Tanzania, the least densely populated country also occupies 52% of the total land mass of the Community, (Salim and Eyakuze 2012:5) meaning that the country’s land mass is bigger than that of all the other four member states combined.

The relationship dynamics that emanate from the demographic profile of EAC member states influence the extent to which people can freely settle in the territory of other partner states, the possibility for meaningful social integration to develop and consequently the potential for better understanding and peaceful coexistence among East Africans as one people. These or at least the willingness for their attainment are prerequisites for successful political federation. The attachment to land and the view that partner states have about the intentions of others in pushing for the right of residence in any partner state inevitably shape the possibility for meaningful integration. There is also no guarantee that there would be no future conflicts even among the partner states that were more open to migration and settlement of other East Africans in their territories. The EAC countries have very young populations and an already inbuilt momentum for high population growth. If the gains of regional integration do not translate into employment for young people and improvement in welfare for the majority, such cross border movements and settlements could invoke feelings of nationalism and xenophobia in the long run.

8.1.3.2.5. Ownership of the Political Federation

The fact finding report on fast tracking political federation clearly stated that the people of East Africa wanted the process to be people and not leader driven. It is evident that the
process is leader driven with almost no input from the majority of East Africans, but more so, the process is being led by President Museveni of Uganda. It was apparent from the interviews that given his leadership style, President Museveni’s thought leadership on the matter is worrisome to others. Two of the respondents were of the opinion that the other leaders in the region tend to ‘agree’ with Museveni just out of respect because he is the longest serving Head of State and “they do not want to embarrass him”.

It was also stated that feedback on the model structure of the political federation was very negative. In fact one respondent said that going by the feedback that had been received on the model structure of the political federation, Tanzania was more positive about the political federation than Rwanda and Kenya, two partner states in the coalition of the willing. This suggests that there is even no consensus at the level of Heads of State if, when and how the political federation should be arrived at. If one takes Etzioni’s assessment of the collapse of the federation between Egypt and Syria, one can see that in the EAC, the elite leadership is undoubtedly being provided by Uganda and although there are other players, the country with the most surplus resources that could support federation is Tanzania.

If all EAC partner states were placed on a continuum ranging from most supportive to least supportive of political federation however, judging by its positions on the Common Market freedoms and rights as well as its defense of national sovereignty, Tanzania would most likely lie at the extreme end as least supportive. Etzioni argues that the imbalance between the elite and the surplus resource ownership was responsible for formation of a deformed Egypt-Syria federation which only managed to be held for three and a half years. (Etzioni 2001:104) EAC risks not just a deformed but an aborted political federation if it cannot manage to get two key constituencies to come on board and support the process of its attainment; Tanzanian elite need to buy into the process as well as the majority of the ordinary citizens in each of the Community’s member states.

8.1.3.2.6. Ethnicity

Also the question of cultural heritage and ethnicity plays a major role in the identity differences between the EAC partner states. There is a great distinction in the role played by ethnicity and how ethnicity is being accommodated in the different partner states. Tanzania abhors expression of ethnic diversity to the extent that there are no radio stations or newspapers allowed to broadcast in any other indigenous language. They are only allowed to
broadcast in English or Kiswahili. In a bid to create a nation after colonialism, the late Julius Nyerere Tanzania’s independence leader replaced English as the official language with Kiswahili, a language which is a fusion of indigenous Bantu languages and Arabic to be learnt and spoken by all Tanzanians. This language took root in Tanzania, evolving into a national political culture and muting the potential for ethnic conflict. (Barkan 1994:10) In fact a Tanzanian respondent felt that the East African Legislative Assembly should pass a law that outlaws the speaking of multiple local languages in the other member states so that only one language even though it is indigenous can be spoken by everybody. That way, he argued the problems of ethnic cleavages shall be dealt with once and for all.

In Kenya’s case, politicization of ethnicity has pervaded the country’s politics over time and this has deeply divided Kenyan society and the 2007 post-election violence in the country was mostly ethnic. Seen as rooted in historical injustices one of which is the fact that “successive governments have used ethnicity as grounds for mobilization and resource distribution,” (Mkangi and Githaiga 2012:3) Kenya responded to the violence by adopting a new constitution that attempts to addresses the root causes of the violence. Uganda on the other hand has had a political legacy in which the state co-exists alongside active monarchies and other cultural institutions.

In fact at independence, the country was threatened with secession by one major ethnic group whose cultural expression bordered on ‘cultural chauvinism’. After a period of abolition and reintroduction of monarchies, cultural leaders in today’s Uganda are by law supposed to be apolitical, but they nevertheless constitute moral authorities that influence the way their subjects respond to the political environment of the state. Although there are ethnic undertones in Uganda’s politics especially at the local level, the problem is not as compounded as Kenya’s. To suggest that cultural and ethnic diversity be swept to the periphery in Uganda would most likely evoke feelings of nationalism. Accommodating this diversity within the community and turning it into an asset to the community is the only viable route to take and ways of doing it need to be explored. Cultural heritage is an anchor of a people’s identity, and East Africans need to find ways of accommodating cultural and ethnic diversity and adjudicating cultural conflicts in a way that enhances the sense of understanding rather than creating animosity between groups.
8.1.3.2.7. Political Systems

All EAC partner states are fledgling democracies. They hold regular elections whose transparency is usually questioned. In both Uganda and Tanzania, there are dominant parties that have led the two countries for decades and have made it difficult for a credible opposition to develop. However, Uganda has been observed with a lot of skepticism because unlike in the other countries, the Head of State has held power uninterrupted since 1986. If one takes 1999 when the current EAC Treaty was signed to date, Uganda is the only country where there has been no change of Head of State. The country has also been criticized by its neighbors for its intolerance for political opposition and for allegedly bribing parliamentarians to change the constitution and remove presidential term limits. This is one of the reasons that some suspect that President Museveni’s passion for the realization of the EAC federation is motivated by his desire to become first EAC Head of State. Even though the other partner states are not perfect democracies, Uganda’s glaring deficiencies have made its partners, especially Tanzania doubt its credibility as a partner in a political federation. The failure to own and uphold the governance values and ideals that are clearly stated in the Community’s normative framework by all partner states permits the continued existence of incompatible political systems that rather than bring member states closer together, create suspicion and fear amongst them.

8.2. Theoretical Contributions of the Study

The foregoing discussions have shown the critical points at which the interactions between the EAC collective identity and the different processes of regional integration cast a shadow on the likelihood for political federation. At the heart of the whole study has been the unique position of Tanzania which by virtue of its hesitation to deepen integration has influenced the course of events within the EAC to the extent that the ‘lull’ of the Community has been stirred. The findings of this study speak to several theoretical assertions that have been advanced in the debates on collective identity and its role in interstate cooperation and political integration.

Rector (2009:161) theorized that states that do not trust their partners to uphold their commitments in integration shall push for deeper integration in order to get the partners to make credible commitments which are costly for them to exit. That way, such states shall feel confident that their partners shall not easily renege on their commitments, to the suspicious
state’s detriment. The findings of this study however run counter to Rector’s assertions which go only so far in explaining the current situation in East Africa. In the first post-colonial attempt at political federation of the EAC, Tanzania was afraid of exploitation by Kenya which was the region’s strongest economy and it pushed for a political federation in the hope that this would ensure more equitable distribution of the gains of integration.

This is one of the empirical cases that form the basis for Rector’s assertion. In today’s EAC however, although all other arguments for a desire to advance into federation such as the economic argument, the security argument, the values argument and the political strength argument exist alongside Rector’s ‘fear and mistrust’ argument, Tanzania chooses not to deepen integration in the direction of federation. Instead, Tanzania’s behavior is more consistent with Lipson’s explanation that when states have concerns about the credibility of their partners in keeping their commitments, “prudent states are reluctant to cooperate with adversaries unless they can monitor with confidence, prepare in time to meet a prospective defection and circumscribe the arrangements to minimize vulnerability.” (Lipson 1984:14)

The behavior exhibited by Tanzania is attributable to the country’s acquired identity following its disappointment in the Community’s first attempt at integration. Tanzania has emerged as a cautious state which is quite skeptical of its partners’ interests basing on past experience as well as those partners’ reputations, a judgment it makes according to its own value base. Due to the long period of socialization of citizens in values such as people’s participation, equity, social justice and peaceful coexistence, the country might be the only one among the three founding members in which the citizenry have a value consensus on what gives them a unique identity as a people. This unique Tanzanian approach to nation building has reinforced differences, at least at an ideational level between it and other EAC partner states. The EAC identity therefore, codified in the Community’s norms with little attempt by way of socialization and internalization by partner states was strongly challenged by the domestic identity of Tanzania.

In addition, the lack of commitment of the ‘willing’ partners to a defined EAC identity also makes the value basis for political integration weak. Economic interdependence appears to be the primary basis for action among the coalition partners but without their ability to agree on the values that bind them for their own sake beyond reaction to short term environmental challenges, makes the commitment to political federation doubtful. A look at Tanzania’s identity shows that it may not necessarily be in contradiction with the aspects that make up the EAC collective identity, but the country does not reflect on it because it is focused on
scrutinizing the extent to which it thinks the other partner states are being true to the collective identity themselves.

The obvious contradiction of the problematic multiple memberships would probably not matter much if Tanzania had confidence in its future in the EAC, a factor determined by its opinions on the nature of its partners. Ultimately, there does not seem to be a conscious reference to the collective identity of the EAC in the approach to integration both at an EAC wide level and at the ‘coalition’ level. On the contrary Tanzania seems to relate to the EAC collective identity as seeking to make it look like or associate with states it sees as very different from itself, making the country more resistant to deepening integration. In cases where Tanzania insists on looking at the experience of violent conflict and multi-ethnicity in the other partner states and feels that its values should drive the EAC, Tanzania portrays values superiority.

The preceding discussions could lead one to conclude three things about identities and interstate relations in integration processes. One, that states which have a distinctly unique identity compared to their partners may be less amenable to deepening regional integration with partners whose identities they feel are different from theirs. This situation is particularly exacerbated if the state in question acquired its identity through deliberate engineering over time, which gives it the feeling that the other states should be able to engineer a similar identity change. Secondly in cases where states lack a strong shared identity locus, it is likely that the state with the most confident distinct identity, if it be alone among the group, is likely to resort to value chauvinism – the tendency to assess its partners not on the basis of what is collectively assigned but on its own domestic value base. Thirdly, when states have had historical rivalries and a bitter breakup as in the case of the first EAC, states which feel aggrieved are likely to develop an identity based on this experience and become distrustful of their partners. These states are as a result likely to advance value based arguments to avoid making commitments which they feel might make them vulnerable to exploitation by their partners. Even in cases where they are assured of gains, such states shall be more alert to practical issues such as implementation modalities of agreed upon actions in order to minimize their susceptibility.

Another theoretical phenomenon that becomes of interest in view of the results of this study is the relationship between different types of identities and the role that they can play in the process of political integration. The normative framework of the EAC encompasses both cultural and civic aspects of the Community’s collective identity. The cultural identity was
seen to inform decisions on widening but not deepening integration. It was prominent in the
discursive sphere regarding enlargement but lost steam in the active sphere when issues of
common market freedoms and rights were being considered. When it came to ethically
sensitive fields like security and defense, what were prescribed to be common perceptions
among EAC partner states were once again questioned in the discursive and active spheres.
In other words both the political and cultural identities were very context sensitive that the
approaches which dichotomize identities in a mutually exclusive manner when discussing
their relevance for integration make no sense if applied to the EAC case.

If one takes Kantner’s (2006:510-515) typology of collective identities, what is observed in
the EAC is ‘weak collective identities’ or “we2/commercium” in which members have a
“shared interpretation of their situation or the awareness of being involved in a cooperative
enterprise. That, however, does not include common ethical convictions: everybody follows
only his or her own idiosyncratic desires and purposes.” (Kantner 2006:511) Looking at the
case of the EU, Kantner argues that this kind of weak identity can support democratization of
the EU because it compels members to participate in making rules of co-existence, although
codification of collective aims in a constitution would demand a stronger collective identity.
(Kantner 2006:512) If one considers the findings of this study, Kantner’s argument is
persuasive when applied to the EAC.

Aspiration for political federation also presupposes commitment to some form of
supranationality. The manifestations of collective identity as we see them however, do not
speak to a supranational EAC polity to which a federation is equated. The best they can do is
foster cooperation among an intergovernmental EAC, because partner states do not appear to
be bound by values shared enough to entrust their sovereignty to a supranational entity. The
collective identity as we see it manifested now as Hopf puts it, may foster cooperation but
may not ensure it. (Hopf 2002:287) The fact that the trilateral partners bypassed the EAC
Secretariat as well as their own ministries designated to advance EAC integration is a sign
that they both wanted to advance integration on their own while at the same time maintaining
the ‘integrity’ of the EAC by not using its regional and locally associated institutions.
However, the fact that the gist of what they chose to pursue within the trilateral framework
was also already being handled within the framework of EAC wide integration, signals a faith
in state led approaches that are insulated from the controls associated with EAC wide
operations in which both the ‘willing’ and ‘hesitant’ members take part. Such controls
include the need for consensus and commitment from each member in order for integration
processes to proceed. Without suggesting that the coalition intend to break up the Community, their action demonstrated impatience with the pace at which integration was proceeding within the EAC wide framework. Although the trilateral infrastructure summits caused ripples within the Community, they at least gave rise to a debate on what was meant or not meant by variable geometry and how partner states were expected to relate to each other even in the case of application of variable geometry. The event at least sets a precedent that shall guide future behavior of ‘coalitions’ within the EAC, and gives the partner states an opportunity to reengage in a way that fosters better and more open communication amongst them. The trilateral arrangements also exposed an inherent contradiction between the rule that partner states should make decisions by consensus which was partly instituted to ensure harmony and sovereign equality and the application of variable geometry. There does not appear to be clear guidelines on the scope of the consensus rule when variable geometry is applied in implementation of provisions. Discussion of such issues could lay a much stronger platform for advancing the integration process going forward.

Probably the identity at the heart of the EAC which member states need to pay special attention to is the security identity. Because of the sensitivity of security and defense issues, this is a site that has the potential not just to push partner states apart, but is also a site for potential conflict within the Community. As long as the question of rebels based in the Democratic Republic of Congo is not settled, the security identity of the EAC shall continue to be fragmented with some partner states unable to trust others. The differences in attitudes towards regional security particularly between Tanzania and Rwanda shall continue to unsettle the Community. If there is one issue on which the EAC needs to engage with SADC as a bloc to find mutually acceptable ways of resolution, it is the issue of rebel bases in the DRC. What is evident is that EAC states’ susceptibility to political instability regardless of the source allows unease to prevail among partner states and so more than outward looking, the security identity of the EAC should be refocused onto internal dynamics within and between partner states in order to launch a rallying cause that if successfully dealt with could lay a firmer foundation for political federation.

Member states of the EAC also do not relate to a political federation as a means of ameliorating differences among and within them. It appears that the collective identity of the EAC focuses more on the ideals of the present and less on the promise of the future. Member states are looking more at the constraints that currently prevail without asking if getting into a federation or deeper political commitments would finally bring them to that point where there
is mutual accountability for the fundamental principles of the Community. The members have no minimum identity base onto which they can attempt integration in the sensitive issues that shall not only serve the purpose of getting them to make solid commitments to further integration but also provide a value consensus around which they can deepen integration if they so wish.

Generally, there is no common psychological plane on which people identify with the EAC. As such, there is an over emphasis on nation state identity which has even become the basis upon which states are making value judgments of their partners. This vacuum has placed the EAC level institutions in a position where they are subordinate to individual partner states’ idiosyncrasies. A clear case in point is the where Tanzania clearly wants to abide by EALA legislation only when it is compatible with the direction that the country has already taken. When the Tanzanian Minister was told that the East African Legislative Assembly (EALA) had passed a resolution that work permits’ fees for East Africans should be abolished in each partner state, he replied that Tanzania was a sovereign state. However, a Tanzanian technocrat recommends that the same EALA should pass a resolution compelling all partner states to abolish use of multiple languages and adopt only one national language to be used by every citizen in the country, the way Tanzania did it.

In addition to acting by default according to its own identity Tanzania also appealed to a ‘latent EAC identity’- the view that member states should not act in a manner that alienates another member. Because it thought that this was the way that states were expected to act towards each other, Tanzania invited other member states to events that could have very easily passed for bilateral events without causing any controversy. This was clearly the logic of practice at play. The coalition partners on the other hand did not act in a similar manner. This as well as the different constellations of collective identity manifestations in the integration processes of interest throughout the study appear to suggest that the ‘reach’ of the logic appropriateness fundamental to constructivist thinking about norms is still limited among EAC partners, as it is especially challenged in the sphere of deepening integration. The collective identity of the EAC needs to move from the normative sphere and take root both in the spheres of will and action formation, if the elite are to successfully sell the federation project to the citizenry.

March and Olsen asserted that the logics of consequentialism and appropriateness were not necessarily mutually exclusive (March and Olsen 1998:952) In fact, the constructivist assertion that identities constitute interests shows how intertwined the two logics could be.
The empirical findings of this study demonstrate that there is indeed a competition between rational calculations and ideational appeals and under certain circumstances, especially in the discursive sphere, rational calculations over shadowed the assigned collective identity of the actors. Although the reach of identity was challenged in this particular case, the decision to approach the study from an identity perspective was very valuable as rationalist arguments were also shown to have a limited reach in some cases. The willingness of member states to meet financial obligations on behalf of Burundi, the hesitation by Tanzania to deepen integration despite the economic benefits it is enjoying and the issues arising from employing variable geometry are all better explained by a constructivist approach. The unique environment of the EAC whereby member states are engaging with post conflict countries, dealing with historical rivalries, and heightened political tensions resulting from the region’s security volatility also entails complex interrelationships which rational approaches would be limited in explaining.

8.3. Recommendations

In summary, the assigned collective identity had dissimilar effects in different episodes of deepening and widening regional integration. Partner states can be said to have been in and out of the ideational space assigned for their collective expression depending on the issues at hand. Three basic issues constrained the ability of this assigned EAC identity to hold so firmly as to give confidence in its ability to sustain political federation. One is the competition between the collective identity and domestic state identities, second is the disjointedness of the collective identity, namely its failure to run unbroken through the whole identity chain. Many aspects of the assigned EAC collective identity only intermittently appeared in relation to different issues concerning regional integration. Third is the internal contradiction between assigned identities in which the structure of some identities such as the non-exclusive nature of membership allowed for loyalties to other regional blocs to compromise partner states’ commitment to the EAC agenda. In the section that follows, I discuss how these three issues manifested in specific issue areas and recommend that they be treated as special areas for intervention in which a shared understanding needs to be developed.

The study has shown that assigned collective identity of the EAC albeit examined at the level of elites where it is expected to be somewhat shared, is still too fragmented to support the
Community’s highest aspiration of attaining a political federation. The study showed that by virtue of acceding to the 1999 Treaty Establishing the East African Community, partner states were signing up to a collective identity that is represented in the normative framework of the Community’s Treaty and other authoritative documents. What is observed however is that when it comes to making and implementing decisions on widening and deepening integration in the region, the rallying identity tends to lose steam to nationalistic concerns depending on different interests. Although the magnitude of this tendency in affecting the advancement of regional integration differs from country to country, the lack of a unified vision of the integration process collectively places blame on each partner state.

There are contradictory demands placed in the collective arena emanating from a nationalistic rather than regional framework of interpretation of the affairs of the community, a challenge which is most evident when one examines the behavior of the United Republic of Tanzania. Collective action on Community resolutions was consistently stifled by the country’s ‘cautious approach’ and rather than have the Community’s pace of advancement dictated by its slowest member, variable geometry provided an opportunity for other partner states to forge ahead, breaking the collective aspect of implementation of Community resolutions.

Although there is a systematic mode of selecting the leadership that drives the Community’s agenda, the variable geometry application assigned functional roles that did not necessarily coincide with the leadership assignments at the EAC level and parallel summit meetings at the EAC level continued to take place alongside ‘coalition’ summits also within the framework of the EAC. The application of variable geometry further alienated Tanzania which by virtue of the stands it had taken regarding advancement of regional integration efforts had already alienated itself from the rest of the member states.

Rather than let collective decisions be ignored to the detriment of all, the coalition partners embarked on advancing in areas that were of interest to them especially in view of the fact that the initiator of the variable geometry idea and the second coalition partner are both landlocked states which stood to lose heavily if such decisions were not implemented. The result of the trilateral was deepening integration even in areas that the United Republic of Tanzania had objected to such as a Mutual Defense Pact. In the sections that follow, I unpack the three constraints mentioned at the beginning of this section and offer recommendations on how the EAC needs to deal with them in order to develop a firm foundation for political federation.
8.3.1. Competition between the Collective Identity and Domestic State Identities

8.3.1.1. Need for Moral Dialogue

Because of the weight of differences in state identities, with Tanzania being distinctly different from other partner states of the EAC, there was a tendency for the country to relate to fellow partner states according to its own understanding of the various issues that it feels are different about its partners. The tendency of states to judge each other on the basis of values that may not be shared across the EAC shows that there is need for moral dialogue (Etzioni 2001:xxxiii) that goes beyond just formal pronouncements but one that is elaborated in the discussions of the community across states to create a shared understanding of the values of the East African people. Key here is on the meaning of democracy especially the question of presidential term limits and other aspects of the internal democracy of partner states as well as the question of ethnicity and cultural diversity. The advantage of a value based contest between should be collective identity and state identity is that it could form the basis for a community wide dialogue on the values that should be shared among partner states, so as to develop an identity to which all members can relate.

8.3.1.2. Tanzania’s Opportunity for Unity

East African states do not appear to be confident about the identities of their partners and the regional level identity assignments have not yet succeeded in dominating as reference points in decision making and collective action. Tanzania has not recovered from the traumatic experience of the first collapse of the Community and as such, the country is driven by more nationalistic concerns to the extent that Tanzanian politicians are “posturing and playing to existing national prejudices rather than attempting to change them.” (Etzioni 2001: xxxv) If Tanzania countered the fear and pessimism of its citizenry by educating them to see the wisdom of regional integration to which the country’s leadership has already committed, maybe the situation could be different. Tanzanian elite need to be seen as doing more than use the fears of their people as an excuse if they do not want to be branded as stallers of regional integration. Although Tanzania has been the country that has been most pessimistic about the rights and freedoms of the Common Market as well as the fast tracking of the EAC political federation, it ironically is also the country which, by virtue of neighboring each of the EAC states, is best placed to become the country that most East Africans could easily visit and in the experience of which they could become better socialized with each other.
Tanzania needs to see its geographical location as well as its development prospects as an opportunity to create a climate of optimism that can easily be diffused to other East Africans. Of course this can only happen if the country displays greater commitment to the ideals of the Community that is convincing enough to counter the current narrative about its role as a staller.

**8.3.2. Disjointedness of the EAC Collective Identity**

**8.3.2.1. Issues of Community Enlargement**

There was a general feeling that before any future enlargements can take place, the current community should first be consolidated by partner states implementing agreed upon decisions and actualizing their commitments. Most importantly however is the need to consolidate the ideational space in which the vision for the community is shared by all partner states so that new members can be oriented into a community of truly shared values and aspirations. It has been argued that the more the members and especially if they are heterogeneous, the more difficult it is to create a political federation (Etzioni 2001:xxxvii).

In the case of the EAC, it has been argued several times that the idea of the heterogeneity of East Africans is not factually correct and indeed nobody disputed the idea that the peoples of the five EAC member states share a common cultural heritage. However, as has been shown, this cultural homogeneity has not supported the regional integration process in a way that it forms a firm foundation for the establishment of a political federation. It was even not enough to sustain harmonious relations between partner states. As a result, the heterogeneity in other aspects such as economic and security interests as well as in the vision for the trajectory of integration have far outweighed cultural homogeneity in influencing progress of regional integration.

What the study suggests is that beyond making a state more favourable for admission into the community than another, culture in itself does not determine any other loyalties and decisions after the admission stage. The cultural homogeneity however presents an opportunity for rallying sentiments of fraternity, solidarity, good neighborliness and pan Africanism which if appealed to correctly could form a basis for mobilization of the EAC masses to support the integration process. Partner states need to take this ‘resource’ seriously and appeal to it to enable the people of East Africa check the divisive excesses of their leaders.
8.3.2.2. Sharing the Responsibility for Regional Integration between the Elite and the Citizenry

There is a lack of synergy between regional and national level mechanisms of accountability and there is no connecting chain between commitments made at both levels in terms of awareness by those who should hold leaders accountable for their decisions. For example, national leaders in Uganda should have either endorsed or questioned the involvement of the country in the tri-lateral arrangements in view of the country’s achievement of its regional level commitments. An attempt was made to question the effect of the Mutual Defense Pact under the trilateral arrangements on the stability of the EAC as a whole, but it did not seem like a credible threat to the regime’s efforts. The fact that EAC leaders can still follow through with ways of doing things that are seen as controversial and risky for the health of the Community without much engagement with the people shows that the process and its success solely depends on the political leadership.

There is a limit beyond which just political leaders shall not be able to sustain the integration process. There is need to have a deeper engagement with ordinary citizens to develop synergies between the regional and national levels to the extent that a failure to uphold regional level commitments amounts to risking credibility at the national level. That way, the political elite capture that has characterized EAC integration processes in the past as well as the present can also be checked. More importantly however, the people of East Africa can have a say in determining their own destiny. There is need for deliberate effort at creating and developing the EAC public sphere because it is at this intersection between the citizens and the political power structure where moral dialogue can be conducted and the responsibility for driving the integration process shared.

As much as I agree that the citizenry are required for legitimizing the integration process, I believe that political will is a critical ingredient that must also be present if the political federation is to ever be attained. The gains from the presidential directives made in the framework of the trilateral summits are evidence of the fact that if Heads of State come out and resolve to make the process work, it can. This study therefore calls for a sharing of responsibilities rather than a shift of responsibility between the (political) elite and the citizenry in this endeavor.
8.3.2.3. Insulating Bureaucrats from Political Meddling

There is obviously a strong dominance of the politicians over bureaucrats, showing a schism among the elites who are supposed to drive regional integration. In the process of enlargement of the Community, the views of the bureaucrats were shoved aside and the political leaders decided to admit Rwanda and Burundi without regard to their opinions and assessments. The same happened with the Trilateral meetings where all respondents said that the meetings were not initiated in good spirit and that they were more of a threat than an enhancer of integration. One respondent wondered how Rwanda which found the commitment to political federation already adopted by the founding members of the EAC could be seen as being more committed to the cause of regional political federation than Tanzania. East African states need to relearn the lessons of history and genuinely let the integration process be responsive to the wishes of the people rather than driven by Heads of State whose interests might include their own personal legacies rather than the future of the East African people and whose squabbles have proved destructive for the Community in the past.

Symbolic in the case of Uganda for example is that the Northern Corridor Integration Summits were held under the auspices of the Foreign Ministry not the Ministry of EAC Affairs which was specifically established to advance EAC integration. It appears apparent that Uganda’s intention is to drive a parallel grouping ahead without necessarily bowing to the EAC speed which has undoubtedly been dictated by Tanzania. The Trilateral partners seem to be attempting to create a hard core that shall take the integration forward and Tanzania might remain acting as a peripheral state. The trilateral partners have already stepped into the area of political integration by adopting the parallel Mutual Defense Pact which they could not accommodate under the Community’s Peace and Security Protocol.

Of concern here is that the people of East Africa still have no input in such decisions and given the poor democratic credentials of the states concerned, the Mutual Defense Pact could easily entrench bad leadership in the countries of interest. The regimes in Rwanda and Uganda, two of the partners in the pact took power by force of arms. Both countries have had their democratic credentials questioned and in both countries the Head of State has been in power for not less than two decades uninterrupted. A Mutual Defense Pact which dictates that in case either party is attacked, the others should come to its rescue could actually serve to keep ruling parties in power with the assistance of neighboring states. It is true that violent change of Government has been outlawed by the African Union but the adoption of such
pacts without an equally stringent commitment to enhancing democracy and good governance within member states to avert the potential for civil uprisings could amount to opening up for impunity by sitting regimes.

8.3.3. Inherent Contradiction between different Assigned Identities

8.3.3.1. Divided Loyalties

One of the things that were apparent in the expression of collective identities is that multiplicity of memberships cannot coexist alongside the aspiration for a political federation. Firstly because political federation presumes exclusivity of membership but also because experience shows that the lack of trust among EAC partner states compels Tanzania to retain its membership in SADC. In this case, the EAC is faced with two possibilities; either a form of political integration that does not amount to a political federation or another configuration for political integration that does not have universal membership of the EAC partner states.

The likelihood of this happening is also very slim given that the feeling of fraternity and solidarity that is required to create and sustain a political federation is lacking even among the so called coalition of willing states. These states seem to have an opportunistic solidarity conditioned by instrumental reasons and prevailing conditions, and one can only hope that the success of the Northern Corridor Integration Projects shall serve to bring the people closer to the extent that they demand more commitment from their leaders for the political federation. If this is to happen, it shall take a long time and the concerned partner states have to simultaneously work on improving their domestic governance environments so that they can become reliable and credible partners for political federation.

As long as the countries of the regions continue to see each other as rivals competing to be viewed favorably by external actors, they cannot build a united platform on which to build a political federation. Economic competition and competition for aid and hegemony are all so prevalent and cannot sustain political federation, let alone allow for its initiation. The discovery of oil and gas in some EAC member states may also change the patterns of regional interdependence making some states less willing to define themselves in terms of the collectivity. For the EAC to create a successful political integration, it must seriously weigh the power of alternative identifications and the strength of state identities vis-à-vis the assigned EAC identity.
8.3.3.2. The DRC Question

The question of the Democratic Republic of Congo even though outside the EAC is very pertinent to the relationships among EAC member states with the critical point of intersection being the membership of Tanzania to the SADC which has a stake in the stability of the DRC by virtue of the country’s membership to the regional bloc. Given the fact that some EAC member states have some kind of stake in the DRC, probably one way of navigating this issue is to get the DRC to join the EAC although this is least likely given the hostility between it and some EAC member states. Even if it happened that the DRC joined the EAC, the issues of governance within the country would still inhibit its ability to form a stable political federation with other EAC members. It is important to note that by virtue of its natural resource endowments and the weakness of governance institutions, the DRC Government has been unable to effectively administer its entire territory, resulting in severe exploitation of its mineral wealth by several different actors. Since the country’s instability sustains illegal exploitation of mineral wealth, it is most likely that there shall be many voices against its joining the EAC, a bloc whose depth of economic integration could somewhat constrain free reign exploitation of the country. EAC needs to engage with SADC at a bloc to bloc level to finds ways of dealing with the security issues in the Democratic Republic of Congo.

8.3.3.3. Questions of Common Purpose

As Dell puts it, “federation requires a marked community of feeling and a sense of common purpose.” (Dell 1963:281) However we observe a clash of economic and political objectives in the regional integration process of the EAC. Permanent residence for example is less an economic but more a social and political issue. Everybody seems to believe in the economic imperative but have different degrees of commitment to the political imperative of the Community. It is evident that belief in the advantages of integration does not necessarily mean that one believes in the idea of political federation and just because one acceded to the Treaty does not mean that they are really committed to the realization of a political federation.

The tagging of membership to the ultimate goal makes it difficult for countries to come out and say that they are not interested in a certain aspect and so prefer another type of membership, since membership type would also determine the scope of benefits. Even before
EAC member states start looking at the future with a political federation on the horizon, they need to go back to the drawing board and ask themselves the purpose for which they adopted a Common Market. As stated in the objectives of the Common Market Protocol, the goal is to lead to economic growth and development, but the Common Market is also widely perceived as a bridge to the political federation. Differences in the way advantages accrued to the Common Market are perceived determine which feature of the Common Market individual partner states see as important. The next round of Community enlargement should probably only offer associate membership and allow new states to acclimatize themselves with the Community and make steps towards building capacity for political federation before they can sign up to it.

8.3.3.4. Role of the Secretariat

Clearly demonstrated also is that the EAC is still very much a Community in which national and intergovernmental politics are the key drivers of the process. Although most respondents said that for the integration process to work as it should, the EAC secretariat should be made stronger, it does not appear that national governments shall readily accept the expansion of the authority of the Secretariat that amounts to reduction of their own power and sovereignty. Actually the trilateral arrangement represents a move away from the primary centre of responsibility to domestic institutions of member states, signaling a preference for intergovernmentalism over supra-nationality to drive further integration. One respondent said that the EAC secretariat does not need to be any stronger and that “there can never be a secretariat that is stronger than partner states themselves.” Member states need to be clear on the extent to which the Secretariat can be empowered to play its oversight role, otherwise if some member states start bypassing the institution, and yet at the same time expecting it to somehow be involved even if as an observer questions on whether those who are excluded from such arrangements should continue to make financial contributions to support it could arise.

8.3.3.5. A note on the Trilateral Arrangements

The trilateral summits in practical terms signified a choice of fast tracking rather than mere incrementalism. They show that Heads of State of the coalition countries decided that there is need to deliberately stimulate the speed of integration. Fast tracking and the ambitious plans
adopted under this arrangement though laudable also represent a higher risk of failure. EAC leaders by making commitments under the variable geometry arrangement have therefore placed a heavy weight to deliver on their shoulders. Since the trilateral arrangements are deliberate actions, no member state of the coalition should hesitate in the implementation of resolutions because this shall derail and shake the confidence of the rest in the planned mode of action.

Coalition Partners must stand together on a solid consensus that is immune to the changing patterns of interdependence on different issues in the region. All new information, new shared objectives and well as relations with external actors have to be handled with the perspective of the trilateral commitments in mind. By investing in joint infrastructure projects, adopting a single customs territory, a single tourist visa and signing Mutual Defense and Security pacts, the coalition partners are making a choice of deepening interdependence amongst themselves. This shall change the whole landscape of interstate relations in the EAC but until concrete measures are taken towards unification, the promise of political federation just remains a dream.

In the final analysis, the weight of history, the strength of domestic institutions and entrenched state identity and now the renewed confidence in regional states to assert themselves given the discovery of oil and gas also affects the way that partner states relate to each other. Certain expectations which fall in the sphere of the latent identities become visible as each partner state interprets the intentions of the others according to their own inbuilt frames of reference. East Africa probably still needs to answer the age old question which Nye suggests was never fully explored in the first attempt at Federation. What are the alternative possibilities between functionalism and federalism? (Nye 1966:249). The success of any integration among the East African States is going to depend on finding that balance between functionalism and federalism. After operating from that point effectively, maybe the impetus for federation shall grow among the citizenry and become too strong for EAC elites to resist.

Alongside the economic and social processes, there is need to foster the linkage between transnational epistemic communities - professionals who can work together to advance the cause of regional integration through research and policy direction to the Community. Once mobilized into a critical mass they can start the debate and engage their domestic communities on the joint aspiration of the Community. EAC member states still need to reflect on the essence of what makes them a collectivity and deliberately take identity
seriously if they are to move together towards integration. Otherwise, what Nyerere said shall be as true for the EAC as it is for the continent. “Africa has achieved many things in recent years, and can look back with some pride at the distance it has travelled. But it’s a long way from achieving the thing it originally set out to achieve, and there is a danger that it might now voluntarily surrender its greatest dream of all – the dream of continental unity.” (Nyerere 1966) The EAC can only be as true to its assigned ideals and aspirations as its member states are. The Community’s level of commitment to its own stated down norms can only be actualized if member states consciously own them and relate as though they matter, otherwise partner states’ own failure to reflect on these ideals undercuts the EAC’s claim to them. The need to deliberately build a consensus on the values that define East African Community identity should not be underestimated.

8.4. Areas for further Research

From a theoretical perspective, social constructivism’s stance of mutual accommodation between rationalism and constructivism is still limited in explaining the interactions between the logics of consequences and that of appropriateness especially in cases where consequentialism is not necessarily in sync with the aspirations of the rest of the members of the collectivity. There is still need to clarify how these logics interact, where the threshold of consequentialism permits for it to qualify as appropriateness. At a theoretical level, it is easy to explain the coexistence of rationalist and idealist imperatives but the two appear conflated at an empirical level that in a case such as this study, one is no longer sure whether they are sailing with the rationalist or constructivist waves. For example, it was obvious that the coalition partners had interest based arguments to back their decision to form the coalition, but why they did not involve Tanzania might be both because their interests would not be met if they waited for it to get on board, or maybe because they felt no sense of we-ness with it.

This study has been limited to an investigation of collective identity among elites, with specific focus on those who led the negotiations of interest in the study. A study that incorporates a broader range of elites both political and bureaucratic would yield great insights into their (un)shared ideals. It would also be recommended to study the extent to which ideas among the general population in the partner states are aligned to the EAC normative assignments. This could be good in reexamining whether what the Community
stands for is in line with the aspirations of the people and how the linkages if any could be harnessed to create the impetus for furthering integration from the bottom up.
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http://www.sadc.int/about-sadc/overview/history-and-treaty/

Appendices

Appendix 1: Map of East African Community Countries: Uganda, Kenya, Tanzania, Burundi and Rwanda.

Source: Living Travel
Appendix 2: List of Respondents


Other important discussions held

8. Richard Jjuko – Principal Assistant Secretary, Ministry of East African Community Affairs, Uganda. Discussion held in June 2013 at Ministry of EAC Affairs, Postel House Kampala.


Appendix 3: Interview Guides

Interview/ Document Analysis Guide (Master Guide)

The study primarily does two things: It explores the interaction between collective identity and regional integration and interprets what identity manifestations mean for future political integration. Focus is on how the (normative concerns) logic of appropriateness constitutes reasons for action. The key aim of this investigation is to establish the extent to which state identities are aligned to the assigned identities of the EAC as a collectivity. When are they aligned and when are they not and which ones are aligned?

Document Analysis

Verification Reports of Rwanda, Burundi and Sudan

1. Study the extent to which they qualified or did not qualify for admission.
2. Establish whether there are criteria that matter more than others in the decision to admit or reject a country.
3. Check where compromises were made in the criteria.
4. Examine whether attainment of a political federation as an aspiration ever featured in discussions as considerations for admission to the community or was it something simply taken for granted.

Reports on discussions of verification Reports

1. Establish the arguments of each of the founding members advanced in favor of or against certain countries’ admission.

Reports of the negotiations of interest that were not seen

a) Reports of the HLTF (for both the common Market and enlargement negotiations)

b) Reports of the Sectoral Council (for both the common Market and enlargement negotiations)

c) Reports of the Ministerial Council(for both the Common Market and enlargement negotiations)

d) Comments on the proposed political federation.

e) Verification Reports for Rwanda and Burundi.
Interview Guide

Common Market Negotiations (State level Bureacrats Kenya, Uganda and Tanzania)

1. What was the nature of the decisions where there was perfect agreement between you as negotiators in the course of negotiations?

2. How would you describe the kinds of decisions where there was disagreement among member states?

3. Were there attempts to make concessions on certain issues for others during the negotiations? Which issues were traded by which partner states?

4. Are there any decisions that were motivated purely by ideational factors?

5. Basing on the disagreements on the extent of the freedoms that the common market allows for, it appears that Uganda and Kenya are more willing to give up/cede their sovereignty than Tanzania is. Why is this so?

6. What do you make of the decisions of actors from other member states? Do you see genuine engagement in the EAC negotiations?

7. What are the interstate processes for crafting positions to be presented at the EAC level negotiations?

8. Given that the other countries of the EAC are land locked, do you get the sense that within their maneuvers during the common market protocol negotiations Kenya and Tanzania are kind of in a position of competition to be access routes to the other EAC member countries?

9. What considerations do states make in order to implement agreed upon resolutions that are arrived at at the EAC level. (rational calculations? Whether others are doing it? Whether it is just the right thing to do because you want to maintain trust?)

10. Which of the partner states is mostly driven by which motivation?

11. Why couldn’t the tri lateral wait for November 2013?

12. Do you think Tanzania was right to feel the way it felt regarding the trilateral arrangements? Would you say that the other partner states acted contrary to expected norms of behavior prescribed by the EAC?

13. Do you think Tanzania is going to come on board and join the Single Customs territory or the single tourist visa?
Enlargement of the Community (EAC Secretariat and State level bureaucrats)

14. What were Uganda’s considerations for pushing for the admission on Rwanda into the EAC from as early as 1999?

15. If Sudan had applied for admission to the EAC before the secession of the South, do you think it would have been admitted?

16. In the admission of the Rwanda and Burundi. Do you feel that both countries were equally qualified to join the community? It has been reported that the Burundi was mostly admitted because of the need to help it stabilize. Does this say anything about the philosophy of the EAC in security matters and to what extent is this binding to all founding members and would this argument also equally apply to Southern Sudan under the current conditions? Why or why not?

17. Are there compromises that were made in the case of Rwanda and Burundi for them to be admitted, can such compromises still be made and be equally applied in the case of Southern Sudan and Somalia?

General Inter-state Relations Issues, (Bureaucrats and Secretariat staff)

18. How do alliances with actors outside of Africa affect interstate relations within the East African Community?

19. What are the dynamics of relationships between the new and founding members of the community and how does this affect interstate relations between the founding members?

20. Does the multiplicity of membership to other regional bloc affect the sense of oneness and loyalty that some member states feel in dealing with each other as members of the EAC?

21. If you were asked where Tanzania feels more pride in belonging would you say SADC or EAC? How about where it makes economic sense to belong?

22. Do you think that the common defense protocol with a mutual defense pact as is going to be ratified by each of the partner states? What is the status with Tanzania given that it has a mutual defense pact with SADC countries?

23. To what extent would you say that the normative prescriptions of the EAC create a commonality and solidarity among the partner states at least among the elite? (disaggregate normative prescriptions and ask questions)

24. Do you think all partner states feel equally proud to belong to the EAC?
25. What would you say are individual motives for the following countries to belong to the EAC? Uganda, Kenya and Tanzania (unique to the partner states what it gains more than others possibly).
26. Which of the normative prescriptions of the EAC would you say that all founding members equally or more or less subscribe to?
27. How come we do not see an EAC wide intervention in the case of Southern Sudan? Why does Uganda appear to take the lead and what do other member states feel?
28. To what extent would you say that the EAC past history still affects the way partner states look at each other? Would you say that the demons of the past have been exorcised in your country’s case?
29. If you were to amend the EAC Treaty? What would you change?
30. In the argument about the consensus rule and the variable geometry rule between the tri lateral partners and Tanzania, who had the right interpretation of what the Treaty actually stands for?
31. Under what circumstances can a partner state be expelled from the EAC?
32. Is there agreement about the Relational Comparisons of the EAC? How do member states vote when it comes to a conflict between EAC and SADC or EAC and COMESA member states?
33. There is a view that is generally spread that Tanzania is a staller because of its membership in SADC. How come Kenya and Uganda’s loyalty are hardly questioned even when they too belong to other regional bodies?
34. Are there any national role conceptions that are projected by certain member states e.g. what roles ‘inherently’ belong to Uganda, Kenya and Tanzania that other partner states somehow take for granted and accept. Have they persisted or changed over time?
35. Are there any stereotypes about nations that you think play a role in determining how partner states relate to each other in negotiations and the process of integration?

On potential for political federation (Secretariat and Ministers (optional for bureaucrats))
36. What is the role of the conflict in the DRC in the stability of the EAC and the potential for political federation?
37. Is the fact that we aspire to a political federation ever a consideration before admitting a country e.g. acceptance of South Sudan…does it make the political federation more or less likely?

38. Is a political federation among only the founding members conceivable or which constellation is conceivable and why?

39. What is the role of individual leaders? Is it possible that if the leaders change we stand a greater of lesser chance of attaining a political federation?

40. To what extent would you say that differences in domestic political and economic contexts affect the potential for political federation?

41. In your own observation, what would you say is the possibility for political federation and what form could be accommodated?

In the Active sphere?

42. Review the implementation matrix and see which countries are lagging behind in implementing which resolutions?
Interview Guide for Hon. Amanya Mushega (EAC Secretary General 2001-2006)

Part 1: Enlargement of the Community

1. What were Uganda’s considerations for pushing for the admission on Rwanda into the EAC from as early as 1999?

2. If Sudan had applied for admission to the EAC before the secession of the South, do you think it would have been admitted?

3. In the admission of the Rwanda and Burundi. Do you feel that both countries were equally qualified to join the community? It has been reported that the Burundi was mostly admitted because of the need to help it stabilize. Does this say anything about the philosophy of the EAC in security matters and to what extent is this binding to all founding members and would this argument also equally apply to Southern Sudan and Somalia under the current conditions? Why or why not?

4. Are there compromises that were made in the case of Rwanda and Burundi for them to be admitted, can such compromises still be made and be equally applied in the case of Southern Sudan and Somalia?

Part II: General Inter-state Relations Issues.

5. How do alliances with actors outside of Africa affect interstate relations within the East African Community?

6. What are the dynamics of relationships between the new and founding members of the community and how does this affect inter-state relations between the founding members?

7. Does the multiplicity of membership to other regional bloc affect the sense of oneness and loyalty that some member states feel in dealing with each other as members of the EAC?

8. If you were asked where Tanzania feels more pride in belonging would you say SADC or EAC? How about where it makes economic sense to belong?

9. Do you think that the common defense protocol with a mutual defense pact as is is going to be ratified by each of the partner states? What is the status with Tanzania given that it has a mutual defense pact with SADC countries?

10. To what extent would you say that the normative prescriptions of the EAC create a commonality and solidarity among the partner states at least among the elite? (disaggregate normative prescriptions and ask questions)
11. Do you think all partner states feel equally proud to belong to the EAC?

12. What would you say are individual motives for the following countries to belong to the EAC? Uganda, Kenya and Tanzania (unique to the partner states what it gains more than others possibly).

13. Which of the normative prescriptions of the EAC would you say that all founding members equally or more or less subscribe to?

14. How come we do not see an EAC wide intervention in the case of Southern Sudan? Why does Uganda appear to take the lead and what do other member states feel?

15. To what extent would you say that the EAC past history still affects the way partner states look at each other? Would you say that the demons of the past have been exorcised in your country’s case?

16. If you were to amend the EAC Treaty? What would you change?

17. In the argument about the consensus rule and the variable geometry rule between the tri lateral partners and Tanzania, who had the right interpretation of what the Treaty actually stands for?

18. Under what circumstances can a partner state be expelled from the EAC?

19. Is there agreement about the Relational Comparisons of the EAC? How does Tanzania vote when it comes to a conflict between EAC and SADC member states?

20. Are there any national role conceptions that were/are projected by certain member states e.g. what roles ‘inherently’ belong to Uganda, Kenya and Tanzania that other partner states somehow take for granted and accept. Have they persisted or changed over time?

21. Are there any stereotypes about nations that you think play(ed) a role in determining how partner states relate to each other in negotiations and the process of integration?
Part III: Political Federation

22. What is the role of the conflict in the DRC in the stability of the EAC and the potential for political federation?

23. Is the fact that we aspire to a political federation ever a consideration before admitting a country e.g. would acceptance of South Sudan and or Somalia? Would their admission make the political federation more or less likely to attain?

24. Is a political federation among only the founding members conceivable or which constellation is conceivable and why?

25. What is the role of individual leaders? Is it possible that if the leaders change we stand a greater or lesser chance of attaining a political federation?

26. To what extent would you say that differences in domestic political and economic contexts affect the potential for political federation?

27. In your own observation, what would you say is the possibility for political federation and what form could be accommodated?

Thank you for your kind consideration, sparing time and for your responses.
### Appendix 4: Table of Assigned Responsibilities from the Second Tri Lateral Summit

#### Table: Action Plan from the 2nd EAC Infrastructure Summit

<table>
<thead>
<tr>
<th>Issue</th>
<th>Action to be taken</th>
</tr>
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</table>
  * The Ministers responsible to put into place a monitoring and evaluation mechanism to ensure the project remains on course, within budgetary provisions and its timely completion.  
  * The Malaba-Kampala-Kigali railway line with a spur to Muko to be completed by March 2018.  
  *The Tororo-Gulu-Nimule line be upgraded to Standard Gauge Railway Line (SGR) by March 2018.  
  * To extend the railway line from Kigali to Bujumbura by March 2018,  
  * The Kenya Railway Training Institute and the Tororo Road/Railway Polytechnic be developed into regional training centers for railway construction, maintenance and operations. |
<p>| Petroleum Products Pipeline Development | * The Ministers responsible to report on progress on the construction of the Eldoret-Kampala pipeline and the feasibility study for the Kampala-Kigali segment during the 3rd Infrastructure Summit in October 2013. |
| Crude Oil Pipeline Development | * Necessary measures be taken to ensure that South Sudan - Lockichar - Hoima crude oil pipeline is integrated into LAPSSET corridor project by 31st December, 2013 depending on the finalization of the review of the commercialization plan currently under discussion with oil companies by the |</p>
<table>
<thead>
<tr>
<th>Topic</th>
<th>Details</th>
</tr>
</thead>
</table>
| **Progress of Implementation of Oil Refinery Development** | * The Partner States to confirm their participation in the development of the Uganda oil refinery by 15th October 2013.  
* Finalize the harmonization of the development of the refinery with that of the planned petroleum products’ pipelines. |
| **Power Generation and Transmission**     | * Member States to make budgetary provisions for implementation of inter connectivity transmission and distribution lines,  
* The Ministers of Uganda, Kenya and Rwanda responsible to ensure that the MOU on common inter connectivity project is signed before the next Summit. |
* Ministers responsible to finalize on the modalities of operationalization of the use of National ID cards as travel documents before 15th October 2013, in readiness for the implementation by 1st January 2014. |
| **Single Customs Territory**              | * Member States to ensure implementation of decisions in tariff barriers (axle load, weigh bridges and road blocks) and expeditious movement of goods and persons by 15th October 2013.  
* Ministers responsible to harmonize clearance procedures by 30th October 2013  
* Kenya to report on the integration of operations of the Rwanda Revenue Authority and Uganda Revenue Authority at |
the Port of Mombasa during the next Summit

* Ministers responsible to report on the effectiveness of the measures undertaken by all member States to ensure ease of movement of cargo from the Port of Mombasa to respective destinations.

* Ministers responsible to report on legal and cost implications of the Single Customs Territory (SCT)

<table>
<thead>
<tr>
<th>Fast Tracking Political Federation</th>
<th>Ministers responsible to meet in Kampala from 10th -12th September, 2013 and report on the road map by 15th September, 2013 as well as prepare a zero draft of the federal constitution by 15th October, 2013.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Burundi and South Sudan</td>
<td>Representatives of the Republic of Burundi and the Republic of South Sudan be part and parcel of the projects and incorporated into the Technical Committees in relevant thematic areas.</td>
</tr>
<tr>
<td>Financing</td>
<td>Ministers responsible for finance should meet within one and half months to come up with mechanisms to raise and schedule financing for all proposed projects.</td>
</tr>
<tr>
<td>Follow up and Monitoring</td>
<td>The next summit will be held in Kigali, Rwanda during the third week of October 2013 to review the progress of implementation of the outcomes of the 2nd Infrastructure Summit.</td>
</tr>
</tbody>
</table>

Source: Summit Communiqué Mombasa, August 28, 2013.
Curriculum Vitae

Contact Details

Catherine Promise Biira
Population Secretariat,
Plot 9, Colville Street,
P.O Box 2666,
Kampala, Uganda.
Tel: +256-772-452049/0790-882625
Email: cbiira@yahoo.co.uk
cpbiira@gmail.com

Education

PhD in International Development Studies – Ruhr University Bochum, Germany (Oral Examination: July 2015)


Master of Administration (double degree programme) – University of the Western Cape, South Africa (2007)

Master of Arts in Development Management – Ruhr University Bochum, Germany (2006)


Bachelor of Arts in Social Sciences (Political Science and Public Administration) – Makerere University, Kampala. (1999)


Employment History and Experience

Senior National Programme Officer M&E, Population Secretariat 2008 to date

National Programme Officer M&E, Population Secretariat 2006-2008

Volunteer, Delivery of Improved Services for Health 2000-2002.
**Key areas of current work engagement**


**Awards and Recognition**

Recognized by Bikurungu Centenary Primary School for spearheading a fundraising drive for construction of a five stance sanitary facility for girls at the school. (October 2015)

Recognized by Rukungiri District Women Council for supporting Girl Child Education in Bwambara and Bugangari sub counties through a personal initiative to ensure that girls attain education beyond O-level. (March 2015.)

Awarded a Scholarship to pursue a PhD at Ruhr University by the Catholic Academic Exchange Service (KAAD) 2011-2015.

Selected among the pioneer Fellows of the African Good Governance Network (AGGN). Continuous training and capacity development as an AGGN fellow is financially supported by the German Academic Exchange Service (DAAD) since 2007.

Recognized as best student of the 2004-2006 Master of Arts in Development Studies’ class at Ruhr University Bochum, Germany.

Awarded a Scholarship to pursue a Master’s Degree in Germany by the Catholic Academic Exchange Service (KAAD) 2004-2006

**Recent Positions of Responsibility**

Voted as Speaker of the KAAD Africa Parliament (2011-2012)

Served as Coordinator Academic Projects for the Association of KAAD scholars in Uganda (2010-2013)

Founding member and selected by peers as Chairperson of the Sexual Health Improvement Project (SHIP) (2007 to date)

Assigned responsibility as Chairperson of Task Force to review the Population Secretariat Strategic Plan. 2010

**Key Strengths**

Demonstrated skills in public speaking, presentation and mentoring.

Proven track record in leadership and inspiring teams to own and pursue a vision.

Experienced at community engagement and motivating grassroots populations to work towards social transformation.

I have a versatile character and personality and I can comfortably engage with people at any level of leadership and service.

**Research Interests**

Inter-group relations and Identity, Regional Political Integration, Negotiation, Democratization, Institutions and Political Accountability.

**Planned career direction**

Diplomacy and International Relations, Regional Affairs especially in the context of EAC political integration, Domestic Governance and Political institutional building, Public and Social Policy Analysis and Development.

**Language Skills**

Local Ugandan Languages: Runyakitara group of languages, Luganda and Lhukonzo.

International Languages: High level of proficiency in English; German (well understood fairly spoken and written), Kiswahili (mostly understood basic spoken proficiency.)

**Publications**