

# **Agency, Ideas and Institutions: The East African Community in the Emerging Economic Order**

Peter John O'Reilly

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University of York

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## Abstract

In 1999, Kenya, Tanzania and Uganda signed the ‘Treaty for the Establishment of the East African Community’ (EAC), which set out a comprehensive and highly ambitious regional governance agenda. In comparison with the rest of the continent, where commitments to regional integration are often made in principle but less often operationalised in practice, the EAC can be regarded as something of a ‘success’ story of regionalism in Africa. Since its (re)establishment, several key integration milestones have been met, and membership has expanded to include Rwanda, Burundi and South Sudan. In recent years, however, the relative success of the EAC has confronted a series of challenges, due to tensions and divergences between the partner-states regarding the region’s vision for comprehensive economic and political integration. In this thesis, I aim to explain: (a) why East Africa’s policy elite were motivated to (re)establish regional governance in 1999; and (b) why, in recent years, tensions and divergences have come to characterise the EAC’s regional regime. Here, I depart from dominant understandings of African regionalism, which typically appeal to concepts of clientelism and regime boosting. Instead, I situate my study of the EAC within a wider IPE literature that emphasises the broader systemic context in which regions are imagined, institutionalised and even contested. Forwarding an agent-centred constructivist framework, I argue that the EAC’s social purpose was initially tied to a particular (neoliberal) conception of globalisation as a non-negotiable economic constraint. For East Africa’s political elite, therefore, the EAC predominantly came to be imagined and institutionalised as a space to respond to the (perceived) economic and policy imperatives of globalisation through a process of market-led integration. Yet, towards the end of the 2000s, these intersubjective conceptions of globalisation weakened among the EAC’s policy community, reflecting broader systemic shifts in the global economic order. Within this context, I highlight that discursive space has emerged within the region for the espousal of more nationalist (as opposed to regional) development agendas. This, however, has resulted in tensions arising between an emerging agenda for *national* development planning and the EAC’s principal ambition for deep *regional* economic and political integration.

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## **Authors Declaration**

I declare that this thesis is a presentation of original work and I am the sole author. This work has not previously been presented for an award at this, or any other, University. All sources are acknowledged as References.



# Chapter 1

## Introduction

### 1.1 Background and Research Questions

In 1999, the governments of Kenya, Tanzania and Uganda signed the ‘Treaty for the Establishment of the East African Community’ (EAC) (EAC, 1999), setting in motion the EAC’s (re)establishment in 2000 and, with that, a highly ambitious regional integration and cooperation agenda. The EAC’s establishment in 2000 was significant for several reasons. First, it represented a re-formalisation of Kenya, Tanzania and Uganda’s long-standing history of integration and cooperation. Formal economic integration between these three states emerged in the early part of the 20<sup>th</sup> century, under the auspices of British colonialism (Ingham, 1963; Nye, 1966). By the eve of their independence in the early 1960s, the three territories had a single market, a monetary union, a regional customs regime and a series of common services jointly owned by the three governments, including in railways, air transport, harbours and telecommunications. Economic cooperation continued after decolonisation in the 1960s and, in 1967, the first EAC was established. Yet, by the mid-1970s, the EAC increasingly came under strain, emerging from animosities between the three governments, leading to the collapse of regional institutions in 1977 (Hazlewood, 1979). Second, the EAC’s revival also stands out for the depth and ambition of its regional integration and cooperation agenda. Alongside an ambitious programme for economic integration that envisaged the creation of a customs union, common market and monetary union, the EAC treaty also committed its three signatory states to the eventual creation of a political federation. Third, what also proves crucial is the sequencing of the EAC’s re-establishment. Specifically, the EAC’s revival formed part of a broader wave of regionalisation during the 1990s and early 2000s, where various new regional integration and cooperation initiatives were emerging across the span of the global order (Hettne, 2005).

This thesis is concerned with the process of regionalism in East Africa and, more precisely, with the revival and subsequent trajectory of the EAC’s contemporary

integration and cooperation agenda.<sup>1</sup> The first area of interest which this thesis investigates is the pathway that led to the formal re-establishment in 2000. The EAC's relaunch proves significant for the very reasons outlined in the previous paragraph. Specifically, why was it that policy elites in Kenya, Tanzania and Uganda saw it as necessary and desirable to revive regional governance in the region. As discussed, the collapse of the first EAC in 1977 created significant animosities between the three states. Moreover, by the time of the EAC's revival in 2000, the three states had come to participate in other regional economic communities (REC) in eastern and southern Africa, including the Common Market for Southern and Eastern Africa (COMESA) and the Southern African Development Community (SADC).<sup>2</sup> A further point of significance that adds to the puzzle of the EAC's revival is the depth and ambition of its proposed integration agenda. Indeed, as it currently stands, the EAC is the only regional organisation in the world with a formal commitment to establish a regional political federation.

The significance of the EAC, however, not only rests in the context of its revival, but also regarding the trajectory and unfolding of its subsequent integration and cooperation agenda. As many have acknowledged, in terms of economic integration, the EAC partner-states have made significant progress in their aspirations to create a single market in the region. The EAC customs union was agreed to in 2004 (EAC, 2004a, 2004b) and was fully operational (albeit imperfectly) by 2009. The partner-states have also signed protocols for a common market (EAC, 2010a) and monetary union (EAC, 2013a), both of which are at various stages of implementation. Daniel Bach (2016: 97) has even argued that the EAC features as the 'exception' of regional economic governance in Africa, where commitments towards regional integration have often been made in principle, but not operationalised in practice. Although Bach acknowledges that regional governance in the EAC is still beset by several 'practical hurdles' (*ibid.*), his key point is to argue that relative to other RECs in Africa, the EAC has stood out as something of a success story. Indeed, between 2005 and 2010, total EAC intra-regional trade grew from \$1.6 billion to \$3.8 billion, the percentage of intra-regional trade to total trade increased from 7.8% to 11.4% and intra-regional exports as a percentage of total exports grew from 14% to

<sup>1</sup> In this thesis I follow Andrew Gamble and Anthony Payne's (1996: 2) definition of regionalism 'as a state-led or states-led project designed to reorganize a particular regional space along defined economic and political lines'.

<sup>2</sup> All three governments signed the COMESA agreement in 1994 (although Tanzania withdrew in 2000). Meanwhile, Tanzania was a founding member of SADC in 1992.

20.2% (UNECA, 2013: 17). The UN Economic Commission for Africa (UNECA) has also consistently rated the EAC as the best performing REC in Africa in terms of economic integration, alongside other dimensions such as the free movement of persons (UNECA, 2016a). The EAC's membership has also expanded with the accession of Burundi and Rwanda in 2007, as well as South Sudan in 2016.<sup>3</sup>

Although not disregarding the significance of these achievements, in recent years, another narrative has increasingly come to define the EAC, that points to existential challenges and threats facing its integration and cooperation agenda. As one opinion writer noted in the regional newspaper *The East African* in 2016, 'it is not the thing one says in polite society but, barring a dramatic reset, the East African Community is in terminal crisis, barely a decade and a half since it was re-established' (Maina, 2016a). Meanwhile, in a media interview in 2017, Peter Kiguta, the EAC Secretariat's former Director-General of Customs and Trade (2004-2017), noted that although often cited as the best performing REC in Africa, the enthusiasm that had once been exhibited by the partner-states towards EAC integration and cooperation had begun to wane (Ligami, 2017). Many of these themes were also expressed in the interviews conducted for this thesis in 2017, with several interviewees suggesting that the zeal for integration that had characterised East Africa's leaders during the 2000s was not as apparent among the region's contemporary leadership.<sup>4</sup>

Of course, these are merely speculations by observers within the region. However, in contrast to the first decade of the EAC's revived integration and cooperation agenda, characterised by relative harmony (at least from the outside), the second decade has increasingly been defined by clear fault-lines and divisions among the region's partner-states. The first of these became apparent in 2013 when the governments of Kenya, Rwanda and Uganda formed the Northern Corridors Integration Projects (NCIP). The NCIP was officially billed as a forum to promote infrastructure and facilitate the transport of goods between the three countries. In practice, however, the NCIP effectively became an alternate forum for these states to pursue the deeper forms of integration that had been laid out in the EAC's common market protocol, the implementation of which had

<sup>3</sup> Although according to one interviewee, beyond official meetings and summits, South Sudan is not actively participating in the EAC's integration agenda (Interview 26: Regional Advisor – EAC Development Partner, May 2018, via phone call).

<sup>4</sup> Interview: Representatives (x2) – Kenya National Chamber of Commerce and Industry (KNCCI); Interview 11: Regional Policy Expert, July 2017, Nairobi; Interview 12: Former Senior Official – EAC Secretariat, July 2017, Nairobi.

largely stalled, with a perception that Tanzania, in particular, had been apathetic about the prospect of deeper integration.<sup>5</sup> In 2016, further divisions came to characterise the EAC when the partner-states failed to collectively agree on the ratification of an inter-regional free trade agreement, or economic partnership agreement (EPA), with the European Union (EU). While the Kenyan and Rwandan governments signed the EPA in September 2016, the remaining EAC partner-states have expressed scepticism and even open criticism of the agreement. In recent years also, a series of internal trade disputes have emerged between the EAC partner-states, where restrictions and duties have been placed on certain imports coming from within the region (Munda, 2018). A recent UNECA report has even suggested that these trade restrictions are partly to explain for the reduced levels of intra-regional trade seen between 2013 and 2017.<sup>6</sup>

The second area of interest that this thesis addresses, then, relates to the trajectory and unfolding of the EAC's integration and cooperation agenda since 2000. In particular, the interest here concerns the increasing tensions and divergences that have come to characterise the EAC's regional regime in recent years. What proves so surprising and puzzling in this case is why the trajectory of the EAC's integration and cooperation agenda, which had achieved several key integration milestones in its first decade, has increasingly been defined by intra-regional divisions and, if recent reports are to be believed, an apparent shift towards disintegration.

As such, this thesis centres upon two specific research questions:

1. What motivated the governments of Kenya, Tanzania and Uganda to re-establish the EAC in 2000?
2. Why, in recent years, have tensions and divergences come to characterise the EAC's regional regime?

To set out the broad contours of this study, this introductory chapter proceeds as following. The next section begins by reviewing the dominant neopatrimonial approach to African regionalism and its limitations for understanding the EAC's integration and cooperation agenda. I then provide an overview of the key theoretical and empirical

<sup>5</sup> Interview 08: Senior Official – Kenyan Government (State Department for East African Community Integration), July 2017, Nairobi; Interview 09: Regional Policy Experts (x2) – Kenya National Chamber of Commerce and Industry, July 2017; Nairobi; Interview 11: Regional Policy Expert, July 2017, Nairobi; Interview 15: Regional Policy Expert, August 2017, Arusha.

<sup>6</sup> This report has not yet been made public, but its findings have been reported by media outlets in East Africa (see: Mugisha, 2019).

points of engagement of this thesis. The penultimate section provides an overview of the methods employed in this study before turning, in the final section, to provide an outline of the remainder of the thesis.

## **1.2 Neopatrimonialism and Regime Boosting Regionalism: A Critical Overview**

Throughout the 1990s, numerous African RECs – such as the EAC, COMESA and SADC – were revived and reinvigorated, forming part of a vanguard of a broader process of regionalisation occurring across the global political economy (see: Fawcett & Hurrell, 1996; Gamble & Payne, 1996; Hettne, Inotai & Sunkel, 1999). Yet, the tendency within the literature has not been to situate African regionalisms in relation to these broader systemic trends. Instead, studies of African regionalism have been confined to the narrower field of African studies. Here, processes of regionalism in Africa are primarily assumed to be underpinned by a different logic to those located in other parts of the world due to Africa's supposedly unique political-economic context. The starting point for these literatures, as Richard Gibb (2009: 713) has put it, is that to understand African regionalism it is crucial to understand 'the role and influence of the African state'.

Within the African studies literature, the African state has become intertwined with the concept of neopatrimonialism. As Thandika Mkandawire has noted, 'neopatrimonialism has become the convenient, all-purpose, and ubiquitous moniker for African governance' (2015: 565). The neopatrimonial perspective starts with the supposed institutional weaknesses of the post-colonial African state. Drawing from Weberian understandings of the state, neopatrimonialism points to a context where rational-bureaucratic systems exist in principle, but where the authority of African leaders and their ruling regimes stems more from the patronage networks that they construct around them, rather than from legal norms and principles. According to Robert Jackson (1991), the nature of sovereignty for many states that emerged in Africa (and elsewhere) following decolonisation was fundamentally different from the Westphalian model that first appeared in Europe. The Westphalian model, according to Jackson, was premised upon both *negative* and *positive* sovereignty. Sovereignty under this understanding entailed both a formal and legal recognition by the international community (negative sovereignty) (*ibid.*: 27), alongside an internal capacity to provide political goods (law and order etc.) to citizens (positive sovereignty) (*ibid.*: 29). Jackson's argument was that the African states (and their ruling

regimes) that emerged after decolonisation were sovereign only in the negative sense and often lacked the institutional capacity and legitimacy necessary of positive sovereignty: a condition he referred to as 'quasi-statehood'.

The assertion within the neopatrimonialist perspective, then, is that the post-colonial state in Africa has often been unable to govern through legal convention and popular legitimacy alone. As the argument goes, this has meant that Africa's ruling elites have had to pursue alternate measures to bolster their domestic authority. This has included conferring benefits (patronage) onto a network of domestic elites and other politically significant groups (clients) to forge alliances to reinforce political power. It is also suggested that ruling elites in Africa will strategically engage in international affairs to bolster their external legitimacy. This latter point has been a critical feature within studies of Africa's international politics (Bayart, 1993, 2000; Clapham, 1996; Taylor, 2010; Taylor & Williams, 2004). Much of this literature has been framed around the concept 'extraversion'. The term first emerged in Jean-Francois Bayart's work *The State in Africa: The Politics of the Belly* (1993; see also, Bayart, 2001; Taylor, 2010; Taylor & Williams, 2004) and refers to how ruling African elites strategically engage in global affairs to boost their domestic authority. Bayart, for instance, has highlighted how African governments during the 1980s and 1990s agreed to implement democratic reforms in return for external donor financing. However, he argued that these reforms were implemented in such a way that they did not threaten the authority of governing elites (2000: 225). Others have made similar arguments regarding African governments engagement with the International Monetary Fund (IMF) and World Bank during the structural adjustment era in the 1980s and 1990s (Reno, 1998; van de Walle, 2001). In these instances, it is claimed that African governments only made cursory or superficial efforts to implement the economic reforms demanded by the IMF and the World Bank.

As already indicated, the concept of neopatrimonialism has become a key reference point for scholars studying African regionalism (Bachmann & Sidaway, 2010; Gibb, 2009; Herbst, 2007; Sidaway, 1998; Söderbaum, 2010). The starting point for much of these literatures is the observation that, for the most part, African RECs have largely failed in their ambitions for economic and political integration. For these authors, this begs the question concerning why Africa's leaders continue to commit themselves, and those they govern over, to processes of regional integration and cooperation, despite their record of failure. The argument put forward within these accounts is that the purpose of



regionalism in the African context has principally been to reinforce and boost the domestic authority of ruling elites. As Jeffrey Herbst (2007: 129) has argued:

regional cooperation is largely initiated and designed in Africa to promote the security and interests of rulers, rather than the more generally assumed goals of increasing the size of economic markets, ensuring the rights of citizens, or overcoming capricious national boundaries.

From this perspective, regionalism can act as a forum for regime-boosting in two ways. First, as Frederick Söderbaum has argued, regionalism can be utilised ‘as an image-boosting instrument...to raise the profile, status, formal sovereignty and image of their authoritarian regimes, but without ensuring implementation of agreed policies’ (2010: 7). Second, regional institutions can also act as sites for external patronage. In this respect, African elites can instrumentally petition foreign donors for funding to support the goals and ambitions of regional cooperation programmes, even if they have no intention of implementing these (Bachmann & Sidaway, 2010). In short, from a neopatrimonial perspective, African regionalism has historically failed because integration and cooperation schemes have merely served as instrumental façades to reinforce the domestic power of ruling elites.

Notions of regime-boosting regionalism could be one avenue for explaining the research questions identified in relation to the EAC. From this perspective, East Africa’s governments re-established the EAC as a mechanism to boost their domestic authority and attract donor funding. Crucially, however, the neopatrimonial account of regionalism has difficulty explaining the subsequent trajectory of the EAC’s integration and cooperation agenda. I highlighted in the previous section that the EAC’s integration agenda had come under strain in recent years. Yet, I also noted that the EAC partner-states had achieved several key integration milestones, which jar with the neopatrimonialist claim that commitments to regionalism in Africa are only ever made in principle, but not operationalised in practice.

The limitation of a regime-boosting framework in the EAC’s case stems from broader problems with the neopatrimonial perspective as a whole. First, the neopatrimonial approach tends to offer a highly essentialised understanding of African political contexts, often assuming that all African states suffer from the same set of issues. But, as Lindsay Whitfield and Alastair Fraser point out, patron-client networks can exist across African states to varying degrees and in different forms (2009: 10-11). The crucial point here is

that neopatrimonial concepts can still offer useful insights into African political and economic governance, but that these need to be historically and spatially contextualised. For instance, Christopher Vaughan (2018) has convincingly applied a regime-boosting framework to understand regionalism in East Africa immediately following independence in the 1960s. Vaughan highlights how in this *specific* historical context, where ruling elites domestic authority was still quite fragile, coalitions of nationalist leaders were able to use regional summits to establish their legitimate leadership credentials. However, as political cultures and conventions have become entrenched in the years since, I would argue that a context where East Africa's governments are still *constantly* in need of external recognition is somewhat questionable.

A second criticism against the neopatrimonial approach is that it tends to presuppose the motivations of African actors. Mkandawire (2015) has noted that although forms of neopatrimonialism exist across African states (albeit to varying degrees), we cannot deduce from these political contexts the motivations of agents therein. To illustrate this argument, Mkandawire draws upon the example of industrial policy in Africa (*ibid.*: 584-587). For proponents of the neopatrimonialism school, industrial policy in Africa is linked to predation and rent-seeking, where elites will interfere in trade and foreign exchange for their personal benefit and enrichment. Yet, for Mkandawire, this overlooks the equally plausible explanation that African elites have pursued industrial strategies because they have a genuine belief in the benefits that they may deliver. Indeed, as he further argues, the same logic of predation and rent-seeking was also applied by scholars to understand trade liberalisation in Africa during the 1990s. The critical point he highlights is that regardless of intent or outcomes, all political behaviour in Africa comes to be reduced by the neopatrimonial perspective to rent-seeking, predation and regime boosting. These reductionist tendencies, he notes, stems from the limited conception of agency inherent within the neopatrimonial view, in which African elites are assumed to be motivated only by the 'possibility of material gain' (*ibid.*: 599). For Mkandawire, this mistakenly precludes the notion that the motivations of African elites can be premised on non-material factors, such as ideas, beliefs and convictions.

The reductionist tendencies that Mkandawire identifies within the neopatrimonial perspective are all too evident within particular studies of African regionalism. Söderbaum (2010: 8-9), for instance, has argued that SADC's decentralised structure has been captured by the region's national governments to serve their interests and reinforce

their external status. Yet, the evidence he presents to substantiate these claims is somewhat circumstantial. For instance, he highlights that donor-funded projects in the region have typically been implemented nationally, rather than regionally. For Söderbaum, this is clear evidence to reinforce the argument that regional projects are instrumentally used as a façade to attract donor funding for national elites. This account, however, overlooks other plausible explanations, such as the fact that SADC was intentionally designed around norms of state sovereignty and non-intervention (Murray-Evans, 2018: Ch 5), or that SADC's members may lack the resources and capacity to upkeep dense regional institutions. It needs to be noted here that my intention here is not to dismiss the broader neopatrimonial claim that participation in RECs can boost the image and legitimacy of African governments. Instead, what I am claiming is that it is reductionist to assume that the motivations of African governments to participate in RECs are entirely reducible to the politics of regime-boosting, rent-seeking and clientelism.

Finally, a framework of regime-boosting regionalism also lacks consideration for the broader systemic context in which regional spaces are constructed and institutionalised. As noted previously, the EAC's re-establishment in 2000 formed part of a broader wave of regionalisation occurring across the breadth of the global political economy. This suggests that there were certain systemic factors common to the creation of many of these new regionalisms that emerged in the 1990s and 2000s. Yet, under a neopatrimonial perspective, the global order is only featured in so far as African elites can draw upon external actors for resources and legitimacy to entrench their domestic authority. The problem here is that such a framework is unable to capture how systemic pressures and constraints (or opportunities) may prompt actors towards specific strategies over others. In the case of the research questions animating this thesis, the neopatrimonial perspective fails to capture how the broader structures of the global economic order have shaped East Africa's policy community's preferences towards regionalism.

### **1.3 Theoretical and Empirical Engagements**

Considering the limitations of the dominant neopatrimonialist understanding of African regionalism, in this thesis, I instead situate my study of the EAC's integration and cooperation agenda within the broader field of international political economy (IPE). The

purpose of this is to emphasise the wider systemic context of the global economic order in which all regions are imagined, institutionalised and even contested. However, in doing so, I propose a theoretical framework that avoids falling back into a residual structuralism where regions are simply understood as ‘manifestations of global orders’ (Riggirozzi & Tussie, 2012: 8). Taking my cue from constructivist IPE (Abdelal et al., 2010), and constructivist social theory more generally (Berger & Luckmann, 1966; Hacking, 1999; Hay, 2002, 2016), I offer a theoretical framework that captures the contingent relationship between structure and agency. Within this thesis, therefore, I make several theoretical and empirical points of engagement.

### *Africa and the Global Political Economy*

The first of these concerns how scholars of IPE can begin to conceptualise the role and place of Africa in the global economic order. Theorising Africa’s IPE poses a series of challenges and problems. The first is that, for the most part, Africa is made up of small and developing economies, which are often placed in unequal and vulnerable positions within the global economic order (Harrison, 2010: 16-17). As a result, it can be all too easy to conceptualise African actors, positioned in these unequal and vulnerable positions, as passive bearers of external economic structures, rather than active participants in the governance of the global economic order. The second challenge is that Africa (and much of the global South) has mostly remained absent and underrepresented within mainstream IPE scholarship. This oversight has stemmed from what Pia Riggirozzi and Diana Tussie (2015) describe as mainstream IPE’s emphasis on global structures, that has invariably led to an empirical focus on a small number of systemically important states and actors. As Nicola Phillips has succinctly described IPE’s narrow empirical gaze:

the countries and regions...that compromise the global political economy *and are fundamentally constitutive of it* have generally been ignored, such that we are left with a noticeably disembodied and decontextualized field of enquiry (2005: 16, emphasis in the original).

The result is that IPE has traditionally concerned itself with a small number of states and actors in the global north, while the international politics and political economy of regions in the global south have been designated to the general field of area studies. As discussed in the previous section, much of Africa’s international politics and political economy has emerged within the field of African studies and its focus on the neopatrimonial state.

Yet, the argument I set out in this thesis is that IPE's traditional *whole* systems approach has come to loosen in recent years, opening space for the analysis of a plethora of new actors across the global political economy. I narrow my focus, in this instance, to the growing uptake on constructivist social theory within IPE (see: Abdelal et al., 2010; Blyth 2002; Hay, 2016; McNamara, 2009; Siles-Brügge, 2014). Constructivist IPE effectively emerged as a response to the dominance of materialist and rationalist explanations that dominate the field of study. By contrast, constructivist IPE approaches have sought to emphasise how non-material factors, such as ideas, beliefs and norms, give meaning and purpose to the material structures of the global political economy. The critical point for constructivists is that material structures cannot solely determine political-economic outcomes. They instead emphasise how purposeful agents interpret the contours of their social and material context and conceive of their interest therein. In short, they highlight a contingent relationship between structure and agency (or context and outcome).

Constructivist IPE is now well regarded for drawing attention to the social (or non-material) correlates of the global economic order. In addition to this, I argue in this thesis that constructivist IPE has also opened conceptual avenues for exploring how African actors (and other similarly positioned agents) engage with, endure and, in some instance, shape the structures of the global political economy. The key argument is that because under a constructivist ontology material structures are not viewed to solely determine an agent's choices, then more space is opened for exploring how actors in materially weak and vulnerable positions express agency (Murray-Evans, 2015; Heron, 2018). In short, I argue that constructivism provides a conceptual groundwork for analysing African actors as active, rather than passive, participants within the global economic order. In this thesis, therefore, I take my theoretical cue from constructivist IPE and, in particular, an emerging lineage of literatures which have sought to apply constructivist concepts to the study of Africa's international politics and political economy (Fourie, 2014, 2015; Heron, 2018; Hurt et al., 2013; Lee 2012; Munyi, 2016; Murray-Evans, 2015, 2018; Trommer, 2014a; Weinhardt, 2017).

### *The New Regionalism Approach and Regional Social Purpose*

The second theoretical point engagement, then, relates to the theorisation of regionalism. Within the field of IPE, studies of regional integration and cooperation have primarily

been affiliated with the ‘new regionalism approach’ (NRA) (Farell et al., 2005; Fawcett & Hurrell, 1995; Gamble & Payne, 1996; Hettne, Inotai & Sunkel, 1999; Söderbaum & Shaw, 2003). The NRA emerged in the 1990s, capturing a variety of different perspectives that sought to move the study of regionalism beyond the perceived limits of EU studies. The NRA literatures made two critical contributions to the regionalism debate. First, they sought to explore the relationship between the global order and processes of regionalism, drawing links between the deepening process of economic globalisation and the emergence of new regional formations. Second, another strand of the NRA also sought to explore the social construction of regional space, most notable in Björn Hettne and Frederick Söderbaum’s (2000) ‘theory of regionness’. What Hettne and Söderbaum argued was that regional space emerged through a process of regionalisation, where individuals and groups within a proximate geographical area would interact and affiliate with one another, creating a sense of community and collective identity (or regionness).

Although recognising the broader contributions of the NRA, in this thesis, I also identify several explanatory limitations and tensions that run through it. First, I note that the NRA literatures have tended towards a practice of ‘analytic bracketing’, explaining the construction and institutionalisation of regional space by oscillating between endogenous (i.e. regionalisation) and exogenous (i.e. globalisation) factors. Second, I also argue that the NRA literatures failed to capture the meanings and purposes which actors attach to regional spaces. In particular, the NRA literatures have often been guilty of assuming that processes of regionalism can simply be read off from specific structural contexts (i.e. globalisation). Such assumptions, I argue, fail to consider that regions are spaces which are actively and intentionally imagined and institutionalised by reflexive actors with particular aims, purposes and meanings in mind.

The theoretical framework that I forward in this thesis links into literatures which have sought to theorise regions as discursive constructs (Rosamond, 1999, 2002, 2012; Van Langenhove, 2011). Like the NRA, and more specifically, Hettne and Söderbaum’s (2000) theory of regionness, this theoretical approach adheres to a constructivist ontology. However, in contrast to the focus upon regional socialisation and identity formation under the NRA, my approach focuses more on the role of discourse in the construction and institutionalisation of regional space. I contend that a focus on discourse can allow for a more in-depth interrogation of the meaning and purposes which actors attach to regional spaces of governance. More specifically, I draw upon recent debates in IPE

around the concept of social purpose (Baker, 2018; see also: Ruggie, 1982), forwarding a theoretical framework centred on the notion of regional social purpose. As defined in this thesis, regional social purpose can be understood as a systemic vision of regional governance that builds upon both logics of *necessity* and *appropriateness* to discursively construct an intersubjective consensus concerning both the desirability and necessity of regionalism. I highlight in this thesis that regional social purpose serves an important legitimating function, emphasising the desirability and necessity of regional spaces to broader audiences. However, I also stress that regional social purpose also acts as a frame for regional policy actors, providing a common language concerning the role and purpose of regional governance and how it should be structured and institutionalised.

In addition, I suggest that a framework of regional social purpose also entails an important temporal dimension, highlighting how, over time, institutional tensions can come to emerge within regional regimes. Specifically, I note that regional social purpose discursively articulates a vision of regional governance that is resonant with actors' interpretation of their environment at a particular point in time. However, over time, these actors' understanding of their context can diverge from the representation of reality within a specific expression of regional social purpose. The contention I forward here is that these contexts can open space for actors to reimagine (or even contest) the role and purpose of regional governance. Crucially, however, I argue that such reimagined visions of regional social purpose can come up against embedded institutional roles and constraints that can create tensions and contradictions within regional regimes.

### *The Argument*

I apply this theoretical framework of regional social purpose to understand and unpack the research questions that underpin this thesis. I explain the pathway that led to the EAC's revival in 2000 by emphasising that two distinct dimensions underpinned the resurgence of regionalism in East Africa. First, I argue that East Africa's policy elites envisaged that the EAC's revival could act as a mechanism to prevent the region's economic decline and mitigate the inferred threats posed by globalisation. Although political divisions lay at the heart of the EAC's collapse in 1977, the three former partner-states soon came to share a common economic fate (as did most African states) as they entered into a period of protracted economic crisis from the late 1970s. The collapse of

the EAC in 1977, therefore, came to be intertwined, both materially and discursively, with the region's subsequent economic decline. Compounded by the looming threats posed by globalisation, this palpable sense of economic vulnerability formed a crucial and decisive component underlying the decision of East Africa's policy elites to revive regional governance. However, I stress that the EAC's revival was not merely a functional response to a set of external economic and policy imperatives. In particular, I suggest that such a line of reasoning fails to explain several critical aspects of the EAC's revival. This includes why the Kenyan, Tanzania and Ugandan governments revived the EAC alongside their commitments to other RECs and why the EAC's treaty of establishment set out such an ambitious agenda for political and economic integration. Importantly, I contend that a crucial affective dimension also underpinned the EAC's revival, in the sense that regional governance was also billed as forum to rekindle East Africa's historic ties and bonds. I highlight, in particular, how ideas of East African 'exceptionalism' were commonly invoked in the run-up to the EAC's revival in the 1990s, that appealed to the region's shared identity and common history of integration and cooperation. In effect, the EAC was not solely premised on market integration, but was also viewed by elites as a space to rekindle the region's historic bonds that had been broken when regional governance first collapsed in 1977. The critical point, then, is that the EAC's social purpose at this point entailed both a logic of necessity *and* appropriateness.

Regarding the intra-regional divisions and divergences that have since come to characterise the EAC's regional regime, I argue that this reflects the specific way in which the EAC's social purpose initially came to be framed. Specifically, I highlight that following its revival in 2000, the EAC's social purpose was increasingly tied to a particular (neoliberal) conception of globalisation as a non-negotiable constraint (see: Hay & Rosamond, 2002). For East Africa's policy community, then, the EAC was initially conceived and institutionalised as a space to respond to the inferred economic imperatives posed by globalisation through a process of market-led integration. In the latter part of the 2000s, however, such inter-subjective conceptions of globalisation as a non-negotiable constraint increasingly came to weaken among the EAC's policy community, prompted by broader systemic shifts in the global economic order. The result of this, I argue, was that discursive space opened within regional and national policy spaces in East Africa for the increasing (albeit cautious) espousal of more activist and interventionist (non-neoliberal) development visions. However, as the EAC was initially conceived to support a programme of market-led development, it lacked the institutional



foundations and coordinative capacities for deeper forms of cooperation necessary of a more interventionist regional development strategy. Resultantly, ambitions for industrialisation and productive restructuring increasingly emerged within national (as opposed to regional) policy spaces. The consequence of this, I contend, is that the partner-states' aspirations for industrialisation and structural transformation have increasingly come into conflict with the EAC's principal ambition for deep economic and political integration. In turn, this has resulted in the intra-regional divisions and divergences that have come to characterise the EAC's regional regime in recent years.

#### **1.4 Epistemological and Methodological Reflections**

Constructivist approaches have grown in prominence across the fields of political science and international studies since the 1990s (Gofas & Hay, 2010; Parsons, 2007: Ch 4). However, both epistemological and methodological controversies still abound concerning the practice of 'showing ideas as causes' (Parsons, 2002). The first controversy is epistemological and centres on whether constructivism follows a constitutive or causal logic. The debate over this issue has emerged from Alexander Wendt's (1998) claims that approaches which invoke ideational explanations (like constructivism) should be considered to follow a constitutive (rather than causal) logic. For Wendt, constructivist or ideational approaches cannot be causal, because they do not meet the Humean standards of causation: namely, that for X to cause Y, (1) both X and Y need to be independent from one another; (2) X needs to precede Y in time; and (3) without X, Y would not have occurred (*ibid.*). Instead, Wendt argues that constructivism's logic is constitutive in that its (supposed) goal 'is to show how the properties of a system are constituted' (*ibid.*). To illustrate his point, Wendt refers to an analogy of a master and a slave, arguing that the very right and ability of a master to sell a slave is *dependent* (rather than independent and temporally prior) upon a social structure which permits the practice of slavery (*ibid.*: 113).

Craig Parsons (2007: Ch. 4) has criticised Wendt's claims that constructivist or ideational approaches inherently follow a constitutive logic. Parsons' argues that these claims rest more upon the specific questions Wendt asks, rather than constitutive logics being an innate feature of constructivist approaches. For example, in the slavery analogy above, Wendt asks how it is possible that a person could sell a slave. Parsons argues, however,

that if Wendt rephrased the question to ask *why* some people sold slaves, then ‘space would open up between ideational cause and action-effect’ (*ibid.*: 109). In this instance, Parsons argues that what caused individuals to sell slaves was their adherence to and internalisation of certain norms around the permissibility of slavery (*ibid.*). Parsons argues that because these collectively held norms presumably existed before the individual’s decision to participate in the practice of slave selling, they can be considered to have causal significance in the Humean sense.

These points suggest that it is epistemologically possible, at least in the abstract, for constructivism to follow a causal logic. This, however, leads onto a more practical challenge for showing ideas as causes: namely, how, in methodological terms, can we empirically go about demonstrating the causal influence of ideational factors on political-economic outcomes. As Parsons argues (*ibid.*: 109), even if ideational elements can have an independent causal logic, constructivists still need to show ideas to have relative autonomy from other potential causes (i.e. material factors). In this instance, Parsons suggests that constructivists employ a practice of methodological bracketing where the causality of ideas is demonstrated by eliminating other potential explanations. This is a method I use at different points in this thesis, identifying how structural (material) factors are insufficient by themselves in accounting for why and how the EAC was revived, as well as the subsequent trajectory of its integration and cooperation programme.

Methodological bracketing is an essential first step when beginning to identify the causal logics of ideas. However, constructivism is concerned with how particular actors interpret their external environment through intersubjective and subjective filters and how these shape conduct and behaviour. Therefore, it is not only essential to bracket off alternate explanations, but to also determine the meaning and intentionality behind the actions of particular actors or groups. This, however, can prove quite tricky in practice because the reasons why actors choose to pursue specific actions is a function of their own cognition. One avenue around this problem, which I employ in this thesis, is to analyse the language or discourse (both spoken and textual) that actors deploy to legitimate or justify their behaviour, to uncover the intentionalism behind particular actions. However, as Gabriel Siles-Brügge (2011, 2014) highlights, appeals to discourse as a proxy for revealing intentions opens up further (though not intractable) methodological dilemmas. In short, it can prove challenging to determine whether a policy actor’s discursive pronouncements

reflect their *actual* attitudes and internalised beliefs, or whether they are invoking specific ideas strategically.

To overcome this dilemma, Siles-Brügge and others (Hay & Smith, 2010) have sought to distinguish between different discursive settings. In this instance, these authors invoke Vivien Schmidt's (2002, 2008) distinction between 'coordinative' and 'communicative' discourse. The former refers to technical language drawn upon by policy actors and experts to construct specific policy programmes. Meanwhile, the latter signifies how specific policy ideas are conveyed to broader audiences. As such, because coordinative discourses reflect the language used within internal policy settings, they are more likely to align with the actual beliefs and attitudes of the policy actors in question. It is possible, then, to access coordinative discourse (and the attitudes and beliefs of policy actors) by analysing internal policy documents. Researchers can also conduct interviews with policy actors who worked closely with particular policy processes to uncover their attitudes and beliefs. Siles-Brügge (2014: 204) also argues that it is even possible to locate coordinative discourse in publicly available documents, so long as the researcher considers the context in which they originate. I return to consider these points below when I discuss the source material used in this thesis.

### *Theory-guided Process-Tracing*

The primary method which this thesis draws upon is process-tracing. As Alexander George and Andrew Bennett note, process-tracing seeks to identify 'the intervening causal process – the causal chain and causal mechanism – between an independent variable and the outcome of the dependent variable' (2005: 206). Whereas statistical and comparative methods will use data sets, of variable sizes, to acquire general patterns and correlations to establish relationships between variables, research using process-tracing tends to focus on a small number of cases, and in many cases just one. Here, the aim is not to establish patterns across cases, but instead to explore in detail, within cases, the causal mechanisms which led to an outcome to emerge. As a method, it shares some commonalities with 'historical explanation'; however, process-tracing is more concerned with analytic explanation in terms of theory development and testing (*ibid.*: 209).

The method of process-tracing is not singular, with divisions emerging along classic deductive (theory testing) and inductive (theory building) lines (Trampusch & Palier,

2016). As Colin Hay (2006) has argued, the epistemological and methodological choices that researchers make will always be dependent on their ontological assumptions about the nature of social reality. Christine Trampusch and Bruno Palier (2016) seem to take this view by suggesting that the approach to process-tracing taken by researchers is dependent on their ontological understandings of ‘causal mechanisms’ – i.e. whether a causal mechanism will always produce the same result and is thus susceptible to deductive testing. In line with the constructivist ontology I outline in the next chapter, which emphasises the complexity of social reality and the contingent relationship between structure and agency, I do not go down a path of deductive theory testing. I instead pursue a more inductive method of process-tracing which aims to untangle the complex causal chain which (a) led to the EAC’s revival and (b) the recent intra-regional divergences and tensions which have come to characterise the EAC’s regional regime. More specifically, I draw upon a variant of process-tracing described by Tullia Falletti (2016) as ‘theory-guided process tracing’. Here, the emphasis is not on testing a theory, but upon using established theories (in this case constructivism) to set conceptual parameters and ‘to identify the relevant events that constitute the sequence or process of interest’ (*ibid.*: 457). The empirical findings uncovered, then, can help in further developing and refining these established theories.

This thesis will apply this process-tracing method to the single case study of the EAC. Single case study approaches have often been viewed with scepticism by some social scientists, a problem which mainly entails from the lack of generalisability that their results produce. Although not dismissing their value entirely, Arend Lijphart once argued that ‘the scientific status of the case study method is somewhat ambiguous...because science is a generalising activity’ (1971: 64). Despite the scepticism that surrounds them, my choice of single case study approach can be justified for several reasons. First, as mentioned in the opening paragraphs of this chapter, the EAC integration and cooperation agenda is somewhat unique and exceptional within the broader context of African regionalism. It, therefore, proves valuable, in and of itself, to empirically analyse the intentions and motivations that have underpinned the EAC’s regionalist agenda. Second, as I am sceptical of Lijphart’s ontological commitment to positivism, which views the social world in terms of a set of generalisable patterns which can be uncovered through scientific testing, a lack of generalisability is less of a concern for this research. Instead, my aim in this thesis is to inductively generate knowledge around the EAC’s integration and cooperation agenda since 2000.

### *Data Sources*

As a final point of methodological consideration, I turn to the sources of data used to substantiate my empirical claims and arguments. As Trampusch and Palier (2016) note, process-tracing methods should endeavour to employ a variety of data sources to construct narratives of causation, allowing for cross-referencing and triangulation. In this thesis, I draw upon three key data sources. First, I analyse relevant documentary evidence from EAC affiliated institutions, including the EAC Secretariat, the Head of State Summits, the Council of Ministers and other regional sectoral councils. The collection of this data occurred during a three-week visit to the EAC's Information Resource Centre in Arusha, Tanzania in August 2017. I was also provided access to the EAC's online reports database, allowing me remote access to many of the meeting reports and policy documents available physically in Arusha.<sup>7</sup> The online reports database provides access to all regional meeting reports and other relevant documents associated with the EAC dating from 1993 up until the present day.

As discussed previously, to uncover the *actual* attitudes and beliefs of EAC policy actors towards the region's integration and cooperation agenda, I distinguish in this thesis between coordinative and communicative discourse. To identify whether certain documentary materials emerged in a coordinative or communicative context, I draw upon criteria used by Siles-Brügge (2014: 206) who notes that attention is paid to the (1) intended audience, (2) purpose and (3) form of a document. On this basis, documents which originate in a communicative setting will be (1) intended for a broad audience, (2) will set out to communicate the purpose of particular policy programmes, and (3) will be formatted and written in a more accessible manner. Meanwhile, documents which emerge in a coordinative setting will be (1) aimed at other policy actors or experts, (2) their purpose will be to inform certain policy debates, and (3) they will be written in a more technical format. As this thesis focuses upon the motivations underpinning the EAC's integration and cooperation agenda, my analysis centres principally on documents in the coordinative realm. At points, I still draw upon communicative discourse to uncover the

<sup>7</sup> The EAC's online reports database is available at: <http://reports.eac.int/>. I would again like to extend my thanks to the staff at the EAC's Information Resource Centre for providing me permission to access the reports database, as well as assisting me during my time in Arusha.

attitudes and beliefs underpinning the EAC's regionalist agenda, but I am careful to triangulate such evidence either with interview evidence or with coordinative discourse.

Certain EAC documents were easier to identify using these criteria than others. In the communicative realm, the primary sources drawn upon were the EAC's five-year regional development strategies (PTCC 1997a; EAC, 2001a, 2006a, 2011a, 2016a). As the EAC's Communication Policy and Strategy indicates, the purpose of the regional development strategies is 'to raise public awareness of the EAC and communicate the benefits' (2012a: 17). In other words, they are intended for a public audience and aimed at communicating the purpose of the EAC's integration and cooperation agenda. In Chapter 6, I also analyse the EAC's Vision 2050 (EAC, 2016b) strategy document. As with the regional development strategies, this document is intended for a broader audience and aims to convey, in a straightforward and accessible manner, the EAC's long-term ambitions. In a similar vein, certain EAC documents were much more straightforward to identify as coordinative discourse. This included internal regional meeting reports and policy briefs aimed at other policy actors and experts to inform technical policy debates. I also draw upon other documentary sources whose status as coordinative discourse requires more detailed explanation and, for considerations of space, I do not elaborate on these here. Instead, as and when these documents are referenced in this thesis, I will elaborate (either in-text or through a footnote) on why they can be considered to originate from a coordinative setting.

Second, this thesis also drew upon a series of face-to-face interviews conducted between December 2016 and May 2018. During this period, I conducted 25 interviews (27 interviewees) with individuals who have worked directly with the EAC's integration process or who have insider knowledge of it.<sup>8</sup> The bulk of these interviews were conducted between June 2017 and September 2017 while I was based in Nairobi, Kenya (six weeks), Dar es Salaam, Tanzania (three weeks) and Arusha, Tanzania (three weeks). I also conducted a three-day visit to Brussels, Belgium in December 2016 to access EU officials who were either involved in the negotiations of the EAC-EU EPA or who have worked directly with EAC officials on EU funded development projects. Some interviews were also conducted by a phone-call or through email. Moreover, I did not record my interviews to enable a more informal discussion which might encourage the interviewees to speak more openly and candidly about the EAC's regionalist agenda. The interview

<sup>8</sup> See Appendix for list of interviews.

data, therefore, does not include direct quotes from interviewees, but is instead based on notes I took during the interviews in question. These notes were typed up after the interviews and forwarded to participants for their corroboration. For considerations of anonymity, I do not reference the names or personal details of interviewees, but instead use anonymous aliases.

Interviewees were broadly drawn from four categories: namely, (1) bureaucratic officials working in regional institutions, such as the EAC Secretariat, or national ministries; (2) representatives of private sector organisations in the East African region (i.e. the Kenya Association of Manufacturers); (3) external development partners who provide funding and technical support to the EAC; and (4) regional policy experts working in think tanks and NGOs who had detailed insider knowledge of the EAC's integration agenda. The interviews themselves were loosely semi-structured and centred on questions relating to the interviewees' perspectives on the trajectory of the EAC's integration agenda and on the apparent challenges that this agenda has run into in recent years. Although the number of interviews I conducted was not insignificant, I did face issues of access, particularly with bureaucratic officials in the region. For these reasons, I am less reliant upon these interviews to gauge the motivations underpinning the EAC's regionalist agenda, which I instead drew more from the documentary evidence I collected. The interviews are instead primarily used to triangulate certain events and corroborate specific causal claims that I make.

Finally, I also draw upon news articles and opinion pieces published by newspapers and media organisations in the East African region. Among others, this includes media organisations such as *The East African* (regional, but based in Nairobi), *Business Daily* (Kenya), *Daily Nation* (Kenya), *The Citizen* (Tanzania), *The Daily Monitor* (Uganda), and *The New Times* (Rwanda). As with my interview data, the purpose of analysing media publications in the region is to triangulate and cross-reference key events and causal claims.

## 1.5 Outline of the Thesis

Following on from this introductory chapter, the aim of **Chapter 2** is to begin to situate the study of African regionalism within the broader field of IPE. In doing so, the task of this chapter is twofold. First, it considers more generally how Africa's place within the

global economic order might be conceptualised and understood. As a region, Africa has typically remained underrepresented within the field of IPE, which has instead tended to focus upon systemically significant states and actors, primarily in North America and Europe. However, I argue in Chapter 2 that the conceptual and empirical divide between Africa and the field of IPE is not intractable, particularly if recent conceptual and analytic developments are taken into consideration. Here, I narrow my focus to the increasing deployment of constructivist approaches within IPE (see: Abdelal et al., 2010). Linking into recent debates on Africa agency (Brown, 2012; Murray-Evans, 2015), I argue that constructivist IPE provides a useful analytic starting point for understanding and conceptualising Africa's place within the global economic order. The second task of this chapter, then, is to construct a theoretical framework that can be used to analyse the research questions which constitute this thesis. To do so, I draw upon recent contributions within IPE on the concept of 'social purpose' (Baker, 2018; see also: Ruggie, 1982) and develop a framework around the notion of regional social purpose. As defined in this thesis, regional social purpose refers to a systematic vision of regional governance that builds upon different logics to discursively construct an intersubjective consensus concerning the desirability and necessity of regionalism. I also highlight that regional social purpose entails a crucial temporal dimension, that can capture how and why institutional tensions and contradiction can, over time, emerge within regional policy regimes.

The theoretical approach which I take in this thesis does not view regions as fixed and static, but as spaces which can be signified and re-signified by actors across time. With this in mind, **Chapter 3** turns to consider the origins of regionalism in East Africa and how ideas of regional governance have shifted and evolved. The empirical narrative in this chapter starts in the early 20<sup>th</sup> century, highlighting that the origins of East Africa, as a knowable and governable space, emerged under the auspices of British colonialism. It then turns to consider regionalism in the immediate post-colonial era, detailing how Kenya, Tanzania and Uganda's post-independence leadership sought to offer a reimagined vision of regionalism that contrasted to the functional and technocratic one that underpinned regional governance during the colonial era. I argue, however, that this reimagined vision of regional governance soon came to conflict with certain institutional pathologies and constraints set in place under British colonial rule, eventually leading to the collapse of the EAC in 1977. The final part of this chapter then sets out to trace the pathway that led to the EAC's revival in 2000. It highlights how the EAC's renewal was



driven by a sense of economic and political vulnerability among East Africa's policy elites, compelled by the region's relative economic decline and the growing threats posed by globalisation. I also emphasise a crucial affective dimension to the restoration of regional governance, emphasising how regional elites invoked ideas of East African exceptionalism in the run-up to the EAC's revival. I conclude the chapter by reflecting upon the envisaged role and purpose of the revived EAC. First, I highlight that the EAC was envisaged as a space to promote economic development and prevent economic marginalisation in the global economy. Second, regional governance was also viewed as a forum to facilitate external policy coordination and collective bargaining in multilateral and bilateral forums. Finally, the EAC was considered as a site to rekindle Kenya, Tanzania and Uganda's historic relationship. These three elements that underpinned the EAC's social purpose, then, form the basis of the thematic chapters which constitute the remainder of the thesis.

In **Chapter 4**, I turn to consider the first thematic chapter, which explores the framing and articulation of the EAC as a space to promote development. I begin by highlighting that since it was revived in 2000, the EAC's developmental social purpose has often been articulated in relation to a set of external economic threats. Yet, I note that despite a continuity in the nature of the threats exhibited by these (supposed) economic imperatives – i.e. posing external competitive pressures on East Africa's economies – the responses that EAC policy discourses have articulated in response to them have evolved. During its formative years, the EAC was articulated as a space to enable and facilitate a programme of market-led development in response to the competitive pressures posed by globalisation. However, I argue that from the late 2000s onwards, regional policy discourses increasingly came to articulate a more activist and interventionist development agenda to respond to the competitive pressures posed by emerging markets such as China and India. This sets up a puzzle that this chapter aims to unpack: namely, why did one set of external economic threats (globalisation) necessitate market conforming behaviour, while another set (emerging markets) necessitated market-intervening behaviour? To understand this puzzling shift, I argue that attention be paid to the broader discursive setting in which these policy programmes appeared. During the EAC's formative years, I highlight that the region's policy community internalised a discourse of globalisation as an inviolable and non-negotiable constraint (Hay & Rosamond, 2002) whose constraints necessitated that economic governance follow a market-orientation. The EAC, therefore, was imagined and institutionalised as an enabling environment for market-led

development. Over time, however, I highlight that this discourse of inviolability began to weaken among the EAC's policy community, opening space for the espousal of more market-intervening discourses (and practices). I highlight, however, that this turn towards (national) development planning is increasingly coming into conflict with the EAC's principal ambition to establish a single market in the region.

**Chapter 5**, then, turns to consider the EAC as an actor in the global context, exploring the partner-states ambitions to coordinate collective bargaining positions within multilateral and bilateral forums. I focus in this chapter on two specific and pertinent case studies that offer crucial insight into the possibilities and limitations of the EAC as a global actor. The first focuses upon the highly contentious negotiations for the EAC-EU EPA (2007-2014). I highlight that during these negotiations, the partner-states deliberated and coordinated through regional institutions, enabling them to maintain a collective position with the EU. Yet, though the negotiations themselves were defined by collective bargaining, I emphasise that the period since has been characterised by intra-regional divergences surrounding the ratification and implementation of the EPA. The second case study focuses upon the EAC's relationship with the United States (US) under the Africa Growth and Opportunity Act (AGOA). Here, I focus on a particular instance in this relationship, where the US government threatened to remove the region's AGOA eligibility and, with that, their preferential access to US export markets. This incident followed a decision taken by the EAC partner-states in March 2016 to begin phasing out the importation of second-hand clothing in an effort to revive regional textile and clothing production. I argue that in contrast to the EPA negotiations, which were defined by collective bargaining, the EAC's engagement with the US, in this instance, was defined more by regional divergence.

In the chapter, I highlight two factors that were imperative in the dynamics of the EAC's external engagement with these actors. The first factor centres on the issue of external recognition. In the case of the EAC-EU EPA, I argue that because the negotiations moved forward on an inter-regional basis, this encouraged the EAC partner-states to coordinate their position through regional institutions. In contrast, the EAC's second-hand clothing dispute was much more inclined to unilateralism, induced by the fact that the US government did not engage with the EAC collectively and was willing to settle the issue of AGOA eligibility with the partner-states individually. The second factor, then, links back to the argument presented in Chapter 4. Here, I emphasise how in both these

cases, external policy coordination has been undermined by the uneven emergence of more activist and interventionist development strategies across the EAC partner-states.

Both Chapter 4 and Chapter 5, then, illustrate how tensions have emerged between increasingly nationalist development agendas and the EAC's principal ambitions for deep political and economic integration. In other words, these chapters reflect a context where the EAC's social purpose and legitimacy has become increasingly contested. **Chapter 6**, therefore, turns to consider the legitimacy of the EAC as a space of governance, analysing the discursive legitimisation strategies that regional policy discourses have deployed and, more specifically, how policy discourses have sought to articulate the continued relevancy of regional governance in more recent years. I highlight that the EAC's initial discursive legitimisation strategy relied upon both transactionalist appeals to the external economic imperatives of globalisation, alongside more affective appeals to ideas of East African exceptionalism and common political community. My key argument, however, is that following the EAC's revival in 2000, these more affective appeals to common political community were increasingly displaced in favour of more transactionalist logics. I argue that this discursive shift was a reflection of regional elites' desire to construct a logic of non-negotiability around regional integration. I also suggest that ideas of East African exceptionalism have increasingly lost resonance with the course of the EAC's institutional trajectory.

In the second half of this chapter, I turn to explore the dilemmas of legitimacy that have arisen for the EAC by framing its regionalist agenda in an overtly transactionalist manner. The key point I raise here is that the legitimacy of the EAC came to be increasingly tied to a particular interpretation of globalisation as a non-negotiable constraint. Linking back into arguments made in the previous chapters, I highlight how such conceptions of globalisation have come to weaken among East Africa's policy community, exposing questions of the EAC's future form and purpose. As a final point of discussion, I turn to consider more recent articulations of regional social purpose in the EAC's 'Vision 2050' strategy (EAC, 2016). Though this strategy has sought to re-situate the role of the EAC as a site for industrialisation, infrastructure development and Pan-Africanism, I conclude by noting the limitations of this emerging discursive legitimisation strategy.

Finally, in **Chapter 7**, I turn to the conclusion of this thesis. I begin by reiterating my central research questions and the key theoretical and empirical contributions of this thesis. I then reflect more specifically on the conclusions drawn from each chapter as well

as my overall research findings, before turning to consider the future research agendas provoked by these findings.

## Chapter 2

# African Regionalism and the Global Political Economy: Agency, Ideas and Institutions

### 2.1 Introduction

In the previous chapter, I discussed how concepts linked to the neopatrimonial perspective have dominated the study of African regionalism. As I elaborated, however, such concepts and analytic insights (although not without merit) fail to fully capture the nuance and sequencing of how the EAC's integration and cooperation agenda has unfolded over the preceding two decades. Considering these limitations, this chapter situates the study of African regionalism within a wider IPE framework (see: Ruggirozzi & Tussie, 2015). The purpose of doing so is to dispel the myth that processes of regionalism in Africa are somehow 'exceptional'. Certainly, regional spaces of governance across Africa (as elsewhere) are shaped by local contexts, histories and politics. However, they are also spaces constructed and embedded within the cleavages of the global economic order and shaped by the (perceived) constraints and opportunities it poses.

By situating the study of African regionalism within a wider IPE framework, the task of this chapter is twofold. First, it sets out to consider how we conceptualise the role and place of Africa in the global political economy. Such a task immediately presents itself with several challenges. On the one hand, although the African continent is culturally and politically diverse, most African economies (to greater or lesser extents) are small and fragile, placing them in unequal and vulnerable positions within the global economic order (Harrison, 2010). The result of this is that it is often all too easy to conceptualise African agents – and similarly positioned actors across small developing states – as passive bearers of external structures, rather than active participants within the global economy. But, as some recent literatures have shown, economic vulnerability does not necessarily equate to weakness or, at the very least, a lack of agency (Bishop, 2012; Heron, 2018; Murray-Evans, 2015). On the other hand, Africa has largely remained absent and under-represented within mainstream IPE scholarship. This oversight derives from what Pia Ruggirozzi and Diana Tussie (2015) describe as mainstream IPE's emphasis on global structures, that has naturally led to an empirical focus on a small number of structurally significant states and actors. The result, as outlined in the previous chapter, has been that

the study of Africa's international politics and political economy has emerged within the separate fields of African studies and/or development studies.

As a field of study, then, IPE has traditionally concerned itself with a macro level of analysis, focussing on the structures of the global political economy and those actors which are most influential in shaping them (Phillips, 2005; Ruggirozzi & Tussie, 2015). Yet, the argument I forward in this chapter is that there are signs that IPE's almost singular focus on the structural features of the global political economy has come to loosen in recent years. One promising development in this regard has been the growing uptake of constructivism within IPE, which has emerged as a response to the predominance of materialist and rationalist explanations within the field (see: Abdelal et al., 2010). Here, constructivist scholarship has sought to underline the importance of nonmaterial factors (ideas, beliefs and norms) that give meaning and purpose to the material structures of the global political economy. For constructivists, then, it is not material structures which determine political outcomes, but how purposeful agents interpret the contours of their social context and conceive of their interests therein. Crucially, by moving away from a sole focus on material structures, I argue that constructivist IPE has opened conceptual space for analysing the role and place of a broader range of actors in the global political economy. Here, I draw attention to the incorporation of constructivist concepts into an emerging literature which has sought to theorise 'African agency' within the international order (Brown, 2012; Murray-Evans, 2015). The key contention put forward by these literatures is that although African actors are often placed within materially weak positions, these positions still require interpretation and a purposeful response. In short, I argue that constructivism provides a conceptual groundwork for analysing African actors as active, rather than passive, participants within the global economic order.

The second task of this chapter is to construct a theoretical framework that can be used to analyse and explain the core research questions that underpin my thesis. In short, it sets out a framework to explore why regions are imagined and institutionalised, and why regional regimes can, over time, come to be characterised by institutional tensions and contradictions. Within the field of IPE, studies of regional integration and cooperation have broadly come to be encapsulated under the 'new regionalism approach' (see, inter alia: Farell et al., 2005; Fawcett & Hurrell, 1995; Gamble & Payne, 1996; Hettne, Inotai & Sunkel, 1999; Söderbaum & Shaw, 2003). The NRA first emerged in the 1990s,

capturing an eclectic mix of perspectives that sought to move the study of regionalism beyond what was then perceived as the limitations of EU studies. In particular, scholars of the NRA sought to draw attention to the global context in which regions emerged and the social foundations of regional spaces. Although the NRA has made important contributions to the study of regionalism, I argue that there has been a tendency to either exclusively privilege either external or internal factors to explain processes of regionalism, as well as overlook the meaning and purpose which actors attach to regional spaces of governance.

As such, drawing upon recent IPE scholarship discussing the concept of social purpose (Baker, 2018; see also: Ruggie, 1982) – and constructivist social theory more generally (Berger & Luckmann, 1966; Hacking, 1999; Hay, 2002, 2016) – this chapter develops a framework around the notion of *regional* social purpose. As defined here, regional social purpose refers to a systematic vision of regional governance that builds upon different logics to construct an intersubjective consensus concerning the desirability and necessity of regionalism. As I elaborate, regional social purpose serves a critical legitimating function, but it also acts as a framework for regional policy elites, providing a common language concerning the role and purpose of regional governance. I also argue that regional social purpose entails an important temporal dimension, that can capture how and why institutional tensions and contradiction can, over time, come to emerge within regional policy regimes.

The remainder of this chapter is structured into four sections. In section one, I begin by reviewing the origins and evolution of IPE as a field of study. I emphasise that IPE traditionally centred upon questions of global structures and those that influenced them (Phillips, 2005; Ruggirozzi & Tussie, 2015). However, in section two, I go onto note that IPE's singular focus upon global structures has come to loosen in recent years. I highlight, in particular, the increasing uptake of constructivist theoretical approaches within IPE and the conceptual space this has opened for the analysis of a broader range of actors within the global political economy. Taking my cue from this emergent field of constructivist IPE, in section three, I turn to elaborate more broadly upon the ontological foundations of constructivist social theory. Drawing upon this, as well as insights from the NRA literatures, in the final section, I turn to develop a theoretical framework based on the notion of regional social purpose.

## 2.2 The Transatlantic Divide: Contesting IPE's 'Global' Scope

In 2007, Benjamin Cohen published the article 'The Transatlantic Divide: Why are American and British IPE so different?' (Cohen, 2007). As well as mapping out the history and contours of the field, Cohen argued that IPE had come to divide along two poles or schools of thought – the American and British school. The American school of IPE, according to Cohen, was distinctly state-centric and built on a positivist and rationalist epistemology. By contrast, the British school was viewed to take a more critical worldview, concerned with grander questions of systemic transformation. As Cohen further elaborated, whereas the American school is principally concerned with mid-level theorising, 'highlighting key relationships within larger, stable structures' (*ibid.*: 200), the British school aims its analysis at the transformation of those structures that its counterparts in the American school often take for granted. Such differences, for Cohen, are not necessarily problematic, so long as they lead to dialogue. Yet, as he concluded, the weakness of IPE, as it stands, is that these two schools of thought do not engage in conversation with one another, leading to academic parochialism within each and resulting in what he refers to as IPE's 'transatlantic divide'.

Although not disputing Cohen's claim that dialogue and a meeting of minds across these ontological and epistemological divides would be beneficial, the argument I present in this section is that his assessment of IPE's limitations were quite narrow. As Cohen himself noted, as a field of study, IPE concerns itself with 'the complex linkages between political and economic activity at the level of *international affairs*' (*ibid.*: 197, emphasis added). Yet, despite its supposed 'international' orientation, IPE scholarship has traditionally concerned itself with a small number of actors, principally in North America and Europe. As several authors have argued, this narrow focus has stemmed from IPE's systemic level of analysis (Phillips, 2005; Ruggirozzi & Tussie, 2015), synonymous with a small number of actors deemed to possess systemic importance to the global political economy. As Nicola Phillips puts it, 'the emphasis on structure and "system"...has generally not been accompanied by the study of the *whole* of the structure, system or order' (2005: 16, emphasis in the original). In other words, IPE scholarship has tended to ignore countries and regions which are not deemed to influence the nature and form of the global political economy. Such trends are reflected within debates regarding the role and significance of rising powers such as China, India and Brazil. Crucially, the importance of the rising powers to debates in IPE has principally been framed around their likely



implications for the structure and form of the global economic order (Hurrell, 2006; Ikenberry, 2011; Schweller, 2011). In short, these states have only become significant to IPE as their structural significance has appeared to grow. In the remainder of this section, I provide a critical overview of how this systemic bias has manifested within both traditions of IPE.

### *The American School of IPE*

As Cohen and others have noted (McNamara, 2009), the American school of IPE originated within the confines of the broader discipline of International Relations (IR). Influential pioneers of the American tradition of IPE, such as Robert Gilpin, Stephen Krasner, Robert Keohane and Joseph Nye, were first and foremost IR scholars who came to focus on issues of transnational economic relations. Unsurprisingly, therefore, the American tradition of IPE initially emerged as an extension of the ‘great debates’ that had developed within IR between neo-realism and liberal institutionalism. As Cohen highlighted, the American tradition of IPE emerged in response to a set of real-world challenges that were incipient within the global economic order during the 1970s. The 1970s were a period of significant turbulence for the global economy (see: Chapter 4) and, for some, the field of IR, dominated then by a neo-realism, state-centrism and a narrow focus on Cold War politics, was seen as unable to capture the real-world events unfolding at that time. As is well recounted, the neo-realist perspective was principally concerned with the anarchic nature of the international system. As the highest form of legitimate power in the international system, it was states that were considered by neo-realists, such as Kenneth Waltz (1959; 2010 [1979]), as the central unit of analysis. In this context of global anarchy, neo-realists viewed state behaviour as being defined by the distribution of capabilities, or balance of power, within the international system. The assumption being that in a self-help system, states would orient their behaviour to the structural features of the global balance of power.

Key among these critics of neo-realist IR were the liberal institutionalists, Robert Keohane and Joseph Nye. For both Keohane and Nye, it no longer made sense to speak of an international order where states were the only significant actors. In a co-authored book entitled *Power and Interdependence* (1989 [1977]), Keohane and Nye argued that the international order was becoming increasingly interdependent, as inter-state economic

and communicative links were becoming more prolific and new actors, such as multinational corporations and NGOs, were frequently operating on a transnational scale. In this context, the argument put forward by Keohane and Nye was that it no longer made sense to approach the study of international politics solely through the lens of competitive state-centrism and emphasised the need to create 'a broader paradigm that would explicitly admit the full panoply of relevant actors' (Cohen, 2007: 203). Of course, Keohane and Nye were not suggesting that the international system was giving way to a post-Westphalian order. Instead, they were concerned with the prospects of inter-state cooperation for governing transnational economic relations. The liberal institutionalist perspective accepted much of the fundamental principles of neo-realism regarding international anarchy, state-centrism and the rational self-interest of states. Yet, whereas neo-realists saw the prospects for inter-state cooperation as limited, the liberal institutionalists argued that states had more to gain in absolute terms from cooperation. Moreover, through the establishment of international institutions and regimes, the uncertainties and moral hazards commonly associated with international anarchy could be mitigated (Keohane, 2005 [1984]).

Of course, the neo-realists had their own interpretation of the growing interdependence that had come to characterise the global economy by the 1970s. In 1975, Robert Gilpin published a seminal book entitled *US Power and the Multinational Corporation* (Gilpin, 1975). As the title suggested, Gilpin was not attempting to deny that transnational economic relations were increasingly defining the international system. However, in contrast to the liberal institutionalists, Gilpin saw the growing economic interdependencies emerging at this time as intertwined with state power. Specifically, Gilpin argued that the growth of multi-national corporations should be viewed as an extension of the USA's preeminent position of power within the international system, as US corporations came to exert their dominance globally. In a similar line of argument, Stephen Krasner (1976) argued that transnational and open trading systems should not be interpreted as a diminishment of state power. Instead, what Krasner argued was that the existence of open international trade regimes usually coincided with the conditions of hegemony, where a single state was powerful enough to construct a global system of free trade. In short, the neo-realists argued that growing economic interdependencies reflected the importance, as opposed to the diminishment, of state power (in this case, US power).

My purpose here is not to argue in favour of the neo-realist or liberal institutionalist, but to highlight how both have tended to orient their analysis around systemic or structural concerns. In turn, this has resulted in the American tradition of IPE to principally focus on a small number of structurally significant states, traditionally in the global north. This is perhaps most apparent within the neo-realist approach to IPE. Within its frame of analysis, centred on the international balance of power, there is an in-built bias towards systemically powerful states. Indeed, if all states orient their behaviour to the balance of power, then for the neo-realist it would prove logical to focus on those states which set the terms of that balance. In other words, there is little to no analytic value for the neo-realist in examining the international politics of peripheral countries or regions which have no significant bearing on the distribution of capabilities in the international order. As Waltz once argued, it would be pointless ‘to construct a theory of international politics based on Malaysia and Costa Rica’ (2010 [1979]: 73). Similar criticisms can be levelled against the liberal institutionalist perspective. The liberal institutionalists place less of an onus on great power politics, but there is still a concern with the global political economy as a whole. As with the neo-realist perspective, this means there is a predisposition within the liberal institutionalist perspective towards structurally important actors within the international system. For instance, in the preface to *Power and Interdependence*, Keohane and Nye justify an empirical focus on the US, because it ‘is the most important actor in the system’ (1989 [1977]: vi).

### *The British School of IPE*

In contrast to the American tradition, the British school sought to distinguish the study of IPE from the theoretical underpinnings of IR. The distinction between the two can be summed up by Robert Cox’s elaborations upon *problem-solving* and *critical* theory, in his article ‘Social Force, States and World Order’ (1981). As argued by Cox, the concerns of mainstream IR, and by extension, the American school of IPE, principally centred on that of problem-solving theory. In this regard, both neo-realism and liberal institutionalism took the world as they found it and generalised theories and patterns from this (*ibid.*: 128-129). By contrast, the British tradition of IPE (which Cox was a key pioneer of) sought to approach the study of the global political economy from a critical theory perspective. From this standpoint, the purpose of IPE as a discipline was to stand ‘apart from the prevailing world and...[ask] how that order came about’ (*ibid.*).

It is important to note that Cox saw a role for both problem-solving theory and critical theory. However, he criticised mainstream IR for its almost singular focus on the concerns of the latter. Cox contended that this had meant that mainstream IR had come to exhibit a distinct a-historicism that overlooked the potential for social and political orders to evolve and transform. His central argument was that the structures of the international system were not timeless, but contingent upon an alignment of social forces that he argued were historically bound and susceptible to change. For Cox, historical structures were forces (material, ideational and institutional) that ‘impose pressures and constraints’ on those within them and which operate at three interrelated levels – the social forces of changing production methods, the forms of state and world order (*ibid.*: 152). Cox’s account laid particular emphasis on the relationship between changing modes of production and the structure of the global economic order. For instance, he argued that the onset of industrial capitalism in the early 19<sup>th</sup> century had led to Britain’s ascendancy in the international order (the Pax Britannica) and its ability to shape its norms and institutions around liberal principles (i.e. free trade, the gold standard). The critical point that Cox argued was that the structure of the global political economy was more complex than merely an assemblage of states and their interests, and that the structure of the global political economy was not fixed and timeless, but contingent and susceptible to change.

Another prominent figure who proved instrumental within the British tradition of IPE was Susan Strange. Like Cox, Strange’s point of departure was the mainstream theories of IR and their inability, as she saw it, to comprehend the broader systemic changes ongoing across the global economy from the 1970s onwards. One of Strange’s central contributions to the field of IPE was the concept of ‘structural power’, which she argued was increasingly becoming more significant as the global political economy grew ever more interconnected and globalised. Unlike traditional understandings of power in IR – the ability of actor A to get actor B to do something it might otherwise not do – structural power related to ‘the power to shape and determine the structures of the global political economy’ (Strange, 1994: 24). Strange separated these structures into four pillars: finance, production, security and knowledge. In other words, Strange viewed structural power as the ability to shape the context in which states and other actors were embedded. Strange’s application of structural power is commonly linked to her work on US hegemony in the late 1980s, where she sought to contest prevailing arguments, at the time, that US power was declining. In her article, ‘The Myth of Lost Hegemony’ (1987), Strange sought to

counter arguments purporting to an erosion of US power and hegemony, noting that they were rooted in traditional understandings of power. Instead, Strange argued that if you considered the hegemonic status of the US through a lens of structural power, then it was evident that US power was not in decline and may even have increased.

The British tradition of IPE has made an important contribution to our understanding of the global political economy, capturing its complexity and propensity to transform. But, this whole system approach to the study of the global economic order has meant that, like their counterparts in the American school, the British school of IPE has proven ill-equipped to analyse and understand the role and place of less systemically important actors. Indeed, this is explicit in Strange's understanding of 'structural power', where the onus is upon those states and actors which determine the structure and form of the global political economy. Moreover, although Cox deliberately sought to construct an understanding of the global political economy that moved beyond a singular focus on states, his account still gravitated towards structurally significant states and actors. For instance, in his 1981 article, where he introduces the concepts of historical structures and world order, Cox emphasises the importance of hegemonic powers – i.e. Britain in the 19<sup>th</sup> century and the US during the 20<sup>th</sup> century – in shaping the form of the international economic order.

In presenting these critiques, my intention here has not been to dismiss the broader contributions of IPE as a field of study, of which there are many. Instead, what I have aimed to draw out is how IPE's traditional systemic level of analysis has inadvertently led to the privileging of certain actors over others. As Matthew Matson has noted, 'theoretical debates take place against the backdrop of common concerns for studying certain issues at the expense of others' (2005: 13). By favouring a systemic level of analysis, IPE has typically tended to focus on a small group of states and actors which are deemed systemically significant, side-lining analysis of how actors outside this group (i.e. in Africa and the global south) engage within and endure the constraints of the global political economy.

### **2.3 Bridging the Divide: Constructivist IPE and African Agency**

In the previous section, I drew upon Cohen's (2007) distinction between the American and British schools of IPE. Undoubtedly, Cohen's contribution is a valuable one, which

draws attention to the historical origins of IPE as an academic discipline. Although in detailing IPE's origins, Cohen failed to take into consideration evolutions within the field, some of which were well underway when he wrote about the 'transatlantic divide' in 2007. A significant development not widely touched upon by Cohen was the shift towards 'open economy politics' (OEP) in the American tradition of IPE from the late 1990s (for an overview, see: Blyth & Matthijs, 2017; Lake, 2009; McNamara, 2009; Oatley, 2011). In essence, the almost hegemonic ascendancy of OEP flipped IPE's traditional structural logic on its head and focused instead on the domestic sources, or micro-foundations, of the global political economy. Specifically, OEP narrowed its focus onto specific interest groups in society and how their preferences shaped domestic economic governance and inter-state bargaining. Certainly, the ascendancy of OEP brought attention to the units which make up the global political economy. Yet, if the first generation of IPE could be criticised for having a singular focus on the macro, then the OEP approach could be criticised for an equally myopic focus on the micro. As its critics have argued, the OEP framework has more or less abandoned analysis of the broader systemic context and its bearing on political-economic outcomes (Blyth & Matthijs, 2017; McNamara, 2009; Oatley, 2011). In other words, it is an approach which is agent-centred, but lacks consideration for the broader structural context in which agency is performed and embedded.

A more promising development has been the uptake of constructivist theoretical approaches within IPE (Abdelal et al., 2010; Blyth 2002; Hay, 2016; McNamara, 2009; Siles-Brügge, 2014). Constructivist IPE scholarship has presented itself as a response to the predominance of materialist and rationalist explanations within the American and, to a lesser extent, the British tradition of IPE. Generally, IPE scholarship has begun with the (implicit) assumption that the environment in which actors are located is material and knowable, and that agents rationally orient their behaviour to the incentives of their external material context. As Rawi Abdelal, Mark Blyth and Craig Parson have put it, IPE was traditionally 'based on the connection between observer-deduced material incentives and observer imputed rational responses' (2010: 1-2). The point they note, however, is that in reality, economic and political behaviour does not always follow this exact process and that actors often respond very differently to similar contexts and situations (*ibid.*: 2). It is this observation which leads them to set out two principal arguments. The first is that the global political economy is much more complex than is generally conceded within traditional approaches to IPE, meaning that actors cannot deduce their interests from

their environment in a straightforward manner. Second, social (non-material) phenomena intervene between material structures and human agency, leading actors ‘to interpret their environment in very different ways’ (*ibid.*).

The critical insight of constructivist IPE – and constructivist social theory more generally (Hacking 1999; Hay, 2016) – is that ideas and discourse shape the social, political and economic contexts in which agents are located. Actors, then, do not access the material world directly, but interpret it through inter-subjective and subjective filters (Hay, 2016). In the next section, I turn to explore the ontology of constructivist social theory in more detail. The vital point to draw out here is the conceptualisation of agency within the constructivist worldview. As outlined above, constructivism is concerned with the complex and contingent relationship between structure and agency. In this regard, constructivist IPE does not fall into the same trap as the OEP approach in ignoring the broader structural context in which agency is embedded. Furthermore, by moving away from a focus on material structures, constructivist IPE opens conceptual space for analysing the role and place of a broader range of actors in the global political economy. Crucially, as I outline below, if material contexts do not solely determine an agent’s choices, then constructivism offers more scope for how actors in materially weak and vulnerable positions can exercise more agential power (Heron, 2018).

#### *African Agency: Reflexivity and Ideas*

Over the last decade, there has been a growing academic interest in the notion of ‘African agency’ (Brown, 2012; Brown & Harman, 2013; Heron, 2018; Lorenz-Carl & Rempe, 2013; Murray-Evans, 2015; Shaw, 2015). As discussed in the previous chapter, Africa’s international politics and political economy has typically been studied from either the perspective of how the region has been shaped and marginalised by external actors (Brown & Harman, 2013: 1), or in terms of elite extraversion. The agency turn within African studies has sought to overturn this conventional wisdom and the Afro-pessimism which it entails. Instead, it is argued by advocates of African agency that the region is not and never has been simply a passive bearer of external structures and, moreover, has increasingly come to play a significant and influential role in global politics (*ibid.*). Collective action by African states in multilateral forums such as the United Nation’s (UN) Security Council and the World Trade Organization (WTO) are examples often

cited to highlight the growing influence of the region in global politics (Lee, 2013; Zondi, 2013). Scholars have also linked the question of agency to broader debates concerning the ‘rising powers’ and the manner in which growing ties between countries such as Brazil, China and India, on the one hand, and African states, on the other hand, have opened up space to enable the latter to break free of its traditional dependency on the West (Schoeman, 2011; Shaw, 2015). While another set of literatures have sought to tie the region’s growing influence – or at least the ability to resist externally imposed agendas – to its (supposedly) improving economic prospects (Alden & Alves, 2009).

These accounts certainly offer an overdue corrective to the ingrained pessimism that has often accompanied the study of politics in Africa. There is, however, a noticeable ontological tension in the manner in which agency is understood and applied in these emergent literatures. As Peg Murray-Evans (2015; see also: Heron 2018) notes, the tendency within these literatures has been to conflate agency (an ontological presupposition) with empirical claims about Africa’s ability to resist or influence and shape external policy agendas. As Murray-Evans further elaborates, by conflating agency with influence, it is possible to miss a series of actions that may merely ‘serve to perpetuate existing structures that are simply geared towards survival within a highly unequal global system’ (*ibid.*: 1847). In other words, framing agency as influence means that we can only speak meaningfully of African actors having agency at certain times and in specific contexts. To overcome this ontological inconsistency, Murray-Evans separates questions of agency from those of influence and instead frames (reflexive) agency within a social constructivist framework – ‘the ability or capacity of an actor to act consciously and, in doing so, to attempt to realise his or her intentions’ (Hay, 2002: 94). In this sense, agency is intertwined with and innate to an actor’s being – to be conscious is to have reflexive agency. Therefore, regardless of whether actors are placed in materially strong or weak positions, these positions always necessitate agency in the sense that they still require interpretation and a purposeful response.

In a similar contribution, William Brown has also rejected the notion that African agency can be reduced to power and influence, as this overlooks the ‘injection of meaning and intentionality into action’ (2012: 1894). In contrast to Murray-Evans, Brown employs a critical realist (rather than a constructivist) ontology. But like Murray-Evans, Brown’s account draws attention to the non-material correlates of African agency. Here, Brown suggests agency should be conceived in subjective and normative terms, arguing that the



roles and identities actors occupy and the social contexts they inhabit both enable and constrain agency, or their subjective freedom of action. To illustrate his understanding of agency, Brown draws upon the African Union's (AU) mediation during the Libyan crisis in 2011. Here, Brown argues that the AU's socially constituted role as the collective voice of the continent opened up space for the AU's Chairperson and other prominent African leaders to act as mediators in this crisis. This role was, however, constrained by the Gaddafi regime's involvement in the creation of the AU and its close links to other prominent African governments, as well as the AU's long-standing adherence to a norm of non-interference in the domestic affairs of member-states.

Importantly, by decoupling agency from material power and influence, new conceptual avenues are opened for exploring the international politics and political economy of Africa, that emphasises African actors as proactive participants in the global order. For instance, Murray-Evans' work on the EPAs between the EU and the African, Caribbean and Pacific (ACP) group of states, has emphasised how policy elites in Southern Africa were able to discursively appeal to certain institutional norms to successfully contest the EU's agenda for services liberalisation (Heron & Murray-Evans, 2017; Murray-Evans, 2018). Similarly, Silke Trommer (2014a), who also focuses on the EPAs, has shown that civil society groups in West Africa were able to draw upon the ambiguities of multilateral trade rules to challenge the EU's demands for trade liberalisation. Crucially, although the EPAs were defined by evident material power asymmetries between the two parties, both authors show that the outcome of these negotiations was not reducible to the material positionality of the ACP vis-a-vie the EU. Instead, both Murray-Evans and Trommer illustrate that actors across Africa were able to discursively appeal to certain norms and institutions – or the social (non-material) phenomena that intervene between structure and agency – to successfully contest important aspects of the EU's external agenda.

Crucially, by drawing attention to the non-material correlates of agency, constructivism offers a useful framework for exploring Africa's position within the global political economy, that neither views actors as operating outside their structural context, nor sees structural positionality as (wholly) determining actions or outcomes. In short, constructivist IPE opens conceptual avenues that enable a meaningful understanding of how African actors engage with, endure and in some instances, shape the structures of the global political economy. Indeed, both Murray-Evans and Trommer's work forms one part of an emerging lineage of self-identified IPE scholarship that has applied

constructivist concepts to study of African actors engagements within the global economic order (Fourie, 2014, 2015; Heron, 2018; Hurt et al., 2013; Lee 2012; Munyi, 2016; Weinhardt, 2017). Taking my cue from these constructivist IPE literatures, the remainder of this chapter develops a theoretical framework to analyse and explain the central research questions of this thesis. As a starting point towards this, the next section turns to consider and elaborate more specifically upon the ontological foundations of constructivist social theory.

## **2.4 Constructing Reality: The Ontology of Social Constructivism**

It should be noted from the outset that the term ‘constructivism’ is highly ubiquitous, and can often mean different things at different times to different authors (Hay, 2016). Within the broad field of international studies, constructivism is most widely associated with Alexander Wendt’s *Social Theory of International Relations* (1999). Wendt’s work, in effect, sought to augment the structural (or neo) realist assumptions of IR (i.e. Waltz, 1958, 2010 [1979]) by drawing attention to the intersubjective, rather than material, structure of the international system and the manner in which these social structures constituted state interests and identities. Although highly regarded for drawing attention to the role of non-material factors in shaping the international order, Wendt’s constructivist theory has since been criticised on several fronts. This has included arguments that Wendtian constructivism has reinforced the state-centrism of neo-realist IR, that it falls back into a ‘structural idealism’, where structures condition agency rather than being reproduced by it, and that it has ontological inconsistencies running through it, including a rigid demarcation between material and ideational factors (Hay, 2002: 198-200).

In contrast to Wendt’s ‘thin’ constructivism, the theoretical foundation of this thesis draws from a ‘thicker’ brand of constructivism, which links more directly to the philosophical and sociological tradition of constructivism (Berger & Luckmann, 1966; Hacking, 1999; Hay, 2002, 2016). As Colin Hay puts it, ‘to be a social constructivist...is to emphasise (having, ideally, reflected systematically upon) the process of social construction’ (2016: 521). The critical foundation of constructivism, then, is that the constitution of social reality is not inevitable or pre-ordained: it is ‘not determined by the nature of things’ (Hacking, 1996: 6). This stands in contrasts to Wendtian constructivism,

which takes certain aspects of the international order as given, such as the state system. It is a social theory, therefore, which rests on the notion that social reality is constructed by agents, rather than being fixed by material constraints (Siles-Brügge, 2014: 31). Constructivists are, therefore, concerned with the process by which particular social orders come into being and their propensity for change.

As discussed briefly in the previous section, constructivism starts from the premise that agents do not directly access the material environment in which they are situated, but do so through subjective and intersubjective filters. By subjective and intersubjective, constructivists refer to the fact that actors often orient their actions towards collectively (intersubjective) held social norms and institutional logics, but that behaviour is, ultimately, defined by an individual's own (subjective) interpretation of their social terrain. Cornel Ban (2016) has illustrated this point quite neatly within his work on the adoption of neoliberal policy ideas in both Spain and Romania from the 1980s. Ban notes that the adoption of neoliberalism in both countries took place at a time when free-market policy practices were becoming established norms across the international economic order. Crucially, Ban highlights that there was a noticeable difference in the form of neoliberalism that emerged in both cases, an outcome which he argues is linked to the specific way global neoliberal ideas were translated by local policy makers in both countries. In contrast, then, to Wendtian constructivism, where social contexts condition actors, this thicker brand of constructivism still leaves conceptual space for reflexive agency and a contingent relationship between context and outcome.

#### *Constructivism and the Structure-Agency Debate*

This latter point suggests that a useful starting point for this discussion is to unpack constructivism's position concerning the long-standing structure-agency question further. As Adrian Leftwich once noted, the structure-agency problem lies at the basis of all social enquiry and 'concerns the key issues concerning how socioeconomic and political behaviour is to be explained' (2010: 94). In short, the structure-agency problem pertains to whether individual conduct is governed by structural constraints, or by an actor's own autonomous decision. Within the vast literature relating to this question, debates have tended to move away from the idea that social and political behaviour can be explained by exclusively appealing to either structural or intentionalist logics. As Brown has noted,

there are 'neither simply free individuals, nor script defined performance' (2012: 1895). Instead, where the debate has tended to fall in contemporary debates is understanding the complicated and interrelated relationship between structure and agency.

Debates on this relationship have tended to diverge along two poles. On one side of the discussion, there is the structuration theory of Anthony Giddens (1984), which has formed the groundwork of Wendtian constructivism (Wendt, 1987, 1999). Giddens's aim within his structuration theory was to transcend the dualism which had typically defined the structure-agency debate. Instead of viewing structure and agency as distinct entities, Giddens argued that they were ontologically intertwined and inseparable. Indeed, in his work, Giddens speaks not of a dualism between structure and agency, but a *duality* of structure to emphasise that structures both constitute and, at the same time, are constituted by agency. Here, Giddens refers to the metaphor of the coin, in the sense that structure and agency are two faces of the *same* coin. In Wendtian constructivism, this logic is apparent with the notion that states, through their interactions, both shape and are shaped by, the structure of the international system. However, Giddens' concept of a duality of structure has come up against several valid criticisms from critical realists (Joseph, 2008) and even other constructivists (Hay, 2002). For critical realists, the problem with Giddens' theory of structuration is that it conflates both structure and agency, making it difficult to trace cause and effect (Archer, 1995; Jessop 2008). Hay (2002: 120) has also argued that although Giddens invokes an ontological duality, in analytic terms, he reinforces a bracketing between structure and agency, as he suggests in practice that it is not possible to analyse the influence of both at a given moment. As a result, Giddens' approach tends to oscillate between structuralism and intentionalism.

On the other side of the debate, there is the critical realist position of Margaret Archer and others (Archer, 1995; Joseph, 2008). As previously discussed, critical realists challenge Giddens's structuration theory for its conflation of structure and agency. As such, the critical realist worldview starts from the proposition that it makes sense to separate structure and agency not only analytically, but also ontologically. Structure and agency are seen by critical realists to have different properties and exist within separate temporal domains: structures are always seen to pre-exist the agents that act upon them. Although critical realists see structure and agency as being related, with the possibility of agents being able to transform their context over time, they emphasise that this should not mean that the two should be conflated. However, like Giddens's theory of structuration, the

critical realist approach to the structure-agency problem has also faced criticisms. Most notably, as Hay puts it, the critical realist position tends to fall back into a ‘residual structuralism’ where agency is viewed as an ‘ephemeral or fleeting moment’ (Hay, 2002: 126). This point is reflected in Jonathan Joseph’s account of the relationship between structure and agency when he notes:

So while structures do depend on agents for their reproduction, the activity of these agents usually reproduces existing conditions. It is only under particular conditions or in particular circumstances that agents may act consciously to change or transform these conditions. And even then, within the limits of the structural conditions. (2008: 116)

Within Joseph’s account, performances of agency are restricted only to those rare occasions where actors can enact structural transformation. The critical realist perspective appears, therefore, to somewhat problematically conflate agency with influence or power (Murray-Evans, 2015).

Both Giddens and the critical realists ultimately come up short in attempting to overcome the dualism of structure and agency. In this thesis, I draw upon an alternative approach to the structure-agency problem, found in the work of Hay (2002; 2016), which has sought to occupy a middle ground between these two contrasting positions. In a similar sense to the critical realist position, Hay posits that it is possible to talk of social reality as having independence from human agency (2016: 521). As he goes on to discuss, whereas critical realists talk of a reality *ontologically* independent of human knowledge, his approach (rooted in constructivist social theory) speaks only of a social reality independent of *human volition* (*ibid.*). This step allows Hay to talk of certain aspects of social reality existing only through the collective agency of society. Here, he refers to the example a ten euro note, observing that its value solely derives from ‘the status bestowed upon it socially’ (*ibid.*). However, as he further argues, despite its social constitution, it is not possible for an individual, for example, to wish a ten euro note into a twenty euro note: it is independent of human volition and places *real* constraints on the choices and strategies that actors pursue.

Hay’s explicit elaborations upon the structure-agency problem are most well known in his adaption of Bob Jessop’s (1996) ‘strategic-relational’ approach (Hay, 2002: 126-134, 209-215). Under the strategic-relational approach, the ontological distinction between structure and agency is collapsed, although both are used for analytic purposes, and

referred to instead as the ‘strategically selective context’ and ‘strategic action’. For Jessop and Hay, actors do not just orient their action towards their environment. Instead, contexts are viewed as *strategically selective*, in that only specific strategies will be available for an actor to realise their intentions. However, this does not entail that behaviour is structurally determined, as outcomes are still contingent upon the *strategic action* of actors. It is, however, at this point where Jessop and Hay begin to deviate. Whereas Jessop implicitly assumes that actors have direct access to the contours of their environment, Hay suggests that such a premise is highly unlikely, akin to the notion of ‘perfect information’. Instead, Hay argues that the information an actor has about their context will only ever be partial, due to the complexity of the social world. He goes on to explain, therefore, that actors will draw upon cognitive filters (ideas, narratives, paradigms) to interpret their context and conceive of their interests therein (2002: 210). As such, similar to Giddens’ theory of structuration, Hay also conceptualises structure and agency as ontologically intertwined. Therefore, his approach does not fall back into the residual structuralism of critical realism. But, unlike Giddens, Hay’s analytic approach can capture the contingent interplay between conduct and context in explaining political outcomes.

#### *Which Ideas Matter? The Discursive Construction of Social Orders*

Thus far, this section has clarified constructivism as a theory, which at its roots, is concerned with the process of social construction, and laid out an ontologically consistent approach to the structure-agency problem. Yet, if social orders are constructed through intersubjectively held ideas and institutions (see below), then this leaves the question of ‘*why* a particular set of ideas become part of the structure and not another, rival set of ideas’ (Bieler & Morten, 2008: 104, emphasis in the original). For instance, why did neoliberal ideas, advocating the promotion of open, efficient and competitive markets (Ban, 2016: 12), come to dominate economic governance across many parts of the global economic order from the 1980s onwards? This question suggests that it is not only essential to look at the constitutive content of ideas, but also the interactive process through which ideas are represented through discourse. As Vivien Schmidt notes, although the concept of discourse evokes ‘visions of postmodernists and post-structuralists’, the term itself merely refers to ‘the substantive content of ideas but also the interactive process through which ideas are conveyed’ (2008: 304-305). As already outlined in the previous chapter, Schmidt also distinguishes between ‘coordinative’

discourses, the technical language drawn upon by policy makers and experts to construct specific policies, and ‘communicative’ discourse, which refers to how policy ideas are conveyed and legitimated among wider audiences (*ibid.*: 309).<sup>9</sup>

A prominent explanation set out by neo-Marxists to explain the prominence of specific ideas over others is to suggest that the ideas which define social orders are those which reflect the material interests of the dominant class (see: Bieler & Morten, 2008). In essence, then, discourse merely becomes a mechanism to legitimate the hegemony and, therefore, the interests of the dominant class. Yet, although discourse can be utilised by the powerful to pursue their (perceived) interests, discursive strategies can also be used as weapons of the weak to contest the agendas of those in stronger material positions. As discussed earlier in this chapter, during the EPA negotiations, policy and civil society actors across the ACP regions were able to employ a variety of discursive strategies to successfully contest the EU’s agenda for external trade liberalisation (Heron & Murray-Evans, 2017; Murray-Evans, 2018; Trommer, 2014a). More generally, constructivist IPE has shone a light on numerous instances where seemingly weaker actors have been able to discursively contest the agendas of powerful actors and interests (Lee & Smith, 2010; Lee, 2012; Siles-Brügge, 2017; Sharman, 2006). Therefore, rather than viewing the dominance of specific ideas over others, as a straightforward reflection of material power, I instead draw attention to the specific way in which certain ideas are discursively framed. To do so, I draw upon Schmidt’s distinction between a logic of *necessity* and a logic of *appropriateness* (2002: 214-222).

As Schmidt argues, one of the ways in which specific ideas become dominant is by appealing to a ‘logic of necessity’. Here, Schmidt refers to the ability of policy and political actors to discursively construct a *necessitarian* logic around specific policy programmes (and the ideas which underpin them). In other words, it is the ability to frame certain ideas discursively, and the (supposed) solutions they entail, as the only viable options within a given context. To illustrate this point, Schmidt refers to the shift toward neoliberal economic governance in Britain from the 1980s, noting that the Conservative government was able to discursively frame its neoliberal policy programme as necessary in light of the economic crisis they had inherited from the previous Labour government (*ibid.*: 219-220). This logic of necessity can operate in two ways. On the one hand, the discursive construction of a necessitarian logic can create an intersubjective consensus

<sup>9</sup> I return to discuss the significance of both these forms of discourse at a later point in this chapter.

among actors within society, as they come to internalise the rationalities that the discourse entails. As Gabriel Siles-Brügge notes, in this context, specific ideas matter because ‘they are treated by actors *as though they were material straightjackets*’ (2014: 36, emphasis in the original). On the other hand, the discursive construction of necessitarian logics can operate as a form of what Ronald Krebs and Patrick Jackson (2007) describe as ‘rhetorical coercion’. In this context, even if certain actors do not internalise the logic of a particular discourse, they will find it difficult to contest its rationale due to the necessitarian and non-negotiable reasonings it puts forward.

Schmidt refers to the logic of necessity as the cognitive function of discourse. However, she also notes that often the success of discursive legitimation strategies will also depend on a ‘logic of appropriateness’, which she refers to as the normative function of discourse. By this, Schmidt refers to the ability of policy and political actors to demonstrate, through discursive framings, how a particular policy programme ‘serves to build on long-standing values and identity’ of society (2002: 220). Again, using the example of neoliberal economic reforms in Britain during the 1980s, Schmidt highlights that the Conservative government legitimated this policy programme not only by appealing to a logic of necessity, but by also emphasising how these policy reforms were consistent with Britain’s historical adherence to liberal and individualist values. Of course, it is a matter of degree the extent to which actors draw upon a logic of necessity or a logic of appropriateness when constructing discursive legitimation strategies. Indeed, Wesley Widmaier (2010) has even suggested that policy elites will often attempt to suppress the more normative (or emotive) component of discursive legitimation strategies to construct an absolute logic of non-negotiability around specific policy programmes.

By appealing to both the discursive logics of necessity and appropriateness, we can grasp the process through which ‘a particular set of ideas become part of the structure and not another’ (Bieler & Morton, 2008: 104). However, what remains to be explained is the process by which dominant ideas and their discursive frames come to be contested and undermined. For this process, it is essential to draw attention to the context in which discursive legitimation strategies are performed. As Hay notes, ‘for particular ideas, narratives and paradigms to continue to provide cognitive templates through which actors interpret the world, they must retain a certain *resonance* with those actors direct and mediated experiences’ (2002: 212, emphasis added). In effect, all actors are reflexive and will continue to reflect upon the (perceived) contours of their social context and the



constraints and opportunities it imposes. As such, over time, actors' interpretations of their external context can diverge from the representations of social reality implicit within specific discursive frames. This, in turn, opens discursive space for the espousal of alternative ideas and discourses to emerge that challenge the established social order. Indeed, constructivist IPE scholarship has often drawn attention to the role of economic crises in undermining the causal logics of established economic orders, as well as opening space for alternate discourses that offer reimagined visions of economic governance (Blyth, 2002; Widmaier, 2016a).

### *Unpacking the Logics of Institutions*

A final point of discussion, then, concerns the role and explanatory logics of institutions within constructivist social theory. Institutions, here, can be understood as both the formal rules and organisations, alongside the more informal rules, norms and shared meanings that direct actors to behave in certain ways (Parsons, 2007: 69). For some, constructivist (ideational) and institutional logics have often been regarded as incompatible. As Craig Parsons notes, an ideational logic 'explains action as a result of people interpreting their world through certain ideational elements' (*ibid.*: 66). By contrast, he suggests that an institutional logic explains behaviour in terms of path-dependency, appealing to how 'the setting-up of certain intersubjectively present institutions channels people unintentionally in certain directions at some later points' (*ibid.*). As such, whereas an ideational logic explains political outcomes through agential interpretation, an institutional one rests on the assumption that agents respond rationally and unambiguously to institutional rules and incentives. Yet, as Tony Heron and Peg Murray-Evans (2017) have argued, by diverging from this rationalist understanding of institutions, it is possible to combine these logics. In this regard, institutional norms, practices, rules and organisation create certain path-dependencies and habitualised forms of behaviour among actors, but also carry enough ambiguity for differing interpretations and responses by agents (*ibid.*: 345). As already indicated within the discussion on structure and agency, Hay views an actor's strategic context as evoking a (institutional) selectivity 'favouring certain strategies over other' (2002: 212).

Stephen Bell (2011) has criticised constructivist approaches for conflating ideas and institutions. As he notes, 'a tendency is sometimes evident within constructivist literature

to collapse institutional dimensions into the ideational realm, seeing “rules” and “norms” largely as ideational constructs’ (*ibid.*: 667).<sup>10</sup> In this sense, Bell implies that constructivism falls back into an ideational voluntarism. Instead, he draws upon critical realism to argue that institutions should be considered as ontologically separate from agency. Others have quite convincingly responded to Bell’s critique of constructivism (Schmidt, 2012). Moreover, as Hay (2016) has shown, it is possible in analytic terms to talk of institutions as existing through collective agency while still being independent of human volition. In other words, it is not necessary, as Bell contends, to view institutions as *ontologically* separate from agency.

Bell’s analysis does, however, draw attention to the importance of demonstrating some analytic distinction between ideas (and discourse), on the one hand, and institutions, on the other hand. Drawing upon the work of Peter Berger and Thomas Luckmann (1966), Hay notes that institutions reflect the habitualisation and regularisation of social practices within societies, codified through rules, forms of organisation and norms of appropriate and inappropriate behaviour (2016: 522). Ideas, by contrast, can be defined as causal beliefs (Béland & Cox, 2010: 3), the intersubjective and subjective filters which mediate actors’ understandings of their external material and social environment. Both, of course, are linked – ideas can shape institutions, and institutions can shape ideas. However, as generally accepted, the critical difference between both is that institutions, although not timeless, are less amenable to immediate change or transformation. The key point, then, is that although the ideas actors hold about their environment can alter, resulting in them pursuing alternate goals and agendas, these will still have to be pursued within a context that remains institutionally selective.

## **2.5 Theorising Regionalism: The Discursive Construction of Regional Space**

Having provided an outline of the ontological foundations of social constructivism, I now turn in this last section to elaborate more substantively upon the theoretical framework that will underpin the research of this thesis. More specifically, I set out a theoretical framework to explore why regions are imagined and institutionalised and why regional regimes can, over time, come to be characterised by tensions and contradictions. To do

<sup>10</sup> Bell takes aim specifically at the work of Colin Hay and Vivien Schmidt (Bell, 2011: 667).

so, I begin here by critically reflecting more broadly upon existing theoretical literatures which set out to explain why regions and processes of regionalism come into existence.

Up until the 1990s, the study of regionalism was mostly synonymous with the study of European integration, which, at that time (and still today), represented the fullest and most complete process of regionalism (Riggirozzi & Tussie, 2012: 7). Until that point, the study of regionalism had broadly coalesced around two key theoretical approaches: namely, neofunctionalism and (liberal) intergovernmentalism. The former, associated with the work of Ernst Haas (2004 [1958]; 2008[1964]), theorised that increasing levels of interdependence between states would set in motion a process that would lead to increased economic and political integration. Central to Haas' theory of integration was the concept of 'spillovers', which denoted the process whereby integration in one economic sector would create societal pressures (or a functional demand) for integration in other sectors (Rosamond, 2000: 58-65). The assumption within this neo-functional perspective was that integration would create positive-sum benefits for societies, whose interests, in turn, would become aligned to further integration. It was further assumed that integration would be self-reinforcing, with each course of integration (supposedly) bringing additional economic benefits and creating further pressures for additional integration.

The neofunctionalist assumption that integration would be a self-reinforcing process came under considerable strain in the 1960s, as the French President, Charles de Gaulle, vehemently opposed movements towards supranationalism in the European Economic Community. This led to the emergence of an intergovernmentalist turn in the study of European integration (Hettne, 2005: 547). In contrast to neofunctionalist theories, which understood integration as a process of functional spillovers, theories of intergovernmentalism instead sought to place states at the centre stage. In other words, integration was seen by intergovernmental theorists as a process that moved forward only if it aligned with states' interests. Intergovernmentalism can trace its roots to the works of Stanley Hoffman (1966) and Alan Milward (1992). In the 1990s, Andrew Moravcsik (1993, 1998) also introduced a theory of liberal intergovernmentalism. Although still accepting the primacy of states, Moravcsik's approach also sought to incorporate the role of domestic politics in the integration process. In this regard, states' interests towards regional integration were determined by alignments of domestic preferences within societies.

Neither of these approaches really considered the broader global (or structural) context in which processes of regionalism emerged. As Björn Hettne noted, both these approaches understood 'regional integration as the planned merger of national economies through cooperation among a group of nation-states' (2005: 547). In other words, for these approaches, regionalism was implicitly viewed as a process which arose from factors internal to the region in question – i.e. spillovers or inter-state bargaining. Such assumptions, however, increasingly came to be challenged from the early 1990s as various (new) regional integration and cooperation initiatives began to emerge across the span of the global order. Among others, this included new regional formations such as the North American Free Trade Agreements (NAFTA) and the Southern Common Market (MERCOSUR), both of which were established in 1994. The fact that these new regionalisms appeared to be emerging in relative unison suggested that there were common systemic (or external) factors driving these initiatives forward.

Resultantly, a new wave of scholarship soon emerged under the auspices of the NRA, that sought to study this worldwide regionalist phenomenon (see, inter alia: Farell et al., 2005; Fawcett & Hurrell, 1995; Gamble & Payne, 1996; Hettne, Inotai & Sunkel, 1999; Söderbaum & Shaw, 2003). In contrast to the studies of European integration which, by this stage, had become a field of study in its own right (herein referred to as EU studies), the NRA was an approach couched in the broader discipline of IPE (Hettne, 2005: 547). Moreover, in contrast to EU studies, the NRA was interested in the common systemic drivers that were facilitating the creation of new regionalist projects across the world. As Pia Riggirozzi and Diana Tussie note on the NRA:

It was conceived as a systemic approach focussing on the pressures of the international political economy on regions, and the responses of these to those pressures, rather than the intra-regional factors and interdependencies that characterised many of the so-called old approaches...in support of EU studies (2012: 7).

Of particular interest to NRA scholars was the nexus between the deepening process of economic globalisation and the emergence of new regional formations across the global order.

Although these early new regionalist literatures broadly came to a consensus regarding a causal link between globalisation and the new regionalisms, divergences emerged across different strands of this literature concerning the significance of this link. Some viewed

the new regionalisms as spaces which were further entrenching the dominant neoliberal norms and practices which had come to be seen as synonymous with the process of economic globalisation. One of the key texts within this tradition was Andrew Gamble and Anthony Payne's edited volume *Regionalism and World Order* (1996; see also Falk, 2003). Drawing upon the critical IPE of Cox and his framework of historical structures and world order, Gamble and Payne argued that the new regionalisms had emerged as spaces to transmit and lock in neoliberal reforms in a context where US hegemony was declining. As they noted, 'the regionalist projects are not intended as rivals to this globalist project, but rather as means to help achieve it in a world where there is no longer a single state authority' (1996: 253). This understanding of the new regionalisms as transmission belts for neoliberal globalisation came to be an important frame used by scholars to explain emerging regional formations across Latin America (Grugel; 1996; Phillips, 2003), Africa (Taylor, 2003) and Asia (Bowles, 2002) throughout the 1990s and 2000s. Meanwhile, another strand of the NRA took a contrasting position regarding the significance of the globalisation-regionalism nexus. Rather than seeing the new regionalisms as spaces to transmit neoliberalism, this strand of literature viewed them as part of a Polanyian 'double movement' (Polanyi, 2001 [1945]): the social and political response to the expansion of market logics under neoliberal globalisation (Hettne, Inotai & Sunkel, 1999). Focussing principally on regions in the global south, these literatures argued that the new regionalisms had emerged as spaces to collectively insulate and shelter their economies from the exigencies and pressures of globalisation (Amin, 1999; Odén, 1999; Thompson, 2000).

This initial wave of new regionalist scholarship was soon followed by other perspectives, which also sought to draw attention to the social foundations of regional spaces. This was most notable in the work of Björn Hettne and Frederick Söderbaum (2000; see also: Söderbaum, 2004) and their theory of regionness. Drawing upon constructivist social theory, Hettne and Söderbaum's starting point was the notion that regions are not defined or determined by material geographies, but socially constructed, drawing attention to the links between regional identity formation and the creation of regional space. The social construction of regions, they argued, occurred through a process of 'regionalisation', whereby different individuals and groups within a proximate geographic space come to interact and affiliate with one another, creating a sense of identity and community (or regionness). As they further argued, as processes of regionalisation intensified, this would create a greater sense of regionness, which in turn would lead to regions taking on a

greater coherence, with institutions forming to govern interactions within. The crucial point that Hettne and Söderbaum put forward was that the construction and institutionalisation of regional space was a process which is pushed forward by the socialisation of actors within a given region.

According to Söderbaum (2004: 40), the insertion of constructivist concepts into the NRA was viewed as a means to better account for the internal dimension of regionalism. Indeed, as he highlighted, the issue with the initial wave of NRA scholarship was that it had taken a distinctly structural mode of explanation that sought to theorise the relationship between globalisation and regionalism. As Pia Riggirozzi and Diana Tussie have put it, within these earlier perspectives, regions were simply seen 'as a manifestation of the global order' (2012: 8). The highly valid point that both Hettne and Söderbaum (2000) emphasised was that many forms of regionalism were emerging across various parts of the world and that it was not possible to account for these differences by appealing to structural factors alone. As Hettne noted in a later article, 'endogenous (levels of regionness) and exogenous (the challenges of globalisation) factors must both be considered' (2005: 548). The problem, however, was that the NRA approach did not elaborate upon or provide a theoretical framework that could simultaneously capture the role of both internal and external factors in the construction of particular regional spaces. The NRA appeared instead to engage in a practice of analytic bracketing where analysis tended to privilege either internal or external factors exclusively. For instance, Hettne and Söderbaum's (2000) theory of regionness appealed exclusively to internal socialisation and regional identity formation, disregarding the wider global context in which regions emerged. By contrast, the first wave of NRA literatures typically appealed to the structural imperatives imposed by globalisation, while ignoring the internal dynamics of regionalism (Gamble & Payne, 1996).

These were not the only analytic blind spots evident in the NRA literatures. The NRA perspectives were premised on an assumed link between a specific context (i.e. globalisation, increasing regional socialisation) and the construction and institutionalisation of a particular regional space. What the NRA literatures often failed to account for were the causal mechanisms that intervened between context and outcome. This was particularly evident with the initial wave of new regionalist scholarship, where the increasing regionalisation of the world order was assumed to be emerging from the structural imperatives of globalisation (Fawcett & Hurrell, 1995;

Gamble & Payne, 1996; Hettne, Inotai & Sunkel, 1999). An assumed automaticity was also apparent in Hettne and Söderbaum's (2000) theory of regionness, where the institutionalisation of regional space was seen to emerge (automatically) from the increasing interactions and socialisation of actors within a given geographic area. In effect, what the NRA literatures failed to consider was that regions do not emerge automatically from particular social and political contexts, but are actively imagined and institutionalised by specific agents with particular intentions and aims in mind.

With all this in mind, however, it is essential not to lose sight of the wider contributions of the NRA literatures. As I elaborate below, my own theoretical framework emphasises the broader systemic context in which regions are constituted and draws attention to the social foundations of regional spaces. Yet, it also sets out to overcome some of the limitations of the NRA outlined in the preceding paragraphs. Specifically, it sets out an approach that can simultaneously capture both the external and internal dimensions of regionalism and the institutionalisation of regional space. It also shifts the analytic focus from the broader social and political context in which regions emerge towards the actors, or more specifically the policy actors, and the meanings and purpose which they attach to regional spaces of governance.

Furthermore, although sharing similarities to the NRA in terms of an adherence to a constructivist ontology, the analytic focus of my own constructivist framework is decidedly different. Within the NRA, and more specifically Hettne and Söderbaum's (2000) theory of regionness, the focus has been upon the links between regional identity formation and the establishment of regional spaces of governance. By contrast, my own approach focuses on the role of discourse in the imagination and institutionalisation of regional space, drawing attention to the role of language as the medium through which social construction takes place (Hay, 2016: 522). A focus on discourse (both coordinative and communicative), I argue, allows for a deeper interrogation of meanings and purposes which actors attach to regional spaces of governance. A small, but no less significant, set of literatures have already begun to explore the notion of regions as discursive constructs (Rosamond, 1999, 2000, 2012; Van Langenhove, 2011). As Luk Van Langenhove argues:

it is not because regions exist that they can be talked about. It is because they are being talked about that they start existing! In other words, regions are always constructed through discourse (2011: 65)

Central to Van Langenhove's understanding of regions as discursive constructs is the concept of 'integration speak' which he describes as 'a catch-all term for all the ways in which issues of integration are presented, be it in written or spoken form' (*ibid.*: 74). As he goes on to note, through integration speak, actors will often appeal to certain norms, values, identities and external constraints to articulate the purpose and legitimacy of specific regional spaces. Ben Rosamond (1999; 2000) has drawn on similar theoretical themes in his work on European economic integration. As he suggests, the fact that the European economy has taken on a 'banal' and 'taken for granted' status has been the result of intense discursive practice (2000: 161). In his work, Rosamond has highlighted how EU policy makers have discursively appealed to certain external economic threats to construct the idea of a European economic space, as well as legitimate the EU as an agent of economic governance.

Typically, these literatures have tended to focus on the discursive construction of regions in a communicative dimension. In other words, they focus on how actors employ discursive legitimation strategies to articulate the necessity and desirability of regionalism to wider audiences. This, however, overlooks the crucial coordinative and constitutive dimension of discourse: the common language of policy deliberation which serves as a framework for how policy elites' understand the role and purpose of regional institutions. In this thesis, therefore, I set out to build upon these literatures emphasising regions as discursive constructs by drawing attention to *both* the coordinative and communicative dimensions of discourse. I do so below by introducing a framework centred upon the concept of regional social purpose.

### *Regionalism and the Politics of Social Purpose*

The concept of 'social purpose' was first introduced to the field of IPE by John Ruggie in a famous 1982 article for the journal *International Organization*. Ruggie's key theoretical argument was that scholarship studying international authority in the global economic order had tended to focus solely on matters of power, ignoring the content (or social purpose) that underpinned it, such as the relationship between the state and the market. More recently, the concept has been drawn upon by Andrew Baker (2018) in his work on the emergence of macroprudential regulatory reforms since the global financial crisis in 2008. As Baker argues, although Ruggie established the importance of social purpose, he



never formally defined the term, meaning that its application since has remained fleeting and ephemeral. Therefore, Baker defines social purpose more precisely as:

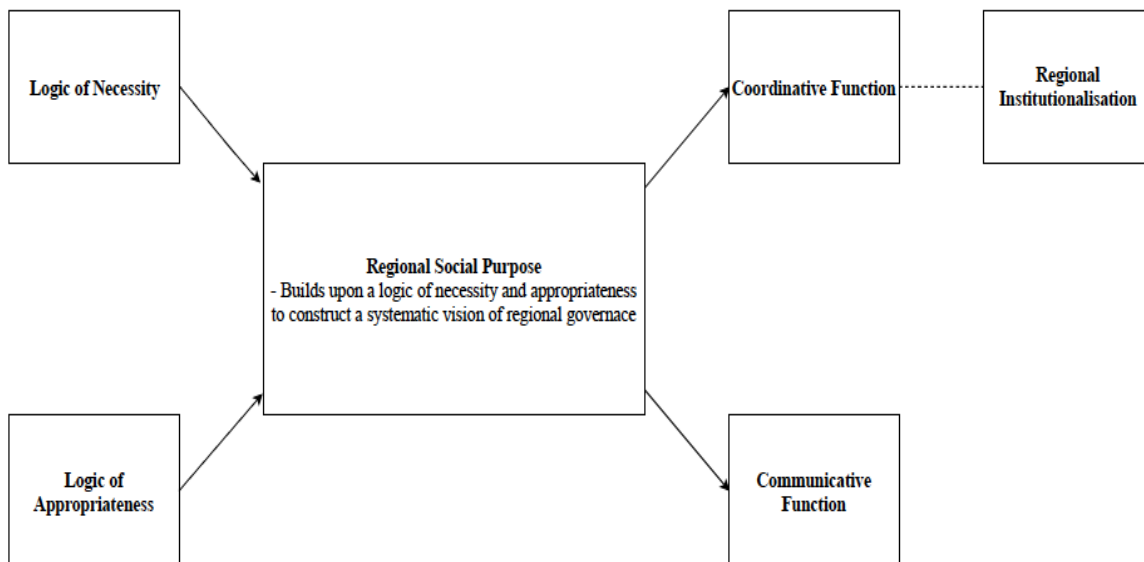
a systemic vision of the good financial and economic system derived from a combination of analytical and normative reasoning communicated through a public discourse, that builds a widely shared intersubjective consensus (among both government elites and mass publics) concerning the desirability and benefits of a given system (2018: 296).

As Baker further elaborates, social purpose consists of a (i) constitutive, (ii) communication and (iii) receptive elements. It is the first and second of these on which I focus upon here. The constitutive element is akin to Schmidt's notion of coordinative discourse (see: section 2.4) and relates to technical policy claims about 'how economic systems function, their problems and how they might be made better' (*ibid.*). Meanwhile, the communication element draws upon the constitutive element, but provides normative and utilitarian justifications to wider audiences as to the benefits of a particular policy programme.

Of course, Baker's empirical focus on post-2008 macroprudential regulatory reforms is very different from my own focus on African regionalism. Yet, in conceptual terms, the analytic framework he develops offers a useful starting point for exploring the imagination and institutionalisation of regional space. Following on from Baker, I forward the notion of *regional* social purpose, which can be understood here as a systemic vision of regional governance that builds upon both logics of *necessity* and *appropriateness* to discursively construct an intersubjective consensus concerning both the desirability and necessity of regionalism. As implied within this definition, different types of reasonings can come to underpin systematic visions of regional governance. On the one hand, regional social purpose can be underpinned by a logic of necessity. This discursive logic invokes necessitarian and non-negotiable rationalities to frame regionalism as the only viable option within a given structural context and the perceived constraints it imposes. In this thesis, for instance, I highlight how the EAC's social purpose initially came to be tied to a particular neoliberal conception of globalisation as a non-negotiable constraint that necessitated market-led integration. On the other hand, regional social purpose can also build upon a logic of appropriateness. This logic appeals to how regional governance will serve to strengthen widely shared values and identities that exist within a given region. Alongside appeals to the perceived economic imperatives of globalisation, in this thesis I

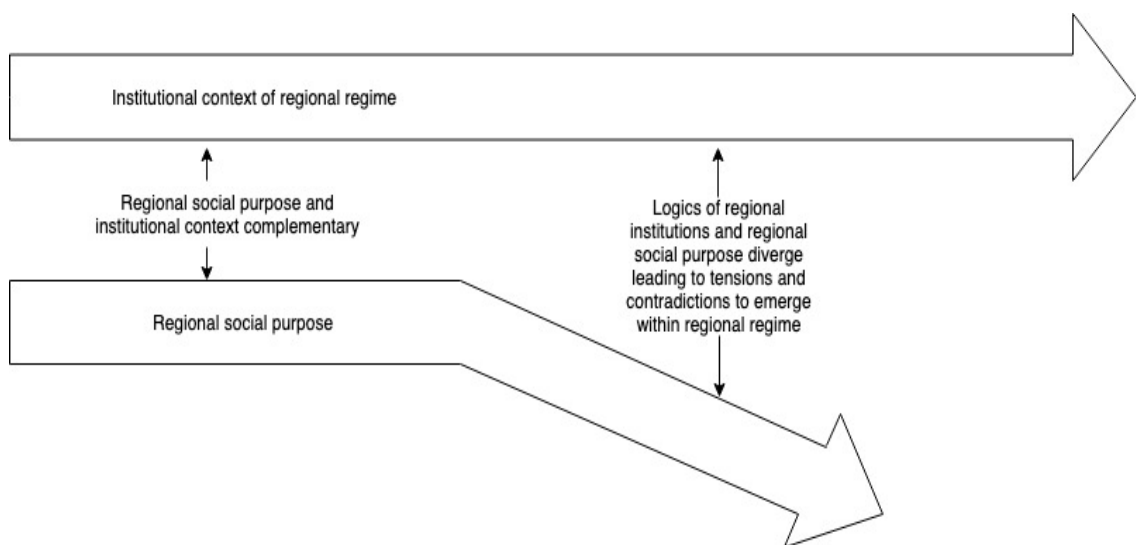
also describe how the EAC’s social purpose was initially framed around ideas of common political community, shaped by East Africa’s long history of integration and cooperation.

Crucially, a framework of regional social purpose can overcome the problem faced by the new regionalism literatures reviewed in the previous section, where either external or internal factors are exclusively privileged. As shown in the previous paragraph, discourses of regional social purpose can articulate the necessity and desirability of regionalism by appealing to both internal factors (i.e. shared identity) and structural factors (i.e. external economic threats). It is important to note, also, that a framework of regional social purpose allows for an examination of the links between regional social purpose, as a discursive vision of regional governance, and the institutionalisation of regional space. This relates to Baker’s initial insight that social purpose serves both a coordinative (constitutive) and communicative function. The communicative function, of course, reflects the discursive strategies employed in the public sphere to legitimate the role and purpose of regional governance. By contrast, the coordinative function reflects the common cognitive and normative ideas held by individuals in a regional policy community, articulated through policy discourses, that provides a framework detailing the role of regional governance and how it should be structured and institutionalised (see: Figure 2.1).



**Figure 2.1: The dynamics of regional social purpose (source: authors own interpretation)**

The notion of regional social purpose, therefore, offers a useful agent-centred framework for exploring how regions are discursively imagined and institutionalised. What remains to be explained is how, over time, the social purpose of regions can come to change and even be contested. As outlined in Chapter 1, this thesis not only sets out to ask why the EAC was revived in 2000, but also why tensions and divergences have come to characterise its regional regime in recent years. In understanding this latter question, it is essential to draw attention to two critical features of constructivist social theory: namely, that social reality is not fixed, but susceptible to change and evolution over time, and that agents are reflexive and will continually reflect upon their social context and the perceived constraints and opportunities it imposes. The crucial point here is that there is a significant temporal dimension to the notion of regional social purpose. By this, I mean that regional social purpose discursively articulates a vision of regional governance that is resonant with actors' interpretation of their external environment at a particular point in time. But, over time, it is possible for actors' understanding of their context to diverge from the representations of social reality implicit within specific expressions of regional social purpose. In these contexts, discursive space can open for actors to reimagine (or even contest) the role and purpose of regional governance. Crucially, however, this reimagining can come up against embedded institutional constraints and pathologies which can, in turn, result in tensions and contradictions emerging within regional regimes. In other words, the institutional logics of regional regimes can, over time, come to conflict with discursive or ideational imaginations of regional governance (see: Figure 2.2).



**Figure 2.2: The complementary and diverging institutional and discursive logics of regional regimes (source: authors own interpretation)**

In this thesis, I argue that the EAC's social purpose came to initially be tied to a particular (neoliberal) conception of globalisation as a non-negotiable constraint. The EAC, as such, was first imagined and institutionalised by actors as a space to respond to the perceived imperatives of globalisation through a process of market-led integration. As I outline in Chapter 4, the EAC was initially conceived by policy actors in the region as an 'enabling environment' for market and private-sector led development through the removal of intra-regional tariff and regulatory barriers. In this regard, there was initially a strong convergence between the EAC's social purpose, as a space to promote market-led development, and the region's institutional logics which were geared towards the removal of intra-regional market barriers. Crucially, however, I argue that such neoliberal conceptions of globalisation as non-negotiable constraint came to be challenged in the latter part of the 2000s, prompted by broader systemic shifts in the global economic order. In turn, I highlight that this opened space for the espousal of more activist and interventionist development visions within East Africa. However, I note that because the EAC was initially conceived to support a programme of market-led development, it has lacked the institutional foundations and coordinative capacities for deeper forms of cooperation necessary of a more interventionist regional development strategy. As a result, growing ambitions for industrialisation and structural transformation in the region have come to be pursued within national (as opposed to regional) policy settings. As I outline in this thesis, this has led to tensions emerging within the EAC's regional regime between an agenda for national development planning and the EAC's principal ambition for deeper economic and political integration.

## **2.6 Conclusion**

This chapter had two key aims. The first of which was to consider how we might conceptualise the role and place of Africa in the global political economy. As outlined at the beginning of the chapter, the task of locating Africa in the global political economy presented several challenges that this chapter sought to address. As the region of Africa, to greater or lesser extents, is made up of small developing economies, there is the risk that actors across Africa can all too easily be conceptualised as passive bearers of external structures. A further challenge which I highlighted was that Africa has largely remained absent within mainstream IPE scholarship. In the first section of this chapter I, therefore, began by considering the origins of IPE as a discipline. Here, I emphasised that IPE, as

conceived through its American and British schools (Cohen, 2007), had traditionally taken a systemic level of analysis resulting in an empirical focus around a small number of structurally significant actors. I further highlighted that IPE's traditional emphasis on systemic influence had led to actors in Africa, and other regions in the global south, to typically be overlooked. In the second section, I turned to consider recent evolutions in the field of IPE that I argued were marking a turn away from the field's traditional focus on systemic levels of analysis. I focused here in particular upon the increasing uptake of constructivist concepts with IPE (Abdelal et al., 2010). By moving the focus from the material structures of the global political economy, I argued that constructivist IPE had opened conceptual space for analysing the role and place of a broader range of actors. This, I explained, was increasingly apparent by the growing lineage of self-identified IPE scholarship that was applying constructivist concepts to Africa's international politics and political economy.

Taking my cue from this emerging field of constructivist IPE, the second aim of this chapter was to develop a theoretical framework to analyse and unpack the research puzzles that sit at the heart of the thesis. In section three, I first of all turned to reflect more substantially upon the ontological foundations of the constructivist social theory that this thesis draws from. In particular, I sought to distinguish the 'thicker' brand of constructivism, that underpins the analysis of thesis, from the Wendtian constructivism (Wendt, 1999) that had typically characterised the field of international studies. The final section, then, outlined the content of my theoretical framework. It did so by first reflecting more broadly on existing theories of regionalism and, in particular, the NRA. Although highlighting the important contributions of the NRA to the study of regionalism, I argued that there had been a tendency to either exclusively privilege either external or internal factors, as well as overlook the broader meanings and purposes which actors attach to regional spaces. I ended this chapter, then, by detailing a framework of regional social purpose as a way to capture both why regions are imagined and institutionalised and why, over time, tensions and contradictions can come to characterise regional regimes.

Drawing upon this theoretical framework, the remainder of this thesis traces the dynamics of the EAC's contemporary regional integration and cooperation agenda while examining, through several thematic chapters, the institutional tensions and contradictions which have, over time, come to characterise its regional policy regime.

Before this, however, the next chapter turns first to explore the origins of East African regionalism and, more precisely, the pathway which led to the EAC's revival in 2000.

## Chapter 3

# Tracing the Origins of Regional Governance in East Africa, 1900-2000: Constructing and Reconstructing a Regional Regime

### 3.1 Introduction

In 1999, the governments of Kenya, Tanzania and Uganda signed the ‘Treaty Establishing the East African Community’ (EAC, 1999), setting in motion the EAC’s (re)establishment in 2000. The purpose of this chapter is to trace causal chain that led East Africa’s policy community to conceive of the EAC’s revival as something that was both necessary and desirable. Importantly, the EAC re-emerged at time when a broader process of region-building was occurring across the global political economy, referred to in the literature as the ‘new regionalisms’ (see: Chapter 2). As discussed in the previous chapter, one prominent explanation within the NRA was to read-off the new regionalisms as manifestations of the systemic pressures being exerted by globalisation. I argued, however, that this line of reasoning proved somewhat reductionist. Indeed, in the EAC’s case, appeals to the (perceived) structural imperatives of globalisation are an important, but insufficient explanation for the revival of regional governance. Such a structural mode of explanation fails, for instance, to account for why Kenya, Tanzania and Uganda revived the EAC alongside their commitments to other RECs, including COMESA and SADC, and why the EAC’s treaty outlined such an ambitious agenda for economic and political integration.

In this chapter, therefore, I employ the theoretical framework outlined in the previous chapter, centred on the notion of regional social purpose, to trace the pathway that led to the EAC’s revival in 2000. In contrast to the NRA literatures, which are often guilty of assuming that regional space emerges automatically from particular structural contexts, a framework of regional social purpose provides scope to explore the motivations underpinning the EAC’s revival. Moreover, as outlined in the previous chapter, the notion of regional social purpose entails an important temporal dimension. Specifically, it identifies how regional spaces can come to be signified and re-signified across time, and how institutional legacies can shape the dynamics of regionalism. This proves important

for our understanding of the EAC's revival in 2000. As I outlined at the beginning of Chapter 1, the history of regional governance in East Africa is extensive and dates back to the early 20<sup>th</sup> century. A framework centred on regional social purpose, therefore, allows an exploration concerning how these legacies of regional governance eventually shaped the EAC's revival in 2000.

This chapter moves forward chronologically. Part one begins by detailing how the idea of East Africa, as a knowable and governable political-economic space, first emerged in the early 20<sup>th</sup> century, under the auspices of British colonialism. Specifically, it highlights how the idea of East Africa as a region consisting of Kenya, Tanganyika (now Tanzania) and Uganda emerged in the 1920s and 1930s, tied to debates on the possibility of establishing federal governance structures between these three colonial territories.<sup>11</sup> Although federal unity did not emerge at this time, I argue that these debates were imperative in constructing the *idea* of East Africa, from which regional institutions incrementally emerged in the subsequent decades. The incremental emergence of these regional institutions, however, meant that although East Africa had attained a high degree of economic integration by the early 1960s, regional governance remained highly fragmented.

In part two, this chapter turns to consider the trajectory of East African regionalism in the immediate post-colonial era. Following decolonisation, East Africa's post-independence leadership were able to offer a reimagined vision of regionalism, centred on ideas of political unity, equitable development and Pan-Africanism. This reimagined vision, I argue, stood in contrast to the more functional and technocratic social purpose that underpinned regional governance during the colonial period. This re-articulated vision of regional governance, however, soon came to conflict with several institutional pathologies and constraints set in place under British colonial rule. First, there were difficulties reconciling ambitions for political unity with East Africa's highly fragmented governance structures. Second, I also suggest that strategies for promoting balanced regional development came up against historically entrenched patterns of accumulation that had placed Kenya as the hub of the regional economy. Third, I further highlight how East Africa's regional institutions, which centred on the close economic ties between Kenya, Tanzania and Uganda, proved ill-suited as a platform for Pan-African solidarity

<sup>11</sup> The United Republic of Tanzania was formed in 1964, when Tanganyika and Zanzibar formed a political union.



building. In effect, clear divergences emerged between the articulated social purpose of regional governance in the post-colonial era and the institutional legacies of colonial rule. The consequence was that space increasingly opened for actors in the region to contest the relevancy and necessity of regional institutions, eventually resulting in the collapse of the first EAC in 1977.

The final part of this chapter then turns to consider the path that led to the EAC's revival in 2000. I begin here in the immediate aftermath of the EAC's collapse in 1977. Following the EAC's demise, I highlight how the former partner-states entered into a period of economic crisis. Although these crises were not necessarily a result of the EAC's collapse, as most African states faced similar economic challenges from the late 1970s, I argue that East Africa's policy elites soon interpreted the dissolution of regional governance as something that was intertwined with the economic hardships that the region faced in the years following. Alongside the looming threats posed by globalisation and the movement towards trade multilateralism in the 1990s, this sense of economic vulnerability formed a strong (but inferred) imperative among the region's policy community for reviving regional governance. I also emphasise that the revival of regional governance was also underpinned by an important affective dimension, linked to ideas of East African exceptionalism and common political community. I highlight then that the EAC's revived social purpose was centred upon three elements: (1) promoting regional development; (2) a forum for external policy coordination in the global arena; and (3) a space to rekindle the partner-states' historic relationship. I conclude, however, by noting that despite the enthusiasm that surrounded the EAC's revival at this time, latent tensions continued to permeate across East Africa's policy community, that drew from the memories of the EAC's unceremonious collapse in 1977.

### **3.2 Colonialism and Political Consolidation in East Africa**

Although important to acknowledge the *long durée* of East Africa's history, it is also difficult to ignore the institutional legacy that colonialism has left upon the African continent. Today, much of the territorial delineations in place across the African continent are those that were put in place by European colonial powers. As Daniel Bach (2016: Ch. 2) has argued, the efforts of colonial powers to rationalise and consolidate their newly acquired African territories in the late 19<sup>th</sup> century left an evident imprint on

the continent. Moreover, alongside state boundaries, many contemporary regional configurations, such as the West African Economic and Monetary Union (UEMOA), the South African Customs Union (SACU) and even the EAC, represent expressions of the processes through which colonial administrations attempted to re-articulate and consolidate boundaries within Africa (*ibid.*: 13). In short, while the history of East Africa – as a site of social, political and economic interaction – is extensive, it was during the colonial era that the region came to be actively imagined (and institutionalised) as a knowable and governable space.

Systematic European colonial rule in East Africa began to emerge in the closing decades of the 19<sup>th</sup> century, under what is infamously termed today as the ‘scramble for Africa’. Of course, European powers had not been absent from the region before this period. From the 15<sup>th</sup> century, Portugal established garrisons of soldiers along the East African coast, following the capture of the Indian Spice trade (Ingham, 1963: 7). Significant among these was Fort Jesus in Mombasa, the focal point of Portuguese activities in the region during the 16<sup>th</sup> and 17<sup>th</sup> centuries. In 1841, Britain also appointed a Consul-General to Zanzibar, reflecting the country’s growing influence in the region during this period (*ibid.*: 76).<sup>12</sup> Britain’s interests here were driven by both commercial and moral concerns, wanting to safeguard its sea routes with India, while also attempting to restrict the slave trade in the region, following its ban of the practice in 1807 (*ibid.*).

In these cases, both European powers were able to exert influence and even force, but there was no evident desire to govern territory in the region systematically. By the end of the 19<sup>th</sup> century, however, European powers increasingly sought to both control and govern territorial spaces in East Africa (and the continent as a whole). The driving force behind this emerged from growing rivalries between European powers in the closing decades of the 19<sup>th</sup> century. From the 1880s, a newly unified Germany, in search of great power status, began a process of declaring protectorates over territories across Africa, including Cameroon and Togo in 1884 and Tanganyika in 1885. These initial incursions spurred a great power rivalry, where European states, in competition with one another, hurried to assert control over areas of commercial and political interest in Africa. In East Africa, following Germany’s declaration of a protectorate over Tanganyika, Britain

<sup>12</sup> Zanzibar, during this period, was the capital for the Sultan of Oman, who controlled Zanzibar along with other territories along the East African coast.

consolidated its control over Kenya and Uganda, prompted by a desire to protect the source of the river Nile (and its interests in Egypt) from Germany (Nye, 1966: 86).

Europe's scramble for Africa is notable not only for its extent but also the pace at which it occurred. At the beginning of the 1870s, with the exclusion of the British Cape and the Boer republics in southern Africa, there had been minimal territorial incursion by European powers into the continent. However, by the closing decade of the 19<sup>th</sup> century, the African continent had been resolutely carved up by European powers, with Ethiopia being the only territory which could lay claim to formal independence. This incursion into Africa also led to a process of territorial demarcation, as competing European powers sought to delineate the boundaries between their respective colonial spaces. In 1893, Britain and Germany agreed on lines of demarcation between their respective territories of Kenya/Uganda and Tanganyika.<sup>13</sup> In 1894, Britain and King Leopold III of Belgium agreed to a boundary between British East Africa and the Belgian Congo.<sup>14</sup> Later treaties were also signed between Ethiopia and Italy in the early 20<sup>th</sup> century.<sup>15</sup> The key point here is that European territorial incursion resulted in the consolidation of the African continent into distinct territorial units, which, for the most part, are still in place across Africa today.

### *Colonial Amalgamation and the Imagination of East Africa as a Space of Governance*

Following the partition and demarcation of colonial boundaries at the end of the 19<sup>th</sup> century, many European powers (notably Britain and France) sought to rationalise and streamline the governance of their newly acquired territories (Bach, 2016: 13). In East Africa, proposals were first put forward in the opening years of the 20<sup>th</sup> century to consolidate Britain's two colonial territories of Kenya and Uganda.<sup>16</sup> In 1901, the British government sent a special commission to East Africa that recommended a merger of both territories (Nye, 1966: 86). These proposals were eventually vetoed by Britain's

<sup>13</sup> Arrangement between Great Britain and Germany respecting Boundaries in E. Africa, Berlin, July 1893.

<sup>14</sup> Agreement between Great Britain and King Leopold II, Sovereign of Independent State of Congo, relating to Spheres of Influence of Great Britain and Congo in E. and Central Africa, Brussels, May 1894.

<sup>15</sup> Treaties between the United Kingdom and Ethiopia, and between the United Kingdom, Italy, and Ethiopia, relative to the frontiers between the Soudan, Ethiopia, and Eritrea, Adis Ababa, May 15, 1902; Agreement between the United Kingdom and Ethiopia relative to the frontiers between British East Africa, Uganda, and Ethiopia, Adis Ababa, December 6, 1907.

<sup>16</sup> It should be noted that during this period the territory of Kenya was formally known as the 'Protectorate of East Africa'. It was only officially renamed the Colony of Kenya in 1920, but for consistency and parsimony I keep the contemporary namesake throughout.

Foreign Office, which believed that a territory encompassing both Kenya and Uganda would be too large to govern effectively (*ibid.*: 87). The diverging trajectories of both territories in regard to European settlement further complicated the issue of political amalgamation. In the early 20<sup>th</sup> century, Kenya's colonial administration began pursuing a pro-European settlement policy, with the governor Charles Eliot (1901-1904) articulating the links between the supposed 'civilisation' of the territory and the introduction of white European settlers (Ingham, 1963: 210-211). By 1911, the population of European settlers in Kenya had grown to nearly three thousand (Nye, 1966: 87). In contrast, Uganda's colonial administration was more disinclined to the prospect of European settlement. Indeed, Sir Hesketh Bell, who became governor of Uganda in 1905, even made clear that as long as he held office, there would not be a policy of European settlement (Ingham, 1963: 233) and even explicitly noted that due to their diverging trajectories on this issue, the merger of Kenya and Uganda would prove infeasible (Nye, 1966: 88). Yet, while there was little prospect of a political union emerging during this period, the economic links between both territories increasingly began to grow. In 1896, the British government authorised the construction of the 'Uganda Railway,' connecting the port of Mombasa to Lake Victoria, creating a clear transport link between Kenya and Uganda. Moreover, in 1917, a customs union was formed between both territories, as well as a common currency being introduced in 1919. The issue of political amalgamation in East Africa once again came to the fore during the 1920s. By this stage, the First World War had ended and several former German colonies, including Tanganyika, had been transferred to Britain as League of Nations mandates.

The reopening of the debate on political amalgamation in East Africa was prompted by Britain's Colonial Secretary, Leopold Amery, who aspired to create larger colonial units to bolster inter-war Britain's image and prestige (Nye, 1966: 88). In 1924, Britain's Colonial Office appointed the East Africa Commission to explore the possibilities of creating a federation between the British colonies of Northern Rhodesia (now Zambia), Nyasaland (now Malawi), Uganda, Kenya, and Tanganyika. However, the findings of the East Africa Commission were highly dismissive of the prospect of creating a federation between these territories. The commission's report highlighted that during visits to the region, it had found little popular support for the idea of a federation (1925: 8-9). Moreover, it also noted that due to poor transport and communication links between these territories, the establishment of a single administration would be inefficient and costly (*ibid.*). The report did, however, recommend greater cooperation between the

<b>Year</b>	<b>Event</b>	<b>Details</b>
1902	Uganda Railway completed	Authorised in 1896 and completed in 1902, the railway connected Mombasa, Kenya to Lake Victoria and, by consequence, Uganda.
1917	Kenya-Uganda customs union	Brought both territories under a common external tariff.
1919	East African Currency Board	Common currency introduced in both territories and later introduced to Tanganyika.
1922	Tanganyika becomes British Mandate territory	Britain entrusted with the governance of Tanganyika as a League of Nation's Mandated territory. Tanganyika incorporated into customs union with Kenya and Uganda in 1927.
1925	East Africa Commission report published	The report advised against the creation of a regional federation between Northern Rhodesia, Nyasaland, Uganda, Kenya and Tanganyika, due to lack of support for such a proposal within the region and poor transport and communication links between the territories.
1927	Draft white paper 'Future Policy in Regard to Eastern Africa' presented to British Cabinet	Took different position to 1925 East African Commission report and advised for some form of closer union in East Africa. Suggested that political union first proceed between Kenya, Tanganyika and Uganda.
1929	Hilton-Young Commission report published	The report recommended amalgamation of Kenya, Tanganyika and Uganda. Recommended introduction of a regional 'High Commissioner' in the interim.
1931	Joint Committee on Closer Union in East Africa report published	The joint committee recommended against a political union in East Africa. The report emphasised financial constraints and the ambiguous constitutional status of Tanganyika as reasons for this.
1943	East African Industrial Council	Created to reduce the burden on Britain as the main supplier of manufactured goods. Initially an advisory body, but in 1948 it was granted powers to license industries to operate across the three territories.
1945	Interterritorial Organisation in East Africa report published by the British Colonial Office	Recommended the creation of a regional high commission to oversee customs, tax and common services in the region.
1948	East African High Commission	EAHC had jurisdiction over customs, tax and common services in the region. In 1949, a common fiscal administration was also established. However, EAHC was distinctly inter-governmental, with the three territories retaining a significant degree of autonomy.

**Table 3.1: The evolution of regional governance in East Africa, 1902-1948 (source: Cooksey, 2016: 3; and authors own interpretation)**

administrations of these territories through periodic conferences. The first of these conferences took place in 1926, where the governor of Tanganyika expressed his opposition to proposed plans to amalgamate territories in the region, due to fears of white settler policy spreading from Kenya, reiterating the divisiveness of this issue between the region's administrations (Nye, 1966: 90).

Despite the definite conclusions and recommendations put forward by the East Africa commission, debates around federalism and political amalgamation in eastern Africa continued throughout the 1920s. In 1927, a draft white paper entitled 'Future Policy in Regard to Eastern Africa' was presented to the British Cabinet. This white paper was significant for two reasons. First, while the recommendations of the East Africa commission explicitly advised against political amalgamation in eastern, central and southern Africa, the white paper took a different position, noting that:

some form of closer union between the territories of Central and Eastern Africa appears desirable, more particularly in regard to the development of transport and communications, customs tariffs and customs administration, scientific research and defence (British Colonial Office, 1927: 4).

Second, within the white paper, we begin to see a differentiation between Kenya, Tanganyika and Uganda, as a political-economic space, from Britain's wider colonial territories in eastern and central Africa. As the white paper recommended, movements towards federal amalgamation should first involve Kenya, Tanganyika and Uganda, due to their established economic and communication links (*ibid.*: 3). The report suggested that this would leave open the possibility of Northern Rhodesia, Nyasaland and Zanzibar joining at a later stage. The key point here is that within the white paper, we begin to see the explicit imagination and articulation of East Africa as a knowable and governable space, encompassing Kenya, Tanganyika and Uganda.

The white paper acknowledged that its recommendations came hard on the heels of the 1925 East Africa Commission's report. However, it argued that the context within the region had changed significantly in the short intervening period to justify revisiting the question of political union. Notably, the report highlighted a growing movement of European settlers across eastern Africa who sought to establish closer links, alongside business interests who desired closer union in the region. Following the publication of the white paper, a commission was established in 1927 to revisit the question of political union in East Africa. In contrast to the East Africa commission, the Hilton-Young

Commission was mandated to look specifically at federation between Kenya, Tanganyika and Uganda. The report of the Hilton-Young commission was published in 1929, recommending the amalgamation of the three colonial territories under a single administration. The report also recommended the appointment of a 'High Commissioner' in the interim, who would have jurisdiction over so-called native policy, common services, research, transport and customs in the region. A similar report in 1929, mandated by the Secretary of State for the colonies, came to similar conclusions regarding the appointment of a high commissioner for the region.<sup>17</sup>

A final report on the issue of political amalgamation was published in 1931 by the Joint Committee on Closer Union in East Africa. Despite the recommendations of previous reports, the Joint Committee's report was more unreceptive to the prospect of political amalgamation in East Africa. The report noted that due to the financial constraints imposed by the Great Depression, such a 'far-reaching scheme in East Africa was inappropriate on financial grounds' (1931: 14). The report's authors also noted that during their enquiries, they could not identify substantive support among the three colonial administrations for closer union (*ibid.*). Considering their divisions on the issue of settler policy, apprehensions likely still permeated between the three colonial administrations on the prospect of political federation. Finally, the Joint Committee also cited the constitutional constraints imposed by Tanganyika's League of Nations mandate. The 1927 white paper was of the view that authority existed under the League of Nations' mandate to integrate Tanganyika into a closer union with adjacent territories. As the white paper noted:

Article 10 of the Mandate for Tanganyika authorises the mandatory Power "to constitute the territory into a customs, fiscal and administrative union or federation with the adjacent territories under his own sovereignty or control, provided always that the measures adopted to that end do not infringe the provisions of this Mandate" (British Colonial Office, 1927: 4).

In contrast, the Joint Committee report argued that any changes to Tanganyika's constitutional status would require consent from the Council of the League of Nations (1931: 7-8).

<sup>17</sup> For overview of these reports, see the 1931 report presented to the Joint Committee on Closer Union in East Africa.

In effect, by the time the Joint Committee had published its report, debates on closer union and political amalgamation had gone full circle since the findings of the East Africa commission in 1925. However, while these various reports did little to alter East Africa's institutional status quo, in the long-term they had a more substantive impact. As Nye points out, following the publication of these reports, some governance structures did emerge at the regional level, including a common postal and communication service, alongside cooperation in policy areas such as meteorology, locust control and higher education (1966: 91). It is also important to highlight that specific recommendations made in these reports were operationalised at a later date. For instance, the Hilton-Young commission's recommendation to establish a regional high commissioner was largely realised when the 'East African High Commission' was established in 1948. Indeed, as I will go on to describe, these policy debates concerning closer union and federation were imperative in constructing an *idea* of East Africa as a demarcated and specific space of governance. As discussed, these debates helped to define East Africa as a space consisting of Kenya, Tanganyika and Uganda, separate from territories in the wider eastern and central Africa. In other words, it was through these debates that East Africa was actively imagined as a knowable and governable space, from which regional institutions incrementally emerged in the subsequent decades.

The eventual emergence of a more comprehensive system of regional governance primarily arose out of the constraints of the Second World War. In 1943, the 'East African Industrial Council' was established (Ghai, 1973). As Yash P. Ghai notes, the driving force behind the industrial council's creation emanated from the pressures of the war and the need to reduce the burden on Britain as the primary supplier of manufactured goods to its colonial territories (*ibid.*: 268). Initially occupying an advisory role, the mandate of the industrial council was expanded in 1948, conferring powers upon it to formally license specific industries to operate within the region (*ibid.*). As Ghai further discusses, the war not only created a functional demand for regional governance, but also altered (to some extent) how colonial administrators came to identify with East Africa as an economic and policy space. Here, Ghai references the first meeting of the industrial council, where the governor of Kenya emphasised the need to start treating the region as a single economic unit.

Following the war in 1945, the Colonial Office published a report on the future of regional governance in East Africa. Entitled 'Interterritorial Organisation in East Africa',



the report noted how various inter-territorial institutional arrangements had been created between Kenya, Tanganyika and Uganda (British Colonial Office, 1945). By this stage, East Africa had a common market and currency, a joint income tax, a joint postal service and other cooperative programmes that had emerged incrementally over the years (Goldstein & Ndung'u, 2001: 9). As the report further discussed, despite the breadth of East African integration and cooperation, there was no firm constitutional basis for the common market and services that existed in the region. The report, therefore, went on to recommend the establishment of a high commission with authority over customs and tax in the region, along with common services and transport. The result was the creation of the East African High Commission (EAHC) in 1948, along with a common fiscal administration in 1949 (Bach, 2016: 18-19). The EAHC had a dedicated secretariat and regional legislative council that could pass laws for the whole region. Furthermore, the remit of the EAHC also extended to several common services jointly owned by the three territories, including the East African Railways Corporation, the East African Post & Telecommunications Corporation, the East African Harbours Corporation and the East African Airways Corporation.

The significance of the EAHC's creation rested more in its symbolism as an *East African* inter-territorial organisation, rather than the institutional changes it brought about. As the 1945 Colonial Office report made explicit, the EAHC's purpose was to facilitate policy coordination in *pre-existing* regional services and cooperation programmes and that its establishment should not be interpreted as a step towards a single political authority in the region (1945: 2). Indeed, rather than eclipsing the territorial administrations of Kenya, Tanganyika and Uganda, the EAHC inadvertently reinforced their presence and purpose. Although the governor of Kenya chaired the EAHC, it was still a largely inter-governmental organisation, with key decisions and funding requiring consent from its constituent colonial administrations. The critical point here is that regional governance was imagined and institutionalised in distinctly functional terms. As Daniel Bach has argued, the EAHC was 'largely driven by financial and budgetary considerations' (2016: 8). In other words, East Africa, as a space of governance, was seen to serve no grander purpose than that of technical policy coordination.

This functional articulation of regional social purpose had two interrelated consequences. First, it meant that regional governance became highly fragmented. By the time of the EAHC's establishment, the East African region had come to attain a high degree of

economic integration, including the existence of a common market, currency, fiscal and customs regime, alongside a range of common services. Yet, each of the participating colonial administrations still retained a high degree of autonomy over their respective territories, and regional decisions were dependent on the consent of each administration. Second, as the EAHC's remit largely centred around technical policy issues – i.e. customs, tax, fiscal affairs – it lacked clear visibility and presence in the practices of colonial governance. For ordinary East Africans, colonial governance was experienced principally in relation to the region's individual territorial administrations – which still retained autonomy over so-called 'native policy' – rather than the EAHC. As Nye notes, this meant that as anti-colonial independence movements began to gain momentum during the 1950s, they came to coalesce within territorial (as opposed to regional) boundaries (1966: 94). The significance of this latter point is discussed further in the proceeding section.

### **3.3 Independence, Failure to Federate and the Road to Regional Disassociation**

Throughout the 1950s, anti-colonial independence movements began to gather pace across East Africa's three territories. The momentum behind these movements included both a long-standing dissatisfaction with colonial rule and the shifting norms of the post-war order. As Robert Jackson (1991) has argued, Europe's colonial empires increasingly came to be seen as antiquated and illegitimate in a post-war global order where rights of self-determination and sovereignty had become customary. Despite some of Africa's independence leaders envisaging a fifty-year struggle for independence (Nye, 1966: 95-96), decolonisation occurred in a relatively rapid procession. By the closing years of the 1950s, the British government was already drawing up plans to grant independence to its three colonial territories in East Africa. With independence in mind, discussions soon turned to the future of the EAHC and regional governance in East Africa. Elsewhere in Africa, decolonisation had led, in many cases, to the dismantling of colonial-era regional institutions, frequently viewed as mechanisms of neo-colonialism. In British West Africa, inter-territorial cooperation was disbanded following independence, mainly at the insistence of Ghana's first president Kwame Nkrumah (Bach, 2016: 14). While the Central African Federation (CAF), consisting of Northern Rhodesia (now Zambia), Southern Rhodesia (now Zimbabwe) and Nyasaland (now Malawi) dissolved in 1964 (*ibid.*: 17-18). The CAF had long been viewed by nationalists in Northern Rhodesia and

Year	Event	Details
1961	East African Common Services Organisation	In anticipation of independence, representatives of Kenya, Tanganyika and Uganda met with British officials in London and agreed to the creation of EACSO.
1961	Tanganyika independence	09 December 1961
1962	Uganda independence	09 October 1962
1963	Kenya independence	01 June 1963
1963	Nairobi Declaration	Issued on 05 June 1963, the Nairobi declaration indicated the intentions of the governments of Kenya, Tanganyika and Uganda to form an East African Federation by the end of 1963.
1964	Negotiations on East African Federation stall	Prospects for the creation of a federation were all but extinguished in January 1964 when Milton Obote informed his regional counterparts that political union was untenable for his government.
1964	Kampala Agreement	The agreement sought to address the long-standing issue of development imbalances between the three states in East Africa. It included component for the licensing and territorial allocation of industry, as well as a transfer tax system. However, the impact of the agreement was limited as Kenya refused to implement industrial licensing component.
1964	Tanganyika-Zanzibar Union	On 26 April 1964, Tanganyika and Zanzibar united to create the new state of Tanzania.
1965	East African Common Currency Board dissolved	The Tanzanian government indicated its intentions to withdraw from the common currency in 1965. The Kenyan and Uganda governments soon followed suit.
1965	East African governments establish Phillips Commission	Failure of Kampala Agreement and the collapse of common currency led to the creation of Phillips commission which was mandated to explore and issue recommendations on the future of regional cooperation.
1967	East African Community established	Recommendations of Phillips Commission resulted in the creation of the first EAC. The EAC treaty included substantive mechanisms to address development imbalances in the region.
1971	Idi Amin overthrows Milton Obote in Uganda	Resulted in a significant rift between EAC partner-states. Obote had been a key ally of Nyerere, and East Africa's heads of state did not all meet together again after this point.
1974	Kenya-Tanzania trade dispute	Series of trade disputes emerge between Kenya and Tanzania from 1974 onwards, with the border between the two states being closed off at various points.
1977	East African Community collapses	Three states failed to set a regional budget in 1977, resulting in the EAC's collapse.

**Table 3.2: The evolution and disintegration of regional governance in East Africa, 1961-1977 (source: Cooksey, 2016: 3; and authors own interpretation)**

Nyasaland as an instrument to uphold the hegemony of Southern Rhodesia's white settler population. Ultimately, the same fate would befall regional governance in East Africa, with the collapse of the EAC in 1977. However, where East Africa differs from the cases discussed above was the concerted effort made by Kenya, Tanganyika and Uganda to not only maintain, but to also redefine regional governance following their independence.

A second point relates to how ideas of Pan-Africanism emerged within East Africa and the wider eastern and southern Africa. Notions of Pan-Africanism were strongly intertwined with anti-colonial independence narratives across Africa. Yet, while these narratives articulated an ambition for African unity, there were clear dividing lines regarding *how* this should be achieved. In contrast to some leaders in western and northern Africa – notably Kwame Nkrumah – who pushed for an immediate union of African states, in eastern and southern Africa, independence leaders advocated a more incremental *region-first* approach (Ageyman, 1975; Emerson, 1962). This approach envisaged a path to African unity, that centred upon the strengthening of sub-regional modes of governance. This approach to Pan-Africanism was championed by key figures such as Julius Nyerere, Tanganyika's first post-independence leader, and promoted through forums such as the Pan-African Freedom Movement of Eastern and Central Africa (PAFMECA) (Emerson & Padelford, 1962).<sup>18</sup>

In the run-up to Tanganyika's independence in 1961, Nyerere made it clear to both the British government and other East African leaders, his aspiration to maintain the region's common market and services (Bach, 2016: 19). Nyerere even indicated that he was willing to postpone Tanganyika's independence so that East Africa's three territories could emerge as a single federal entity (Nye, 1966: 175). Ultimately, the three territories' independence was staggered, but measures were put in place to maintain East Africa's governance structures. In June 1961, representatives from Kenya, Tanganyika and Uganda met in London and agreed to the establishment of the East African Common Services Organisation (EACSO). In effect, the establishment of the EACSO did little to alter the governing practices of the region, other than placing executive authority over the common market and services into East Africa's (soon to be) independent governments.

<sup>18</sup> PAFMECA was an association of independence movements initially in eastern and central Africa, that expanded into southern Africa in 1962 (see: Emerson & Padelford, 1962).

Following Kenya's independence in 1963, the three newly independent states issued the 'Nairobi Declaration', outlining their commitment to establishing a political federation by the year's end. At the time, observers both within and outside of East Africa saw the prospect of federalism as an almost certainty (Vaughan, 2018: 2). Of course, political federation did not emerge in East Africa in 1963. Indeed, as Arthur Hazlewood (1979) argued, following independence the East African region entered into a period of disintegration which culminated in 1977 when regional institutions effectively became defunct. Writing at the time, most literatures accounted for the demise of East African regionalism by referring to diverging national interests and ideological outlooks (Hazlewood, 1979; Mazzeo, 1985; Mugomba, 1978; Ravenhill, 1979). More recently, Christopher Vaughan (2018) has utilised a 'regime boosting' framework to argue that engagement in regional politics was a strategy employed by the three governments to reinforce ideas of sovereignty and nationhood. These different accounts each offer important understandings of East Africa's disintegration in the post-independence era. Yet, in their analysis they have overlooked the legacy of East Africa's colonial-era regional institutions and how these shaped the trajectory of regionalism in the post-colonial era. More precisely, they have not considered how the institutional logics of East Africa's regional regime came to interact (and conflict) with the vision and social purpose of regional governance set out in the immediate post-colonial period.

#### *Independence and Post-Colonial Imaginations of East Africa*

Independence did little to alter the institutional foundation of East Africa's regional regime. In effect, the EACSO carried over much of the EAHC's institutional baggage, including the common market and currency, alongside the region's joint services. As I mentioned in the previous section, the EAHC's social purpose under colonialism was largely functional. In this regard, the purpose of regional governance principally centred upon bureaucratic and economic efficiencies and served no grander purpose than that of technical policy coordination. This was made evident in the Colonial Office's 1945 report on regional governance in East Africa, which explicitly noted that regional cooperation should not be interpreted as a move towards political union.

Although East Africa's post-independence leadership sought to maintain the institutional foundations of regional governance, regionalism was viewed to serve very different ends

and underpinned by different meanings and narratives. Crucially, whereas regional governance in the colonial era reified internal boundaries between East Africa's constituent territories, regionalism in the post-colonial period was imagined as a process (at least initially) that would deconstruct the 'artificial' boundaries that existed between the region's three territories. For instance, Nyerere had once referred to Tanganyika as 'a geographical expression created by the Germans and the British...not an inviolable unit' (Nye, 1966: 199). Similarly, Milton Obote, Uganda's first post-independence leader, once asked 'what is Uganda?' (*ibid.*). The sentiment behind both statements was that territorial boundaries in East Africa were artificial constructs imposed by external actors.

This yearning to deconstruct East Africa's borders was also premised upon strong ties that existed between the region's main independence movements. For instance, in the run-up to independence, the region's leading independence movements often provided support to one another during elections. In 1961, TANU gave financial assistance to both the UPC and KANU for their election campaigns (*ibid.*: 95).<sup>19</sup> The establishment of PAFMECA in 1958 was also a significant signifier of the links and affiliation between East Africa's independence movements. Even though this organisation soon came to encompass a wide array of independence movements across the wider eastern, central and southern Africa, initially its membership was limited to the three East African territories, along with Zanzibar and Nyasaland (Emerson & Padelford, 1962). PAFMECA achieved little as an organisation, but as one of Nye's interviewees noted in 1963, it was an essential site for building trust and affiliation between key individuals across the region (Nye, 1966: 128). The key point here is that regionalism offered a further site of solidarity-building among East Africa's independence leaders (Vaughan, 2018: 6).

Post-colonial imaginations of regionalism were also intricately tied to narratives of development and structural transformation. As discussed in the previous section, from the 1940s onwards colonial administrators in East Africa started putting in place measures to promote industrialisation in East Africa. However, there did not appear to be a concern under colonial rule that industrialisation proceed on an equitable basis across East Africa, with the mandate of the regional licensing system aimed only at increasing manufacturing capacity on aggregate (Ghai, 1973: 267). The result, as mentioned previously, was that by the closing decade of colonial rule, a clear developmental imbalance had emerged between

<sup>19</sup> TANU – Tanganyika African National Union; UPC – Uganda Peoples Congress; KANU – Kenya African National Union.

Kenya and its regional partners. A system of revenue redistribution was put in place before independence, but this was only viewed as a short-term solution to East Africa's development imbalances. In effect, both Uganda and Tanganyika's leaders had accepted a less than optimal solution to this problem for the sake of maintaining East Africa's regional institutions after independence (Nye, 1966: 176). Regionalism was, therefore, envisaged as a mechanism to redress these development asymmetries that had emerged under colonial rule.

Finally, it was envisaged that East Africa's existing institutional architecture could be utilised to promote the wider cause of Pan-African solidarity and unity. Indeed, at a 1962 PAFMECA conference, delegates from across eastern, central and southern Africa lent their support and consent to Kenya, Tanganyika and Uganda's pursuit for federal unity (Padelford & Emerson, 1962: 448). In doing so, they also put forward a motion for an extension of the EACSO's membership, to include Ethiopia and Somalia, so that they may be party to future plans for federation (*ibid.*). At the time of the EAC's establishment in 1967, there was also speculation that several neighbouring states would become members. In 1967, Zambia formally presented an application for membership to the EAC's member states, while Ethiopia and Somalia had both openly expressed interest in joining (Financial Times, 1967).

The key takeaway point is that in contrast to the functional and technocratic purpose of regional governance during the colonial era, post-colonial visions of East African regionalism were premised and framed with distinctly different aims and intentions. In short, regionalism after independence was centred on ideas of political unity, the promotion of equitable and balanced development and supporting Pan-African solidarity.

### *Towards a Federal Future*

Following the 1963 Nairobi declaration, a working party was established between East Africa's three states to discuss modalities for the proposed establishment of a regional federation (Procter, 1966). Despite initial optimism, by 1964 the prospect of uniting East Africa under a single federal constitution had all but dissipated. A common theme among academics who initially came to study East Africa's failed attempts at political union was the notion that Uganda had acted as a disrupter during the negotiations (Leys, 1965; Nye, 1966: Ch 6; Procter, 1966). Indeed, as early as the second working party meeting, the

Ugandan delegation came to increasingly exhibit intransigence towards the negotiations (Procter, 1966: 47). Milton Obote, Uganda's Prime Minister, had been initially supportive of the idea of creating an East African Federation (Leys, 1965: 517; Nye, 1966: 182), but in contrast to his counterparts in Kenya and Tanganyika, Obote's domestic political authority was much more constrained and contested. These constraints principally centred on the status of the Kingdom of Buganda, a semi-autonomous region within Uganda, whose privileged position dated back to a 1900 agreement its leaders signed with Britain (Nye, 1966: 87-88). Buganda's leaders were firmly opposed to federalism, which they viewed as a threat to their autonomy. This proved particularly problematic for Obote, as the kingdom made up a substantial section of Uganda's territory and population. Obote also faced challenges from within his own ruling UPC party, with some factions fearing that Uganda would become a peripheral component, both politically and economically, in a unified East Africa (*ibid.*). Such fears were long-standing among Uganda's political elite, which had often felt marginalised within regional politics, with Kenyan and Tanganyikan leaders usually dominant in forums such as PAFMECA (Vaughan, 2018: 6).

The argument that Uganda scuppered East Africa's federal ambitions certainly carries some resonance. At one stage it was even proposed that Kenya and Tanganyika, as the two willing parties, establish a federation separately from Uganda, due to the latter's ambiguous commitment to a political union (Nye, 1966: 187; Procter, 1966: 48). Furthermore, it was Obote who definitively laid to rest prospects for political union, when he noted, at a regional meeting in January 1964, that federalism was politically untenable for his government and that the region should move on to addressing issues of economic development (Procter, 1966: 46). Such accounts, however, somewhat obscure the broader character of the negotiations themselves, which were typified by a distinct sense of self and the other between the negotiating parties. Although there were clear bonds and links between East Africa's post-independence leaders, negotiations were characterised by separate negotiating identities, mandates and preferences. While Kenya and Tanganyika were more supportive of immediate federation, they still envisaged the foundations and constituent units of a federal East Africa resting upon the region's three territorial boundaries. These were the same boundaries which Nyerere had previously described as expressions of European colonisers – an irony picked up upon by Kenya's main



opposition party, KADU, who argued that a truly unified East Africa would see a dismantling of these internal boundaries (Procter, 1966: 64; see also: Vaughan, 2018).<sup>20</sup>

The critical point is that the negotiations were not grounded upon the notion of breaking boundaries between a common and cohesive political community, but rather upon trying to accommodate the preferences of three separate negotiating identities. While Uganda was an evident disrupter during the federal negotiations, there were also latent tensions between Tanganyika and Kenya. As I discuss below, concerns permeated among the Tanganyikan elites regarding the development asymmetries that existed between Tanganyika and Kenya. The persistence of these separate elite identities reflected the fragmented governance structures that were characteristic of East Africa's regional regime. As discussed in the previous section, East Africa had attained a high degree of economic integration by independence, yet politically it was a region governed in parts, with the three colonial administrations maintaining significant degrees of power and authority over their territories. As noted by Nye, this also had the consequence of fragmenting the region's independence movements, as the three territories, rather than the region as a whole, became the site of anti-colonial struggles (1966: 94). The result was that independence movements emerged separately within (rather than across) East Africa's territorial boundaries, reinforcing separate group identities.

The summative point here is that East Africa's failed attempt at federation exposed vital tensions and contradictions between post-colonial visions of regional governance and the idiosyncrasies of East Africa's institutional regime. Specifically, while the former envisaged a dismantling of East Africa's internal boundaries, the logics of the latter inadvertently reinforced these frontiers. Following these failed attempts at federation, there was a reinforcement of this sense of self and the other within East Africa. In 1964, both Kenya and Tanzania, followed by Uganda in 1966, released separate *national* development strategies.<sup>21</sup> In doing so, the three East African states indicated their envisaged future as separate polities, rather than as a regional whole. Furthermore, in 1965, East Africa's common currency was dissolved and ideological differences between the three states increasingly became evident in the latter part of the 1960s. In 1965, the Kenyan government issued its landmark 'Sessional Paper No. 10', committing the country to a more capitalist-oriented development path. Whereas the 1967 'Arusha Declaration'

<sup>20</sup> KADU stands for Kenya African Democratic Union.

<sup>21</sup> In April 1964, both Tanganyika and Zanzibar entered a political union, forming the new state of Tanzania.

in Tanzania and the 1969 'Common Man's Charter' in Uganda articulated both countries turn towards socialism.

*Reforming the Common Market, the Emergence of the EAC and the Road to Regional Disassociation*

There had been a strong intertwinement between ideas of federation and East Africa's post-colonial imagination of regional governance. It is unsurprising, therefore, that by 1964 regional governance was facing an existential crisis of social purpose, as it became increasingly evident that East Africa was unlikely to federate. At a regional meeting in January 1964, Nyerere expressed hesitation about future membership of the EACSO, noting that without political unity, Tanganyika would continue to face the negative consequences of the region's common market structures (Procter, 1966: 46). During a later meeting that year, Nyerere even purportedly put forward an ultimatum for immediate political unity, or Tanganyika would withdraw from the common market (*ibid.*). Without the mediating effect of federal structures, Nyerere feared that Tanganyika would continue to be impacted by the region's diverging development trends. In the end, Tanganyika did not withdraw from the EACSO, but from this point onwards the region's social purpose increasingly came to be articulated and signified in regard to regional development and, to a lesser extent, Pan African solidarity, rather than through appeals to political union.

Following Nyerere's ultimatum, the three East African governments signed the 1964 'Kampala Agreement' that sought to address long-standing concerns over development asymmetries in the region. The agreement included two key components. First, there was a clause concerning the licensing and territorial allocation of industries within the region. Among other things, the agreement stipulated that Tanganyika would have exclusive rights over the production of land rovers, Uganda over the manufacture of bicycles and Kenya over electric light bulbs. Second, the agreement also included a quota system, effectively giving some scope for the introduction of internal tariffs to protect certain industries from intra-regional competition. Despite its ambitions, the impact of the Kampala agreement was minimal, due in large part to the non-implementation of the industrial licensing component. As Ghai notes, while both Tanzania and Uganda's legislatures scheduled the agreed industries, Kenya's refused as it saw minimal benefits accruing from the intra-regional allocation of industries (1973: 279). Following the

Kampala Agreement's failure, alongside the collapse of the single-currency in 1965, the East African heads of state established the Phillips Commission to address the future of the common market and regional cooperation (Mangachi, 2011: 59). The commission issued numerous recommendations, including the establishment of a regional development bank, the coordination of national industrial strategies and the maintenance of the various common services (i.e. railways, air transport, harbours, and post).

The culmination of the Phillips Commission was the 1967 'Treaty for East African Co-Operation' (EAC, 1967), establishing the first EAC. On the surface, the EAC's establishment appeared to represent a rejuvenation of regional governance, reversing trends of disintegration and attracting attention and enthusiasm from numerous states in the wider eastern and southern Africa, which expressed interest in regional membership. Significantly, the treaty included a specific chapter relating to development and industrialisation. The two key features of this development chapter were the creation of an East African Development Bank (EADB) and the introduction of a system of transfer taxes. The specific mandate of the EADB was to address the imbalance of industrial development between the region's territories by giving 'priority...to industrial development in relatively less industrially developed Partner States' (*ibid.*: 265). In doing so, the EADB allocated a substantially larger share of investment to Tanzania and Uganda than to Kenya (Mbogoro, 1978: 61). Likewise, the transfer tax system effectively offered some protection from intra-regional competition to industries in less developed parts of East Africa (Hazlewood, 1979: 43). The treaty also moved to disperse the bureaucratic machinery of the region more evenly, which had, until then, been densely concentrated in Nairobi, Kenya. The newly created EAC Secretariat was based in Arusha, Tanzania, while the EADB's headquarters were established in Kampala, Uganda. There was also a distribution of the headquarters of the region's common services among the EAC's members.

In principle, the EAC's treaty of establishment introduced substantive institutional mechanisms to address the region's development asymmetries. In reality, however, these mechanisms were running up against institutionalised patterns of accumulation that were historically rooted and structurally entrenched within the region. Kenya's position as East Africa's dominant economy did not necessarily emerge from natural comparative advantages, but the legacy of colonial governance in the region. As Mbogoro (1978: 59) notes, by making Kenya (specifically Nairobi) the region's de-facto capital, Britain

consequently ensured that Kenya also became the nucleus of the region's economy. For instance, of the 474 companies based in East Africa in 1958, 404 were based in Kenya, along with 70% of the region's manufacturing capacity (Nye, 1966: 147). Regardless of the reach and extent of these institutional mechanisms, addressing the extensive development imbalances in East Africa at this time was always going to be a cumbersome task. Although difficult to measure comprehensively, it is evident, at the very least, that the gap between Kenya and the rest of the region did not narrow under the first EAC (Hazlewood, 1979: 54). If anything, Kenya's position as the dominant economy strengthened, with its share of intra-regional exports growing throughout the 1970s (Mbogoro, 1978: 63). During this period, Kenya also became a key site for foreign investors, who used the country as a staging post to access East Africa's markets (Goldstein & Ndung'u, 2001: 11; Hazlewood, 1979: 54). Even though the EADB was obliged to favour investment in both Tanzania and Uganda, its funds were often limited and, as previously discussed, Kenya was the primary beneficiary of foreign investment. The point here is that while the EAC's mechanisms to address the region's development imbalances were not insignificant, they were effectively insufficient (at least in the short term) to overcome the deeply embedded patterns of accumulation which had their roots in the economic structures established during colonial rule.

The EAC, at this time, also proved an unsuitable forum for Pan-African solidarity building. Following the EAC's establishment, numerous states in the wider eastern and southern Africa expressed interest in membership. For instance, at the ceremony establishing the EAC in 1967, the leaders of Ethiopia and Somalia noted their intentions to join the EAC, while Zambia's leader Kenneth Kaunda even deposited an application for membership (Financial Times, 1967). Even though there was enthusiasm for expanding regional membership, the EAC states struggled with the modalities of how to accommodate this. The EAC was, in effect, built around the strong economic links between Kenya, Tanzania and Uganda that first emerged under colonial rule. These structures were, however, not very amenable to third-party participation. When the EAC states came to consider Zambia's membership application in 1968, they struggled with the modalities of how to accommodate Zambia into the region's governance structures. In particular, questions were raised over the ownership structure of the region's common services, as infrastructure in the region was oriented towards the EAC's three founding members (Financial Times, 1968). The EAC, in effect, became a victim of its success,

with its high degree of economic integration proving ill-suited as a platform for Pan-African solidarity building.

The central message here is that critical tensions emerged between the articulated social purpose of regional governance in the post-colonial era and the institutional legacies of economic and political governance under colonial rule. East Africa's leaders offered a reimagined vision of regional governance, centred upon ideas of political unity, equitable development and Pan-Africanism. In short, this reimagined vision of regional governance centred upon contesting the legacy of colonialism. Yet, by pursuing this vision through an institutional regime established under colonial rule, regional governance came to be imbued with inherent contradictions. From the early 1970s onwards regional governance in East Africa came to face several existential crises. In 1971, Obote was overthrown by Idi Amin, the then head of the Ugandan armed forces, resulting in a significant rift between the EAC states. Obote had been a key ally of Nyerere and Tanzania refused to recognise Amin's regime, leading to East Africa's three heads of state not meeting together again after 1971. From 1972, the region's common services also came under significant financial strain, a problem exacerbated by a lack of directives from the heads of state. Then, from 1974 onwards, both Kenya and Tanzania entered into a tit-for-tat trade war, which frayed relations between the two states (Financial times 1974a, 1974b). These events all culminated in 1977 when the EAC effectively collapsed after the three states failed to set a regional budget.

These events are crucial for understanding the EAC's collapse, but its deeper causes lie in the fact that the necessity and desirability of regional governance came to be increasingly questioned and contested by actors in the region. It is evident that regionalism in the post-colonial era had not lived up to initial expectations, and when regional institutions came under strain in the 1970s, there was a lack of political will and interest among the region's leadership to save the regional project. In other words, there was a lack of consensus among these actors as to the continued purpose and relevancy of regionalism. By the 1970s, the Tanzanian government had become increasingly sceptical of the EAC's ability to redress the region's development imbalances, leading them to question the benefits of remaining tied to Kenya through the common market (Hazlewood, 1979: 54). Nyerere had also found an alternate output to pursue his ideals of Pan-African solidarity within southern Africa, where he was closely involved the 'Frontline States' movement against white minority rule South Africa and Rhodesia

(modern-day Zimbabwe) (*ibid.*: 55). Even the Kenyan government, whose economy had benefitted the most from the common market, increasingly came to see the EAC as burdensome. A boom in global commodity prices in the 1970s had given the Kenyan government a false sense of security that growing global exports could compensate for a loss of exports to Tanzania and Uganda (*ibid.*: 54). The result was that as the EAC came under strain, elites in the region were unwilling to expend political capital to preserve regional institutions which were perceived to no longer serve their interests.

### **3.4 The Revival of Regional Governance in East Africa**

The EAC's collapse did not occur at a single point in time. As argued in the previous section, the EAC's disintegration emerged from tensions and contradictions within East Africa's post-colonial regime, that came to the fore in the 1970s. Yet, by the middle of 1977, it was clear that the EAC was effectively a defunct organisation. By this stage, Tanzania had closed its border with Kenya, the common services had been dismantled into national units, and a failure to agree a regional budget meant regional bureaucrats were unable to fulfil their mandates. Undoubtedly, the EAC's collapse damaged regional relations, but it did not do so irrevocably. Indeed, following the EAC's dissolution, there were some rapprochements between the former regional partners. In 1977, both Kenya and Tanzania's vice-presidents met in an attempt to create a more orderly dismantling of the EAC and, presumably, to discuss the re-opening of the border between both countries (Financial Times, 1977a). Earlier that year, Kenya had also called for the creation of a new common market in the wider eastern and southern African region (Financial Times, 1977b).<sup>22</sup> Following the death of Kenya's President Jomo Kenyatta in 1978, new dialogues were opened between Nyerere and Kenya's newly appointed president, Daniel Arap Moi (Khapoya, 1980: 26). Finally, in 1978 East Africa's three governments appointed a mediator – the Swiss diplomat Victor Umbricht – to facilitate negotiations on the distribution of the EAC's assets and liabilities.

The only real flashpoint between the former EAC states materialised with the 1978 Tanzania-Uganda war. The war, in effect, emerged from a spillover of internal conflicts within Uganda, where Amin's regime was increasingly contested (Roberts, 2014). In

<sup>22</sup> This proposal was eventually implemented in 1981 with the establishment of the Preferential Trade Area of Eastern and Southern Africa, a precursor to what would become COMESA.

October 1978, a battalion of troops in south-west Uganda mutinied and fled into Tanzania, pursued by soldiers loyal to Amin. This pursuit amassed into an outright invasion with Amin announcing in November 1978 that he had annexed a tract of territory in north-west Tanzania referred to as the Kabera Salient. In response, the Tanzanian army, alongside anti-Amin exiles, soon launched a counter-offensive into Uganda. This eventually reached the capital of Kampala, leading Amin to flee the country and bringing his brutal regime to an end. In 1980, elections were held in Uganda, returning Milton Obote and his UPC party to power. These elections were, however, contested by the main opposition and its leader Yoweri Museveni, resulting in another protracted civil war, that only ended in 1986 when Museveni eventually achieved power (for overview, see: Brett, 1995). Ironically, the outbreak of hostilities and, specifically, the removal of Amin from power placed regional relations on a more stable footing. Increasingly in the run-up to the war, Amin had come to rule erratically (Roberts, 2014: 693-694). While Tanzania's opposition to the Amin regime is well documented, the Kenyan government did maintain a dialogue with the Ugandan leader following his seizure of power in 1971. Yet, relations between the two governments were far from tranquil, with Amin often accusing Kenya of plotting with Britain to overthrow him from power (Ododa, 1986: 49). Amin even made claims on Kenyan territory that, at one point, brought both countries close to the point of war (*ibid.*). The critical point is that Amin's demise allowed regional relations to return to a context of relative stability.

Following Amin's departure, the former EAC members agreed to a number of arrangements that brought a legal foundation to the EAC's collapse. In 1980, the three East African governments agreed to maintain the operations of the EADB, placing the development bank under its own treaty and with a new mandate to act as a mediator for foreign investment into the region (Mangachi, 2011: 140). In 1984, the three governments also finalised a mediation agreement that determined the division of the EAC's assets and liabilities and set a formal legal precedent for the EAC's dismantlement. Although formally bringing an end to the EAC as an organisation, the mediation agreement also opened space for rapprochement and a rekindling of regional cooperation. Following the agreement, both Kenya and Tanzania re-opened their border, that had been closed since the EAC's collapse in 1977. The agreement also included a clause for the former EAC states to explore future arenas for cooperation (*ibid.*: 45).

A tripartite working group was soon established after the conclusion of the mediation agreement to discuss modalities for re-establishing cooperation (Goldstein & Ndung'u, 2001: 19). This led in 1993 to the establishment of the Permanent Tripartite Commission for Cooperation (PTCC). In effect, the PTCC acted as a forum for the three former EAC states to coordinate and facilitate cooperation in joint road, rail, maritime and air transport projects, alongside fiscal and monetary policies (PTCC, 1993). The PTCC was a loose cooperative programme overseen by the three states' foreign ministers, with a small regional secretariat being established in 1996. Unlike other regional blocs in Africa at the time (i.e. COMESA, SADC), the PTCC did not initially set out to develop its own trade regime. The three states instead applied the tariff liberalisation schedules set out in the 1994 COMESA agreement. According to Andrea Goldstein and Njuguna S. Ndung'u (2001: 21), the initial intention had been to maintain this more flexible cooperative arrangement for at least ten years. Only at this stage would the three East African states consider the possibility of establishing a more comprehensive treaty-based cooperation and integration agenda. Yet, in 1996, only three years after the establishment of the PTCC, East Africa's heads of state had already directed the tripartite committee to embark on negotiations to re-establish the EAC.

Several factors appeared to be driving East Africa's policy community back towards the EAC and a system of comprehensive regional governance. Foremost among these was a palpable sense of economic vulnerability among regional elites in East Africa. In the years that followed the EAC's collapse in 1977, its three former members had entered into an era of protracted economic crisis. These crises were not necessarily a result of the EAC's collapse, as much of the African continent (and global South) faced similar economic challenges from the late 1970s and throughout the 1980s (see: Chapter 4). Resultantly, many African governments were forced to turn to the IMF and World Bank for external financing, which implemented a series of condition-based lending practices, more commonly known as structural adjustment programmes (SAPs) (Babb, 2013). The conditionalities included in these lending programmes centred upon the efficacy of free markets and often included demands for privatisation, currency devaluation and trade liberalisation (Ravenhill, 1993: 21). In 1982, both Kenya and Uganda turned to the IMF and World Bank for financing (Harrison, 2004: 34-35; Loftchie, 1993: 413-416; Swamy, 1994). Initially, Tanzania was much more resistant to the IMF and World Bank's demand



for internal reform (Biermann & Wagao, 1986; Harrison, 2004; Holtom, 2005), but eventually entered into an agreement with the IMF in 1986 (Lofchie, 1993: 428).<sup>23</sup>

As discussions began to gather pace on the revival of regional governance during the 1990s, policy makers increasingly sought to draw links between the EAC's collapse and the economic crises and decline that the region faced in years following. As the quotes below from two key policy figures in the region highlight:

The ministers who signed the dissolution agreement wept. It was the worst thing that ever happened to this region and from that day the economies started to decline.

(Francis Muthaura – Sec. General East African Cooperation, cited in: Financial Times, 1996)

There was a sense of urgency in re-formulating the regional organization. Sixteen years of dispersal had led to great loss of opportunities. The region had lagged behind most others in development; and the push to catch up became powerful. (Eriya Kateyga, Minister for Foreign Affairs, Uganda, cited in: PTCC, 1999: 12)

It was clear, then, that in light of the economic hardships faced by the region that many in East Africa's policy community had come to express regret towards the EAC's collapse. Compounded by the (perceived) economic threats posed by globalisation, this palpable sense of economic vulnerability formed a strong (but contingent) imperative among the region's policy community for the revival of regional governance. As an extract from East Africa's first regional development strategy notes:

Due consideration is being paid to the fact that the reactivation of co-operation is taking place at a time when the processes of globalisation and liberalisation are taking place. The challenge posed by these processes to the development of the region is formidable. However, the task will be made manageable by economic, social and political co-operation of the three States, to forestall any negative impact emanating from globalisation and liberalisation processes. (PTCC, 1997a: 11)

As I outline in Chapter 4, the revival of the EAC was seen as a means to encourage economic development and prevent the region's economic decline and marginalisation within the global economic order.

<sup>23</sup> Space precludes an evaluation of the SAPs economic impact. Although East Africa's economies showed *prima facie* signs of recovery by the 1990s (Swamy, 1994; Harrison, 2001), over the long term it is evident that neoliberal policy practices, first introduced under the SAPs, have not induced a wider transformation of the region's underlying economic structures (EAC, 2012a; EAC, 2012b).

Movements towards the EAC's revival also occurred in the backdrop of the Uruguay round of multilateral trade negotiations and the WTO's establishment in 1995, a process which was viewed to have excluded the input and interests of countries from across the global south (Hopewell, 2015; Scott, 2015; Wade, 2003). Moreover, it also preceded further multilateral trade negotiations under the Doha Development Round and a renegotiation of the EU's long-standing trade partnership with the ACP group of states. As one regional meeting report from 1997 indicates, a revived EAC was seen as a forum for the region to coordinate and 'safeguard national and regional interests' more effectively (PTCC, 1997b: 12). In other words, regional policy actors conceived that the EAC would give the region greater influence and bargaining power on the world stage and prevent the marginalisation of its interests by external actors (see: Chapter 5).

For the region's policy community, however, a revived EAC was not only envisaged in terms of its functional and transactional role in responding to a set of external economic and policy imperatives. There also appeared to an evident affective dimension underpinning the decision to begin the process of reviving regional governance. As Daniel Bach (2016: 84) indicates, despite the EAC formally collapsing in 1977, a network of elites (business persons, bureaucrats, politicians) remained in place in the years after who retained strong ties with one another and affiliation to the region. This is crucial, as internal regional meeting reports from the 1990s often invoked notions of East African exceptionalism, emphasising that regionalism was not solely premised upon market integration, but that it was also geared towards rekindling the region's shared 'historical factors' and common 'economic, social and cultural systems' (PTCC, 1997c: 5).<sup>24</sup> In other words, the EAC was conceived as a space to rekindle East Africa's common bonds and historical ties (see: Chapter 6).

Drawing from the conceptual language outlined in the previous chapter, the EAC's revival appeared to be being driven by both a logic of necessity (i.e. the economic imperative of globalisation) and logic of appropriateness (i.e. rekindling the region's historic ties). These logics converged in the latter part of the 1990s, with the EAC treaty of establishment being signed by governments of Kenya, Tanzania and Uganda in 1999, leading to the EAC to be formally re-established in 2000. Alongside a comprehensive agenda for economic integration, that envisaged the sequenced creation of a customs

<sup>24</sup> These quoted extracts are located in Annex X of the report of the 8<sup>th</sup> Permanent Tripartite Meeting of the Council of Ministers (PTCC, 1997c).

union, common market and monetary union, the treaty also invoked the ideals of the 1960s, once again committing the three states to the (eventual) creation of a regional political federation. Alongside this, the treaty also mandated for the establishment of an East African Legislative Assembly and East African Court of Justice.

According to several interviewees, there was significant enthusiasm for the revival of regional governance among East Africa's policy community at this time.<sup>25</sup> Yet, although ideas of East African exceptionalism were commonly invoked during this period, it is also clear that memories of the first EAC and its collapse in 1977 were still apparent among the region's policy community. Many of the policy architects of the EAC's re-establishment were also present during its dissolution in the 1970s (Bach, 2016: 84). As such, residual suspicions and latent nationalistic rivalries continued to permeate across partner-states, particularly concerning the distribution of benefits that would accrue from integration and cooperation (Mold, 2015: 582). In 1999, for instance, the Confederation of Tanzanian Industries (CTI) released a report criticising proposals (CTI, 1998), within a 1998 draft of the EAC treaty of establishment, that would have seen the removal of all internal regional tariffs and non-tariff barriers by 2000 (EAC, 1998). The CTI report argued that immediate tariff liberalisation would place Tanzania's 'infant' industries under intense competition from Kenyan firms. The result was that a schedule for internal tariff liberalisation was excluded from the final draft of the EAC treaty, which also made explicit references to regional integration being underpinned by the principles of 'equitable sharing of benefits' and 'variable geometry' (EAC, 1999).

These commitments set a legitimate institutional precedent within the EAC's policy regime for the possibility of variable geometry and differential treatment. However, the treaty of establishment was ambiguous about how such principles would be operationalised in practice and in what contexts. The EAC's policy regime, as such, emerged as a compromise between an ambition for deep integration and the movement towards a system of comprehensive regional governance, while ensuring sufficient flexibilities and policy space for the partner-states to mitigate the potential negative impacts of this process and safeguard their (perceived) interests. As I outline at different

<sup>25</sup> Interview 11: Regional Policy Expert, July 2017, Nairobi; Interview 12: Former Senior Official – EAC Secretariat, July 2017, Nairobi.

stages throughout this thesis, these ambiguities have often been invoked by national policy actors in the region to justify derogations from regional policy commitments.

### **3.5 Conclusion**

The purpose of this chapter has been to trace how ideas of regional governance in East Africa have evolved across time and provide insight into the factors which underpinned the EAC's revival in 2000. It started by detailing how ideas of East Africa, as a knowable and governable political-economic space, first emerged under the auspices of British colonialism. My argument here was that the social purpose of regionalism during the colonial era was largely functional and technocratic. The consequence of this, I argued, was that while East Africa managed to attain a high degree of economic integration, governance in the region remained highly fragmented. I then turned to the challenges, and ultimate demise, of regional governance in East Africa in the post-colonial era. I argued here how critical tensions and contradictions emerged between the institutional logics of East Africa's colonial-era policy regime and the post-colonial visions of regional governance. These tensions and contradictions then opened space for actors to increasingly question and contest the necessity and desirability of regional governance, leading to regional governance becoming effectively defunct by 1977.

In the final section, I then discussed the revival of the EAC in 2000. I argued that several factors were pertinent for understanding the pathway that led regional policy actors to revive regional governance. These included the economic vulnerabilities posed by the region's economic decline and the threats posed by globalisation, the changing structures of the global trade regime and the need to coordinate common positions, and a desire to rekindle the region's long-standing ties and bonds. The EAC's revived social purpose, then, centred on three broad elements. First, regional integration and cooperation were seen as a means to mitigate the threat of economic marginalisation posed by globalisation and promote economic development. Second, it was envisaged that the EAC could act as a forum for external policy coordination in multilateral and bilateral forums. Third, the EAC was also viewed as a space to rekindle the region's historic and affective bonds. Over the next three chapters I explore how each of these visions for regional governance came to be operationalised (and distorted) in practice.

## Chapter 4

# External Economic Threats, Economic Marginalisation, and the Developmental Imagination of the East African Community

### 4.1 Introduction

The forces of globalization...are continually reducing the ability of our individual national economies to survive. The only hope for us to muster some muscle to withstand the full impact of globalisation lies and depends on our unity. By pooling our resources and potentials together, we will have created greater opportunities for our economies to grow into stronger entities

Fulgence M. Kazaura, former Deputy Secretary-General – EAC Secretariat, May 2000 (EAC, 2000a: 7)

The rise of China and India as a source of imports may be good news for consumers, but it also implies greater competition in domestic markets, especially for local manufacturers.

(...)

Manufactured goods account for over 50 per cent of intra-EAC exports, **reinforcing the importance of intra-regional trade for industrial development.**

UN Economic Commission for Africa, (UNECA, 2018: vii, 34, emphasis added)

The previous chapter ended by describing the EAC's revival in 2000 and the factors motivating East Africa's policy community to revive regional governance. As I discussed, one of the key factors that drove policy actors' desire to re-institute the EAC was the perceived threat of marginalisation, posed by the region's relative economic decline in the globalising economic order. These fears of economic marginalisation are still invoked today by policy actors to justify the continued relevance of the region's integration and cooperation agenda. Yet, whereas earlier invocations typically appealed to the immutable imperatives of globalisation, in more recent times we are beginning to see a growing emphasis on the threats posed by emerging markets. The two extracts at the beginning of this chapter reflect this discursive shift. While the former excerpt (from 2000) rationalises regionalism with regards to the competitive pressures of (neoliberal) globalisation, the latter (from 2018) appeals to the EAC's role in mitigating the

competitive threats posed to East Africa's economy by the rise of China and India. Such discursive shifts are reflective of broader changes in the global economic order. When established in 2000, the EAC emerged into a global economic order defined by the norms, practices and discursive imperatives of neoliberal globalisation. However, a context has increasingly begun to develop where the supposed inviolability of neoliberal globalisation has been challenged on multiple fronts, not least by rising powers such as China (Ban & Blyth, 2013; Hopewell, 2015).

On the surface, both extracts appear to appeal to a different set of external imperatives. However, on a more profound level, it is evident that there has been a continuity in the *material* nature of the external economic threats invoked across these extracts, and EAC policy discourses more generally. Indeed, as I elaborate within this chapter, the external threats posed by globalisation in the 1990s and 2000s were effectively similar to the more recent threats posed by emerging markets. In both periods, regional policy discourses have emphasised the competitive economic pressures that these external processes pose to East Africa's economies and, in particular, to the region's nascent industrial and manufacturing sectors. Crucially, however, while the fundamental nature of these perceived economic threats has remained constant, the policy responses that the EAC's policy community put in place to respond to them has differed. During the EAC's formative years in the early 2000s, regional policy discourses sought to frame the region's integration and cooperation agenda as consistent with the, then, dominant neoliberal norms and practices of global economic order. It was envisaged, as such, that the removal of intra-regional market and regulatory barriers in East Africa would spur growth and development and prevent the region's economic marginalisation through market-led integration. However, I argue that since the late 2000s onwards, regional policy discourses (EAC, 2012b, 2012c) have cautiously espoused the need to pursue more activist and interventionist developments strategies – i.e. industrial policy and import-substitution – to respond to the competitive threats increasingly posed by emerging markets.

This poses a puzzle that this chapter sets out to explore: namely, why did one set of external economic threats (globalisation) prompt market-conforming behaviour among the EAC's policy community, while another (emerging markets) prompted market-intervening behaviour? The answer, I contend, lies in the wider discursive settings in which these policy programmes were imagined and pursued. During the EAC's formative years, I argue that the region's policy community internalised a neoliberal conception of

globalisation as a non-negotiable economic constraint (Hay & Rosamond, 2002) which necessitated that economic governance follow a market-orientation. In this context, the EAC's developmental social purpose was conceived as an enabling environment for market-led development, consistent with the apparently inviolable logic of neoliberal globalisation. This is not to suggest that EAC's policy community necessarily internalised an unconditional belief in the efficacy of free markets. As I highlight, when the EAC customs union agreement was finalised in 2004, it included several intra and extra-regional protective barriers to shelter certain economic sectors from competitive pressures. But, the EAC's policy community was acutely aware of the need for regional governance to conform to the dominant neoliberal norms and practices of the global economic order. As I go onto argue, however, by the end of the 2000s such discursive appeals to the non-negotiability of globalisation increasingly came to weaken among the region's policy community, reflected by broader shifts in the global economic order. In particular, I highlight that the rise of emerging markets, such as China and Brazil, whose development strategies eschewed the orthodox neoliberal development model, increasingly opened discursive space for alternate development policies to develop within the region.

Although noting a discernible shift in regional and national development discourses in East Africa, crucially I argue that the EAC's role as a space for development has not fundamentally altered. The EAC continues to be conceived as a benign enabling environment for the coordination of national industrial strategies and providing expanded markets to nurture the region's industrial sector. This state-of-affairs, I argue, reflects certain path-dependent institutional logics at play within the EAC's regional regime. As a space of governance, the EAC was initially conceived to support a programme of market-led development and, as such, lacked the institutional foundations and coordinative capacities for deeper forms of cooperation required of a more interventionist regional development strategy. Resultantly, I end this chapter by highlighting how, in recent years, critical tensions have begun to surface between the partner-states emerging aspirations for productive restructuring, and the EAC's principal ambitions for deep economic and political integration.

In presenting these arguments, this chapter will be structured as follows. In the first section I begin by examining the developmental imagination of the EAC during its

formative years (1997-2005) and in the context of neoliberal globalisation.<sup>26</sup> In section two, I turn to explore the negotiations and content of the 2004 EAC customs union agreement as a means of interrogating how the EAC's professed developmental social purpose was operationalised in practice. I highlight that the customs union included several intra and extra-regional protective mechanism that appeared inconsistent with the EAC's envisaged role as an enabling environment for market-led development. I emphasise, however, that the EAC's policy community (at least initially) saw these protective mechanisms as temporary measures that would enable the region's private-sector, over time, to compete on the world stage. In the final section, then, I turn to explore the EAC's developmental imagination in an emerging economic order where the key tenets of neoliberal globalisation have increasingly been challenged. Although noting that this context has opened discursive space for the espousal of more activist and interventionist development agendas in the region, I also highlight that these have resulted in critical tensions emerging within the EAC's regional regime.

#### **4.2 The Developmental Imagination of the EAC under Neoliberal Globalisation**

When first established in 1967, the EAC was underpinned by a development paradigm that reflected the norms and practices of that era. The 1960s was a time when the international economy was undergoing a period of unprecedented economic growth and prosperity, defined by a series of regulative norms and practices that Ruggie (1982) called 'embedded liberalism.' For Ruggie, embedded liberalism referred to a deliberate compromise by the architects of the post-war global order, who sought to avoid both the inward economic nationalism that was typical of the 1930s, whilst also eschewing the domestic constraints imposed by the laissez-faire gold standard system of the 19<sup>th</sup> and early 20<sup>th</sup> century (*ibid.*: 393). The result was the construction of an international economic order that was relatively liberal – i.e. the GATT's non-discrimination clause – but embedded within a regulative regime that sought to ensure both international and domestic stability – i.e. fixed exchange rates, capital controls, and other domestic safeguards.<sup>27</sup> As Graham Harrison (2004: 57) notes, the prevailing logic of this order was that markets should be regulated, rather than free. In Africa, this logic was encapsulated

<sup>26</sup> I use this timeframe as it denotes the period from the release of the first regional development strategy (PTCC, 1997), roughly when regional elites decided to re-establish the EAC, to when an agreement for a regional customs union was agreed (EAC, 2004a; EAC, 2004b).

<sup>27</sup> GATT refers to the General Agreement on Tariffs and Trade.



in the practice of development planning (*ibid.*: 58). In this context, economic and productive restructuring was seen to derive from the direction and guidance of the state (and other non-market institutions). To recall, when established in 1967, the EAC included several institutional mechanisms (i.e. the EADB, transfer taxes) to direct development in the region. Yet, when revived in 2000, the contemporary EAC emerged within a global economic order shaped by a very different set of norms, practices and discursive imperatives. In short, the embedded liberal order of regulated capitalism soon gave way to new order underpinned by neoliberalism and its emphasis on free market disciplines.

It was during the 1970s that fissures first began to emerge in the post-war global economic order. In 1971, the Nixon administration in the US suspended the dollar's international convertibility to gold, a pillar of the post-war system of fixed exchange rates, moving officially to a floating exchange rate in 1973. The US abandonment of fixed exchange rates had been a response to the overvaluation of the dollar, which was perceived to be placing its exporters at a competitive disadvantage to (re)industrialising economies, including Japan and Germany (Brenner, 2001: 14). The termination of fixed exchange rates, however, did little to alter the fortunes of US exporters and instead exposed an overcapacity in global production, leading to a crisis of profitability across the developed world (*ibid.*; Strange, 1979). A global economic slowdown ensued, exacerbated further by OPEC oil price shocks in 1973 and 1979. The culmination of these events was an end to the 'golden age' of post-war economic growth and full employment.<sup>28</sup> Moreover, as many industrialised states began putting in place policy measures to protect domestic industries, critical tensions emerged in the embedded liberal order, that sought to marry openness in global trade with policies to ensure domestic stability.

These events had clear material consequences, but it was the meanings and diagnoses ascribed to them that ultimately came to shape the demise of the embedded liberal order. In this instance, it was the neoliberal diagnosis of the 1970s economic crisis, spearheaded by Ronald Reagan and Margaret Thatcher, that came to spell the demise of the embedded liberal order (Widmaier, 2016b). In the US, Ronald Reagan was elected in 1981 with a message that decried the distorting impact of 'big government' and 'big labour' on free markets and economic prosperity (Widmaier, 2016a: Ch 6). Underpinned by monetarist ideas and a critique of Keynesian notions of managed capitalism, Reagan forwarded an

<sup>28</sup> OPEC refers to the Organization of the Petroleum Exporting Countries.

alternate economic doctrine centred upon a neoliberal micro-morality of individual freedom, advocating minimal state intervention and the promotion of free markets (*ibid.*). Due to the US's structural importance, neoliberal ideas soon came to be embedded within norms and practices of the global economic order, either through coercion, peer pressure or ideational co-option. By the closing years of the 1970s, both the IMF and World Bank increasingly began to attach conditionalities as part of their lending practices, under their infamous SAPs. The conditionalities included in these lending programmes centred upon the efficacy of free markets and often included demands for privatisation, currency devaluation and trade liberalisation (Ravenhill, 1993: 21). As Sarah Babb (2013) notes, the introduction of lending conditionalities emerged from both an internal shift in thinking within both organisations, alongside external pressure from the US government. The US, and a cabal of western states, also pushed forward the issue of trade liberalisation through the Uruguay round of multilateral trade negotiations (1986-94), leading to the establishment of the WTO in 1995 and the creation of a much more legally robust trade system (Wade, 2003). The liberalisation of capital controls across the global economy, as pushed for by organisations such as the IMF (Chwiroth, 2010), also enabled the rise of footloose capital and the growth of foreign direct investment (FDI) and global value chains. While total stocks of FDI in the world economy stood at \$54 billion in 1980, by 2000 this figure stood at \$1.3 trillion.<sup>29</sup>

In Africa, neoliberal ideas and institutional practices first emerged under the guise of IMF/World Bank sponsored SAPs. By the late 1970s, most African states were facing severe balance of payments shortfalls and rising levels of public debt, compounded by increased prices for oil imports and slowing demand for commodity exports in the global north (see: Callaghy & Ravenhill, 1993; Harrison, 2004: Ch. 4; Ravenhill, 1986). As a result, African governments turned to the IMF and World Bank for external financing throughout the 1980s and 1990s, undergoing structural adjustment in the process. Although introduced under conditionality, by the mid-1990s neoliberal ideas were far less contested, increasingly becoming part of the 'everyday language of policy making' (Harrison, 2001: 659). In this context, and presented through the lens of neoclassical economics, development came to be conceived as a process of getting prices right through domestic liberalisation (privatisation, deregulation) and opening the domestic economy up to external market forces (Ravenhill, 1993: 21). By removing constraints on

<sup>29</sup> Figures from the UN's Conference on Trade and Development's (UNCTAD) data centre (<https://unctadstat.unctad.org/wds/ReportFolders/reportFolders.aspx>).

the market, it was conceived that individuals and firms would be able to engage in greater levels of economic activity and, in doing so, generate higher levels of wealth. Proponents of the neoliberal development model also rejected structuralist arguments that underdevelopment was a condition of developing countries' position within the global economy (Gore, 2000; Payne & Phillips, 2000: 91-92). Instead, development failures were conceived as stemming from internal factors within developing states, such as corruption and clientelistic politics.

In sum, by the beginning of the 1990s, a new normal had emerged across the global economic order, underpinned by the norms and practices of neoliberal globalisation. As discussed, although this process of neoliberal globalisation had evident material consequences, it is important to distinguish these from the discursive elements of this global order. As argued in Chapter 2, even for actors who are placed in materially weak positions, structural positionality does not (wholly) determine the actions they may take. This would suggest that globalisation itself has no causal agency (Payne, 2016), but it is how actors interpret the constraints and opportunities it imposes which shapes behaviour. Indeed, as debates in the vast literature on globalisation came to show, there was little consensus as to the actual constraints (and opportunities) posed by globalisation.<sup>30</sup> Departing from these debates on the materiality of globalisation, constructivist scholars instead came to emphasise the discursive nature of globalisation (Hay & Rosamond, 2002; Rosamond, 1999). Key to this literature was the notion that it was the dominance of certain discourses about globalisation which shaped how actors responded to it (*ibid.*). In other words, these literatures argued that globalisation itself did not define an agent's behaviour. In understanding the developmental rationale underpinning the EAC's revival, this logic holds important significance. Rather than seeing the EAC as a functional response to the structural imperatives of globalisation (as assumed in the new regionalism literatures), the task which I turn to next is understanding the meaning and social purpose the EAC's policy community attached to regionalism within the context of a globalising economic order.

<sup>30</sup> For overview of these debates see: Hobson & Ramesh (2002).

Drawing upon documentary materials from the EAC's formative years (1997-2004), I begin here by focusing upon how the EAC's policy community came to interpret globalisation and the constraints it imposed. First and foremost, regional policy makers espoused a view of globalisation as a process which was placing the region's economies under increasing external competitive pressures. As an extract from the second EAC regional development strategy notes:

The strategy has considered developments in globalization and implications on the intensification of competition, influence on the position of EAC in the world market and the imperatives of implementing regional co-operation programmes (EAC, 2001a: vii)

(...)

The process of globalisation will influence the position of EAC in the world market. Market access will therefore, become more difficult for those who are not internationally competitive (*ibid.*: 8)

Within this extract, a clear *necessitarian* logic is invoked between the increasing competitive pressures unleashed by globalisation and the 'imperatives of implementing regional cooperation programmes' (*ibid.*: vii). More to the point, we see a clear representation of the global economic order within this extract as one of increasing competitiveness and the EAC region, by comparison, as a space of relative un-competitiveness. Globalisation, as such, was represented as an existential economic threat to East Africa's (un-competitive) economies. Such sentiments were also found within more coordinative policy settings. Around the time of the EAC's revival, the EAC Secretariat hosted several workshops (PTCC, 1999; EAC, 2000a; EAC, 2001b; EAC 2001c) that brought together politicians, bureaucrats, and experts to discuss different aspects of the region's integration and cooperation agenda.<sup>31</sup> Within these workshops, participants would often refer to the competitive pressures unleashed by global liberalisation and the threats this posed to East Africa's economies and their private sectors. In one instance, a participant lamented the state of the region's private sector, noting its situation as 'bad and appalling' (EAC, 2001b: 55). Here, the participant reflected upon the legacy of socialism in the region, the Amin regime and the politics of ethnicity in Kenya as sources of the private-sector woes. At

<sup>31</sup> Although the proceedings of these workshops were eventually made public, their initial intended audience was other policy actors and experts in East Africa, their purpose was to inform policy deliberation on the shape of the EAC's integration and cooperation agenda, and they were written in a largely technical format. For these reasons, I consider the proceedings of these workshops to be a source of coordinative discourse.

another workshop, one senior official from the EAC Secretariat noted that the region's past use of import-substitution meant that the private sector had become inward-looking and, as a result, had not attained sufficient international competitiveness (EAC, 2000a: 7). In short, the EAC's policy community came to view globalisation as a process which threatened to marginalise the region economically. A threat compounded further by the perception that past development practices had left the region's private sector ill-prepared for global competition.

The second point is that during this period, the region's policy community also came to interpret globalisation as an environment of limited policy manoeuvrability, where economic governance needed to be market-oriented. As the first regional development strategy notes:

The process of **economic liberalisation within the world economy** has brought about a situation whereby **market mechanisms and the private sector are playing a leading role in the development process**. The role of government is progressively being focused to that of maintenance of law and order, provision of basic infrastructure, and putting into place policies for the development and expansion of the market mechanisms and the private sector. (PTCC, 1997: 11)

Similar sentiments were reflected during the EAC Secretariat's workshops series, where participants often invoked the need for economic and development governance to be market and private-sector driven in the era of globalisation. In one instance, the Deputy Governor of the Bank of Uganda noted that globalisation meant that the EAC economies would have 'to industrialise without the benefits of preferential treatment or protective and interventionist trade regimes' (EAC, 2001b: 207-208). In another case, participants noted that past regional policies of import-substitution would no longer be 'consistent with the new challenges of globalization, competition and competitiveness' (EAC, 2000b: 184). The implicit and explicit assumption being put forward during these workshops, therefore, was that to respond to the external economic threats posed by globalisation, regional economic governance would have to be consistent with the dominant neoliberal norms and practices of the global economic order. In other words, the constraints of globalisation were seen to lockout alternate (non-neoliberal) development practices.

In the language of Colin Hay and Ben Rosamond (2002), the EAC's policy community appeared to have internalised an intersubjective conception of globalisation as an inevitable and non-negotiable economic constraint. That is to say, the region's policy elite

seemed to internalise a discourse of globalisation where its constraints meant that it was no longer feasible to pursue development strategies that did not conform to a market logic. This reading might indicate a more materialist account, whereby the economic imperatives of globalisation had constrained the region's policy space. Yet, as already argued, the actual constraints of globalisation (both then and now) have always been contested and ambiguous. Although many African states at this time conformed to this dominant neoliberal reading of globalisation as a non-negotiable constraint (Harrison, 2010), some did not. For instance, the Ethiopian state continued to play a proactive and direct role in its country's development ambitions during this period (Clapham, 2018; Fourie, 2015). Moreover, as I discuss later in this chapter, EAC policy discourses continue to invoke *similar* external competitive threats today. The difference, however, is that more activist and dirigiste (non-neoliberal) policy practices have been articulated in response to these threats. This suggests that it was the internalisation of a particular discourse of globalisation (rather than its material constraints) which shaped the EAC policy community's response to it.

In this context, it was envisaged that the EAC's proposed integration and cooperation agenda would both improve the region's economic competitiveness, while remaining consistent with the (supposedly) inviolable logic of neoliberal globalisation. As comments by a senior official from the EAC Secretariat official noted:

Once operational, the Customs Union and Common Market will enhance regional economic development and industrialization. They will lead to efficient utilization of resources and higher productivity as a result of restructuring of industries and also provision of the economies of scale...**A larger regional market will entail internal competition, mergers, cross border investments and enhance opportunities for employment and better quality and affordable goods and services** (Amanya Mushega – Sec. General, EAC Secretariat, cited in: EAC, 2002a: 14, emphasis added).

The logic invoked by Mushega (and reflected across EAC policy discourses more generally) was that the removal of intra-regional market and regulatory barriers would allow firms to increase their production capacity, as they would be catering to a bigger market, and allow them to utilise resources more efficiently, encouraging economies of scale. It was also envisaged that by bringing firms in the region into competition with one another, it would encourage them to produce goods and services more efficiently and cost effectively, enabling them to withstand the competitive pressures of globalisation. As an EAC Secretariat official noted in 2000, 'it is only through encouraging fair regional

competition, that local firms will gain the required international competitiveness...to withstand the vagaries of globalization' (EAC, 2000a: 7). A further logic was that the creation of a broader regional market would also provide a more attractive environment for foreign investment (PTCC, 1997: 8). The subtext here was that it would be market forces (rather than market interventions) and private sector actors who would drive economic development and prosperity within the region.

Such assertions are unsurprising when examining the broader narrative that underpinned the EAC's revival, with the treaty of establishment emphasising that regional cooperation would be 'people-centred and market-driven' (EAC, 1999: 17). Furthermore, a common phrase often used to describe the EAC's integration and cooperation agenda was the notion of creating a regional 'enabling environment' for the private sector. As the EAC's treaty of establishment puts it:

with a view to realising a fast and balanced regional development [the partner-states] are resolved to creating an **enabling environment** in all the Partner States in order **to attract investments and allow the private sector and civil society to play a leading role in the socio-economic development** (EAC, 1999: 5, emphasis added)

Indeed, these elaborations of the EAC as an enabling environment for market-led development were often used to distinguish the revived EAC to its forbearer in the 1960s and 1970s. In a media interview in 1996, Francis Muthaura (first secretary-general of East African cooperation) noted that the revived EAC would not repeat past mistakes, such as the joint ownership of enterprises, and would instead 'aim to create an enabling environment for business' (Financial Times, 1996). Moreover, as the first regional development strategy notes:

Unlike the co-operation arrangement for the defunct East African Community...**the new initiative is based on the creation of an enabling environment for the establishment of a single market and investment area** (...)

public intervention at the regional level will focus only on policy formulation, creation of a regional policy framework, mapping out macro-economic convergence and provision of basic regional infrastructure **that will enable market-based integration to work** (PTCC, 1997: 11, emphasis added)

The critical point is that regional policy discourses sought to emphasise that the EAC, in its revised form, would follow a different model of regional development to that of its predecessor in the 1960s and 1970s: one that would be consistent with the dominant

neoliberal norms and practices of the global economic order. In this respect, the developmental role of the EAC was articulated in a much more benign way. Rather than being framed as an ‘agent’ in the development process – i.e. through regional policy interventions – the EAC was principally articulated as providing the facilitative context and setting (enabling environment) for market actors to engage in economic activity, via the removal of intra-regional market and regulatory barriers.

In line with its envisaged role as an enabling environment, regional policy actors also emphasised that the revived EAC would follow a different model of regional governance to its predecessor in the 1960s and 1970s. For instance, when asked about the EAC Secretariat’s role in 1996, Muthaura noted that in contrast to the EAC of old ‘which was really like a federal government’, the regional secretariat would be ‘small, but highly professional’ (Financial Times, 1996). When the EAC treaty was agreed in 1999, regional governance was institutionalised in a distinctly intergovernmental manner, with key policy decisions to be taken within regional heads of state and ministerial meetings and domesticated through national ministries for East African affairs (EAC, 1999).<sup>32</sup> The regional secretariat’s role, by contrast, was to be primarily advisory and facilitative, offering technical advice to the EAC’s integration and cooperation agenda. Conveniently, the EAC’s intergovernmental governance structures also meant that the partner-states were not required to cede formal sovereignty to a supranational institution. In part, this reflected the neoliberal rationality underpinning the revived EAC. Yet, it also reflected a pragmatic awareness among the region’s policy community of the legacy of the EAC’s collapse in 1977 and the mistrust and nationalistic tendencies this still evoked. As Muthaura noted at a regional workshop in 2001, the EAC’s agenda would need to first focus upon economic (rather than political) integration due to the entrenched notions of national sovereignty that still existed within the region (EAC, 2001b: 53-54).

Two summative points are worth drawing out from the discussion in this section. First, the region’s policy community saw economic integration as a process which would enable the EAC economies to withstand (and even prosper within) a context of increasing external competitive pressures. Second, in doing so, these actors also sought to frame the EAC’s integration and cooperation agenda as a process which would support and

<sup>32</sup> Interview 08: Senior Official – Kenyan Government (State Department for East African Community Integration), July 2017, Nairobi.



facilitate *market*-led development, in line with the supposedly immutable imperatives of globalisation.

### **4.3 The EAC Customs Union – A Shelter from the Storm?**

In 2004, the EAC's ambitious integration and cooperation took its first step forward with the signing of the 'Protocol for the Establishment of the East African Community Customs Union' (EAC, 2004a) and accompanying 'Customs Management Act' (EAC, 2004b). Today, the customs union stands as the foundation of the EAC's integration agenda. Protocols for the establishment of a common market and monetary union were signed in 2010 and 2013 respectively, but the implementation of the former has been partial and uneven (see: Chapter 6). Moreover, according to insider accounts, minimal progress has been made on the implementation of the latter.<sup>33</sup> In principle, the customs union set out an agenda to remove all internal tariffs and non-tariff barriers for goods originating within the region, as well as bring each of the EAC states under a common external tariff (CET). Considering the relatively short period between the EAC's establishment and the signing of the customs union protocol, it provides a useful insight into how the professed role and purpose of the EAC (discussed in the previous section) came to be institutionalised in practice.

Negotiations for the regional customs union began shortly after the signing of the EAC treaty of establishment in November 1999, with an initial meeting occurring in January 2000, to establish negotiating modalities (EAC, 2000b). In line with Article 75 of the EAC treaty, which called for the creation of a customs union within four years, the initial intention had been to have an agreement finalised by 2003, allowing implementation to begin the following year. However, disagreements soon emerged between the EAC partner-states, delaying the finalisation of an agreement. These disagreements principally centred around the structure of the CET and, in particular, the setting of the CET's maximum tariff band. Each of the EAC partner-states had committed to varying degrees of unilateral trade liberalisation since the 1980s, largely under the duress of donor-sponsored SAPs. Under the leadership of President Yoweri Museveni, Uganda had come to enthusiastically embrace trade liberalisation (Mold, 2015: 582). Therefore, while Uganda's maximum tariff rate stood at 15%, Kenya and Tanzania's rates were

<sup>33</sup> Interview 05: Regional Policy Expert, June 2017, Nairobi.

substantially higher at 35% and 40% respectively (Booth et al., 2007: 3). Initially, the Ugandan delegation pushed for a maximum regional tariff rate of 15%, in line with its trade regime, while Kenya and Tanzania sought a higher rate of 25% (EAC, 2002b).<sup>34</sup> The breaking of this deadlock eventually occurred when the Ugandan delegation agreed to a maximum tariff rate of 25% for finished goods, on the condition that this was reduced to 20% after five years (EAC, 2003a: 7).<sup>35</sup> This was accompanied by a 10% band for intermediate goods and 0% for raw materials.<sup>36</sup>

In 2002, the EAC Secretariat released an occasional paper entitled 'East African Customs Union: Information and Implications' (EAC, 2002a). In outlining the (supposedly) 'win-win' benefits of the customs union, the occasional paper mirrored much of the broader developmental narratives that had underpinned the EAC's revival.<sup>37</sup> Here, the occasional paper reiterated the relative un-competitiveness of the partner-states' economies, noting that their 'small domestic markets' made it 'nearly impossible to produce goods that are subject to increasing returns to scale and declining average production costs' (*ibid.*: 1). The occasional paper went on to argue that the customs union, as the entry point to the EAC's integration agenda, would allow for the creation of larger markets, enabling businesses in the region to scale-up and improve the efficiency of production in the region (*ibid.*: 3). In short, we see similar neoliberal rationalities being invoked regarding the customs union: namely, that the removal of intra-regional market barriers would encourage dynamic economies-of-scale and offer an enabling environment for the private sector to prosper. Yet, although invoked as a measure to *enable* markets, the final customs union agreement included several provisions that did not sit comfortably within this neoliberal frame.

First, several intra-regional protective measures and flexibilities in the customs union agreement allowed the partner-states to derogate from their obligations to intra-regional liberalisation and alignment to the regional CET. When, for instance, the customs union

<sup>34</sup> This information is located in Annex I of this meeting report.

<sup>35</sup> However, a review of the CET in 2010 resulted in the maximum tariff rate being maintained at 25% (EAC, 2010b).

<sup>36</sup> These categorisations are not exact. For instance, under the CET certain capital goods are imported on the 0% rate due to their use in local manufacturing. Furthermore, some agricultural products, that are produced domestically, are also imported on the 25% rate. As outlined below, there is also a list of sensitive products imported on rates above the 25% maximum.

<sup>37</sup> The occasional paper was written in a largely technical format and, as outlined in its 'Preface', was aimed at informing policy actors in the region of the decisions which had been taken during the customs union negotiations and the justifications for these. For these reasons, it is considered here as a source of coordinative discourse.

entered into force in 2005, intra-regional tariff liberalisation moved forward on an asymmetrical basis. Although Kenya was required to liberalise its tariff regime immediately, Tanzania and Uganda were allowed a five-year grace period where their markets would be opened gradually to Kenyan imports. The EAC's customs managements act (EAC, 2004b) also allowed the partner-states to apply for duty remission (of up to one year) on particular industrial inputs for export promotion (outside of the region). A more informal practice of 'stays of application' was also introduced, whereby the EAC Council of Ministers could grant permission to individual partner-states to derogate from certain regional tariff lines (usually one year) if certain goods could not be sourced locally or if certain national industries required protection (Bünder, 2018: 4). Initially, these were introduced to smooth over the implementation of the CET, but have since become a common practice of the EAC's trade regime (*ibid.*). Finally, as part of the final customs union agreement, Uganda was permitted for five years to import certain industrial inputs and raw materials at a lower duty rate, to assist in its transition to implementing the relatively higher tariff rates of the regional CET (EAC, 2004c). The inclusion of these protective measures and flexibilities is a further reflection of the latent and historically rooted anxieties and suspicions that existed among some aspects of the region's policy community regarding regional integration. As discussed in the previous chapter, the treaty of establishment established a clear precedent that the EAC be based upon the principles of variable geometry and differential treatment. Yet, more generally it also illustrates a certain scepticism and caution among regional elites regarding trade liberalisation, even in the regional context.

Second, the customs union agreement also included several extra-regional safeguards to protect certain industries and economic sectors from external competition, most evident in the inclusion of a sensitive products list within the EAC's CET. The sensitive products list was, in effect, a series of goods in receipt of duty rates that sat above the maximum tariff band of 25% (between 35% and 100%). As an EAC meeting report notes, these were goods of importance to the region's economy in terms of their contribution to employment, production, food security and industrial linkages (EAC, 2003b: 5). A significant proportion of the sensitive products list was made up of agricultural goods (such as wheat rice, raw sugar and maize), seen as important for food security and the region's economies (Omolo, 2017). The sensitive list, however, also covered products where there was either pre-existing capacity for production within the region or where there was *potential* for regional production and value addition, including dairy products,

refined sugar and tobacco products (*ibid.*). Indeed, a representative from Kenya's State Department for East African Affairs noted at a conference that dairy products were placed on the sensitive list to encourage regional production and protect Kenya's nascent dairy sector from external competitors.<sup>38</sup> The key point here is that the existence of the sensitive products list reflected enduring sympathies with (non-liberal) practices of import-substitution, whereby demand for locally produced goods is stimulated through high external tariffs. Such tendencies towards import-substitution are seen more generally within the region's three-band tariff rate, where there is a relatively high blanket-tariff of 25% tariff on finished products (Mold, 2015: 582).

The above points raise the question of why the EAC's trade regime included particular market *distorting* practices, when regional integration had been framed in neoliberal terms, as a process that would *enable* markets? One possible explanation for this state affairs resides with the neo-patrimonial perspective and its emphasis on African regionalism as a form of regime boosting (see: Chapter 1). In this light, by rhetorically invoking the EAC as a space which was consistent with the dominant neoliberal norms and practices of the global economic order, the region's governments were able to boost their image and status in the international arena and, in particular, among western donors. At the same time, by instituting the customs union in a way that enabled the partner-states to derogate from specific regional policies (i.e. stays of application) and putting in place measures to protect certain economic sectors, regional elites were able to avoid the actual commitments and costs of economic and political integration (i.e. loss of sovereignty, economic disruption). Yet, as I point out in the next section, though the customs union institutionalised certain mechanisms for the partner-states to derogate from their regional commitments (i.e. stays of application), it has only been since 2014 onwards that these mechanisms have been extensively utilised.

Instead, the argument presented here to explain this dissonance between the professed aims of the EAC and the institutionalisation of its trade regime, relates more to the ideas that regional elites held about globalisation and market-led development more generally. As previously discussed, an internalised consensus had emerged within East Africa's policy community where market-led regionalism was viewed as necessary in light of the economic and political imperatives of globalisation. Yet, this conception of globalisation

<sup>38</sup> Author's personal notes from '1<sup>st</sup> East African Conference on the Continental Free Trade Area and Regional Integration,' 7<sup>th</sup> July 2017, Kenya School of Monetary Studies, Nairobi.

had evident tensions, contradictions and competing demands running through it. Certainly, the region's policy community saw it as necessary to converge regional economic governance towards the dominant norms and practices underpinning neoliberal globalisation. Yet, such practices (i.e. trade liberalisation, economic openness) also threatened to further expose East Africa's economies to the growing competitive pressures of the global economy and the risk of economic marginalisation posed by this.

As the EAC's occasional paper on the customs union put it:

Policy makers for a common external tariff are in a conflict...On the one hand, **they know that external tariffs are an instrument going out of favour in an outward-looking development process**, and that protecting industries by tariffs has not been successful in all parts of the world...At the same time, some of the **protected firms are also unable to operate without protection from one day to the next**. They need three to five years of declining protection (and/or support) in order to boost their productivity. The consequence of this conflict will be a **compromise** reflecting the political will of decision-makers towards regional integration (EAC, 2002a: 22, emphasis added).

Similar sentiments were also expressed in the EAC's second regional development strategy, which noted that opening markets too hastily 'may introduce premature competitive pressures on domestic industries including those which may have a chance to become efficient over time' (EAC, 2001a: 27). The critical point here is that East Africa's policy community were acutely aware of both the need to keep regional economic governance consistent with the neoliberal norms of the global economic order, but also the distributive costs that this might entail. The customs union, as such, represented a 'compromise' between these competing demands. Indeed, the occasional paper emphasised that intra-regional liberalisation would offer an environment for entrepreneurs 'to develop new markets, to produce new products and...to increase their productivity (EAC, 2002a: 29). But, it further rationalised the imposition of protective duties on finished and sensitive goods as a transitional measure that would give breathing room to the region's private sector while they attained sufficient competitiveness to participate in the global economy. As the occasional paper puts it, 'a clearly defined, protected East African Customs Union will provide the entrepreneurs with a training ground for international competition' (*ibid.*: 32).

In short, it was envisaged that the costs of greater intra-regional competition would be offset by easing of competition from outside the region through the maintenance of

relatively high tariffs on finished and sensitive products (*ibid.*). In doing so, policy actors could still claim that regional economic governance was still market-oriented, as the customs union would provide an enabling environment for the private-sector, while simultaneously pursuing (non-neoliberal) measures aimed at protecting nascent industrial sectors. Such practices, however, should not detract from my broader argument that the region's policy community had internalised a neoliberal discourse. Indeed, the fact that the occasional paper outlined extensively how these protective measures were to be consistent with a market-oriented development strategy is indicative of a context where regional policy actors viewed it as *necessary* to conform to prevailing neoliberal norms and practices. Although, this suggests that regional policy actors' commitment to the neoliberal development model was not borne out of an unconditional belief in the efficacy of free markets, but from the *inferred* economic and policy imperatives of globalisation.

#### **4.4 The Emerging Economic Order, the East African Community and the Return of (National) Development Planning?**

What this chapter has argued thus far is that the EAC's developmental social purpose came to be tied to a particular intersubjective conception of neoliberal globalisation: that is, an inevitable and non-negotiable economic constraint. The EAC, as such, was both framed and institutionalised as an enabling environment for market-led development, with the intention that this would encourage economies-of-scale across the region's private-sector and enable local firms to withstand the economic pressures of globalisation better. The argument I set out to present in the final section of this chapter is that this intersubjective conception of neoliberal globalisation has begun to weaken among the region's policy community, set in motion by broader changes in the global economic order. In turn, this has opened discursive space for the espousal of more activist and interventionist development narratives to re-emerge within the lexicon of East Africa's policy discourses. In this post-neoliberal context, EAC policy discourses have articulated the continued relevancy of regionalism. However, I argue below that these shifting discourses of development have increasingly exposed critical tensions within the EAC's regional regime.

In section one, I noted that by the 1990s the global economic order had definitively converged around the norms, practices and discursive imperatives of neoliberal globalisation. This emergent order was defined by a near universal acceptance (whether enthusiastic or not) that economic governance should converge around market principles and disciplines. During this period, some commentators even spoke of neoliberalism's ultimate and irreversible ascent (Leys, 1996). But, as Tony Heron (2015) has argued, such portrayals of neoliberalism's absolute ascendancy were, in hindsight, premature. Specifically, Heron notes that it was just as many commentators spoke of neoliberalism's triumph during the late 1990s, that many developing countries began to question its underlying principles as a development model, precipitated by series of economic crises across the developing world. In 1994, Mexico entered into a severe recession caused by a speculative attack on its currency by foreign investors (Payne & Phillips, 2010: 110). Mexico's economic crisis was accompanied more broadly by a declining economic performance across Latin America, compounded by slowing economic growth and rising inequality. Whereas in East Asia, severe capital outflows from Thailand resulted in its government devaluing its currency, which precipitated into a further economic crisis that spread across East Asia, Latin America, Russia and Turkey, in what is known today as the Asian Financial Crisis. In response, several East Asian states (South Korea, Thailand, and Indonesia) turned to the IMF for financial assistance (Bowles, 2002). In return, the IMF attached conditionalities for these states to implement austerity measures and structural reforms, including the privatisation of state assets and the opening of financial markets to foreign investors (*ibid.*).

Capital account liberalisation had been a key tenet of the neoliberal prescriptions advocated by organisations such as the IMF and World Bank during the 1980s. However, in the case of the economic crises in East Asia and Mexico in the 1990s, it was exposure to volatile capital inflows and outflows that had caused both crises in the first place. Resultingly, governments across both Latin America and East Asia, increasingly came to reconsider the neoliberal development agenda by the end of the 1990s. In Latin America, a series of left-leaning governments were elected from the late 1990s onwards. Although the economic and development policies of these governments differed, each broadly advocated a greater role for the state in promoting development (Grugel & Ruggirozzi, 2012). Whereas in East Asia, many states began instigating safeguard measures, including

increased regional cooperation and the building up of foreign currency reserves (Bowles, 2002), to avoid having to return to the IMF for external financing.

Even within the IMF and World Bank, which had been bastions of neoliberalism throughout the 1980s and into the 1990s, there was a reconsideration of their approach to development. The IMF, in particular, came under intense criticism for its handling of the Asian Financial Crisis, with many arguing that its response, which followed standard neoliberal policy prescriptions, had only deepened the crisis further (Payne & Phillips, 2010: 146). More generally, it had become evident to both those within and outside the IMF/World Bank that liberalisation had not delivered its promised developmental results (Güven, 2018: 4). Therefore, both organisations began to speak of the need for a second-generation of reforms within the developing world. Whereas the first-generation of reforms focused solely on removing the state from the market, second-generation reforms emphasised the need for institutional reforms and a greater focus upon the social dimension of development. Notions of ‘good governance’ and ‘poverty reduction’, therefore, came to be prominent concepts within the lexicon of the IMF and World Bank’s new development agenda. The key point here is that both organisations began to accept that strong and well-governed states were necessary to facilitate competitive markets and that growth must be inclusive for it to have a social impact (*ibid.*). Yet, as generally acknowledged within the literature (Babb, 2013; Fine et al., 2001; Güven, 2018; Harrison, 2004), these second-generation reforms represented more of an augmentation, rather than a wholesale departure from established development norms and practices. Both organisations, for instance, continued to emphasise that development be premised on open and competitive markets (Güven, 2018: 4). Still, the fact that the IMF/World Bank saw the need to pursue these reforms, in response to their critics, indicated that the neoliberal development model had moved from an *unquestioned* to a *contested* doctrine, denting the authority of both organisations as the principal experts of development practice in the process (Best, 2014).

The contestation of the neoliberal doctrine continued throughout the 2000s as rising powers, such as China, India and Brazil, rose to prominence across the global economic order (for overview, see: Hurrell, 2006; Ikenberry, 2011; Subacchi, 2008). For Barry Buzan and George Lawson (2014), the rising powers are indicative of a movement towards a global economic order defined by ‘decentred globalism’, where there has been a diffusion of power, but where ideological differences have shrunk. Crucially, they argue



that most states in the world have now converged around the principles of capitalist governance, where there is a distinct separation between political and economic spheres in societies. The caveat that they add, however, is that while capitalism has emerged as the modus operandi of the global economic order, many different *forms* of capitalist governance exist. As they put it, ‘decentred globalism in a world of universalised capitalism offers no single vision of how industrial capitalism...should be organised’ (*ibid.*: 75). Drawing insights from the varieties of capitalism literature (see: Hall & Soskice, 2001), Buzan and Lawson argue that various arrangements for organising the relationship between the political and economic spheres have given rise to different forms of capitalism across the global political economy.

This is ultimately where the significance of the rising powers enters into the discussion. The point is that though the rising powers have not eschewed the logic of the market within their development strategies, their political economies have sat far off the orthodox neoliberal ideal where markets were to have significant autonomy from states (Heron, 2015: 189; see also, Ban & Blyth, 2013). In this respect, the importance of the rising powers rests in their *symbolic* significance (Fourcade, 2013). Indeed, the very fact that emerging economies such as China (Ferchen, 2013) and Brazil (Ban, 2013) are viewed to eschew the orthodox neoliberal development model has opened space for ideational contestation, as actors across the global south set out to replicate their ‘success’. Put differently, it shifts the nature of what is politically possible in development practice. Elsje Fourie (2014), for instance, has found that Kenyan policy-makers have explicitly sought to emulate the state-led development models of East Asian states, such as South Korea, Malaysia and Singapore, in its landmark ‘Vision 2030’ development strategy released in 2008. The key point is that discursive appeals to the non-negotiable economic constraints of neoliberal globalisation have arguably been blunted in the context of an emerging economic order where alternate (non-neoliberal) development policies are openly practised.

Of course, the significance of the rising powers has not only been symbolic. In the context of Africa, emerging powers have also become important as a source of foreign investment and trade, as well as providing development assistance and donor finance (Woods, 2008). China, in particular, has provided large scale loans and investments towards African infrastructure projects since the mid-2000s (Alden, 2012; see also Brautigam, 2010; Taylor, 2009). These loans are noted to have less stringent conditionalities attached to

them, in contrast to official development assistance from western donors, and are often more transactional, usually dispersed in return for access to energy resources and minerals. The emergence of rising powers in the global economic order has also led to new patterns of accumulation, with the growth of south-south trade patterns. For instance, China's exports to Africa as a whole have grown from a value of \$4.4 billion in 2001 to \$86.5 billion in 2018.<sup>39</sup> Taken together, this points to a shifting materiality of the global economic order. However, as with the material changes brought about by globalisation, it has been the predominance of certain discourses which have given meaning to these wider trends.

### *Post-neoliberalism and the Return of Industrial Policy in East Africa*

As discussed, by the late 1990s, parts of the developing world had begun to shift development policies and practices away from the core tenets of neoliberalism (Gore, 2000). In contrast to regions such as Latin America, in Africa a concurrent shift away from the neoliberal development consensus did not occur at this time. Although certain countries bucked this trend – i.e. Angola (Wolf, 2017) and Ethiopia (Clapham, 2018; Fourie, 2015) – in large part, much of Africa emerged as a test site for a re-codified neoliberal consensus that emphasised good governance and inclusive growth for poverty reduction (Harrison, 2004, 2010). Undoubtedly, the close relationship between western donors (including the World Bank) and many African governments was an evident factor in these trends. It likely also reflected the continuing purchase of neoliberalism – whether out of conviction or lack of alternatives – among many African policy elites. In 2001, Africa's heads of state endorsed the New Partnership for African Development (NEPAD), an agreement endorsed by Africa's heads of state aimed at revitalising development across the continent (Taylor, 2005). NEPAD's agenda, however, principally adhered to neoliberal notions of good governance and open and competitive markets. As Ian Taylor put it, NEPAD reflected 'a continuation of trends that have been developing since the 1980s but now seems to have a concrete endorsement by African elites themselves' (*ibid.*: 75).

<sup>39</sup> This data was obtained from the International Trade Centre's Trade Map (<https://www.trademap.org/Index.aspx>)

Yet, by the end of the 2000s, subtle shifts had begun to emerge in African development narratives. In 2008, the African Union (AU) summit endorsed an ‘Action Plan for Industrial Development’ (AU, 2008). Although notably vague with regards to how wide-scale industrialisation could be achieved across the continent, the action plan’s significance spoke more to the fact that African leaders had come to view industrialisation as an issue in its own right, rather than something subordinate to market logics. Indeed, by the end of the 2000s a new paradigm of development appeared to be gaining traction across Africa, focused upon more ambitious and holistic notions of structural transformation (Hickey, 2013: 194). As Sam Hickey notes, this notion of development had a greater emphasis upon national ownership and planning, focussing upon matters of productive restructuring (i.e. industrialisation and diversification), rather than the issues of poverty reduction and good governance pushed for by donors (*ibid.*). These trends have been further spearheaded in recent years by influential organisations such as the UNECA, which has made interventions calling for a qualified return to national development planning in Africa (Lopes, 2013; UNECA, 2016b). We can, therefore, begin to speak tentatively of an emerging post-neoliberal development policy environment in Africa. I use this term cautiously, not so much to denote the absolute demise of hitherto dominant (neoliberal) development norms and practices across Africa. Rather, I refer to it more as a catch-all term designed to capture a set of emergent policy trends that appear to violate the key tenets of neoliberalism, principally concerning the developmental role of the state.

Within EAC policy discourses, this shift in development thinking became evident in 2012, with the release of the EAC’s regional industrial strategy (EAC, 2012b) and industrial policy (EAC, 2012c).<sup>40</sup> In contrast to evocations of market-led development that underpinned the revival of the EAC, these documents made explicit claims for market interventions for the purpose of productive restructuring. As the extracts below note:

Without underestimating the need for investments in infrastructure and private sector development, **the presence of concrete policy reflects the acceptance of a larger governmental role in the promotion of productive restructuring** (EAC, 2012c: 4, emphasis added)  
(...)

<sup>40</sup> Although released publicly, I consider both these documents as a source of coordinative discourse. Both documents were written in a largely technical format. Moreover, the purpose of both documents was geared more towards informing ongoing policy debates in the region surrounding industrial policy. More specifically, both reports sought to articulate the role that the EAC’s integration and cooperation agenda could play in this emerging policy agenda.

The implicit assumption is that the industrialisation process is essential for the transformation of the economy as a whole and that **it is possible to influence this process through strategic, targeted interventions** (*ibid.*: 6, emphasis added).

The EAC had previously released an industrial strategy in 2000, in collaboration with the German Technical Cooperation agency (EAC, 2000c). The strategy was notable for its neoliberal underpinnings, with the route to industrialisation envisaged through the removal of intra-regional markets barriers and a facilitative role of governments. In contrast, the 2012 industrial strategy and policy departed from notions that public interventions be limited to *enabling* markets, to one which instead articulated a greater role for state and regional institutions (albeit qualified) in *shaping* markets.

Several factors are pertinent to understanding this shift in development thinking. First, within the 2012 industrial strategy and policy, we see guarded criticisms of the development strategies pushed for by donors in the early 2000s, that had typically focussed on issues of good governance and poverty reduction, while overlooking broader issues of economic transformation. As the EAC's industrial strategy notes:

At the **insistence of development partners**, significant resources have been targeted at social sectors, such as health, often at the expense of the region's infrastructure and productive sectors. **Critical appraisal of the region's poverty reduction efforts** has now resulted in the **prioritisation of support for the region's production sectors, including manufacturing** (EAC, 2012b: 6, emphasis added).

Hickey (2012, 2013) has argued that the turn towards more state-led development practices in Africa reflects a context where the influence of traditional donors (i.e. the World Bank) over domestic development strategies has been declining. Although the EAC's budget is highly dependent upon funding from traditional donors (particularly in Europe), the shift towards issues of industrialisation and structural transformation has coincided with the growing influence of new development partners.<sup>41</sup> This has included regional and multilateral organisations, such as UNECA and UNIDO, alongside new bilateral donors such as Japan and South Korea.<sup>42</sup> For instance, in 2015, UNIDO began working with and advising the EAC Secretariat regarding the management and

<sup>41</sup> For instance, 65% of the EAC's budget in 2013 depended upon external development partner funding (Mathieson, 2016: 16). Numerous interviewees noted that this reliance upon donors to fund EAC operations still exists today.

<sup>42</sup> UNIDO refers to the UN Industrial Development Organisation.

implementation of industrial strategies in the region (Ubwani, 2015). While in 2017, South Korea funded a study into the EAC's regional industrial competitiveness (EAC, 2017a).

A second important point relates to the role and significance of the rising powers. Crucially, the EAC's industrial strategy and policy both emphasised the experience of late industrialisers, including Japan and South Korea, alongside emerging markets such as China, India and Brazil (EAC, 2012c: 5). Importantly, this suggests that the EAC's policy community, in drafting the regional strategy, sought to draw lessons from the experience of countries where industrial development has been underpinned by a close relationship between the state and the market. Yet, the significance of the rising powers has been more profound than merely acting as a source of developmental emulation. A recurring theme raised during my interviews was that East Africa's domestic manufacturers were coming under intense competitive pressures from cheap imports from emerging markets.<sup>43</sup> For instance, an interviewee from the Kenya Association of Manufacturers (KAM) highlighted one example from 2017 where a tyre factory in Nairobi was forced to close due to an influx of cheap imports from China and India (see: Otuki, 2017).<sup>44</sup> A recent report by UNECA highlighted that between 2006 and 2016, the share of imports coming from China and India into EAC markets more than doubled, accounting for 36% of total EAC imports in 2016 (UNECA, 2018: 30). The point here is that there is a clear link between, on the one hand, the external competitive threats increasingly posed by emerging markets to East Africa's domestic industries and, on the other hand, the articulation (and practice) of more activist industrial strategies within regional policy discourses.

While not disregarding this latter point, the question that remains is why *specifically* the region's policy community chose this particular developmental policy path? Indeed, the external competitive threats posed by emerging markets such as China and India are, effectively, similar to those which regional policy actors were invoking in relation to globalisation in the late 1990s and early 2000s. In both instances, regional policy discourses emphasised external competitive pressures and the threat these pose to domestic industries. In other words, there has been a continuity (if not an increase) in the

<sup>43</sup> Interview 05: Regional Policy Expert, June, 2017, Nairobi; Interview 06: Representative – Kenya Association of Manufacturers, June, 2017, Nairobi; Interview 09: Representatives (x2) – Kenya National Chamber of Commerce and Industry, July 2017, Nairobi; Interview 24: Representative – Rwanda Private Sector Federation, November 2017, via telephone call.

<sup>44</sup> Interview 06: Representative – Kenya Association of Manufacturers, June 2017, Nairobi.

nature of the (perceived) economic threats facing the region, even if the source of those threats has evolved.

What, then, led EAC policy actors to pursue a more market-oriented development strategy in response to the threats posed by globalisation? And why, in more recent years, has a policy programme advocating market interventions been pursued in response to the threats presented by emerging markets? The answer, I contend, relates to the broader discursive setting in which these policy programmes appeared. To recall, during the EAC's formative years, the region's policy community internalised a neoliberal conception of globalisation as a non-negotiable economic constraint, necessitating market-oriented economic governance. In this context, the EAC was both articulated and institutionalised as an enabling environment for market-led development (though augmented with a protective tariff regime), consistent with the supposedly inviolable logic of neoliberal globalisation. What I have argued in this section is that previous appeals to the immutable policy imperatives of globalisation have been blunted and undercut within an emerging economic order where several key states in the global south have increasingly eschewed orthodox neoliberal development practices. Even though EAC policy discourses continue to highlight the challenges posed by globalisation (EAC, 2012b: 5), they no longer insist that economic governance be (wholly) market-oriented. The key summative point is that, in this context, where the supposedly immutable logics of neoliberal globalisation have been challenged, discursive space has opened for the EAC's policy community to articulate a more market interventionist development agenda.

### *The Rise of National Development Planning – Whither Regional Integration?*

The final point of discussion, then, is that if there has been a noted shift in what is deemed legitimate and acceptable in development practice among East Africa's policy community, what is the EAC's envisaged social purpose in this context? To recall, when established in 2000, the EAC's developmental social purpose revolved around its role as providing an enabling environment for market-led development. Regionalism, as such, centred upon the removal of intra-regional market barriers and the creation of a single market. Unsurprisingly, the EAC's industrial strategy and policy have continued to emphasise an essential role for regional integration and cooperation in the region's quest for industrialisation and economic restructuring. Yet, despite the shift in emphasis towards

issues of industrialisation and economic transformation, the articulated role of the EAC as a benign enabling environment has not fundamentally altered. Both documents, for instance, emphasise the role of regional governance in coordinating the partner-states national industrial strategies (EAC, 2012b: i), as well as providing expanded markets for regional producers (EAC, 2012c: 5). In other words, the region has not been viewed as an agent in the development process, but as providing a coordinative environment for the partner-states to pursue their own national industrialisation strategies. Indeed, it has been within national spaces of governance in the region where policies and strategies geared towards structural transformation have principally emerged in recent years (Behuria, 2018, 2019; Fourie, 2014; Hickey, 2012, 2013; Jacob & Pederson, 2018).

As a result, tensions have begun to emerge between the partner-states endeavours for industrialisation and the EAC's principal ambition for deep integration. This is reflected in recent campaigns, such as 'Buy Kenya, Build Kenya', 'Made in Uganda' and 'Made in Rwanda', that aim to leverage domestic demand towards goods and services produced nationally (CUTS, 2017). The East African Business Council (EABC) has mooted the idea of a 'Buy East Africa, Build East Africa' campaign to harmonise these strategies and give them a regional mandate.<sup>45</sup> Yet, this campaign appears to have fallen on deaf ears within the region. For instance, one interviewee from the KAM noted that, while they maintain links with other business organisations in the region, the sole mandate of KAM was to champion national producers.<sup>46</sup> Alongside this, there have also been increasing national derogations from the regional CET in recent years. While such exemptions have existed since the establishment of the customs union in 2005, these initially tended to be limited to *reducing* tariffs on basic food staples, such as wheat and rice, or goods which could not be sourced easily within the region - e.g. motor vehicles (Bünder, 2018: 6). More recently, however, the partner-states have increasingly used stays of application to unilaterally *increase* duties on certain goods to encourage national production. In 2014 and 2015, there were 89 and 54 stays of application, respectively, where the partner-states unilaterally increased duties on certain tariff lines (*ibid.*).<sup>47</sup> Previous to this, the highest number of unilateral tariff increases had been nine in 2008 (*ibid.*). In short, by championing national industries, through national derogations from the CET, the

<sup>45</sup> Such proposals were referenced in a media interview by Kassim Omar, the EABC's former chairperson. Available at: <https://www.trademarka.com/news/we-can-produce-competitive-products-cabc-chairperson/>.

<sup>46</sup> Interview 06: Representative – Kenya Association of Manufacturers, June 2017, Nairobi.

<sup>47</sup> This only includes stays of application issued by Kenya, Tanzania and Uganda.

partner-states are undermining the uniformity of the customs union and the endeavour towards the creation of a single market.

A further point is that although each of the partner-states have committed to the state taking a more direct role in developing and supporting specific economic sectors, this has manifested itself to greater or lesser extents across the region. Broadly, national industrial strategies in the region have converged around what can be referred to as *liberal* and *statist* variants.<sup>48</sup> The liberal variant aligns closest to the market-led development consensus that characterised the EAC through much of the 2000s. Under this variant, there is an acknowledgement of the need for policy interventions to guide and support economic development, but this rests upon a close-knit relationship between the state and business interests and an openness to foreign investment. This has been the approach taken by both Kenya and Rwanda where economic planners in both countries have sought to emulate the business-friendly development strategies of Singapore and Malaysia (Behuria, 2018; Fourie, 2014; Mbogo, Sonkok & Stuart, 2017). Both states have targeted key economic sectors and championed national producers, as evidenced by the recent ‘Buy Kenya, Build Kenya’ and ‘Made in Rwanda’ campaigns (CUTS, 2017). However, within both countries, there is still a considerable emphasis on promoting industrialisation through FDI, private-sector development and metrics such as ‘ease of doing business’ rankings.

By contrast, the statist variant represents a much more evident departure from the neoliberal development agenda. Broadly, this has been the approach of both Tanzania and Uganda, where there has been greater emphasis on the role of the state in development, accompanied by strong nationalist rhetoric. Economic nationalism has been strongly evoked in relation to both countries extractive sectors, where both the Tanzanian and Ugandan governments have emphasised the need for these sectors to benefit the national economy, rather than foreign firms. Since 2010, the Tanzanian government has put in place several laws that give the state considerably more control over Tanzania’s extractive and mining sectors (Jacob & Pederson, 2018). Also, since the election President John Magufuli in 2015, Tanzania has articulated for a much more interventionist development regime, advocating the use of export taxes and the provision of direct state financing to revive dormant industries (Government of Tanzania, 2016a).

<sup>48</sup> I exclude Burundi from my analysis here, as its government has not yet put in place a national industrial strategy (Interview 21: Official – EAC Secretariat, October, 2017, via telephone call).



The Ugandan government has also been active in ensuring that its recently discovered oil reserves directly benefit the economy, insisting that foreign oil companies construct a refinery in the country to increase the value-added of its reserves (Hickey & Izama, 2017). Uganda's National Development Plan is more ambiguous regarding policy specifics. However, Uganda's President Yoweri Museveni has recently invoked nationalist rhetoric, noting in 2017 that 'Uganda is enriching other countries by excessively importing products and services that your own children can produce if assisted by the State' (Museveni, 2017).

The key point is that the notion of a *regional* industrial strategy exists in name only, reflecting more of an assemblage of national strategies which are not coordinated and can often conflict with the aims of the EAC's regional integration and cooperation agenda. Such trends reflect the institutional limitations of the EAC's regional policy regime, which lacks the coordinative capacities for deeper forms of cooperation required of a more interventionist regional development strategy. To recall, when established in 2000, the EAC was conceived to support a programme of market-led development in the region. Regionalism in East Africa, as such, unfolded as a process geared towards the removal of inter-state market barriers and policy harmonisation. While the EAC maintains a small regional secretariat, its role is mainly facilitative and advisory (EAC, 2010c), with the implementation of the integration and cooperation agenda primarily occurring at the national level. In short, there does not exist a strong regional authority to coordinate and ensure compliance with regional policies. Moreover, beyond the CET, there are very few institutional mechanisms at the regional level to shape patterns of accumulation in the region. Ambiguities surrounding the operationalisation of variable geometry within the EAC's policy regime have also opened space for regional derogations and unilateral action by the partner-states. As I discussed in the previous chapter, the EAC treaty set an institutional precedent for variable geometry and differential treatment, but was ambiguous about how such principles be operationalised in practice and in what contexts. As a result, the partner-states have been able to draw upon these institutional ambiguities, primarily through the utilisation of stays of application, to derogate from regional commitments. Although stays of application require approval from the EAC's Council of Ministers, one interviewee noted that because there are no clear guidelines regarding their use, the council rarely denies the partner-states' requests for them.<sup>49</sup>

<sup>49</sup> Interview 11: Regional Policy Expert, July 2017, Nairobi.

The summative point here is that critical tensions and contradictions have arisen between an emergent policy agenda for productive restructuring in the region and the institutional logics and pathologies which have defined the EAC's policy regime. Significantly, these tensions are increasingly undermining the EAC's regionalist agenda and causing conflicts between the partner-states. For instance, persistent derogations from the CET has given rise to uncertainty regarding whether certain goods are eligible for duty-free treatment. In 2018, both Tanzania and Uganda prohibited the entry of confectionary products from Kenya, due to accusations that they had been produced using sugar imported under a stay of application (Munda, 2018). Furthermore, as I turn to discuss in the proceeding chapter, the EAC's 2016 decision to effectively ban imports of second-hand clothing was soon undone as persistent stays of application undermined the policy. Crucially, what transpires here is how the institutional logics of the EAC's regional regime, centred upon supporting and enabling market-led development, have increasingly come into conflict with aspiring (national) visions for industrialisation and structural transformation.

#### **4.5 Conclusion**

When established in 2000, the EAC was envisaged by its policy community as a space that would both enable the region to respond to external competitive pressures (supposedly) being unleashed by globalisation, while remaining consistent with the neoliberal norms and practices that underpinned it. As I began by arguing, during the EAC's formative years (1997-2004), the region's policy community came to internalise a conception of globalisation as a non-negotiable economic constraint, necessitating market-oriented economic governance. The EAC, as such, came to be imagined and institutionalised as an enabling environment for market-led development. Although I noted that the customs union came to incorporate several (non-neoliberal) intra and extra-regional protective measures, I noted that this reflected both the competing and contradictory demands of neoliberal globalisation. Here, I highlighted that neoliberal policy practices were both seen to be necessary in the context of globalisation, but also threatened to further expose East Africa's economies to the competitive threats it posed. The customs union, thus, reflected a compromise between these competing and contradictory demands. In the final section, I then turned to discuss the role and purpose of the EAC in an emerging economic order where the key tenets of neoliberal globalisation have been increasingly contested. Despite noting that regional policy

discourses have increasingly espoused more activist and interventionist development norms and practices, I argued that the fundamental role of the EAC as an enabling environment has not altered. Resultantly, I explained that critical tensions have begun to surface between the partner-states emerging aspirations for productive restructuring, and the EAC's principal ambitions for deep economic and political integration.

In the proceeding chapter, I continue to explore how the threat of economic and political marginalisation has shaped regional governance in other domains. Specifically, I turn to explore how the EAC's initial desire to collectively coordinate their external economic relations, in an attempt improve the region's bargaining power in the international arena, has been distorted in practice. I argue, in particular, that the coordination challenges that have come to face the EAC in the post-neoliberal period have come to undercut the region's ability to maintain a collective actorness.

## Chapter 5

# Regional ‘Actorness’ and External Policy Coordination: The EAC in a Global Context

### 5.1 Introduction

In the previous chapter, I analysed how pervading threats of economic vulnerability and marginalisation within the global economic order, and the discourses which gave meaning to these threats, came to shape the developmental imagination and institutionalisation of the EAC. In this chapter, I continue an examination of this pervasive threat of marginalisation concerning how the social purpose of the EAC was imagined and articulated. To recall from Chapter 3, the threat posed by globalisation was not just perceived by East Africa’s policy community in economic terms, but also regarding its ability to marginalise the region in global affairs more generally. Indeed, the EAC’s revival occurred in the aftermath of the WTO’s establishment in 1995, which oversaw further multilateral negotiations under the Doha Development Round, alongside a renegotiation of the EU’s long-standing trade partnership with the ACP group of states (see: Brown, 2000; Heron, 2011). It was envisaged, therefore, that the EAC could act as a forum for the partner-states to approach global affairs collectively. The idea behind this was to give the region more significant influence and bargaining power on the world stage and prevent the marginalisation of its interests. In this chapter, I turn to examine and assess the regional actorness of the EAC in the global arena. By regional actorness, I refer to the ability of regions ‘to become identifiable, to aggregate the interests of members states, to formulate collective goals and policies, and make and implement decisions’ (Hulse, 2018: 40).

In the literature on regional actorness, considerable emphasis is placed upon external recognition as an essential factor determining the ability of regions to formulate and maintain common positions with external actors (Gilson, 2005; Mattheis & Wunderlich, 2017). The key point here is that, when external states and regional organisations engage with regions as a collective (as opposed to their constituent parts), it serves to legitimate them as actors and encourage collective action on their part. Indeed, the two case studies examined in this chapter give some credibility to this argument. The first case focuses

upon the EAC's highly contested negotiations (2007-2014) for an EPA with the EU, which formed part of a broader series of negotiations between the EU and regional blocs in the ACP group of nations. In this instance, negotiations moved forward on an inter-regional basis, and the EAC partner-states worked and deliberated through regional institutions, maintaining a common negotiating position with the EU (Heron & Murray-Evans, 2016; Lorenz-Carl, 2012). The second case looks at the EAC's relationship with the US under the AGOA. Here, I examine a particular instance in 2017 where the US government threatened to remove the region's AGOA eligibility and, with that, their preferential access to US export markets. This incident followed a decision taken by the EAC partner-states in March 2016 to begin phasing out the importation of second-hand clothing in an effort to revive regional textile and clothing (T&C) production. In this case, as AGOA was a unilateral preference scheme, the US did not formally engage with the EAC as a collective. Therefore, in contrast to the EPA negotiations, regional coordination and dialogue were much less pronounced and the EAC partner-states were quick to diverge unilaterally from their collective position on second-hand clothing.

One reading, therefore, would be to suggest that external recognition was the critical variable determining the actorness of the EAC in both these cases. Yet, as previously pointed out, regional actorness does not solely concern the ability to maintain a common position (though this is important), but also relates to the capacity of regions to both 'make and *implement* decisions' (Hulse, 2018: 40, emphasis added). Although the EAC partner-states were effective in maintaining a common position during the EPA negotiations, once the agreement was finalised and initialled in 2014, disagreements and divisions emerged between them regarding its ratification and implementation. Therefore, the key similarity between the two cases is that the EAC's collective engagement with the EU and US ultimately resulted in divisions and divergences emerging between the partner-states. Both cases, are therefore defined by key differences and similarities. More generally, they also each offer a useful insight into the actorness of the EAC in the global context. As widely acknowledged, the EU and US represent two of the most significant actors in global affairs, both in terms of market power and diplomatic influence. Examining the EAC's collective engagement with both the EU and the US, therefore, provides a useful insight into the possibilities and limitations of the EAC as a global actor.

The key question that this chapter addresses, then, is what were the factors that undermined the EAC's external policy coordination in both these cases. An intuitive

explanation, in this instance, could be found within the trade dependency literature (e.g. Manger & Shadlen, 2014). Here, the degree of conformity to the external agendas of the EU and US could be explained by the EAC partner-states' differing (material) dependency upon European and American export markets. However, as I outline at various stages throughout this chapter, such materialist explanations (although useful) are not sufficient for understanding why the EAC's regional actorness came to be undermined in both cases. Instead, the key argument I put forward follows on from the insights gleaned from the previous chapter, which detailed how critical tensions have come to develop between the partner-states' emerging aspirations for industrialisation and structural transformation and the EAC's regionalist agenda. What undermined external policy coordination in both cases was the uneven emergence of more activist and interventionist development agendas (and the ideas and discourses which underpin these) across the EAC partner-states. In other words, as the discursive economic imperatives for regionalism have weakened – i.e. the declining salience of appeals to globalisation as a non-negotiable constraint – it has not only exposed the EAC's internal, but also its external policy coordination challenges.

I begin this chapter by first examining the EAC-EU EPA negotiations. I note that the inter-regional foundations of these negotiations induced the EAC partner-states to work through regional institutions, enabling them to maintain a collective negotiating position, as well as extract concessions from the EU. Yet, as the debate moved from regional negotiations to national ratification, this joint position began to unwind, with the desirability of the EPA being read in line with the ideas and discourses underpinning the EAC partner-states' national development visions. In the following section, I turn to discuss EAC's engagement with the US under AGOA, following the former's decision to begin restricting second-hand clothing imports in 2016. I argue that during this dispute the US did not formally engage with the EAC as a collective. As a result, external policy coordination among the EAC partner-states was less harmonised and prone to unilateral defection. In a similar pattern to the EPA, I highlight the critical role of the partner-states national development visions in determining whether or not they deviated from the regional second-hand clothing phase-out. In the third section, I then briefly turn to consider the insights that these two case studies offer regarding the possibilities and limitations of the EAC as a global actor, before summarising my key points in the conclusion.

## 5.2 The EAC-EU Economic Partnership Agreement: Caught between Regional Negotiations and National Ratification

In 2000, the EU and the ACP group nations signed the Cotonou Agreement that sought to place the EU's historic relationship with its former colonies on a new footing. Before this, the EU-ACP relationship had been governed by the Lomé Convention which had, since 1975, provided ACP states non-reciprocal duty-free access to European markets. By the 1990s, however, the longstanding Lomé Convention began to face several legal and political challenges. From 1993 onwards, a series of legal rulings under the GATT and WTO found the Lomé regime to violate multilateral trade rules (Heron, 2011: 338-339). As Lomé was not based on reciprocal market access, it was found to violate the GATT's most favoured nation (MFN) clause. These rulings created a strong (but contingent) legal imperative for reform, but ultimately it was the EU Commission's loss of faith in the developmental benefits of non-reciprocal market access that spelt the demise of the Lomé regime (*ibid.*; Hurt, 2012). In 1996, the EU published a Green Paper on the various options for reforming its relationship with the ACP (European Commission, 1996). Though noting the need to ensure that its relationship with the ACP conformed to multilateral trade rules, the Green Paper was also highly critical of Lomé itself, noting that it had failed to promote trade integration or export diversification among the ACP states.

Following these legal rulings, the EU attained a five-year waiver (and further seven-year extension) to the Lomé regime. The Cotonou Agreement proposed a new arrangement, setting out to replace Lomé with a series of inter-regional EPAs, based upon reciprocal market access. The idea being that the EPAs would not only make the EU-ACP relationship consistent with multilateral trade rules, but they would also act as forums for an emerging EU agenda to promote regionalism externally (Heron & Murray-Evans, 2016, 2017). Initially, the EPAs centred upon six negotiating regions – the Caribbean, Southern Africa, West Africa, Eastern and Southern Africa, Central Africa and the Pacific – and the initial intention had been to conclude them (at the very latest) by 2007, coinciding with the expiry of the Lomé waiver. However, by the end of 2007, it became evident that most of the ACP's EPA groupings were not ready (or even willing) to sign agreements with Europe. As stopgap measures, several ACP states initialled interim EPAs, which primarily covered trade in goods, meeting the minimum standards of multilateral trade rules (Bilal & Stevens, 2009). It was envisaged, then, that these interim

EPAs could act as foundations for the negotiation of more comprehensive agreements covering WTO-plus issues (services, government procurement, and competition policy). The EU also introduced 'Market Access Regulation (MAR) 1528/2007' that ensured continued market access for ACP states that had committed to implementing the interim EPAs (Bach, 2016: 101).

### *The EAC-EU EPA Negotiations*

During the early 2000s, the intention had been that the EAC partner-states would enter into negotiations with the EU as a collective (Lorenz-Carl, 2012: 14). In April 2002, the EAC heads of states issued a directive which noted:

that in matters pertaining to participation in the World Trade Organisation and the ACP/EU arrangements (under the Cotonou Partnership Agreement between the ACP Group of States and the European Community) the Partner States should negotiate as a bloc (EAC, 2002c: 6).

Following this directive, the partner-states' ministers of trade, their respective ambassadors in Brussels and Geneva and representatives of the EAC Secretariat met in 2002 to discuss the modalities of forming joint negotiating positions with external trade partners (EAC, 2002d). The meeting recommended that during trade negotiations, the EAC Secretariat, alongside experts from the partner-states, prepare joint technical papers to inform collective negotiating positions. In addition, it recommended that consultations be undertaken with the EU to allow the EAC to negotiate an EPA as a regional bloc. However, when the EPA negotiations began in 2002, the region was split between two separate negotiating groups. Tanzania was grouped into the Southern African bloc, which formed a subset of the SADC region, while Kenya and Uganda were placed into the Eastern and Southern Africa (ESA) grouping, which broadly aligned to the COMESA region. In determining the make-up of EPA groupings, the EU did give some discretion to the ACP states regarding which groups they participated in, but did stipulate that EPA negotiating blocs had to be premised upon pre-existing processes of economic integration (Heron & Murray-Evans, 2016: 474; Qualmann et al., 2004: 43). At this stage, the EAC did not have in place a formal economic integration agenda and, therefore, did not fit the criteria for an EPA negotiating bloc. Consequently, because Tanzania was not a member of COMESA, it was separated from its East African partners and instead participated in the Southern Africa bloc.



As the EAC's integration and cooperation agenda progressed during the 2000s, there were once again calls for the formation of an EPA negotiating bloc. A significant factor in this process was the establishment of the EAC customs union in 2005, which created a predicament for both the EAC partner-states and the EU.<sup>50</sup> For the EAC, the establishment of customs union meant that the region was operating under a common external tariff, but negotiating two separate trade agreements with the EU. On the EU's part, its rhetoric that the EPAs would support regional integration across the ACP was at odds with the division of the EAC into two negotiating blocs. Rwanda and Burundi's accession into the EAC in 2007 also lent the region greater plausibility as an EPA grouping. Subsequently, at a meeting of the EAC's ministers of trade in August 2007, a recommendation was put to the heads of state (accepted that same month) for the region to form a new EPA negotiating bloc (EAC, 2007a). Then, in October 2007, the EAC partner-states placed a formal request with the EU to allow the region to negotiate as a separate group, which was accepted by EU officials the following month. One official from the EAC Secretariat noted in an interview that the EU was highly responsive to the EAC's request due to initial accomplishments of the region's integration agenda.<sup>51</sup> Some authors have even suggested that behind the scenes, the EU encouraged the EAC to form into a negotiating bloc (Lorenz-Carl, 2013).<sup>52</sup>

Despite the eagerness to create an EAC EPA group, the region initially faced several coordination challenges in their negotiations with the EU. To recall, the EAC partner-states had previously been part of two separate EPA negotiating groups (Southern Africa and ESA), both of which had structured their negotiations quite differently. In the Southern Africa group, for instance, negotiations were conducted by national ministries of trade, albeit under the leadership of Botswana (Lorenz-Carl, 2012: 13). By contrast, the ESA negotiations were led through a regional negotiating forum and coordinated by the COMESA Secretariat (*ibid.*). There were also initial divergences between the EAC states regarding specific issues under negotiations. For instance, during this period Kenya had shown some enthusiasm for negotiating with the EU on trade in services, something that the other EAC members were much more hesitant to pursue (*ibid.*: 23). What compounded these coordination challenges further was the fact that the negotiating

<sup>50</sup> Interview 23: Official – EAC Secretariat, November 2017, via phone call.

<sup>51</sup> Interview 23: Official – EAC Secretariat, November 2017, via phone call.

<sup>52</sup> Indeed, during interviews at the EU Commission, officials commended the progress of the EAC's integration and cooperation agenda (Interview 01: Official (x2) – EU Commission (DG DEVCO & DG Trade), December 2016).

deadline for finalising an agreement (as set by the expiry of the Lomé waiver at the end of 2007) was only weeks away when the EAC formed an EPA grouping in November 2007. Resultantly, the EAC partner-states quickly accented to initialling an interim EPA on the 27 November 2017, which covered trade in goods, fisheries and development cooperation.

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**Table 5.1: EPA Groupings in Eastern, Central and Southern Africa, 2007-2014**

EPA grouping	Participant states	Direct correlation to an existing regional organisation?
East African Community (EAC)	Kenya, Tanzania, Uganda, Rwanda and Burundi	Yes – direct correlation between EAC and membership of EPA grouping
Southern Africa	Angola, Botswana, Lesotho, Namibia, South Africa and Swaziland	No – EPA grouping contained only a subset of SADC members
Eastern and Southern Africa	Comoros, Djibouti, Eritrea, Ethiopia, Madagascar, Malawi, Mauritius, Seychelles, Sudan, Zambia and Zimbabwe	No – EPA grouping contained a subset of COMESA members
Central Africa	Cameroon, Central African Republic, Congo, Democratic Republic of Congo, Equatorial Guinea, Gabon and São Tome & Príncipe	No – EPA grouping contained only a subset of CEMAC members

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Source: Hulse, 2018: 44

EAC: East African Community; SADC: Southern African Development Community; COMESA: Common Market for Eastern and Central Africa; CEMAC: Central African Economic and Monetary Community

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Certainly, this transition period brought challenges, but as the EAC entered into negotiations with the EU for a more comprehensive agreement, they were able to benefit

from the region's organisational structures.<sup>53</sup> As Table 5.1 shows, the EAC was the only EPA grouping in eastern, central and southern Africa to directly map onto the contours of an existing regional organisation, enabling them to utilise the region's institutional structures more effectively. For instance, the existence of the EAC's CET meant that each of the partner-states were not working from separate trade regimes and had in place common liberalisation schedules. The EAC Secretariat also played an important organisational and epistemic role during the EPA negotiations. As the executive arm of the EAC, the secretariat acted an intermediary between the EU and the EAC's partner-states, organising meetings between the two negotiating parties. Alongside this organisational role, the secretariat also played an important epistemic function, conducting research and publishing policy briefs on key issues under negotiation between the two regional blocs. Officials from the secretariat were also present during all EPA related meetings, and often provided technical advice and support to the partner-states' negotiators. Indeed, several interviewees noted that employees of the secretariat possessed a high degree of technical proficiency in matters pertaining to trade policy and senior figures, such as Peter Kiguta (former EAC Director General of Customs & Trade) and Kenneth Bagamuhunda (current EAC Director General of Customs & Trade), played a leading role throughout the EPA negotiations.<sup>54</sup> This stood in contrast to the SADC region, for instance, whose members were splintered between various EPA groupings, blunting the role that the SADC Secretariat played in their negotiations (Hulse, 2018; Lorenz-Carl, 2012; Murray-Evans, 2015). Therefore, although the negotiating mandate for the EPAs technically remained in the hands of the EAC partner-states, regional dialogue and cooperation, facilitated by the organisational and advisory role of the secretariat, enabled the region to maintain a unified position in the face of the EU negotiating pressure.

The initialling of the interim EPA in November 2007 might have indicated to the EU that the EAC would be a willing partner in the negotiations for a more comprehensive agreement, covering WTO-plus issues (services, competition policy, and government procurement). For actors in the European Commission, who had internalised a positive-

<sup>53</sup> The information in this paragraph draws on Interview 01: Officials (x2) – EU Commission (DG DEVCO & DG Trade), December 2016, Brussels; Interview 18: Official – EAC Secretariat, August, 2017, via phone call; Interview 23: Official – EAC Secretariat, November 2017, via phone call.

<sup>54</sup> Interview 01: Representatives (x2) – DG DEVCO & DG Trade (EU Commission), December 2016, Brussels; Interview 05: Regional Policy Expert, June 2017, Nairobi; Interview 25: Representative – EAC Development Partner, May 2018, via phone call.

sum understanding of trade and regulatory liberalisation, the inclusion of WTO-plus issues was viewed as critical mechanisms to support and promote development across the ACP states (Siles-Brügge, 2014: Ch 5). Yet, unlike their counterparts in the European Commission, it was evident that the EAC's policy community did not view the negotiations as a mere extension of the interim EPA, but as a forum to fundamentally re-address the principles underlying the agreement. In contrast to the positive-sum view of trade and regulatory liberalisation endorsed by the EU Commission, the EAC's policy community were much more cautious about the prospect of opening their markets to European exporters.<sup>55</sup> This more guarded interpretation of the efficacy of trade and regulatory liberalisation was reflected in an internal report by the EAC Secretariat in 2007, entitled 'An EAC-EU EPA – Benefits and Implications' (EAC, 2007b).<sup>56</sup> Utilising general equilibrium modelling, the report's findings pointed to the detrimental economic impact that an EPA would likely have upon the region's economies. Although the report noted that an EPA would increase trade on aggregate, it stressed that 'the real effects of trade creation and trade diversion would lead to substantial gains for the EU' (*ibid.*: 4). The report further argued that without addressing issues of asymmetry (sensitive list, safeguard measures, EU agricultural subsidies), an EPA would 'tie the EAC countries into a hub and spoke pattern of trade with significant trade diversions and losses of income' (*ibid.*).

Of course, verifying the accuracy of the claims put forward by the EAC Secretariat in this report is beyond the scope of this chapter. Although, according to Ferdi de Ville and Gabriel Siles-Brügge (2014), there are inherent uncertainties and predictive limitations ingrained in the type of general equilibrium modelling used by the secretariat to substantiate its claims about the EPA's distributive impact. These insights lead these authors to argue that such models should instead be understood as political tools, in spite of the predictive limitations and in-built biases, as they rest behind sophisticated statistical methods, offering the allure of scientific validity. The critical point here is that regardless of the accuracy of the EAC Secretariat's findings, the report played an essential role in setting the initial terms of the debate relating to how the partner-states approached the negotiations with the EU. Crucially, the EAC's policy community saw it as necessary to

<sup>55</sup> As discussed in Chapter 4, this reflected a more general wariness among the EAC's policy community regarding the impact that external liberalisation would have upon the region's key economic sectors.

<sup>56</sup> This report is located in Annex III of the document cited. The report was not released publicly and used to inform the partner-states position towards the EPA negotiations. It is, therefore, considered a source of coordinative discourse.

first revisit the principles underpinning the 'goods only' interim EPA and put in place more stringent developmental safeguards (as emphasised in the secretariat's report), before there even could be a consideration of the more contentious WTO-plus agenda.

In effect, both the EAC and EU were at fundamental odds regarding the basic terms of the post-2007 EPA negotiations. For the EU, the negotiations were supposed to be centred upon regulatory liberalisation and the WTO-plus agenda, whereas the EAC viewed them as an opportunity to re-address the developmental safeguards embedded within the EPA. Unsurprisingly, a stalemate soon emerged between both negotiating parties. The EAC found it difficult to discuss issues such as trade in services, as this was not an area covered under the region's trade regime (Lorenz-Carl, 2013). A trade in services chapter was drafted by the EAC to present to the EU, but at a working group meeting in November 2008, the Tanzanian delegation effectively vetoed further negotiations on these issues until the EAC's common market protocol had been finalised (EAC, 2008). Disagreements also emerged between the EAC and the EU regarding the status of the interim EPA agreement. The EAC partner-states were reluctant to sign and ratify the agreement, which had been initialled in 2007, as the EU had been unwilling to address their concerns regarding developmental support and safeguards (Lorenz-Carl, 2013: 70). As a 2009 ministerial meeting report notes on the interim EPA, 'the EAC Market Access Offer to EC [European Commission] constitutes substantially all trade that has not been compensated with commensurate economic and development packages' (EAC, 2009: 10).

Talks between the two parties were further delayed in 2009 and 2010 as the EAC faced funding shortages. This was soon rectified by a grant to the EAC from the Swedish International Development Agency (SIDA) to facilitate negotiations. However, it meant that talks between the two parties were not restarted until September 2011 (The Citizen, 2011). By this stage, the EU had dropped its insistence on the inclusion of a WTO-plus agenda, likely reflecting a weariness on the part of EU negotiators whose initial 2007 deadline for concluding the EPAs had long since passed. Still, the dropping of this agenda represented a significant moment in the dynamics of the EAC-EU EPA negotiations. By dropping its WTO-plus agenda, the EU had effectively conceded that the negotiations no longer centred upon building upon the interim EPA, but were instead about accommodating the EAC's demands for a more limited but developmentally oriented agreement. Despite this climb down on the EU's part, the EAC partner-states effectively

doubled down on their demands for the inclusion of more comprehensive development safeguards within the EPA, reflecting the turn towards more activist and interventionist development agendas in East Africa at this time (see: Chapter 4). As evident from a series of meeting reports from 2011-2013 (EAC, 2011b; EAC, 2013b; EAC, 2013c), the EAC set out a series of demands that it wanted to be included in any agreement. First, the EAC wanted a clear commitment from the EU to fund trade capacity building projects in the region. Second, the EAC attempted to use the EPA negotiations as a forum to address the EU's domestic agricultural subsidies.<sup>57</sup> Although, EAC meeting reports appear to show that regional negotiators were willing to drop the issue of agricultural subsidies if the EU were to offer concessions in other areas. Third, matters surrounding domestic policy space were also pushed for on the EAC's end, including the permitted use of export taxes to encourage domestic processing and value addition in the region. Finally, the EAC was also resistant to EU demands for the inclusion of an MFN clause, which would have automatically granted the EU equivalent access to East African markets if the EAC were to sign future trade agreements with third-party countries or regions. The concern for the EAC's negotiators was that a stringent MFN clause would potentially undermine regional integration in Africa and the region's ability to negotiate future trade agreements.

An agreement eventually emerged between the two parties that was initialled on the 17 October 2014. The agreement's finalisation had followed intense pressure from the EU that briefly saw Kenyan exporters lose preferential access to European markets, following the passing of an EU imposed deadline to finalise the EPA negotiations by the beginning of October 2014. In the agreement, the EAC agreed to liberalise 82.6% of its tariffs over 25 years (Ramdoo, 2014). Although representing a significant degree of liberalisation, there is also evidence that suggests the EU conceded to a number of the EAC's negotiating demands. The agreement permitted the (qualified) use of export taxes, it excluded African and ACP countries from the MFN clause and stipulated that EU agricultural products (in receipt of subsidies) could not gain preferential access to EAC markets (*ibid.*). A further point of importance is that, in contrast to the 2007 interim EPA, the 2014 agreement was more encompassing in terms of the policy space and development provisions it accorded to the EAC. Furthermore, the EAC was also

<sup>57</sup> Interview 23: Official – EAC Secretariat, November 2017, via phone call.

successful in stifling the EU's initial attempts to include WTO-plus issues within the agreement (Heron & Murray-Evans, 2017).

### *Aftermath and Failure to Ratify*

As Ulrike Lorenz-Carl has put it, the EAC's ability to construct and maintain a unified position throughout the EPA negotiations belies the 'simple stereotype of a weak negotiation party from the south' (2013: 70). However, if the negotiations themselves were characterised by collective bargaining, the period since their conclusion has been defined by internal divisions. During the negotiations, the EAC partner-states preferences converged around a common set of issues, centred on matters of policy space and developmental safeguards. Two factors were important in determining the regional actorness of the EAC during these negotiations. First, the negotiations were inter-regional in nature, encouraging the EAC partner-states to work and deliberate through regional institutions. Second, as discussed previously, there was a direct correlation between the EAC's membership and the membership of its associated EPA grouping. Essentially, these factors encouraged a context where there was continuous dialogue between actors in the partner-states respective ministries of trade, facilitated by the coordinative and epistemic role of the regional secretariat. Yet, when the EPA was finalised in October 2014, the focus moved from *regional* negotiations to *national* ratification. In other words, the EPA came to be debated as a national, as opposed to regional issue. This delineation was almost inevitably evident once the agreement had been initialled, with one Tanzanian government official indicating at the time that the EPA was not necessarily a done deal and that it still required cabinet and parliamentary approval (The East African, 2014).

The initial intention was for the EAC-EU EPA to be signed and begin its implementation at the start of 2016. But, as one European official noted during an interview, the region's governments continued to postpone dates for the EPA to be jointly signed, which the official noted was the first indication that EAC's collective position on the agreement had begun to diverge.<sup>58</sup> These suspected divisions came to be proven correct when the Tanzanian government stated in July 2016 that it was not prepared to sign the agreement, citing potential injury to domestic industries (Daily, Nation, 2016). Tanzania was soon joined by Uganda and Burundi, whose governments also held off signing the EPA. The

<sup>58</sup> Interview 03: Official – European External Action Service (EEAS), December 2016, Brussels.

Ugandan government's stated rationale was that it would only sign the agreement as a regional bloc, whereas Burundi's refusal was premised upon sanctions that the EU had imposed on its economy in 2015. Breaking with its regional counterparts, both Kenya and Rwanda signed the agreement in September 2016.

What, then, explains the divergences that emerged between the partner-states regarding the ratification of the EPA? A common explanation within the literature on North-South trade agreements relates to issues of trade dependency (see: Manger & Shadlen, 2014). The contention put forward by these literatures is that developing countries will be more inclined to sign trade agreements with states in the global north if a significant proportion of their trade is dependent on preferential access to these markets. Indeed, much of the early literature on the EPAs suggested that issues of trade dependency would play a critical factor in determining the willingness of ACP states to sign up to EPAs (Bilal & Stevens, 2007; Farrell, 2005; Goodison, 2007). In the case of the EAC-EU EPA, it is clear that issues of trade dependency played an important factor in determining why certain partner-states signed the EPA. For instance, because Kenya was not classed as a least developing economy (LDC), it was ineligible for the EU's 'Everything But Arms' (EBA) scheme, providing LDCs non-reciprocal preferential access to European markets. Due to the large proportion of Kenyan exports that are destined for EU (Ramdoo, 2014), including its expansive cut flower industry, there was an evident material incentive for the Kenyan government to sign the EPA and lock in its preferential access to European markets.

Such material accounts offer useful insights, but they reach particular explanatory limitations in the case of the EAC-EU EPA. First, such explanations are unable to account for Rwanda's decision to sign the EPA, considering that its LDC status ensured it continued non-reciprocal access to EU markets through the EBA scheme. Second, if maintaining market access was the bottom line for Kenya, then it could have broken ranks with the rest of the EAC at an earlier point and unilaterally signed the interim EPA agreed in 2007, a potential option discussed as early as 2010 (Odhiambo, 2010). Third, while Burundi, Tanzania and Uganda would maintain market access under the EBA scheme, they would likely incur other costs, including lost aid funding allocated within the EPA. Moreover, the EBA scheme's restrictive rules of origin (Heron, 2013: 33) meant that market access would be much more cumbersome for both states than under the EPA. Finally, according to one insider account, when the EPA was finalised and initialled in



2014, there had been a consensus among the partner-states that the developmental safeguards included in the EPA were sufficient to preserve the regions policy space.<sup>59</sup> Hence, why did the partner-states later diverge in their positions?

The crucial point is not that material incentives were unimportant, but that the costs and benefits of the EPA were ambiguous and open to interpretation. In effect, when the EPA moved into the national policy arena, it soon came to be interpreted in line with the dominant ideas and discourses underpinning the partner-states' (national) development visions. As discussed in the previous chapter, from the late 2000s onwards, the partner-states had begun to develop more ambitious development agendas, centred upon industrial strategies and a more activist role for the state. However, I argued that such development agendas had emerged unevenly across East Africa. For Kenya and Rwanda, which ascribed to a more liberal understanding of the state's role in promoting industrialisation and structural transformation, the EPA was interpreted as less of an intrusion of policy space. Undoubtedly, Kenya's rationale in signing the agreement was driven, in part, by pressures to maintain preferential access to European markets. But, like the rest of the EAC's policy community, there was also a wariness among Kenyan negotiators regarding the potential distributive impacts of an agreement.<sup>60</sup> This caution explains why Kenya had been unwilling to sign and ratify the interim EPA, even though it would have guaranteed them preferential access to European markets. Yet, in private interviews and public communications, Kenyan government officials have argued that the developmental safeguards eventually conceded by the EU in the 2014 EPA were sufficient to justify market opening on their end (Maina, 2016b).<sup>61</sup> A similar account is evident with Rwanda, whose development strategy, as one interviewee put it, centres on it becoming the 'Singapore of Africa'.<sup>62</sup> While manufacturing has become an important policy focus in recent years (see below), Rwanda's endeavour of becoming a regional hub for the service sector remains a key component of its development vision (Behuria, 2018). As such, the signing of the EPA was perceived as a device to signal to foreign investors that the country was open for business.<sup>63</sup> As one representative of Rwanda's private sector

<sup>59</sup> Interview 23: Official – EAC Secretariat, November 2017, via phone call.

<sup>60</sup> Interview 15: Regional Policy Expert, August 2017, Arusha.

<sup>61</sup> Interview 08: Senior Official – Kenyan Government (State Department for East African Community Integration), July 2017, Nairobi.

<sup>62</sup> Interview 11: Regional Policy Expert, July 2017, Nairobi.

<sup>63</sup> Interview 11: Regional Policy Expert, July 2017, Nairobi.

noted in an interview, the signing of the EPA ensured both stable access to European markets and provided a mechanism to attract investors to the country.<sup>64</sup>

By contrast, for Tanzania and Uganda whose emerging development agendas have taken a more statist and nationalist form, there has been considerably more hostility to the EPA.<sup>65</sup> The key criticism that emerged from both countries was that reciprocal market opening with the EU could potentially lock their economies into their current level of development. For instance, in an opinion piece in 2016, former Tanzanian president Benjamin Mkapa invoked such views, arguing that domestic infant industries in the region would face significant competitive pressures from European exporters (Mkapa, 2016). Similar sentiments were also expressed by the current Tanzanian president John Magafuli, who has been openly critical of the agreement, describing it in one press conference in 2016 as a form of colonialism (Kamagi, 2016). The Ugandan government's line since 2016 has been that it will only sign the agreement collectively as a regional bloc. However, there have also been veiled criticisms of the EPA emerging from Uganda, with President Yoweri Museveni suggesting that the EPAs were intended to create disunity among African countries (*ibid.*). This has been accompanied by recent pronouncements by Museveni about the need for Uganda to strengthen its indigenous production capacity. Indeed, during the EPA negotiations, both Tanzanian and Ugandan negotiators were noted to have pushed the strongest for developmental safeguards (Odhiambo, 2010).<sup>66</sup>

At the time of writing, the region remains divided along these lines. During an EAC heads of state meeting in February 2018, the partner-states reached a compromise position on the EPA, which effectively permitted intra-regional divergence (EAC, 2018a). The communique justified this on the principle of variable geometry as enshrined within the EAC treaty of establishment. Again, this points to the ambiguity surrounding the practice of variable geometry and how the EAC's policy regime reconciles its principal agenda for a system of comprehensive regional governance, while also ensuring sufficient safeguard measures for the partner-states. Crucially also, the EAC partner-states' divergences over the EPA emphasises how the uneven emergence of more activist and interventionist development agendas in East Africa are coming into conflict with the EAC's agenda for

<sup>64</sup> Interview 24: Representative – Rwandan Private Sector Federation, November 2017, via phone call.

<sup>65</sup> I exclude an analysis of Burundi here whose refusal to sign has been premised on sanctions imposed by the EU.

<sup>66</sup> Interview 15: Regional Policy Expert, August 2017, Arusha.

external policy coordination. At a later point in this chapter, I return to discuss these issues in greater depth.

### 5.3 The EAC and the Politics of AGOA Eligibility

In contrast to the EU and European bilateral donors, US support for regional integration and cooperation in Africa has been considerably more muted. Whereas the EU spent much of the 2000s (and beyond) exhaustively attempting to reconfigure its historic trade relationship with Africa around a series of inter-regional free trade agreements, the US has been less systematic and more ad hoc with regards to its economic relations with the continent. Apart from its bilateral aid programmes and investment treaties, US development cooperation with Africa has centred upon the African Growth and Opportunity Act (AGOA). First introduced in 2000 by US President Clinton, and still in force today, AGOA offers eligible African countries non-reciprocal duty-free and quota-free access to US markets on a range of tariff lines. One of the most significant aspects of AGOA relates to the textiles and clothing (T&C) sector, in particular, the ‘third fabric’ provision that allows ‘lesser developed countries’ across Africa to export garments duty-free using fabrics and yarns (intermediary products) sourced from third-party markets (Heron, 2012: 137).<sup>67</sup> This has had a significant (but uneven) impact upon garment production across Africa, where apparel production, in countries such as Kenya and Lesotho, has rapidly expanded since AGOA’s implementation in 2000 (*ibid.*).

AGOA’s eligibility clause includes a determination that eligible countries should be making progress towards the elimination of barriers to US trade and investment and that they should be endeavouring to establish market-based economies. As such, unlike the EPAs, there is no specific and binding commitment under AGOA for reciprocal trade liberalisation on the part of African states. The downside of this, however, is that AGOA’s eligibility criteria are somewhat ambiguous and open to interpretation, and as a unilateral preference scheme, it is the US government that determines which African countries fit these criteria. This provides the US with a significant degree of leverage and, in the past, it has revoked AGOA preferences from African countries whose domestic

<sup>67</sup> In contrast to the EU’s EBA scheme, which determines country eligibility using the UN’s Human Development Index’s classification of a ‘least developed country’ (GNI per capita of less than \$1,025 and no more than \$1,230), AGOA eligibility is determined using the World Bank’s classification of a ‘lesser developed country’ (GNP per capita of less than \$1,500).

policies have been deemed to contravene these vague eligibility criteria. Indeed, developed countries have often utilised the eligibility criteria of unilateral preference schemes, such as AGOA, to sanction and discipline developing countries (Manger & Shadlen, 2014). The remainder of this section focuses upon the EAC's engagement with the US under AGOA, concentrating upon one contentious instance of this relationship. Here, I focus upon the initiation, by the US Trade Representative (USTR), of an out-of-cycle review of the EAC's AGOA eligibility, following the region's decision to begin phasing out the importation of second-hand clothing in 2016. In doing so, I further explore the regional actorness of the EAC in a global context.

### *The Origins of the EAC Second-hand clothing Directive*

The origins of the second-hand clothing directive emerged through regional policy dialogue within the EAC's Sectoral Council of Trade, Industry, Finance and Investment (SCTIFI). On the 26 February 2016, the SCTIFI committee met to discuss the findings of a report conducted to examine the modalities for promoting the region's textile and leather sector. During the meeting, members of the committee noted that the importation of second-hand clothing was having a detrimental impact on the development of a local textile and leather sector. The committee members, therefore, put forward recommendations that a phased approach be taken to reduce the importation of used clothing into the region.<sup>68</sup> These recommendations were presented to the EAC heads of state summit at the beginning of March 2016, leading to the following directive for:

...partner-states to procure their textiles and footwear requirements from within the region where quality and supply capacities are available competitively, **with a view to phasing out the importation of used textiles and footwear within three years** (EAC, 2016d: 17, emphasis added)

The EAC partner-states operationalised the directive in the months that followed, with a regional gazette issued in June 2016 that doubled import duties on used and worn clothing from 35% or \$200/ton, to 35% or \$400/ton (whichever is higher) (EAC, 2016e). In the same gazette, Rwanda applied a one year stay of application, that has been rolled over in the years since, unilaterally increasing its import duties to \$2,500/ton (*ibid.*). As a draft EAC strategy for the phase-out indicated, these were meant to be the first in a series of

<sup>68</sup> These recommendations are paraphrased within the 33<sup>rd</sup> EAC Council of Ministers meeting report (EAC, 2016c).

regional duty increases that would have gradually brought tariffs on used and worn clothing to \$5,000/ton by 2019 (EAC, 2017b: 7).<sup>69</sup> In effect, the EAC partner-states were seeking to pursue a programme of import-substitution, that sought to replace the market for second-hand clothing with locally produced T&C. As with the EPA negotiations, the emergence of the second-hand clothing directive emphasises the importance of the EAC as a site of policy deliberation and coordination. Indeed, the phase-out emerged through policy dialogue and interactions within the regional SCTIFI committee. Moreover, the EAC Secretariat also played a vital epistemic role, conducting research, in collaboration with the NGO CUTs International, that highlighted the (supposedly) detrimental impact of second-hand clothing to the local T&C sector (Katende-Magezi, 2017).

The explicit utilisation of import-substitution by the region's policy community is reflective of trends noted in the previous chapter, in which more activist and interventionist development agendas have re-emerged in East Africa. In this context, where the inviolability of neoliberal development discourse has been undercut, policy actors in the region are not only coming to see practices such as import-substitution as politically feasible, but also as desirable. The Tanzanian government's 'Cotton to Clothing Strategy', for instance, speaks explicitly about utilising import-substitution, noting that 'there is substantial room for the garment sector to gain market share through import substitution if they can be cost- and quality-competitive' (Government of Tanzania, 2016b: 31). Import-substitution, or 'domestic market recapturing', has also been integrated into Rwanda's national development strategy (Government of Rwanda, 2015; see also Behuria, 2018). Arguably too, the second-hand clothing directive is reflective of regional policy elites' dissatisfaction at the shallow manner in which East Africa's economies have been integrated into global T&C value chains. Although regional apparel production has expanded across the region since the introduction of AGOA in 2000, production is highly concentrated in Kenya (though some partner-states apparel exports to the US have increased in recent years – see: Table 5.2). Furthermore, as apparel exporters tend to utilise AGOA's third fabric provision, downstream cotton growers and

<sup>69</sup> The draft strategy was not intended (at least initially) for public release, but was strategically leaked by the US industry group SMART, one of the plaintiffs calling for an out of cycle of the EAC's AGOA eligibility (see: [https://www.smartasn.org/SMARTASN/assets/File/advocacy/smart\\_comments\\_agoa\\_review.pdf](https://www.smartasn.org/SMARTASN/assets/File/advocacy/smart_comments_agoa_review.pdf)). As the strategy indicates, its purpose was to provide a 'roadmap of actions/measures necessary for the phase-out' (EAC, 2017: 2). It was, therefore, intended to inform a process of policy construction and can, as such, be considered a source of coordinative discourse.

textile producers in the region have not benefited from the growth of garment assembly in the region (Chemengich, 2013; Arnell, 2016).

These points help understand the utilisation of import-substitution and the targeting of the T&C sector for development. However, what is less clear is what *specifically* led the EAC's policy community to seek to restrict used clothing imports towards this end. As critics of the directive noted, the partner-states could have pursued other policies to support the development of a more domestically integrated T&C sector (USAID, 2017), such as encouraging backward linkages from the region's export-oriented apparel sector to local cotton and textile producers. In addition, the EAC's second-hand clothing directive represented somewhat of a risky and uncertain strategy. First, it was far from certain that placing restrictions on second-hand clothing imports would bolster domestic T&C producers. One interviewee, for instance, noted that because comparable duty increases had not been introduced on new clothing imports, it was likely that locally produced apparel products would not replace second-hand clothing imports. Instead, the interviewee noted that the market would likely be flooded with cheap imports of new clothing from low-cost producers in China.<sup>70</sup> Second, the phase-out also drew criticisms from key donor partners. The US government was immediate in its criticism of the directive, with its trade officials signalling as early as March 2016 that it may put the region's AGOA eligibility at risk (Ligami, 2016).

<sup>70</sup> Interview 05: Regional Policy Expert, June 2017, Nairobi.

**Table 5.2: US Apparel Imports from EAC Partner-states, 2011-2018 (US Dollar thousand)**

<b>EAC Partner-state</b>	2011	2012	2013	2014	2015	2016	2017	2018
Kenya	272,143	264,471	318,223	391,728	380,694	352,130	348,271	404,222
Tanzania	5,744	7,918	10,864	18,217	27,999	37,874	42,048	42,973
Uganda	875	119	55	57	11	51	414	85
Rwanda	154	15	2	136	194	453	1,511	3,062
Burundi	0	1	0	0	0	8	0	0

Source: International Trade Centre's Trade Map (<https://www.trademap.org/Index.aspx>).

Authors own calculations - aggregate of imports of product code 61 (articles of apparel and clothing accessories, knitted or crocheted) and 62 (articles of apparel and clothing accessories, not knitted or crocheted)

The crucial point, then, is why did the region's policy community still pursue the phase-out even when considerable uncertainty and risk accompanied the policy? The answer, I contend, lies in the deeper social significance which underpinned the second-hand clothing directive. Two key points emerge here. The first relates to how the importation of second-hand clothing came to be discursively intertwined with the historical decline of the region's T&C sector. As the EAC's draft strategy for phase-out notes:

In the 1960's to the early 1980's, the clothing and shoes industrial sector in East Africa was thriving and producing for both the local markets as well as the export market, and employing thousands of people. Value chains in the sector were well established right from the production of raw materials to the finished products. However, over the years, the **clothing and shoes manufacturing industries have collapsed with the emergence of an informal sector dealing in used clothes and shoes** (EAC, 2017b: 2, emphasis added).

These sentiments, which were also reflected by several interviewees, present the 1960s and 1970s as something of a 'golden age' for regional T&C production, brought to a close

by the emergence and growth of second-hand clothing imports during the 1990s.<sup>71</sup> Of course, this narrative omits that the region's T&C sector was heavily dependent upon protective import duties and reliant upon state-financing (Chemengich, 2013; Kabelwa & Kweka, 2006; Langdon, 1986). Moreover, it somewhat obscures the relationship between the rise of used clothing imports and the decline of regional T&C production. As Andrew Brooks and David Simon (2012) suggest, the growth of used clothing imports was more a symptom of the decline of Africa's T&C sector, rather than its cause. In particular, they note that the onset of liberalisation in the late 1980s left African T&C industries exposed to external competitive pressures, leading to their decline, which simultaneously opened domestic markets to imported used clothing. Yet, although this narrative is contestable, the key point is that it reflected an intersubjective consensus among the region's policy community concerning the role of second-hand clothing imports in the historic decline of the region's T&C sector.

The second point of importance concerns the perceived legitimacy of the second-hand clothing trade. For critics of the EAC's directive – such as USAID and SMART – the legitimacy of the second-hand clothing trade rests on the proposition that it provides employment, a source of affordable clothing, and tax revenue for EAC governments (SMART, 2017a; USAID, 2017).<sup>72</sup> In other words, 'it serves the interests of economic growth and development for EAC citizens' (USAID, 2017: 8). In contrast to this transactional emphasis on (supposed) aggregate economic benefits, actors within the EAC have contested the legitimacy of the second-hand clothing trade through more moralistic framings. For instance, one interviewee from the EAC Secretariat chastised how the second-hand clothing trade had come to increasingly centre upon profiteering by western firms, rather than charitable giving.<sup>73</sup> Similar sentiments were expressed in the EAC Secretariat's draft strategy for the phase-out when it stated that used-clothing was 'big business for exporting developed nations' (EAC, 2017b: 6). While in more communicative settings key policy actors also appealed to emotive issues of dignity, with Uganda's Minister of Finance, Matia Kasaija, noting that Ugandan's should not have to continue wearing 'dead people's clothes' (The Independent, 2018). Similarly, Clare Akamanzi, CEO of Rwanda's Development Board, noted that Rwandan 'citizens deserve

<sup>71</sup> Interview 06: Representative – Kenya Association of Manufacturers, June 2017, Nairobi; Interview 21: Official – EAC Secretariat, October 2017, via phone call.

<sup>72</sup> USAID: United States Agency for International Development; SMART: Secondary Materials and Recycled Textiles Association.

<sup>73</sup> Interview 21: Official – EAC Secretariat, October 2017, via phone call.



better than becoming the recipients of discarded clothes...This is about the dignity of our people' (Essa, 2018). The summative point is that while the phase-out represented a strategy to promote the region's T&C sector, particular interpretations of historical events and discursive claims to legitimate market behaviour underpinned the specific targeting of second-hand clothing.

*Developmentalism vs. US Market Power – The Fate of the EAC Second-hand Clothing Phase-out*

As noted previously, US support for regional integration and cooperation in Africa has tended to be more muted than European donors. However, in recent years, as part of its strategy to encourage AGOA utilisation, the US has begun to engage more directly with regional organisations across Africa. In East Africa, the US and the EAC established the 'US-EAC Council on Trade and Investment' in 2008 as a forum to identify areas for improved trade and investment between the two parties.<sup>74</sup> This was followed in 2015 by a more comprehensive agreement where the US committed to supporting the region with issues relating to trade facilitation, sanitary and phytosanitary measures and technical barriers to trade.<sup>75</sup> However, this cooperation between the EAC and US soon became strained following the former's decision to begin phasing-out second-hand clothing imports. As noted previously, US officials were immediate in their criticism of the second-hand clothing directive. The directive also attracted the attention of industry groups in the US, with the Secondary Materials and Recycled Textiles Association (SMART) filing a petition with the USTR in March 2017, calling for a review of the EAC partner-states AGOA eligibility. In its petition, SMART argued that the EAC's second-hand clothing directive violated AGOA's key eligibility criteria that beneficiaries make progress towards establishing market-based economies and eliminating barriers to US trade (SMART, 2017b). Following SMART's petition, the USTR announced that it would hold an out-of-cycle review of Rwanda, Tanzania and Uganda's AGOA eligibility (USTR, 2017).<sup>76</sup> The Kenyan government had already indicated in May 2017 that it would be withdrawing from

<sup>74</sup> 'Trade and Investment Framework Agreement between the East African Community and the Government of the United States'. Available at: <https://www.tralac.org/documents/resources/eac/1499-us-eac-trade-and-investment-framework-agreement-16-july-2008/file.html>.

<sup>75</sup> 'Cooperation Agreement Among the Partner States of the East African Community and the United States of America on Trade Facilitation, Sanitary and Phytosanitary Measures, and Technical Barriers to Trade'. Available at: <https://www.tralac.org/documents/resources/eac/1500-us-eac-cooperation-agreement-on-trade-facilitation-sps-and-tbts-26-february-2015/file.html>.

<sup>76</sup> Burundi was not placed under review as its AGOA eligibility had previously been revoked in 2015.

the planned phase-out to preserve its AGOA eligibility, thus exempting it from the out-of-cycle review (Mutambo, 2017). Indeed, in June 2017, Kenya applied a stay-of-application, unilaterally reducing duties on worn clothing to pre-2016 levels (EAC, 2017c). In contrast, Rwanda rolled over its stay-of-application from 2016, maintaining duties of \$2500/ton on used clothing (*ibid.*), indicating its commitment to maintaining the directive in the face of US pressure.

The USTR held the EAC's out-of-cycle review hearing in July 2017. In their evidence, representatives from SMART argued that EAC restrictions on used clothing represented a direct threat to American jobs and were in contravention of AGOA's founding principles (SMART, 2017a). Evidence from the EAC Secretariat and representatives of the partner-states primarily appealed to WTO-compatibility, arguing that increased duties on used clothing were non-discriminatory and applied to all second-hand clothing imports, not just those from the US (EAC, 2017d). The African Cotton & Textile Federation (ACTIF) also put forward evidence in support of the EAC states, arguing that as the majority of used clothing products are not initially manufactured in the US, but imported from overseas, they should not be considered as originating goods (ACTIF, 2017). In other words, the US could not claim harm from the EAC's second-hand clothing directive, as exported second-hand clothing products are only processed, rather than manufactured in the US. Insider lobbyists in Washington suggested that while the technical arguments favoured the EAC, politics in the US did not, with the expectation that the EAC states would have their AGOA eligibility removed, falling foul of President Donald Trump's nationalist trade agenda (Kelley, 2017a). In anticipation of this, Burundi, Tanzania and Uganda diverged from the official CET tariff on used clothing in February 2018, applying a stay-of-application that reduced duties on second-hand clothing to pre-2016 levels (EAC, 2018b). Meanwhile, at a heads of state summit that same month, a directive was issued which effectively indicated a retreat from the second-hand clothing directive to preserve the region's AGOA benefits. This followed a suggestion Harry Sullivan, US director for Regional and Economic Affairs, that the EAC would maintain their AGOA eligibility if they reduced their tariffs on used clothing to pre-2016 levels (Ligami, 2018). Rwanda, however, maintained its duty rate on worn clothing at \$2500, leading to its AGOA apparel preferences being suspended (and later revoked) by the US in March 2018.

In contrast to the EPA negotiations, where the partner-states were effective in coordinating a common position, the EAC's dispute with the US was typified more by regional divergence and unilateral action. One pertinent difference between the EAC's engagement with the EU and the US concerned the issue of external recognition. To recall, the EPA negotiations moved forward on an interregional basis, prompting the EAC partner-states to deliberate and coordinate through regional institutions. Yet, the EAC's engagement with the US was distinctly different. Indeed, the question of the EAC's AGOA eligibility was entirely at the discretion of the US government. Therefore, what hampered the ability of the partner-states to form a joint negotiating position was the fact that formal negotiations between the EAC and US did not exist. It is important to note also that the EAC's dispute with the US emerged at a period of increasing tensions between the partner-states, precipitated by divisions over the ratification of the EPA and various internal trade disputes, principally between Kenya and Tanzania (Munda, 2018). As such, although the EAC Secretariat presented evidence to USTR in defence of the second-hand clothing directive, the region's response to the US was not coordinated through regional institutions. The key point is that because the US did not engage with the EAC as a collective, there was not the inducement for the partner-states to coordinate their position through regional institutions.

In this uncertain context, where policy dialogue between the partner-states was much more limited and compounded by the potential loss of preferential access to US markets, some of the partner-states sought to pursue a unilateral (opposed to a regional) resolution with the US. This was most apparent with Kenya, whose government hired a US-based lobbying firm to assist in their efforts to retain their (national) AGOA preferences (Kelley, 2017b) and who later unilaterally diverged from the EAC's collective position on used clothing as part of these efforts. Such recourse to unilateral action, however, was not just limited to Kenya. Though often viewed as the 'champion' of the used clothing phase-out,<sup>77</sup> Rwanda pursued similar unilateralist action following the issuance of the second-hand clothing directive and during the AGOA eligibility review. For instance, when regional used-clothing tariffs were first increased in June 2016, Rwanda immediately issued a stay-of-application increasing its own duty rates and placing them significantly above those of its regional partners. Moreover, Rwanda continued to place restrictions

<sup>77</sup> Interview 15: Regional Policy Expert, August 2017, Arusha.

on used clothing imports even after the EAC heads of state issued a directive in February 2018 that effectively reversed regional plans to phase-out second-hand clothing imports.

Like the partner-states response to the EPA, issues of trade dependency are important, but not sufficient in explaining EAC's divergent response to the issue of its AGOA eligibility. Certainly, for some of the partner-states, the US represented a significant export market, particularly as a destination for the region's apparel exports (see: Table 5.2). Yet, while there is an intuitive appeal to logics of trade dependency in this instance, under closer examination such logics become fuzzier and more ambiguous. First, while Kenya's significant apparel sector was almost entirely dependent upon US exports markets, trade dependency as a logic of explanation is unable to explain the sequencing of Kenya's decision to unilaterally pursue a resolution with the US. Although SMART's petition to the USTR certainly posed a real threat to Kenya's AGOA eligibility and, by consequence, its preferential access to US markets, such a threat was not going to be immediate.<sup>78</sup> The Kenyan government's decision to immediately and unilaterally withdraw from the second-hand clothing directive, therefore, was not borne out of immutable structural constraints, but one which was politically contingent. For instance, policy officials within Kenya could have deliberated with its regional partners and attempted to try and alter the EAC's position on used clothing, making it consistent with AGOA. Moreover, the Kenyan government also had the option of giving evidence to the USTR and challenging the contention that the second-hand clothing directive was in contravention of AGOA. Second, several of the partner-states which were much less dependent upon AGOA preferences still yielded to US pressure and coercion. For instance, Uganda's AGOA utilisation is relatively low, and Burundi has been suspended from the preference scheme since 2015, yet both withdrew from the planned phase-out. A final point is that while Rwanda's utilisation of AGOA preferences remains low, its government has made significant investments into its T&C sector in recent years (Behuria, 2018), and apparel exports under AGOA had been on the increase (see: Table 5.2). In short, Rwanda's loss of AGOA apparel preferences has deprived its nascent T&C sector duty-free access to an important and strategic export market.

The critical point is not that material incentives were unimportant in this case, but that the partner-states' response to these were politically contingent, rather than structurally determined. In a similar manner to the EPA, then, it was the uneven emergence of more

<sup>78</sup> For instance, Rwanda's removal from AGOA only took place almost a year after this point.

activist and interventionist development agendas across the EAC which shaped the partner-states' response to the threat of losing their AGOA eligibility. As discussed, although import-substitution has been rhetorically invoked as a viable policy practice across the EAC partner-states, Rwanda has arguably gone the furthest by incorporating a policy of 'domestic market recapturing' within its national development strategy (Government of Rwanda, 2015; see also Behuria, 2018). To recall from the previous chapter, Rwanda's development vision under President Kagame and the RPF has centred upon attracting foreign investment and promoting service-led development. Yet, as Prithvi Behuria (2018) has noted, although the fundamentals of this development paradigm still largely remain in place, the Rwandan government has begun to orient its strategy towards the manufacturing sector through policies of import-substitution. This, alongside the Rwandan government's strong developmentalist orientation (Booth & Golooba-Mutebi, 2012; Kelsall, 2013, Ch.5), were important factors in the decision taken by Rwanda to maintain the used clothing phase-out.

#### **5.4 The Possibilities and Limitations of the EAC as a Global Actor**

Both the cases analysed in this chapter give pertinent insight into the opportunities and constraints facing the regional actorness of the EAC. The first point to note is that the EAC is far from incapable of collective engagement with external actors in the global arena. As the EAC's engagement with the EU under the EPA negotiations demonstrates, policy dialogue between the partner-states, facilitated by the secretariats organisational and epistemic role, enabled the region to maintain a collective negotiating position. Indeed, the EAC-EU EPA negotiations certainly challenge the commonly held contention that regional institutions in Africa are weak and ineffective. By aggregating their preferences into a common position during the negotiations, the EAC partner-states managed to attain several concessions from the EU and stifle demands for the inclusion of WTO-plus issues into the final agreement. The EAC Secretariat also played an important epistemic and organisational role during the negotiations, publishing technical reports and advice to the partner-states' negotiators. The secretariats epistemic role was also evident during the development of a strategy for the EAC's second-hand clothing phase-out.

Yet, one of the key points derived from this chapter was that the capacity of the EAC to display collective actorness was dependent, to some degree, upon external recognition. As discussed in this chapter, part of the impetus for the EAC partner-states to coordinate their position during the EPA negotiations was the very fact that these negotiations were interregional. By contrast, the EAC's dispute with the US, regarding its AGOA eligibility, was much more prone to unilateralism, with the partner-states seeking through separate channels to either preserve their AGOA eligibility or follow through with the regional decision to restrict second-hand clothing imports. This recourse to unilateralism was induced by the fact that the US did not engage with EAC as a collective and was instead willing to resolve the dispute over second-hand clothing imports at the national (as opposed to regional) level. For instance, Kenya was excluded from the wider review of EAC partner-states AGOA eligibility in 2017, as its government had shown a willingness to deviate from the policy of restricting used clothing imports. Yet, the key summative point that this chapter brings to the fore is that external policy coordination, in both the cases examined, was undermined by the uneven emergence of more activist and interventionist development strategies across the EAC partner-states. Indeed, in both cases, the ability of the EAC to collectively agree to and implement agreements was obstructed by unilateral derogations by the partner-states, often justified on the grounds of national development. In short, the insights of this chapter follow on from the previous one, demonstrating how critical tensions are emerging between the EAC's agenda for regional integration and cooperation, on the one hand, and the partner-states growing ambitions for industrialisation and structural transformation, on the other hand.

## **5.5 Conclusion**

My aim in this chapter has been to explore both the possibilities and limitations of the EAC as a global actor. To do so, I have looked at two specific cases where external powers have engaged with and sought to exert influence over the region, including the EAC's negotiations with the EU for an EPA, as well the EAC's engagements with the US under AGOA, following the region's 2016 decision to begin restricting second-hand clothing imports. In both cases, I have emphasised the importance of external recognition as a factor enabling (constraining) external policy coordination among the EAC partner-states. As noted during the EAC-EU EPA negotiations, the EU engaged with the EAC as a collective, inducing the partner-states coordinate their position through regional

institutions. In the case of the EAC's engagement with the US, however, the partner-states were much quicker to abandon their collective regional position and pursue a unilateral resolution. As I argued, because the US was willing to resolve its dispute with the EAC partner-states separately, the ability of the region to externally coordinate a common position was undermined. Yet, the crucial insight that emerges across these two cases relates to the uneven emergence of more activist and interventionist development agendas across the EAC's partner-states. In other words, it has been the partner-states diverging visions and strategies to promote industrialisation and structural transformation that has undermined the EAC's regional actorness. This was evident in the EAC's failure to ratify the EPA, undercut by claims from policy elites in Tanzania and Uganda that it would threaten prospects for industrialisation. Similarly, Rwanda's decision to maintain restrictions on used clothing imports, even when its regional partners relented to US pressure, reflected a key component of its government's strategy of domestic market recapturing.

As noted at the end of the previous section, this chapter and the last has exposed how the EAC's regional regime has increasingly come to be defined by tensions between emergent national strategies for structural transformation and a regionalist agenda for integration and cooperation. More generally, these tensions point to a context where the social purpose and legitimacy of the EAC is increasingly being contested. In the next chapter, I turn to explore how regional elites have recently sought to discursively recast the EAC in a context where its purpose as space to facilitate market-led development is being undermined by the emergence of more activist and interventionist development agendas.

## Chapter 6

# Shifting Discourses of Legitimacy and Political Community in the EAC: Between Exceptionalism and Transactionalism

### 6.1 Introduction

In the previous two chapters, I have illustrated how the EAC's initial ambitions and vision for collective development and external policy coordination came to be disrupted by an emerging agenda of national development planning among the partner-states. These tensions, which have surfaced within the EAC's regional regime, also speak to a much broader conceptual issue: namely, that regions – and, for that matter, all territorial spaces – are not materially given or predetermined, but social constructions. Regions, as argued elsewhere in this thesis, are spaces which are actively imagined, institutionalised and even contested by actors (Rosamond, 1999, 2000, 2012; Van Langenhove, 2011). Indeed, the re-emergence of more nationalist conceptions of development is tantamount to the fact that the notion of a self-evident East African economy or political space is something which is not given, but innately contested. The contested nature of regional spaces, therefore, poses questions about the legitimacy of regional governance in East Africa. More specifically, how have regional policy discourses sought to construct an inter-subjective consensus, among both elites and broader audiences, around the desirability and necessity of regional governance? Furthermore, in light of the tensions which have arisen within the EAC's regional regime, how have policy discourses sought to articulate the continued relevance and purpose of regional governance?

In this penultimate chapter, I turn to explore how both internal (coordinative) and public (communicative) discourses have sought to articulate the EAC's social purpose, and how these discursive legitimisation strategies have manifested and changed across time.<sup>79</sup> In other words, I explore how policy discourses have attempted to construct an intersubjective consensus concerning both the desirability and necessity of regional governance. To recall from Chapter 3, when debates on East African regionalism were rekindled during the 1990s, policy discourses typically appealed to two distinct logics in

<sup>79</sup> My focus here is primarily upon official EAC documents – both internal and public – and public pronouncements by policy actors who have been intimately involved with the EAC integration and cooperation agenda (i.e. the Secretary-Generals).



rationalising the necessity and desirability of establishing a system of regional governance. Alongside appeals to the (perceived) economic imperatives of globalisation, and the necessity of regionalism therein, regional policy elites also invoked notions of East African exceptionalism. This latter logic appealed to the existence of a common political community in the region, shaped by its founding members' long history of cooperation and integration. In this regard, the social purpose of the EAC was not only articulated in terms of market integration (as with other RECs in Africa); it also emphasised the role of regionalism in rekindling the region's historical ties and establishing political unity under a regional federation. Therefore, while the globalisation frame articulated the necessity of regionalism in a functional and transactionalist manner (a logic of necessity), the exceptionalist frame instead appealed to a more affective sense of shared political community (a logic of appropriateness).

Such appeals to the exceptionalism of East Africa as a political-economic space were prominent in the run-up to the EAC's re-establishment in 2000. However, my starting point in this chapter is to argue that following the EAC's revival in 2000, there was a displacement of these more affective appeals to collective political community, in favour of more transactionalist invocations of regional social. In other words, the EAC's social purpose came to be articulated almost entirely in terms of responding to external economic threats (i.e. globalisation) and promoting economic welfare, as opposed to a space to rekindle the region's (supposedly) common bonds. In the first section of this chapter, I turn to explore the demise of East African exceptionalism within the EAC's policy discourses and, in doing so, present two key arguments.

First, I detail that during the formative years of the EAC's rebirth in the late 1990s and early 2000s, challenges emerged in moving East Africa's integration and cooperation agenda forward, emanating from concerns over the distributive consequences of intra-regional market integration. Attempting to overcome opposition to the EAC's cooperation and integration agenda, I argue that regional policy actors doubled down on their discursive appeals to the non-negotiable imperatives of globalisation, rather than the more contingent (and contestable) ideas of a common political community. I focus here upon the decision taken in 2004, by the EAC heads of state, to begin the process of fast-tracking the establishment of a political federation (EAC, 2004d). Specifically, I detail how this decision was rationalised in terms of the non-negotiable imperatives of globalisation, rather than through the more affective appeals to shared political

community. In short, policy discourses came to subordinate the EAC's political integration agenda to economic imperatives. My second point is to highlight how the exceptionalist logic that underpinned the EAC's revival was premised upon a distinct spatial imaginary that drew from the shared history of integration and cooperation of its three founding members (Kenya, Tanzania and Uganda). My argument here, however, points to how a dissonance emerged between this exceptionalist spatial imaginary and how the process of regionalism in the EAC came to unfold. Here, I point to the expansion of the EAC's membership and the splintering of the region's integration and cooperation agenda, as evidenced by the launching of the Northern Corridor Integration Projects (NCIP) by Kenya, Rwanda and Uganda in 2013. In effect, the critical argument I present is how the potency of more affective appeals to East African exceptionalism were undercut by the shifting spatial and institutional parameters of the East African region.

In the second half of this chapter, I then turn to explore the dilemmas of legitimacy that have arisen for the EAC by framing its regionalist agenda in an overtly transactionalist manner. The point of contention I put forward is that by framing the EAC as a pragmatic response to a set of external economic imperatives, policy discourses failed to construct a more affective sense of affiliation and belonging to East Africa. More specifically, by articulating the necessity of the EAC in terms of the inferred economic threats of globalisation, the predicament for regional governance was that the resonance of these perceived constraints might diminish among actors in the region. Here, I link back to discussions in my previous chapters, highlighting how intersubjective conceptions of neoliberal globalisation weakened among the region's policy community, opening discursive space for policy actors to articulate and pursue more nationalistic (as opposed to regional) development agendas. As a final point of discussion, I turn to explore more recent articulations of regional social purpose in the EAC's 'Vision 2050' strategy (EAC, 2016b). Alongside appeals to the general benefits of market integration, I highlight how the Vision 2050 strategy has also sought to situate the EAC as an inoculator for Pan-African integration initiatives and as a space to promote regional infrastructure development. I argue, however, that by continuing to pose the EAC in such technical and pragmatic terms, governance in the region will continue to face acute legitimacy dilemmas.

## 6.2 The Social Legitimation of the EAC: Between Exceptionalism and Transactionalism

In a number of interviews conducted for this thesis, participants (some of whom were closely involved in the EAC's re-establishment) described how a sense of 'euphoria' accompanied the period running up to and following the revival of the EAC in 2000.<sup>80</sup> For policy actors across East Africa, regionalism was not seen merely through the lens of market integration and mitigating the inferred threats of globalisation and economic marginalisation, but as an opportunity to also rekindle the region's long-standing historical and cultural ties, broken after the collapse of the first EAC in 1977. As Daniel Bach (2016: 84) has noted, the revival of the EAC was pushed forward by a network of elites (bureaucrats, politicians, business persons) ingrained with a sense of 'East Africanness' and affiliation to the region. These were individuals who had a long history of interaction, dating back to the first EAC and continuing thereafter through forums such as the PTCC.<sup>81</sup>

As such, sitting alongside the more necessitarian logics, by which policy actors invoked the external threat of globalisation (see: Chapter 4), regional policy discourses also posed regional governance in terms of East African exceptionalism. This framing presented East Africa as a unique and exclusive space, premised upon a distinct sense of self and other, shaped by the long history of cooperation and integration between Kenya, Tanzania and Uganda. Whereas other RECS in Africa, notably COMESA and SADC, are distinguished by their mass membership and ambitions to establish large regional markets, policy elites in East Africa sought to present the EAC as an exclusive club, built on the region's unique history and the common bonds shared between its founding members. This exceptionalist narrative was one that cut across both coordinative and communicative settings, indicating that it appealed to policy elites themselves, but was also invoked strategically to legitimate the EAC's revival. In 1997, the PTCC commissioned an internal report concerning the membership of the region's cooperation programme, following the Rwandan government's request to join the previous year.<sup>82</sup> The report did not entirely dismiss the possibility of other geographically proximate states joining the region's cooperation programme, but it did insist that potential members have

<sup>80</sup> Interview 11: Regional Policy Expert, July 2017, Nairobi; Interview 12: Former Senior Official – EAC Secretariat, July 2017, Nairobi.

<sup>81</sup> Interview 12: Former Senior Official – EAC Secretariat, July 2017, Nairobi.

<sup>82</sup> This report is located in Annex X of the 8<sup>th</sup> Meeting of Permanent Tripartite Commission for Cooperation report (PTCC, 1997a).

'historical factors or...economic, social and cultural systems common to the *present* East African Co-operation Member States' (PTCC, 1997c: 5, emphasis added). Although these criteria were vague and ambiguous, they reflect how policy elites at this time conceived of East African integration and cooperation as being founded upon the shared characteristics of its three founding members, rather than merely being premised upon trade liberalisation and market integration (though these were important factors also).

Such invocations of East African exceptionalism were also evident in more public (communicative) settings. For instance, in an interview with the *Financial Times* in 1996, discussing the EAC's proposed revival, Francis Muthaura (first Secretary-General of East African Cooperation) noted:

We have many other regional organisations in this part of the world – Comesa, SADC etc. The point is not to have a repeat of the existing institutions. The East African region is unique – we're talking about three countries which for a long time were managed as one federal state which more or less speak the same language, whose citizens went to the same schools. These countries feel they have to be united. Those kind of arrangements cannot include very many countries without losing their focus (Financial Times, 1996).

Here, Muthaura explicitly distinguished East Africa's proposed programme of integration and cooperation from other RECs in Africa, appealing to the supposed 'uniqueness' of the region, emerging from its founding member's common experiences of regional governance. Moreover, in a similar vein to the PTCC report discussed in the previous paragraph, Muthaura also expressed caution regarding the idea of expanding the membership of the region's emerging policy regime, appealing again to the idea that the foundation of regionalism lay upon the historic bonds shared between Kenya, Tanzania and Uganda. In effect, both the PTCC report and the comments by Muthaura appealed to the existence of a common and distinctive political community in East Africa. Regionalism was, therefore, articulated as a process to re-ignite and re-establish these common bonds that had previously existed in the region. Such exceptionalist logics were also evident in other communicative settings. In 1997, the PTCC released East Africa's first regional development strategy, setting out a proposed programme for the EAC's re-establishment (PTCC, 1997a). In a similar tone to above, the strategy noted that the key objective of regional governance would be 'to promote the spirit of regional cooperation which is *deeply rooted in the history of the region and the minds of the people*' (*ibid.*: 5, emphasis added). Alongside this, the strategy also outlined a detailed account of East Africa's

history of integration and cooperation (spanning six pages), justifying the EAC's revival on these common histories and experiences.

Regional policy discourses, as such, sought to legitimate the revival of the EAC by attempting to construct an inter-subjective narrative and consensus surrounding the necessity and desirability of regional governance. Put differently, the EAC's social purpose appealed to both a logic of *necessity* and logic of *appropriateness*. On the one hand, there were appeals to the inferred economic imperatives of globalisation. As discussed in Chapter 4, this logic asserted the need for the EAC's re-establishment as a response to globalisation and the threat of economic marginalisation posed by this. On the other hand, policy discourses also appealed to notions of East African exceptionalism and ideas of common political community. In this sense, the former logic articulated the social purpose of the EAC through a transactionalist frame, emphasising the role of regionalism in responding to the external economic threat of globalisation. In contrast, the latter logic appealed to more devotional and affective notions of common political community within East Africa. From this angle, the purpose of integration and cooperation was its role in rekindling the common bonds between the EAC's three founding states. The key summative point here is that policy discourses not only sought to legitimate the EAC's revival through appeals to external threats and the supposed economic benefits of regional integration. They also sought to construct an inter-subjective sense of belonging and attachment to East Africa, as a political-economic space, by appealing to ideas of a historically rooted political community in the region.

#### *Displacing Exceptionalism and Invoking Transactionalism*

A key puzzle for this chapter is to understand how and why rationalisations for integration and cooperation came to shift following the EAC's re-establishment. Specifically, this re-establishment went hand in hand with the downplaying of affective appeals to common political community in favour of regional policy discourses that rested on appeals to the economic imperatives of globalisation. This shift was almost immediately evident within official EAC communications in the early 2000s, exemplified in 2001 by the release of 'The Second East African Community Development Strategy: 2001-2005' (EAC, 2001a). Although the 1997 regional development strategy combined appeals to external economic imperatives alongside more affective appeals to a collective political community, the 2001

strategy presented a more one-sided, transactionalist account of the role and purpose of regional governance. In the preface to the 2001 strategy, signed by the three heads of state, there are references to the ‘implications of globalization on the intensification of competition and the influence of the position of the EAC in the world market’ (EAC, 2001a: i). It also states that the ‘*vision of regional integration in East Africa is to create wealth, raise the living standards of all the people of East Africa and enhance international competitiveness in the region*’ (*ibid.*, emphasis added). In other words, the EAC’s social purpose, in this instance, was articulated with regards to the economic benefits that would be brought about through integration and cooperation. Moreover, an implicit counterfactual embedded within the appeals to the external economic constraints of globalisation is the suggestion that the partner-states would incur economic costs by not pursuing a programme of integration and cooperation. Indeed, as discussed in Chapter 4, policy discourses at this time, emphasised regionalism as an ‘imperative’ in the context of globalisation.

Strikingly absent from the 2001 strategy, however, were the more affective appeals to notions of East African exceptionalism and common political community, which had been a common feature of regional policy discourses in the run-up to the EAC’s revival. Instead, the 2001 strategy largely excluded such *political* appeals and doubled down on more *economistic* logics. Notably, the 2001 strategy emphasised the ‘mutual benefits’ that the partner-state would accrue from participating in the process of integration and cooperation (*ibid.*). Crucially, the only reference to the EAC’s political ambitions in the 2001 strategy was a short paragraph near the end of the document, which dryly noted that the partner-states would continue to maintain ‘good neighbourliness, increased liaison, and cooperation among Partner-States political players working towards a Political Federation’ (*ibid.*: 36-37). Subsequent EAC development strategies also came to offer similar rationalisations for integration and cooperation. For instance, ‘The Third EAC Development Strategy: 2006-2010’ premised the role and necessity of regionalism ‘as a means to ensure inclusion in the globalisation process and achieve strategic positioning in the global economy’ (EAC, 2006: 30).

Of course, this is not to suggest that more affective appeals to ideas of common political community became absent in debates around the EAC’s integration and cooperation agenda. For instance, at an event celebrating the 10<sup>th</sup> anniversary of the East African Legislative Assembly in 2011, former president of Kenya, Daniel arap Moi, noted in his

speech that ‘integration is something that is natural to all our people because we have a common experience, common culture and share common aspirations’ (Moi, 2011). My argument, however, is that narratives regarding the exceptionalism of East Africa became almost entirely displaced within official EAC communications, foremost within the four-year regional development strategies. This point is important and significant, considering that the regional development strategies are one of the key formats through which the EAC’s social purpose is communicated to wider audiences. For instance, an internal EAC meeting report from 2001 distinguished the regional development strategies from other policy documents, noting their purpose in articulating the broad aims and goals of the region’s integration and cooperation agenda (EAC, 2001d: 2). These sentiments were reiterated in the 2012 ‘East African Community Communication Policy and Strategy’, which noted the preeminent importance of the regional development strategies in conveying to the people of East Africa the vision and purpose of the EAC (EAC, 2012a: 10).

One possible explanation for this discursive shift was that attitudes among regional elites quickly shifted against ideas of political federalism soon after the EAC’s establishment. Therefore, regional policy discourses instead sought to emphasise the EAC as principally an economic, rather than political, project. But, according to insider accounts, the early 2000s were a period when regional elites’ commitment to EAC’s founding ideals were at their strongest.<sup>83</sup> Moreover, as I discuss below, in 2004 the regional heads of state set in motion a strategy to begin fast-tracking the process towards the establishment of a political federation (EAC, 2004d). These points suggest that ideas of political unity were still salient among the region’s policy elite following the EAC’s revival.

A similar, but perhaps more plausible, explanation for the observed shift towards more transactionalist articulations of regional social purpose was that the nature of debate and deliberation concerning East African regional governance shifted after the EAC’s establishment in 2000. Before this date, deliberations on the role and purpose of regional governance were much more holistic and systematic in nature. That is to say, during this period debates were concerned more with why regional governance should be re-instituted and the long-term ambitions and goals of integration and cooperation, including the establishment of a political federation. Such holistic debates, arguably, incited much more abstract appeals to ideas of shared political community. Following the

<sup>83</sup> Interview 12: Former Senior Official – EAC Secretariat, July 2017, Nairobi.

EAC's re-establishment, however, discussions moved to the more technical details of the region's integration process. As noted in Chapter 4, negotiations for the regional customs union began a couple of months after the signing of the EAC's treaty of establishment in 1999. A further point of importance was that regional policy elites initially envisaged that the EAC's regionalist agenda would first focus upon matters of economic integration. For instance, at a regional workshop in 2001, Francis Muthaura noted that a high degree of economic integration would first have to precede political integration (EAC, 2001b: 52-53). The idea was that economic interactions would also give rise to common political affiliations, breaking down 'entrenched' notions of 'national sovereignty' in the region (*ibid.*: 53). In short, as the EAC's regionalist agenda moved onto matters of *economic* integration, it could be posited that policy discourses sought to articulate the benefits of such a process through more transactionalist discourses.

The preceding explanation, however, can only be viewed as partial. As previously noted, despite initial intentions, deliberations on political integration soon returned to the EAC's agenda in 2004. The argument I also forward here, therefore, is to suggest that EAC policy discourses strategically invoked more transactionalist rationalisations in response to the difficulties and opposition faced by regional policy actors in moving the region's integration and cooperation agenda forward. As already discussed, the revival of the EAC was driven, in part, by regional elites shared sense of affiliation and belonging to the region as a social, political and economic space. Yet, as discussed at various points throughout this thesis, such sentiments also sat alongside latent nationalistic rivalries and suspicions, historically rooted in the psyche of policy actors in the region. In particular, this concerned anxieties over the distribution of benefits (and costs) of regionalism, drawing from perceptions that integration and cooperation during the 1960 and 1970s had principally benefitted Kenya, the most developed economy in the region.

For instance, in 1999 the Confederation of Tanzanian Industries (CTI) released a report (CTI, 1999) criticising proposals, within a 1998 draft of the EAC treaty of establishment, that would have seen the removal of all internal regional tariffs and non-tariff barriers by 2000 (EAC, 1998). Although the report did not dismiss the EAC's regionalist agenda outright, emphasising the need to improve Tanzania's competitive position within the global economy, it did argue that such rapid intra-regional liberalisation would expose Tanzanian industries to intense competitive pressures from within the region, in particular from Kenya. According to media reports at the time (Financial Times, 1998),



the CII report placed significant pressure upon Tanzanian policy actors, with the foreign minister (and future president) Jakaya Kikwete and finance minister Daniel Yona suggesting that the treaty's signing could be delayed until more safeguard measures were negotiated (*ibid.*). The eventual result was that the final version of the agreement contained no provisions for immediate intra-regional liberalisation and instead proposed that deliberations on reducing internal tariffs be included alongside the negotiations for a regional customs union. But, as discussed in Chapter 4, this merely kicked the issue into the long grass, as the customs union talks faced similar dilemmas and delays as negotiators sought to ensure adequate safeguard and compensation measures.

My argument, therefore, is to suggest that the shift towards more transactionalist invocations of regional social purpose was also an intentional and strategic response to the initial challenges and opposition faced in moving the EAC's regionalist agenda forward. In doing so, policy actors working closely with EAC's regional governance programme sought to recast the region's integration and cooperation agenda as economically *necessary*, supplanting the more *contingent* (and contested) appeals to ideas of common political community. Indeed, the opposition and delays that the EAC's agenda initially came up against somewhat undermined such appeals to notions of a *common* political community in East Africa and instead exposed internal divisions within the region. Early indications of this attempt to recast the EAC's agenda as economically necessary were evident as early as the 2001 regional development strategy. In a section discussing the challenges and lessons of the previous regional development strategy (1997-2000), the 2001 strategy noted that 'perceptions' of unequal sharing of benefits had delayed negotiations (EAC, 2001a: 5). Forthrightly, the 2001 strategy further argued that the delays in regional negotiations were because the 'benefits' of integration and cooperation 'were not obvious' to those involved (*ibid.*). Hence, by casting these distributive concerns as mere 'perceptions', the strategy in effect sought to dismiss them and attempt to instead construct a logic around the *undeniable* benefits of regional integration. As already discussed, the 2001 strategy was much more pronounced than its predecessor in emphasising the EAC's vision with reference to the economic benefits of integration and cooperation. An internal EAC meeting report from 2001 also shows that the individuals drafting the second regional development strategy made numerous edits, which sought to reiterate the economic benefits of integration and cooperation (EAC, 2001d: 5-6). This suggests that these actors intentionally sought to discursively construct a necessitarian logic around the EAC's regionalist agenda.

These efforts to systematically recast the EAC's regionalist agenda as economically necessary were, however, kicked into high gear in 2004, following a publication by the Committee on Fast Tracking East African Federation (EAC, 2004d). As I come to outline below, the significance of this report lay not necessarily with its proposals, but how it sought to recast and subordinate the EAC's political agenda to economic imperatives. Formed on the direction of the heads of state in August 2004, the committee was directed to explore the possibility of fast-tracking the region's ambitions for a political federation, as concerns emerged that the pace of EAC integration had been moving too slowly (*ibid.*: viii). The recommendations of the report, often referred to as the 'Wako report', after the committee's chairperson Amos Wako, proposed a compression of the EAC's integration timeframe. This proposal would see the various stages of integration – i.e. common market, monetary union, political federation – being pursued concurrently rather than sequentially, with a proposed timeline for the establishment of a federation by 2013, allowing elections for a federal president and parliament to occur that year. The committee presented the report to the heads of state in November 2004 (EAC, 2004e) and at an emergency meeting in May 2005, the heads of state indicated their intention to begin fast-tracking political federation.<sup>84</sup> A directive was then issued at an EAC summit in April 2006 (EAC, 2006b), for national consultations to be undertaken to garner public opinion on the fast-track proposals.

With hindsight, it is evident that the timeframe for establishing an East African political federation was highly ambitious and unrealistic. The partner-states have signed protocols for a customs union, common market and monetary union. However, at the time of writing, only the first of these has been operationalised fully (albeit imperfectly). Moreover, the application of the 2010 common market protocol has only occurred in part (and done so unevenly), and according to insider accounts, there has only been minimal progress in implementing the monetary union protocol.<sup>85</sup> There was also a degree of naivety in assuming that ordinary EAC citizens would be willing to rapidly move towards a regional federation. Such naivety was exposed within the national consultations, highlighting significant divergences in opinion across the partner-states for the proposed fast-track option. In Kenya and Uganda, the proposals for fast-tracking political federation garnered considerable support from those consulted (69.9% and 75.2%

<sup>84</sup> There is no report available for this meeting (at least publicly). However, summaries of the meeting are documented in other official reports (see: Government of Tanzania, 2007: 13).

<sup>85</sup> Interview 05: Regional Policy Expert, June 2017, Nairobi.

respectively) (Government of Kenya, 2007; Government of Uganda, 2007). In Tanzania, however, a significant majority (75.9%) of those consulted were opposed to fast-tracking political federation, although the consultation showed that a majority still supported the East African Federation in principle (Government of Tanzania, 2007).

The challenges in operationalising the Wako report's recommendations should, however, not detract from the overall importance of this document. To recall, regional elites initially intended to keep matters of political integration off the EAC's agenda and instead focus upon economic integration. In effect, therefore, the Wako report offered an updated vision (endorsed by the heads of states) for how (and why) the partner-states could (and should) hasten the regional integration process and establish a political federation. The significance of the Wako report, therefore, lay in the manner in which it sought to legitimate the EAC's regionalist project and, in particular, the ambitions to establish a regional political federation. Until the Wako report's publication, proposals for regional political federation were typically invoked alongside notions of East African exceptionalism. In this regard, policy discourses articulated regional political federation as something which was politically *desirable*, a process which appealed to more affective and devotional notions of uniting East Africa's political community under a single polity. The Wako report's significance was that it set aside these more affective appeals of East African exceptionalism and instead articulated regional federation as an *economic necessity*. In other words, the Wako report subordinated the EAC's political ambitions to transactionalist logics and, in doing so, sought to recast the regionalism as a solution to an economic rather than a political imperative.

The critical point here, is that in rationalising fast-track integration, the Wako report appealed to the (perceived) exigencies of globalisation which threatened to marginalise further 'weak economic states, whose voice is increasingly dwindling' (EAC, 2004d: 14). Effectively, the report transplanted ideas regarding the non-negotiability of globalisation, which had been used to legitimate economic integration, and applied them to the EAC's political ambitions. The Wako report, as such, emphasised the need to establish a regional federation on the basis that a larger political unit would enable East Africa to withstand better the existential threats posed by globalisation. As an excerpt from the Wako report notes:

Globalization **dictates** that poor and politically weak states come together in order to withstand its impact and to be able to gain from it...In order to reverse

marginalization, we must, on a priority basis, work on effective and timely responses to globalization...The decision to fast-track the integration process towards East African Federation is therefore a **pragmatic** move, **necessary** for survival (EAC, 2004d: 14-15, emphasis added).

Two key points emerge from this extract. First, the Wako report invoked a necessitarian logic that linked the need for the region to fast-track the integration process and establish a political federation, to the inferred dictates of globalisation. The report also invoked a rhetorical determinism by articulating that in the context of globalisation, an East African Federation was necessary for the region's (economic) survival. Indeed, at a later point in the report, it is noted how a regional political federation would enable faster economic development than that which could be achieved by the partner-states individually (EAC, 2004d: 16). Second, the Wako report did not attempt to justify the regional political federation in terms of East African exceptionalism and affective notions of common political community. As the above extract indicates, political federation was instead articulated as a 'pragmatic' response to a set of external imperatives. Significantly, the Wako report even went as far to suggest that national affiliations would continue under a political federation, stating that 'people will identify themselves as East African (Kenyan), East African (Ugandan) or East African (Tanzanian)' (*ibid.*: 15), detracting from the idea of shared political community in the region.

Following the publication of the Wako report in 2004, we can see how its articulations of regional social purpose came to inhabit other (communicative) discursive settings. For instance, the 2006 regional development strategy rationalised ambitions for a regional political federation by noting that it would 'enhance the effectiveness and sustainability of the common market operations' (EAC, 2006: 2). In other words, the desirability of the political federation became framed in terms of improving the functionality of the regional market (and the economic benefits derived from this). Furthermore, at the launching of the consultative process for fast-tracking political federation in 2006, the then EAC secretary-general, Juma Mwapachu, noted that 'nation states cannot realize the economies of scale and scope...to be able to survive the acute economic pressures unleashed by globalization' (Mwapachu, 2013: 122).

Returning to the Wako report, however, a significant aspect of this publication was that it was only circulated internally among the region's policy community.<sup>86</sup> The latter point suggests that the Wako report was orientated specifically towards an audience of elite policy actors and can, as such, be considered a source of coordinative discourse. From a methodological standpoint, this would indicate that Wako report was more reflective of the internalised beliefs of policy actors. Indeed, Wako invoked ideas regarding the non-negotiability of globalisation which, as discussed in Chapter 4, reflected an intersubjective worldview embedded within the region's policy community. I would argue here, however, that there was also a strategic orientation to the discursive invocations applied within the Wako report. To recall, the formation of the Committee on Fast-Tracking East African Federation was instigated by the heads of state in response to what was perceived to be the slow pace of integration. This would indicate that part of the committee's remit was to attempt to construct a (intersubjective) consensus among the region's policy community regarding desirability and necessity of an East African Federation (and regional integration more generally). In doing so, we can see how the Wako report transplanted economic arguments regarding the non-negotiability of globalisation, which carried significant salience among the region's policy community, and utilised them to legitimate the EAC's political agenda. Yet, by wholly subordinating the EAC's regionalist project to transactionalist economic imperatives, the Wako report, in effect, crowded out the more affective appeals to common political community

#### *The Shifting Spatial and Institutional Parameters of East Africa*

The preceding analysis suggests that policy actors working closely with the EAC's regional governance agenda increasingly came to lay more and more emphasis on economic (rather than political) arguments, in an effort to construct a necessitarian logic around the region's integration and cooperation agenda. In other words, arguments which appealed to more affective notions of East African exceptionalism were increasingly displaced in favour of more transactionalist arguments, which emphasised the economic benefits of integration. The argument I put forward in the remainder of this section is that notions of East African exceptionalism were also premised upon a particular spatial imaginary

<sup>86</sup> The front cover of the report indicates that, at the time, the report was under restricted circulation. Even today, the report is not available online and hard copies can only be accessed at a limited number of locations in the region.

that increasingly came to lose resonance with how the EAC's integration and cooperation subsequently unfolded. To recall from the beginning of this section, ideas of East African exceptionalism were built upon the distinct history of integration and cooperation among the EAC's founding members. Implicit within this exceptionalist narrative was a distinct spatial imaginary of East Africa that encompassed Kenya, Uganda, and Tanzania. The EAC, in this regard, was viewed as the institutional manifestation of this distinct spatial imaginary. The point I detail below, however, is that this particular image of East Africa diverged noticeably from the actual institutional process of regional integration and cooperation across the EAC.

This divergence, I argue, is most evident in the gradual expansion of the EAC's membership since the re-establishment of regional governance in 2000. As discussed, when deliberations on the EAC's revival were underway in the late 1990s, there was an evident caution regarding the expansion of regional membership. This caution drew partly from notions of East African exceptionalism: namely, that the EAC was supposed to build upon the common historical bonds shared by its three founding members. Regional elites were also cautious about expanding regional membership when regional governance was at such a formative stage. For instance, at an EAC heads of state summit in April 2002 representatives from the partner-states agreed that considerations of new members would only take place after the customs union had been finalised (EAC, 2002e). The 1999 EAC treaty of establishment included a set of criteria that potential members must meet to be considered for full membership. In contrast to the internal 1997 PTCC report on regional membership (PTCC, 1997c), which emphasised that potential members share historical, cultural and political factors similar to the region's founding members, the treaty set out more pragmatic and functional membership criteria. These criteria included specifications that potential members merely be geographically proximate and adhere 'to universally acceptable principles of good governance, democracy, the rule of law [and] observance of human rights and social justice' (EAC, 1999: 10-11). This presents another example of how affective notions of East African exceptionalism were displaced from the region's governing practices following the EAC's re-establishment in 2000.

Following the finalisation of regional customs union protocol in 2004, the partner-states began to consider long-standing requests by Burundi and Rwanda to join the EAC, with regional verification committees being formed in February 2005 to consider both

countries application for membership (Biira, 2015: 112). The recommendations of the verification committee's report were mixed. Both countries had experienced devastating civil wars and genocide throughout the 1990s, and the post-conflict reconstruction efforts undertaken in both Burundi and Rwanda were reflected upon in the report. Yet, whereas the verification report laid praise on Rwanda's reconstruction efforts, it noted that the reform process in Burundi had been insufficient to meet the EAC's membership criteria. The report, therefore, recommended granting membership to Rwanda, while deferring Burundi's admission (*ibid.*: 113-114). These recommendations, however, were ultimately ignored by the Council of Ministers, which recommended that both countries be put forward for membership at a meeting in 2006 (EAC, 2006c). A similar occurrence emerged in 2016, with the acceptance of South Sudan as a member of the EAC, despite the regional verification committee being highly ambiguous about the country's suitability (Hansohm, 2013: 22). Notably, the verification of South Sudan's eligibility took place in 2012, a year after the country's independence when many state institutions were not operational (*ibid.*).

According to one former senior official of the EAC Secretariat, the decision to confer membership upon Burundi and Rwanda was driven by a perceived sense of altruism on the part of the founding partner-states.<sup>87</sup> The partner-states, in this regard, saw EAC membership as a mechanism to assist with post-conflict reconstruction in both states (see also: Salim, 2012; Biira, 2015: 116). The close personal ties between elites in Rwanda and Burundi and those in the EAC partner-states were also a key factor. In Rwanda's case, many of its senior government officials had maintained long-standing ties with counterparts in Uganda. While in exile, many senior officials of the ruling Rwandan Patriotic Front had been affiliated with the National Resistance Movement in Uganda when it took power under Yoweri Museveni in 1986 (Reed, 1996). In the case of South Sudan's admission in 2016, we see similar patterns emerge where EAC membership was also viewed as a mechanism to encourage political stability. As members of the Intergovernmental Authority on Development (IGAD), both Kenya and Uganda had been involved in the Sudanese peace process during the 2000s, and both countries have been key supporters of the current government in South Sudan.<sup>88</sup> A recent report by Conflict Armament Research (CAR) has even accused the Ugandan government of

<sup>87</sup> Interview 12: Former Senior Official – EAC Secretariat, July 2017, Nairobi. Similar sentiments were expressed in 2007 by Juma Mwapachu, then EAC secretary general (Mwapachu, 2013: 168).

<sup>88</sup> Interview 09: Regional Policy Expert, July 2017, Nairobi.

illicitly supplying weapons to the government of South Sudan despite an international arms embargo (CAR, 2018).

Some interviewees expressed the view that with hindsight, the expansion of the EAC's membership had been a detriment to the deepening of economic and political integration in the region (see also: Maina, 2016a).<sup>89</sup> The interviewees noted that the increased size of the EAC had made achieving unanimity on important decisions much more difficult, as there needed to be a consensus among six (as opposed to three) governments. Moreover, they also discussed how the political stability of some of the EAC's newer members had come to deteriorate in recent years, hampering regional integration efforts. In 2013, a devastating (and ongoing) civil war broke out in the newly independent South Sudan (De Waal, 2014). Then, in 2015, political protests emerged in Burundi in response to President Pierre Nkurunziza's decision to run for a third term, a move prohibited by the country's constitution (Vandegiste, 2015). Yet, alongside these more practical issues, the interviewees also invoked notions of East African exceptionalism in explaining why the expansion of the EAC's membership had proven detrimental to integration and cooperation in the region. The point they put across was that the EAC's regionalist agenda was initially built around the close historical ties between Kenya, Tanzania and Uganda. They suggested, as such, that key components of this agenda – i.e. political federation – had been built around these historical ties and would, as a result, be much harder to achieve now that the EAC's membership had expanded. These latter points are, of course, speculative. But they illustrate a vital point regarding resonance of narratives of East African exceptionalism: namely, as the EAC's membership has grown beyond the boundaries of Kenya, Tanzania and Uganda, the potency and salience of notions of East African exceptionalism have diminished.<sup>90</sup> As a consequence, EAC policy actors have fallen back on other (transactionalist) social legitimisation strategies.

This disconnect between East African regionalism and notions of East African exceptionalism is exemplified further by the splintering of the region's integration and cooperation agenda into separate institutional forums. In 2013, the governments of Kenya, Rwanda and Uganda formed the Northern Corridor Integration Projects (NCIP).

<sup>89</sup> Interview 04: Senior Official – African Development Bank, May 2017, by email; Interview 11: Regional Policy Expert, July 2017, Nairobi; Interview 12: Former Senior Official – EAC Secretariat, July 2017, Nairobi.

<sup>90</sup> Somalia submitted an application for EAC membership in 2016, which is currently under review. There has also been long-standing speculation of Ethiopia becoming a member (Maina, 2016a). More recently, the Democratic Republic of Congo also placed a formal application for membership in 2019.



In principle, the NCIP was promoted as a forum for the three states to discuss and promote joint infrastructure projects and modalities for facilitating the transit of goods between Mombasa port in Kenya and inland destinations in Rwanda and Uganda. As the communique of the NCIP's second meeting indicated, the intention had been to use the forum to coordinate the construction of an inter-state railway line (Mombasa-Nairobi-Kampala-Kigali) and an oil pipeline that would run from Uganda to the Kenyan coast (NCIP, 2013). However, it is also evident that the NCIP co-opted critical aspects of the EAC's agenda under its remit, including the establishment of a common tourist visa, the creation of a single customs territory,<sup>91</sup> issues concerning the free movement of persons and rights of residence and, significantly, matters relating to fast-tracking political federation. Numerous interviewees noted that the establishment of the NCIP had been a response by the Kenyan, Rwandan and Ugandan governments to delays in implementing the EAC's common market protocol. These delays fed the perception on the part of Kenya, Rwanda and Uganda that Tanzania, in particular, was decidedly lukewarm about the prospect of deeper integration.<sup>92</sup>

The three participating governments sought to justify the NCIP on the grounds of variable geometry, as enshrined in the EAC's treaty of establishment. At a Council of Minister's meeting in August 2013, the Ugandan chairperson noted that the three states were merely moving forward with projects already agreed to under the EAC (EAC, 2013d: 69). Again, this speaks to the ambiguities surrounding the operationalisation of variable geometry as set out in the EAC's treaty of establishment. Certainly, the NCIP members pursued aspects of EAC's regional agenda, agreed to under the 2010 common market protocol. However, the NCIP also deliberated on key areas of the EAC's agenda, which had not been approved by the other partner-states, including preparing a draft of the federal constitution and designing regulatory frameworks for the single customs territory (*ibid.*). The point here is that it was unclear, under the EAC's principle of variable geometry, whether the NCIP states were able to move forward with crucial aspects of the EAC's agenda that had not been agreed to by all the partner-states collectively.

<sup>91</sup> This would see imports taxed at the first point of entry into the region, rather than at border of each of the partner-states.

<sup>92</sup> Interview 08: Senior Official – Kenyan Government (State Department for East African Community Integration), July 2017, Nairobi; Interview 09: Regional Policy Experts (x2) – Kenya National Chamber of Commerce and Industry, July 2017, Nairobi; Interview 11: Regional Policy Expert, July 2017, Nairobi; Interview 15: Regional Policy Expert, August 2017, Arusha.

The establishment of the NCIP also quite publicly punctured the idea of East African exceptionalism and regional coherence within the EAC. Although latent nationalistic rivalries and suspicions have always underlain the EAC's policy regime, these had largely been excluded from the public purview, often occurring within the context of internal regional meetings. The significance of the NCIP's establishment was that it exposed to a much broader audience the divisions that had emerged within the EAC, particularly among its founding members. These divisions were further widened in the years that followed, as illustrated in previous chapters by the divergences on the EAC-EU EPA in 2016 and the growing unilateralism with regards to national development planning. Crucially, in contrast to the first decade of the EAC's revived integration and cooperation agenda, characterised by relative harmony (at least from the outside), the second decade has been defined by fault lines and divisions between the partner-states. These divisions, in turn, prompt questions regarding the legitimacy of the regional governance and, more specifically, how in this context of regional divisiveness, EAC policy discourses have sought to articulate the continuing relevance of regional integration and cooperation. This is a discussion I turn to in the next section.

### **6.3 Dilemmas of Legitimacy and the Social Construction of Regional Space in East Africa**

The previous section detailed how EAC policy discourses increasingly came to rely upon more transactionalist invocations of regional social purpose. More specifically, I noted how policy discourses came to displace more devotional and affective appeals to common political community and instead came to rationalise the EAC's regionalist agenda in more pragmatic and utilitarian ways. In doing so, regional policy discourses increasingly emphasised the *individual* benefits that each of the partner-states would accrue by participating in the EAC's integration and cooperation agenda. Such discursive framings set out to construct an intersubjective consensus that articulated the EAC's social purpose in zero-sum benefits, as opposed to attempting to build a more devotional sense of affiliation and belonging to East Africa. The predicament, however, for regional governance in East Africa was that by articulating the necessity of its regionalist project in terms of zero-sum benefits, the resonance of these *perceived* benefits might come to diminish among policy-policy actors (and others) across the region. In turn, this could open subjective space for actors to contest the necessity of the EAC's regionalist project,

or merely reassess their willingness to engage with certain aspects of its integration and cooperation agenda.

*Regional Political Community, Globalisation and the Limits of Invoking External Economic Threats*

As discussed earlier in this chapter, by the early 2000s articulations of the EAC's regional social purpose had come to converge and become intertwined with narratives relating to the economic imperatives of globalisation. In this regard, official narratives sought to present the EAC's regionalist agenda as an economic necessity that would allow the region's economies to handle the intense competitive pressures posed globalisation, preventing their economic and political marginalisation within the global economy. In short, the articulated social purpose of the EAC came to hinge upon a particular discourse of globalisation as a non-negotiable economic constraint. Regional policy discourses (and the policy actors who composed them), as such, were able to construct a compelling imperative for regionalism that strongly resonated among East Africa's policy community (see: Chapter 4). In this sense, the legitimacy of the EAC rested on its ability to improve the economic development and welfare of the region in a perceived global context of unbounded economic liberalisation.

The underlying dilemma for regional governance in East Africa, however, was that by attempting to legitimate the EAC's regionalist agenda primarily through the spectre of external economic threats, there was the risk that the resonance of these *perceived* threats might come to diminish among actors within the region. As I discussed in Chapter 4, in the early 2000s, the EAC's policy community had come to internalise a particular image of globalisation as a non-negotiable constraint. The consequences of this for the region, it was assumed, would spell increasing competitive pressures and limited policy manoeuvrability which, in turn, would necessitate a programme of market-led integration. Yet, as I went onto argue, this neoliberal imagery of the global economy increasingly came to be challenged in the late 2000s, undermined by wider systemic shifts in the global economic order, not least by emerging markets such as China, India and Brazil. In turn, the blunting of this discourse of external economic constraint opened discursive space for the espousal of more activist and interventionist development narratives across East Africa's development discourses. The crux of my argument was that this shift in economic thinking has increasingly exposed tensions within the EAC's policy regime, as

emerging practices of national development planning came into conflict with regional ambitions for deeper integration. In accounting for these trends, I argued that these tensions emerged from certain institutional limitations of the EAC's policy regime. The EAC's policy regime had been institutionalised to support a (neoliberal) programme of market-led development. In this regard, the form of regionalism articulated in the neoliberal era was strictly intergovernmental, focusing on the removal of inter-state market barriers and policy harmonisation between partner states. As such, it did not provide the institutional foundations nor the coordinative capacity for deeper forms of integration required of a more interventionist regional development strategy. I also highlighted, in Chapter 5, how these coordination challenges had negatively affected not only intraregional integration, but the EAC's external affairs agenda too.

These post-neoliberal coordination challenges, however, also speak to a much deeper disconnect between the EAC's regional integration process and ideas of political community in the region. This is a point that sits at the heart of the tensions embedded within the EAC's policy regime: namely, the latent suspicions and nationalistic rivalries between the partner-states that were apparent at the EAC's establishment in 2000 and, according to insider accounts, still persist today.<sup>93</sup> My key point, in effect, is to suggest that the policy coordination challenges that the EAC's policy regime has come up against in the post-neoliberal era derive not only from institutional factors, but are also telling of policy elites' enduring and robust sense of affiliation with national (as opposed to regional) spaces of governance. By intertwining the social purpose of the EAC to the constraints of globalisation, regional policy discourses were able to construct a powerful intersubjective consensus among elites regarding the economic necessity of regionalism. This intersubjective consensus, however, emphasised the EAC's social purpose in a distinctly pragmatic, instrumental and depoliticised manner – i.e. as a space to respond and mitigate the economic threats of globalisation. Yet, by framing regional integration and cooperation in such a transactionalist manner, policy discourses did not endeavour to construct a more affective and devotional sense of affiliation and belonging to East Africa. In contrast, the discursive legitimisation strategies in the run-up to the EAC's revival regularly invoked notions of East African exceptionalism and common political community.

<sup>93</sup> Interview 08: Senior Official – Kenyan Government (State Department for East African Community Integration), July 2017, Nairobi.

Therefore, as East Africa's policy community came re-assess the constraints imposed by the global economy and the necessity of market-oriented governance from the late 2000s, it exposed not only the institutional limitations of the EAC, but also the latent nationalistic tendencies embedded within the region's policy regime. Indeed, in this context, the intergovernmental structure of the EAC's policy regime blunted the ability to coordinate a region-wide industrial strategy. However, even in this limited institutional environment, there have been instances where the partner-states had the opportunity to collaborate and pursue collective development strategies and have not done so. I discussed in Chapter 4, for example, how the EABC's proposal for a 'Buy East Africa, Build East Africa' campaign had largely fallen on deaf ears as the partner-states have continued to champion national producers. I also noted, in Chapter 5, how the partner-states had resorted to unilateralism regarding the EAC's dispute with the US over second-hand clothing, despite having the opportunity to pursue a collective response. The key point here is that by articulating the EAC's regionalist agenda through an overtly transactionalist frame, regional policy discourses sought only to construct an instrumental and pragmatic sense of attachment to East Africa as a political-economic space. EAC policy discourses, as such, did not attempt to articulate a more political sense of regional cohesion, based upon notions of shared identity and common political community. In other words, they did not attempt to overcome what Francis Muthaura once described as the 'entrenched' notions of 'national sovereignty' within the region (EAC, 2001b: 52-53). In sum, by articulating the EAC's social purpose in an overtly pragmatic and instrumental fashion, regional policy discourses did little to encourage policy actors (and others) to think (and approach) issues of development in a more collective regional sense. Instead, enduring inter-state rivalries and suspicions in East Africa, mean that understandings of development continue to be imagined as state-centric and nationalist (Mold, 2015).

#### *The EAC's 'Vision 2050'*

Two points are worth drawing out from the discussion thus far. The first is how articulations of regional social purpose have come to change over the lifespan of the contemporary EAC. Much of this chapter has discussed the displacement of ideas of East African exceptionalism within regional policy discourses, commonly referenced in the years before the EAC's formal re-establishment. However, what the discussion in this section (and Chapter 4) has also exposed is that discursive invocations of globalisation as

a non-negotiable economic constraint are no longer as resonant among the EAC's policy community. This, I argue, has presented EAC policy makers with something of a conundrum: namely, that the central frame through which the EAC's regional social purpose was articulated (i.e. responding to the external threats of globalisation) no longer appears to have the discursive power it once had. The second point, then, concerns what some commentators have argued to be the slowing momentum for regionalism among the EAC partner-states in recent years (see: Maina, 2016a; Ligami, 2017). As discussed at the end of the previous section, divisions among the partner-states have been openly exposed in recent years regarding issues over the implementation of the common market protocol, the EAC-EU EPA and others matters. The partner-states also appear to have rolled back on some of the EAC's key ambitions. At an EAC summit meeting in May 2017, the heads of state agreed that rather than fast-tracking the establishment of political federation, a model of 'political confederation' would instead be pursued (EAC, 2017e). One Kenyan government official noted in an interview that this would entail the creation of a single market, alongside the regional coordination of foreign policy, defence, and trade.<sup>94</sup> Significantly, however, the partner-states would not be required under a confederation to cede formal sovereignty to a supranational authority. The heads of states did note in their directive that a confederation would be a transitional phase and that commitments to an East African Federation were still in place. Yet, in contrast to the necessitarian logic invoked by the Wako report, the decision to move to a model of political confederation reflects a shift in tone where political integration is no longer seen as an immediate imperative.

These preceding points of consideration, open questions relating to how regional policy discourses continue to frame and articulate the EAC's purpose and relevancy, in a context where its regionalist agenda is increasingly contested. In 2016, the EAC published a strategy document entitled 'Vision 2050: Regional Vision for Socio-Economic Transformation and Development' (EAC, 2016b). As indicated within the executive summary, the purpose of the Vision 2050 strategy was to provide a long-term orientation to the EAC's ambitions for promoting structural transformation and improving the welfare of East Africa's citizens (*ibid.*: 12-13). The Vision 2050, therefore, invoked many of themes evident within the EAC's regional industrial strategy and policy (EAC, 2012a; 2012b), by implicitly emphasising the continued relevancy of regionalism in a context

<sup>94</sup> Interview 08: Senior Official – Kenyan Government (State Department for East African Community Integration), July 2017, Nairobi.

where (national) development planning is once again in vogue within the region. But, in contrast to the technical format of the 2012 industrial strategy and policy, the Vision 2050 document was a much more outward facing document, written and formatted to be accessible to a broader audience. In short, the EAC's Vision 2050 was an act of communicative discourse. As such, considering its purpose and intended audience, the Vision 2050 offers an important insight into how the EAC's policy community has set out to articulate the role and relevance of regional governance in the coming decades. In 2016, the EAC also published its fifth regional development strategy entitled 'EAC Development Strategy 2016/17-2020/21: Accelerating a People-centred and Market-driven Integration' (EAC, 2016a). This document was the first regional development strategy released under the umbrella of the Vision 2050 and gives added insight into EAC's contemporary discursive legitimisation strategy.

A review of the Vision 2050 agenda reveals several critical changes to the framing of the EAC's social purpose. The first point of significance is that, although references are made to the general benefits of economic integration, there is no longer the rhetorical determinism of previous EAC policy communications. For example, when discussing the proposed implementation of the regional monetary union, the 2016 regional development strategy notes that a single currency 'will make available a range of different cross-border services and products...stimulating economic activity and investment across the region' (EAC, 2016a: 54). However, unlike earlier EAC development strategies which presented market integration as a necessary economic imperative, the 2016 strategy articulates the creation of a single market as something which is economically desirable (and, therefore, contingent). Put differently, policy discourses no longer appeal to the inviolable logics of globalisation in justifying the necessity of market integration. As discussed previously, this suggests a discursive context among the EAC's policy community where rhetorical invocations of (neoliberal) globalisation as an external economic threat no longer carry the same salience as they once did. A corollary of this is that there is no longer a singular focus upon economic integration and moving towards a single regional market. In contrast to previous five-year EAC development strategies, which set grand targets for economic integration, the aspirations of the 2016 development strategy are considerably more modest, including an ambition to transform the regional customs union into a single customs territory and a vague commitment to enhancing the movement of factors of production within the region. As discussed in the previous paragraph, the salient issue under the umbrella of the Vision 2050 relates to matters of structural transformation and

industrialisation. For instance, the first strategic development objective outlined in the 2016 regional development strategy is to accelerate and consolidate ‘sustainable production, productivity, value addition, trade and marketing in key regional growth and productive sectors’ (EAC, 2016a: xii). In contrast, issues relating to the operationalisation of the regional customs union, common market, and monetary union are placed seventh and eighth on the list of strategic development objectives (*ibid.*).

The second point of significance is the Vision 2050’s growing emphasis upon the EAC as a site to promote and coordinate regional infrastructure development. Although issues of regional infrastructure development have never been absent within EAC policy communications, they were often ancillary matters in contrast to issues relating to economic integration. In comparison, the Vision 2050 documents places regional infrastructure development as a central priority, highlighting a number of strategies that have been initiated under the EAC, including a railways masterplan, an energy and power masterplan and strategy to upgrade the road network along East Africa’s key transport corridors (EAC, 2016a: 44-59). In doing so, there is a clear emphasis placed on infrastructure development, on the one hand, and structural transformation, on the other hand. As the 2016 regional development strategy notes:

These imperatives include the important declaration that the EAC Vision 2050 will, among others, focus on initiatives that will create gainful employment for the economically active population. The identified fundamentals and enablers are integral to the very idea of long-term transformation, value addition and growth, needed for accelerating the momentum for sustained growth over the long-term. The fundamentals and enablers include infrastructure and transport network that is efficient and cheap...; energy and information technology that are easily accessible...; and industrialisation that is built upon structural transformation (EAC, 2016a: 55).

As such, by articulating the region as a space for promoting infrastructure development, the Vision 2050 is also discursively invoking the idea of regional governance in East Africa as an enabler (rather than a detriment) of structural transformation. Unsurprisingly, therefore, that as the momentum for market integration appears to have slowed in recent years, brought about by the contradictions of an emerging agenda for national development planning, the Vision 2050 has sought to emphasise the EAC’s relevancy in different terms. In other words, the Vision 2050 sets out a claim to the EAC’s continued relevancy in an emergent post-neoliberal policy environment.



Finally, within Vision 2050, there is an increasing emphasis upon the EAC as an inoculator for broader continental integration across Africa. Despite the implicit links between regionalism in East Africa and ideas of Pan-Africanism, explicit invocations of this wider prospectus within EAC policy discourses were often peripheral. For instance, references to Pan-African integration are made only towards the end of the 2001 EAC development strategy, when it is noted that East African integration and cooperation would be consistent with the spirit of the Lagos Plan of Action and the Abuja Treaty (EAC, 2001a: 31). In contrast, the Vision 2050 is more forthright in situating the EAC as an inoculator for Pan-Africanism. This shift reflects an emergent political context in Africa, where tentative steps are beginning to be taken to operationalise long-held ambitions for continental integration. In 2008, COMESA, SADC, and the EAC started negotiations to establish a 'Tripartite Free Trade Area' (TFTA) between the members of the three RECs, that was signed (but has not been ratified) in 2015. Following this, the AU launched negotiations for an 'African Continental Free Trade Area' (AfCFTA) in 2012, with the ambition of creating a single market for goods and services across the continent.<sup>95</sup> In 2013, the AU also launched its landmark 'Agenda 2063', that articulated several long-term 'aspirations' for creating a prosperous and united African continent (AU, 2015). Returning to the EAC Vision 2050, we see numerous references to these initiatives. The executive summary, for instance, notes that Vision 2050 is consistent with and operates within the broader framework of the AU's Agenda 2063. Moreover, as shown below, references are also made to the EAC's role in supporting integration across the African continent:

According to the AU Agenda 2063, key economic institutions and frameworks, such as the African Common Market (2025), Africa Monetary Union (2030), African Customs Union (2019) and African Free Trade Area (2017) will be established. In the spirit of contributing to an integrated Africa, the Tripartite Free Trade Area (TFTA) between SADC, EAC and COMESA was launched in Egypt in June 2015. The TFTA is a stepping stone to the continent-wide free trade area by 2017 (EAC, 2016b: 75).

<sup>95</sup> An AfCFTA agreement was signed in March 2018, by 44 of the 55 AU member states. The AfCFTA is due to enter force in May 2019, after 22 of its signatories deposited their instrument of ratification with the AU. However, issues surrounding rules of origin and liberalisation schedules are still being negotiated (see: Erasmus, 2019).

In short, the Vision 2050 embodied a notable shift in the discursive communication of the EAC's role and purpose. Whereas for much of the 2000s, regional policy discourses emphasised the role of the EAC's regionalist agenda in terms of responding to external economic imperatives, the Vision 2050 has instead stressed the EAC's purpose with regards to structural transformation and Pan-Africanism. In this regard, it is evident that the EAC's (implicit) preoccupation with (neoliberal) market integration has loosened, as it sets out its stall as a site to also support infrastructure development and continental integration. It is perhaps too early to assess whether these emergent discursive legitimisation strategies can construct a new consensus among the regions broader policy community regarding the desirability and necessity of the EAC's regionalist agenda. Yet, early indications would suggest that these emergent legitimisation strategies face a number of constraints.

A first point of consideration here relates to the presence and visibility of the EAC. By this, I mean that the legitimacy of the EAC arguably rests on its ability to perform – and be seen to perform – the role and function which it presents itself as fulfilling.<sup>96</sup> However, the path-dependent institutional structures of the EAC can obscure its policy role. Structured along intergovernmental lines, the EAC's role as a site for policy construction is often overlooked, as policy implementation occurs at the national level. As such, the EAC lacks a visible presence in many of the policies constructed under its umbrella. In May 2017, for instance, a ceremony was held in Mombasa to inaugurate the completion of a standard gauge railway (SGR) line between Mombasa and Nairobi. Attended by Kenya's president, Uhuru Kenyatta, and deputy president, William Ruto, the ceremony was overlain with nationalistic overtones, with President Kenyatta waving a large Kenyan flag as a railway locomotive (also embellished with a Kenyan flag) rode past (Omondi, 2017). President Kenyatta also placed the completion of the SGR line as one of his government's key achievements in his *national* re-election campaign in 2017 (Oduor, 2017). Yet, the fact that the Mombasa-Nairobi SGR line formed part of a much broader EAC railways strategy to connect Burundi, Rwanda, and Uganda to the ports of Mombasa and Dar es Salaam was notably missing from the celebrations (CPCS, 2009). This omission illustrates the gap between the rhetoric and reality behind the Vision 2050's claim that the EAC can act as space for regional infrastructure development. Put another way, while the EAC offers an important institutional forum for policy actors to formulate

<sup>96</sup> Similar arguments have been made with regards to the legitimacy of European integration (see: Majone, 2005; Rosamond, 2012; McNamara, 2015).

collective infrastructure strategies, it lacks presence and visibility in their actual implementation. A further point to note here is that the EAC's Vision 2050 also has to compete with the more widely publicised national development strategies of partner-states and their competing claims to promote structural transformation and industrialisation. The corollary here is that without an active presence and visibility in the policies and projects it claims to deliver, the EAC is left exposed to potential criticisms about its continued relevance and purpose. The EAC Secretariat has (implicitly) acknowledged this point, as it has long pushed for more autonomy and authority (presence and visibility) over the region's integration and cooperation process (EAC, 2010c; EAC, 2016a: 29-30).

Second, and linked to points raised earlier in this section, the Vision 2050 follows on from previous policy communications by articulating the EAC's social purpose through a transactionalist and utilitarian frame. As discussed, the Vision 2050 sets out a stall for the EAC's regionalist agenda in terms of promoting structural transformation and industrialisation – i.e. the economic benefits of integration and cooperation. The predicament for the EAC, in this respect, is that the supposed benefits of integration and cooperation can all too easily be contested or claimed by other policy actors operating on the basis of different but potentially competing mandates. A predicament compounded within the current political context in Africa, as continental integration initiatives (i.e. TFTA, AfCFTA) claim credit for the same economic initiatives that the EAC (and other regional organisations in Africa) are nominally responsible for delivering. Otherwise known in the international studies literature as 'regime complexity' (see: Alter & Meunier, 2009), in the present context this phenomenon presents something of a quandary for East Africa's regionalist agenda: namely, that by promoting the EAC as an inoculator for Pan-African integration, the Vision 2050, ironically, risks undermining the relevance of its own integration and cooperation agenda. Put differently, the more that African countries continue to integrate under such continental initiatives, by consequence, the less relevant that RECs, such as the EAC, become. This is a point that was (implicitly) acknowledged during the TFTA negotiations, where there was an initial proposal to merge COMESA, EAC and SADC into a single organisation.<sup>97</sup>

<sup>97</sup> This proposal was put forward during the first TFTA summit in 2008. The communique of this summit can be found here: <https://www.tralac.org/documents/resources/tfta/1090-tripartite-summit-final-communique-kampala-22-october-2008/file.html>.

## 6.4 Conclusion

In this chapter, I have focused upon the EAC as a socially constructed space and have examined the policy discourses, which have served to construct a sense of meaning and legitimacy around this space. More specifically, my focus has been upon the manner in which the EAC's social purpose has been articulated through regional policy discourses, and how these have manifested and changed across time. In the first part of this chapter, I explored how affective narrations of East African exceptionalism and common political community came to play a less prominent role in EAC policy discourses and communications. I highlighted, instead, how these policy discourses came to articulate the social purpose of the EAC in an increasingly transactionalist, pragmatic and depoliticised manner. In this respect, the EAC was articulated as a space to respond to the external economic imperatives of globalisation and to promote the economic welfare of the region. In accounting for these trends, I presented two key arguments. First, I argued that by invoking the non-negotiability of globalisation, policy actors sought to recast the EAC's regionalist agenda as an economic necessity, responding to initial challenges and opposition faced in moving the region's integration and cooperation agenda forward. Second, I noted how notions of East African exceptionalism were premised on a distinct spatial imaginary, that drew from the shared history of integration and cooperation of its three founding members (Kenya, Tanzania and Uganda). My argument here was to suggest that as the spatial and institutional parameters of regionalism have shifted in East Africa, the potency of more affective appeals to East African exceptionalism have been undercut.

In the second half of this chapter, I turned to explore the dilemmas of legitimacy that have arisen for the EAC, by framing its regionalist agenda in an overtly utilitarian and transactionalist manner. My argument, in effect, was that by presenting its integration and cooperation agenda in terms of the inferred threats of globalisation, the predicament for regional governance was that the resonance of these *perceived* constraints might diminish among actors in the region. Here, I linked back to discussions in my previous chapters, discussing how neoliberal conceptions of globalisation had come to weaken in the region, opening space for more nationalistic (rather than regional) development agendas to emerge. Finally, I turned to explore more recent articulations of regional social purpose evident in the EAC's Vision 2050 strategy. I suggested that it was, perhaps, premature to discuss the success or failure of the Vision 2050 in terms of constructing a new consensus

around the relevancy and purpose of the EAC. Although, I noted that early indications suggested that the legitimisation strategy implicit within the Vision 2050 faced several constraints. The findings of this chapter, therefore, further elucidate the arguments presented in the previous chapters. Specifically, it has emphasised that as the EAC increasingly came to be framed as a space to respond to the competitive threats of globalisation, the foundations of its legitimacy were increasingly left exposed and vulnerable. As intersubjective conceptions of globalisation came to weaken among the region's policy community in the late 2000s, it not only opened space for the espousal of non-neoliberal policy agendas, but also opened questions regarding the purpose and relevancy of the EAC. In the next chapter, I turn to discuss the general findings of the thesis as a whole, as well as reflect upon future research agendas which emerge from these.

# Chapter 7

## Conclusion

### 7.1 Aims and Research Questions

In a 2018 article for the Financial Times, John Aglionby (2018), the paper's former East Africa correspondent, reflected upon the prospects and opportunities that the AfCFTA offered the continent. Aglionby's key point was that although the agreement had enormous potential, the inconsistent track record of economic integration across Africa meant that operationalising the AfCFTA would be easier said than done. As he went on to note, however, there were specific examples in Africa where regional trade was flowing relatively unencumbered. Here, Aglionby highlighted the recent introduction of a 'one-stop border post' at the Busia border crossing between Kenya and Uganda in 2017. Introduced under the umbrella of the EAC, the purpose of these one-stop border posts, initiated at various border crossings in the region, has been to reduce the bureaucracy of moving goods between the partner-states. As Aglionby highlighted, in the case of the Busia border crossing, the creation of the one-stop border post had resulted in clearance times for traders being reduced to around twenty minutes and led to a 50% increase in the customs revenue collected by both countries. Yet, Aglionby concluded by noting that, in the grand scheme of African economic integration, the East African experience was exceptional and that the implementation of the AfCFTA would likely face numerous hurdles along the way.

This notion of the EAC as an exceptional entity within the broader landscape of African regionalism has framed much of the focus of this thesis. As I began noting in Chapter 1, the EAC has been unique both in terms of the ambitions and trajectory of its regional integration and cooperation agenda. The EAC's 1999 treaty committed the region's partner-states to a process of deep economic and political integration. Moreover, in contrast to the commonly held neopatrimonialist assumption that African leaders only ever make superficial commitments to regionalism, the EAC has achieved several key integration milestones since its revival in 2000. As a result, organisations such as UNECA (2016a) have regularly exulted the EAC's achievements and held it up as a successful example of regional integration and cooperation in Africa. Yet, I also highlighted that this

image of success, built up over the EAC's first decade, had increasingly been placed under strain as its integration and cooperation agenda entered into the second decade. This strain has arisen from increasing tensions and divergences between the EAC partner-states, including the establishment of the NCIP in 2013, the failure to collectively ratify the EAC-EU EPA and a rise in intra-regional trade disputes (particularly between Kenya and Tanzania). These events and trajectories underpinned the research questions that informed both the theoretical and empirical analysis of this thesis: namely, (a) what motivated East Africa's policy community to revive the EAC in 2000 and (b) what explains the tensions and divergences which have come to characterise the EAC's regional regime.

In what follows, I offer some concluding remarks on the key insights and contributions of this thesis. I begin by outlining the key conclusions of each chapter and that of the thesis as a whole, before turning to consider my broader empirical and theoretical contribution. The final part of this chapter then turns to reflect upon future research agendas which emerge from my key findings.

## **7.2 Main Findings**

In Chapter 1, I began by highlighting the limits of the neopatrimonialist, or regime-boosting, understanding of African regionalism and, specifically, in relation to the EAC's revival and the trajectory of its subsequent integration and cooperation agenda. In particular, I argued that the neopatrimonial perspective had tended to take a highly essentialised understanding of African regionalism, was inclined to pre-suppose the motivations of agents and, crucially, it lacked consideration of the broader systemic context in which regional space is constructed. In Chapter 2, therefore, I turned to situate the study of African regionalism within a wider IPE framework. In doing so, I began by considering how Africa, as a region made up of small and developing economies, might be conceptualised within the global economic order. Although arguing that IPE, as traditionally viewed through the American and British schools (Cohen, 2007), proved ill-suited for such a task, I suggested that more recent conceptual developments in the field had opened new levels of analysis and avenues to explore Africa's international politics and political economy. In this instance, I narrowed my focus to the increasing deployment of constructivist approaches across IPE (Abdelal et al., 2010). Here, I linked

into recent debates on African agency in the international order (Brown, 2012; Murray-Evans, 2015), highlighting how constructivist concepts provided a conceptual bridge between IPE and studies of Africa's international politics and political economy.

In Chapter 2, I also developed a theoretical framework to explore the research questions underpinning the thesis. More specifically, it set out a theoretical framework to explore why regions are imagined and institutionalised, and why regional regimes can, over time, come to be characterised by institutional tensions and contradictions. I began here by considering the contributions of the NRA (see, *inter alia*: Farrell et al., 2005; Fawcett & Hurrell, 1995; Gamble & Payne, 1996; Hettne, Inotai & Sunkel, 1999; Söderbaum & Shaw, 2003). Although recognising the contributions that these literatures made to the study of regionalism, I argued that several analytic blind spots run through them. These include a tendency to exclusively explain process of regionalism by appealing to external or internal factors, as well as overlooking the purposeful agency underpinning the construction of regional spaces of governance. Drawing upon recent contributions in IPE around the concept of social purpose (Baker, 2018; see also: Ruggie, 1982), I extended it to the notion of regional social purpose. As I elaborated, regional social purpose entails an assemblage of discourses that serve to legitimate regional spaces, as well as provide a common language concerning the role and purpose of regional governance. I also argued that regional social purpose entails an important temporal dimension, capturing how and why institutional tensions and contradictions can, over time, come to emerge within regional policy regimes.

With this theoretical framework in mind, Chapter 3 turned to trace the origins of regional governance in East Africa and, specifically, the pathway that led to the EAC's revival in 2000. The chapter began in the early 20th century, tracing how the origins of East Africa as a knowable and governable space first emerged under the auspices of British colonialism. The chapter then moved on to consider the trajectory of East African regionalism in the immediate post-colonial era. I argued that East Africa's post-independence leaders offered a reimagined vision of regionalism, centred on ideas of political unity, equitable development and Pan Africanism, that contrasted to the more functional and technocratic social purpose that underpinned regional governance during the colonial era. This re-articulated vision of regional governance, however, soon came to conflict with certain institutional pathologies and constraints set in place under British colonial rule in the region. These included the inability to reconcile ambitions for political



unity with the region's fragmented governance structures; the challenge of promoting equitable development when the regional economy under colonial rule had centred upon Kenya; and the limited scope of East Africa's regional institutions – which were centred on the strong economic ties between Kenya, Tanzania and Uganda – to act as a forum for Pan-African solidarity building. This resulted in critical tensions emerging between the articulated social purpose regional governance in the post-colonial era and the institutional legacies of economic and political governance under colonial rule. The consequence of these, I contended, was that regional governance increasingly came to be questioned and contested throughout the 1970s, eventually resulting in the EAC's collapse in 1977.

The final part of this chapter, then, turned to consider the revival of regional governance in the 1990s and, specifically, the re-establishment of the EAC in 2000. My empirical narrative here began in the aftermath of the EAC's collapse in 1977. I highlighted how in the years after this event, Kenya, Tanzania and Uganda entered into a period of protracted economic crises. These crises were not necessarily a result of the EAC's collapse, as much of the African continent faced similar economic challenges from the late 1970s. Regardless, however, I argued that the EAC's collapse soon came to be interpreted by policy elites in the region as intertwined with the economic hardships the region had faced in years after. Combined with the looming threats posed by globalisation, I argued that a strong (but inferred) economic imperative had re-emerged by the 1990s for reforming regional governance. Alongside this necessitarian logic, I also emphasised that there was a clear affective dimension to the EAC's revival, linked to ideas of East African exceptionalism and common political community. Indeed, I highlighted that although the EAC's institutions collapsed in 1977, regional ties and dialogue were maintained between elites in the regions through forums such as inter-state working groups and later the PTCC. In the closing part of Chapter 3, then, I highlighted that East Africa's policy community envisaged three key roles and purposes for the revived EAC. In short, the EAC was envisaged as (1) a space to encourage regional development; (2) a forum for external policy coordination in the global order; and (3) a space to rekindle the partner-states' historic relationship. Accordingly, these three elements of the EAC's revived social purpose then formed the basis of the thematic chapters and analysis in the second half of this thesis.

In Chapter 4, I turned to consider the first of these thematic chapters, analysing the framing and articulation of the EAC as a space to promote development. My starting point here was to reflect upon the fact that, since its revival in 2000, the developmental imagination of the EAC had been articulated to a set of external economic threats. During its formative years, the EAC was articulated as space to respond to the competitive pressures posed by globalisation. But in more recent years, I highlighted that the EAC's integration agenda had increasingly been framed in relation to the economic threats posed by emerging powers, such as China and India. Yet, I argued that despite there being a continuity in the *material* nature of these (supposed) economic threats – i.e. posing external competitive pressures on East Africa's economies – the responses that EAC policy discourses have articulated in response to them have evolved over time. This set up a key research puzzle that this chapter sought to address: namely, why did one set of external economic threats (globalisation) invoke market conforming behaviour, while another set (emerging powers) prompted market-intervening behaviour? The answer, I argued, lay in the wider discursive setting in which these policy agendas emerged. During the EAC's formative years, I argued that the region's policy community had internalised a discourse of globalisation as an inviolable and non-negotiable constraint (Hay & Rosamond, 2002), whose constraints were viewed to necessitate market-led development. Over time, however, I highlighted that this discourse of inviolability began to weaken among the EAC's policy community, opening space for the espousal of more market-intervening discourses (and practices). I ended the chapter by highlighting how this turn towards (national) development planning has increasingly come into conflict with the EAC's principal ambition to establish a single market in the region.

In Chapter 5, I then reflected upon the EAC as an 'actor' in the global context. Here, I focussed on two particular case studies that offered crucial insights into the possibilities and limitations of the EAC as a global actor. The first case study focussed on the EU-EAC EPA negotiations (2007-14) and ongoing ratification process, whereas the second examined a dispute between the EAC and the US over the former's AGOA eligibility. This followed a decision by the partner-states to phase-out the importation of the second-hand clothing in 2016. As the EU and the US represented two of the most influential actors in the global order, both in terms of market power and diplomatic influence, these cases offered pertinent insight into the external actorness of the EAC. Moreover, both cases were also defined by key similarities and differences. In the case of the EAC-EU EPA, although the negotiations were defined by collective bargaining by the EAC, the

subsequent ratification process was (and still is) characterised by regional divisions and divergences. By contrast, the EAC's dispute with the US over its AGOA eligibility was defined less by collective bargaining and more by unilateralism and regional divergence.

In the chapter, I emphasised two crucial factors that explain both the diverging and converging trajectories of these two cases. The first factor concerned the importance of external recognition. In short, because the EAC-EU EPA negotiations were based on interregional dialogue, this prompted the region's policy community to coordinate a common negotiation position through regional institutions. In comparison, as the US showed a willingness to resolve the second-hand clothing dispute with the EAC partner-states individually, this led to divergence and unilateralism. The second factor, then, related to the uneven emergence of more activist and interventionist development agendas across the EAC partner-states that were identified in Chapter 4. More specifically, I identified how the ability of the EAC to maintain and implement common regional positions in both case studies was obstructed by unilateral derogations that were often justified on the grounds of national development.

What Chapter 4 and Chapter 5 highlighted, therefore, was that the EAC's regional regime was increasingly being defined by tensions between, on the one hand, an emerging agenda for national development planning and, on the other hand, an ambition for deep economic and political integration. In other words, these chapters reflected a context where the EAC's social purpose and legitimacy was increasingly being challenged and contested. I, therefore, turned in Chapter 6 to consider the legitimacy of the EAC as a space of governance. In particular, I considered how regional policy discourses had come to frame the purpose and relevancy of the EAC's regional integration and cooperation agenda. I began by highlighting that when debates on the revival of regional governance re-emerged in the 1990s, the EAC's social purpose was communicated through two lenses. Alongside appeals to the immutable imperatives of globalisation, the EAC's social purpose was also underpinned by an important affective dimension that invoked ideas of East African exceptionalism and common political community. The key argument I put forward, however, was that these more affective appeals to common political community were increasingly displaced from EAC policy discourses following the revival of regional governance in 2000. I argued that two factors underpinned the explanation for this shift. First, it reflected a desire by regional elites to recast the EAC's integration and cooperation agenda as economically necessary. Second, it also emphasised how ideas of

East African exceptionalism increasingly came to decline in resonance in relation to the institutional trajectory of the EAC, particularly as the membership of the region expanded and the region's integration and cooperation agenda splintered into separate forums with the establishment of the NCIP in 2013.

In the second half of Chapter 6, I argued that the increasing reliance on more transactionalist invocations of regional social purpose had exposed acute legitimacy dilemmas for the EAC. Specifically, I argued that the EAC's social purpose came to be almost entirely tied neoliberal conceptions of globalisation as a non-negotiable constraint. Put differently, the EAC was communicated as space to respond to the (supposedly) immutable competitive pressures of economic globalisation. Linking back into arguments made in previous chapters, I argued that the salience of this globalisation discourse increasingly weakened among the EAC's policy community from the late 2000s onwards. This, I argued, presented the region's policy community with a dilemma: namely, that the central frame through which the EAC's role and purpose had been articulated no longer appeared to have the discursive power that it had once had. This led me to consider more recent articulations of regional social purpose within the EAC's Vision 2050 strategy. Although I highlighted that the Vision 2050 had sought to re-situate the role and purpose of the EAC as a site to promote industrialisation, infrastructure and Pan Africanism, I concluded by observing that this emergent discursive legitimisation strategy faced several constraints going forward. In particular, I argued that the EAC's lack of presence and visibility in the policies and project it claimed to deliver under Vision 2050 left it exposed to potential criticisms of its continued relevancy and purpose. Moreover, I also suggested that the EAC's own regionalist agenda faced being eclipsed by grander continental integration initiatives, such as the TFTA and the AfCFTA.

### **7.3 Overall Conclusions**

The first question that this thesis sought to address was to understand the motivations underpinning the revival of the EAC in 2000. More specifically, in a context where the memory of the EAC's unceremonious collapse in 1977 was still relatively fresh in the memory of the region's policy community and where its three founding members – Kenya, Tanzania and Uganda – had come to participate in other RECs, why was it seen as necessary and desirable to revive regional governance. My argument here centred on

two essential claims. First, I argued that the EAC's revival was driven by a sense of economic vulnerability among East Africa's policy elite. In the years following the EAC's collapse in 1977, the three East African states had entered into a period of economic crisis. I highlighted that in this context, the EAC's collapse came to be discursively intertwined with the region's relative economic decline in the period that followed. Compounded by the external threats posed by economic globalisation, I argued that it was this palpable sense of economic decline among East Africa's leaders that was a crucial element driving the EAC's revival. As outlined in Chapter 2, this was a prominent explanation found across the 'new regionalism' literatures that emerged in the 1990s, where regional spaces were seen to be emerging in response to the broader systemic pressures being exerted by economic globalisation. Yet, in contrast to the NRA's residual structuralism, I emphasised how the preferences of regional policy actors were shaped by particular interpretations of their structural environment. In this instance, I highlighted how the region's policy community internalised an intersubjective conception of globalisation as a non-negotiable constraint. Regionalism, as such, was viewed necessary in the light of the supposedly immutable constraints being exerted by globalisation. Second, I argued that an important affective dimension also underpinned the EAC's revival. In particular, I stressed how in the period running up to the EAC's renewal, ideas of East African exceptionalism were commonly invoked across coordinative and communicative discourses. In this regard, I argued that the revival of regional governance could be understood within the broader landscape of African regionalism, where numerous RECs were already in existence, because the EAC was not solely premised on market integration, but was also conceived as space to rekindle East Africa's historic bonds.

The second research question, which animated the empirical analysis of this thesis, centred upon the tensions and divergences which had come to characterise the EAC's regional regime. The answer for this, I argued, lay in the specific way in which the EAC's social purpose initially came to be framed and how, from this, regional governance was institutionalised. As mentioned, following its revival in 2000, the EAC's social purpose increasingly came to be tied to a particular (neoliberal) conception of globalisation as a non-negotiable constraint. Regionalism in East Africa, therefore, was primarily conceived and institutionalised as a space to respond to the inferred economic imperatives of globalisation through a process of market-led integration. What emerged in the latter part of the 2000s, however, was that this neoliberal notion of globalisation as an immutable

economic imperative increasingly weakened among East Africa's policy community, prompted by broader systemic shifts within the emerging economic order. In turn, this opened space for the espousal of more activist and interventionist development agendas across East Africa. In this context, EAC policy discourses continued to emphasise the importance of regional integration and cooperation for this emergent agenda for structural transformation and productive restructuring. Yet, I suggested that the role of the EAC within this developing post-neoliberal policy environment was notably constrained. This stemmed from the institutional limitations of the EAC's regional regime, which lacked the coordinative capacities necessary for a more interventionist regional development strategy. The consequence of this, I contended, was that ambitions for industrialisation and productive restructuring were primarily emerging within national (as opposed to regional) policy spaces. In turn, this had resulted in tensions and outright conflicts arising between an agenda for national development planning and the EAC's principal ambition for deep economic and political integration.

#### **7.4 Empirical and Theoretical Contributions**

Having considered the key conclusions of this thesis, I now turn to the broader empirical and theoretical contributions that emerge from this thesis. First, there are clear links between the contributions of this thesis and an embryonic IPE literature that has recently sought to explore the role and purpose of South-South regionalisms in the emerging economic order (see: Riggiozzi, 2012; Riggiozzi & Tussie, 2012, 2015). Key among these literatures has been Pia Riggiozzi's (2012, 2017) work on 'post-hegemonic' regionalism in Latin America. Riggiozzi has argued that regionalism in Latin America has, since the 1990s, typically been associated with neoliberal norms and practices – i.e. trade liberalisation and market integration. But, the key argument Riggiozzi sets out is that as the pillars of the US-led neoliberal global order have increasingly been challenged in recent years, this has opened space for new forms of regional governance to emerge in Latin America. Specifically, Riggiozzi points to new regional formations such as UNASUR and ALBA, that have moved beyond a predominant focus on issues of trade and market integration to encompass strategies oriented towards such issues as welfare and social policy.<sup>98</sup> Like Riggiozzi, in this thesis I have identified how an emerging post-

<sup>98</sup> UNASUR: Union of South American Nations; ALBA: Bolivarian Alliance for the Peoples of Our America.

neoliberal political environment in Africa has opened space for the EAC's policy community to (somewhat) re-articulate the role and purpose of regional governance. As discussed in Chapter 6, the EAC's Vision 2050 strategy has sought to re-situate the EAC as a site for structural transformation, infrastructure development and Pan-Africanism. Yet, whereas Ruggirozzi is generally optimistic about the role of regionalism in the emerging economic order, the conclusions of this thesis offer some qualified scepticism. As discussed previously, what is shown in the case of the EAC is how such reimagined visions of regional governance can come up against and be distorted by institutional pathologies and constraints embedded within regional regimes.

Second, this thesis has also made substantive contributions to the study of African regionalism. Specifically, this thesis sought to move the study of African regionalism beyond the dominant analytic framework of neopatrimonial regime-boosting. First, in contrast to the neopatrimonial perspective, where elite interests are viewed to centre solely on their material self-preservation, this thesis has followed Mkandawire's (2015: 598) call for the role of ideas (and other non-material elements) to be incorporated into the study of Africa's political economy. Drawing upon an emerging field of constructivist IPE and applying a theoretical framework centred on the notion of regional social purpose, this thesis has demonstrated the importance of ideas and discourse in the imagination and institutionalisation of regional space in Africa. Second, it has also shown how African policy actors' preferences towards regionalism are not spatially and temporally fixed and pre-determined – African regionalism is not merely reducible to the politics of elite preservation. Instead, what the case of the EAC has shown is that the imagination, institutionalisation and even contestation of regional space is tied to the specific way in which actors in the region interpret their interests in relation to their structural contexts. Third, in contrast to the neopatrimonial perspective, where the global order is only considered in as far as it can act as a source of external patronage for domestic elites, this thesis has stressed the close (but contingent) relationship between the structures of the global political economy and the institutionalisation of African regional space. In short, this thesis has shown that African regionalism (as elsewhere) is driven by the contingent and complex relationship between agents, ideas and institutions.

A third contribution of this thesis, relates to the conceptualisation of African actors within the global political economy. Over the last decade or so, there has been increasing calls from within the literature for a more 'globalised' field of IPE (Phillips, 2005;

Riggirozzi & Tussie, 2015). The contention set out within these literatures is that despite its supposed 'international' orientation, IPE has traditionally focused on a small number of states and actors, principally in North America and Europe. Resultantly, countries and regions across the global south, that are fundamentally constitutive of the global political economy (Phillips, 2005: 16), have generally been ignored. As identified by these literatures, IPE's narrow empirical gaze has stemmed from a traditional emphasis on global structures which has invariably led to a focus on a small number of systematically important states and actors. My broader point in this thesis, however, was to suggest that several important conceptual developments had emerged across IPE in recent years, opening new levels of analysis and avenues for exploring the international politics and political economy of a broader range of actors. I narrowed my focus, in this instance, onto the growing influence of constructivist IPE (Abdelal et al., 2010). By drawing attention to the non-material dimensions of agency, I argued that constructivist concepts offered an important avenue for exploring the IPE of Africa. Linking into recent debates on African agency (Brown, 2012; Murray-Evans, 2015), I have shown, in particular, that constructivist theory provides a conceptual bridge between IPE and studies of Africa's international politics and political economy.

More importantly, not only has this thesis identified a conceptual bridge between IPE and Africa, it has explicitly engaged with and taken forward concepts from an emergent strand of constructivist IPE and applied them to a region seldom studied by the discipline. In doing so, this thesis has been able to make several theoretical and conceptual contributions to the field of IPE as a whole. These contributions principally revolve around the theoretical framework developed in this thesis, centred upon the notion of regional social purpose. As outlined in Chapter 2, this theoretical approach speaks to a set of constructivist literatures which have sought to conceptualise regions as discursive constructs (Rosamond, 1999, 2000, 2012; Van Langenhove). Like these literatures, this thesis has sought to draw attention to the importance of language (or discourse) in the social construction of regional space. Typically, however, these literatures have tended to focus upon the role of discourse in the communicative realm. In other words, they have emphasised the discursive legitimisation strategies deployed by actors to articulate the necessity and desirability of regionalism. Drawing upon recent scholarship within IPE discussing the concept of 'social purpose' (Baker, 2018; see also: Ruggie, 1982), this thesis developed a theoretical framework around the notion of regional social purpose. This framework not only sought to draw attention to the importance of discourse in the



communicative realm, but its coordinative or constitutive function. Put differently, it highlighted the importance of discourse as a common language drawn upon by regional policy elites which set the parameters for the role and purpose of regional governance. In short, then, the framework of regional social purpose provides a more encompassing and comprehensive understanding of the relationship between discourse and the social construction of regional space.

## **7.5 Future Research Agendas**

Several future research agendas emerge from the findings of this thesis. First, there is considerable scope to develop and extend the theoretical framework of regional social purpose employed in this thesis. To recall from Chapter 2, this theoretical framework draws heavily upon the insights of Baker (2018) and his article on the ‘social purpose’ of macroprudential financial regulation. In this article, Baker suggests that social purpose can be seen to consist of three elements: (1) a constitutive (coordinative); (2) communicative; and (3) receptive element. The framework developed in this thesis around the notion of regional social purpose focused upon the first and second of these elements. In this regard, it focused upon the internal language of regional policy making and how regional governance was framed and articulated to broader publics. The focus of this thesis, therefore, invariably centred upon regional policy elites and their discursive interactions with one another and wider audiences. By also incorporating a receptive element under a broader framework of regional social purpose, analysis could be undertaken to consider how wider publics acquiesce to or contest the logics of necessity and appropriateness found within particular expressions of regional social purpose. Moreover, future research examining this receptive element could also consider the non-discursive elements underpinning the legitimacy of regional spaces of governance. For instance, Kathleen McNamara’s (2015) work on the ‘politics of everyday Europe’ has shown how, through the employment of cultural symbols (i.e. the European anthem) and shaping the practices of everyday life (i.e. free movement), the EU has been able to construct itself into a legitimate and ‘taken-for-granted’ political authority. Future research on African regionalism could apply a similar approach, examining whether African RECs have been able to generate legitimacy by shaping the practices of everyday life within their regions.

A second area of future research could continue to examine the EAC's ongoing integration and cooperation agenda. As mentioned in the previous paragraph, this thesis has principally focused upon regional policy elites and the meaning and purpose they have attached to the EAC's integration and cooperation agenda. For considerations of space, the role of other actors, such as those from civil society, the private sector and external donors, has not been featured as extensively in this thesis. Future research could, therefore, explore the influence of these actors on the EAC's regionalist agenda. Indeed, research on other regions in Africa has shown this to be quite an interesting and valuable line of enquiry. For instance, Silke Trommer (2014b) has traced the significant impact that West African civil society networks had upon the dynamics of EPA negotiations between ECOWAS and the EU.<sup>99</sup> Similarly, Okechukwu Iheduru (2015) has demonstrated how regional business networks in West Africa have been able to shape regional policy and also forge a common sense of identity among the business community in the region. Another line of inquiry that has also begun to be looked at is the role and influence of donors on regional organisations in Africa. Stephen Buzdugan (2013), for instance, has examined the influence of the EU, as a major external donor, on SADC's policies and strategies. Buzdugan's argument suggests that the autonomy of Southern African policy makers over SADC has become highly constrained due to the material leverage exerted by the EU. The findings of this thesis would question Buzdugan's implicit contention that African RECs are somehow 'under the thumb' of external donors. Indeed, as shown in Chapter 5, the EAC partner-states have demonstrated a propensity (albeit to varying degrees) to challenge the external agendas of the EU and US. With that said, I agree with Buzdugan's broader point that the role of donors requires greater consideration when studying African regionalism.

Finally, the insights generated by this thesis could also help inform research into ongoing continental integration initiatives in Africa, such as the TFTA and the AfCFTA. One of the key conclusions of this thesis is that the EAC partner-states have, in recent years, struggled to reconcile their emerging agendas for national development planning with the EAC's principal ambition for deep political and economic integration. One future line of enquiry, therefore, might be to explore whether and to what extent these tensions identified within the EAC's regional regime have also been a feature of these continental initiatives. Interrogating the role of language and discourse would also be an interesting

<sup>99</sup> ECOWAS refers to the Economic Community of West African States.

avenue to explore in relation to these agreements. In particular, future research could explore how the advocates of these continental integration initiatives have sought to articulate and frame their necessity and desirability and how successful have these discursive legitimation strategies been.

## Appendix: List of Interviews and Personal Notes

Interview number	Description of Interview	Place	Date
01	Officials (x2), European Commission (DG DEVCO and DG Trade)	Brussels, Belgium	06 Dec 2016
02	Official, European Commission (DG DEVCO)	Brussels, Belgium	07 Dec 2016
03	Official, European External Action Service	Brussels, Belgium	07 Dec 2016
04	Senior Official, African Development Bank	By email	17 May 2017
05	Regional Policy Expert	Nairobi, Kenya	30 June 2017
06	Representative, Kenya Association of Manufacturers (KAM)	Nairobi, Kenya	30 June 2017
07	Personal notes, 1 <sup>st</sup> East African Conference on the Continental Free Trade Area and Regional Integration	Nairobi, Kenya	07 July 2017
08	Senior Official, Kenyan Government (State Department for East African Community Integration)	Nairobi, Kenya	10 July 2017
09	Regional Policy Expert	Nairobi, Kenya	12 July 2017
10	Representatives (x2), Kenya National Chamber of Commerce and Industry (KNCCI)	Nairobi, Kenya	17 July 2017
11	Regional Policy Expert	Nairobi, Kenya	19 July 2017
12	Former Senior Official, East African Community Secretariat	Nairobi, Kenya	25 July 2017
13	Regional Policy Expert	By email (Nairobi)	26 July 2017
14	Regional Policy Expert	Dar es Salaam, Tanzania	02 Aug 2017

15	Regional Policy Expert	Arusha, Tanzania	16 Aug 2017
16	Regional Policy Expert	Arusha, Tanzania	23 Aug 2017
17	Official, East African Community Secretariat	Arusha, Tanzania	23 Aug 2017
18	Official, East African Community Secretariat	By phone call	30 Aug 2017
19	Embassy Official, EAC Development Partner	Dar es Salaam, Tanzania	01 Sept 2017
20	Embassy Official, EAC Development Partner	Dar es Salaam, Tanzania	05 Sept 2017
21	Official, East African Community Secretariat	By phone call	27 Sept 2017
22	Embassy Official, EAC Development Partner	By phone call	10 Oct 2017
23	Official, East African Community Secretariat	By phone call	16 Oct 2017
24	Representative, Rwandan Private Sector Federation	By phone call	17 Oct 2017
25	Regional Advisor, EAC Development Partner	By phone call	05 May 2018

## Abbreviations

ACP	African, Caribbean and Pacific (group of states)
ALBA	Bolivarian Alliance for the Peoples of Our America
ACTIF	The African Cotton & Textile Federation
AfCFTA	African Continental Free Trade Area
AGOA	Africa Growth and Opportunity Act
AU	African Union
CAF	Central African Federation
CEMAC	Central African Economic and Monetary Community
CET	Common External Tariff
COMESA	Common Market for Eastern and Southern Africa
CTI	Confederation of Tanzanian Industries
EABC	East African Business Council
EAC	East African Community
EACSO	East African Common Services Organisation
EADB	East African Development Bank
EAHC	East African High Commission
EBA	Everything But Arms
ESA	Eastern and Southern Africa (EPA group)
EU	European Union
EPA	Economic Partnership Agreement
FDI	Foreign Direct Investment
GATT	General Agreement on Tariffs and Trade
IGAD	Intergovernmental Authority on Development
IMF	International Monetary Fund
IPE	International Political Economy
IR	International Relations

KAM	Kenya Association of Manufacturers
KANU	Kenya African National Union
MERCOSUR	Southern Common Market
MFN	Most Favoured Nation
NAFTA	North American Free Trade Agreement
NCIP	Northern Corridor Integration Projects
NEPAS	New Partnership for African Development
NRA	New Regionalism Approach
OEP	Open Economy Politics
OPEC	Organization of the Petroleum Exporting Countries
PAFMECA	Pan-African Freedom Movement of Eastern and Central Africa
PTCC	Permanent Tripartite Commission for East African Cooperation
RECs	Regional Economic Communities
SACU	South African Customs Union
SADC	South African Development Community
SAPs	Structural Adjustment Programmes
SCTIFI	Sectoral Council of Trade, Industry, Finance and Investment
SGR	Standard Gauge Railway
SIDA	Swedish International Development Agency
SMART	Secondary Materials and Recycled Textiles Association
T&C	Textile and Clothing
TANU	Tanganyika African National Union
TFTA	Tripartite Free Trade Area
UEMOA	West African Economic and Monetary Union
UN	United Nations
UNASAR	Union of South American Nations
UNCTAD	UN Conference on Trade and Development

UNECA	UN Economic Commission for Africa
UNIDO	UN Industrial Development Organization
UPC	Uganda Peoples Congress
US	United States of America
USAID	United States Agency for International Development
USTR	United States Trade Representative
WTO	World Trade Organization



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