

Thick institutionalism vs lean integration: new regionalism in Africa

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Africa is shedding the stigma of a marginal and 'dispensable' region (*The Economist*, 2011: 13; Invest AD, 2012). Beyond the lure of commodities and natural resources, international investors emphasize the attractiveness of sustained economic growth rates and the potential of markets stimulated by urbanisation and the rise of a middle class. Depictions of Africa as an 'emerging' continent (Ladd, 2012) also assume that the continent is ready for a process of 'defragmentation' in conjunction with bottom up and investment driven agendas. Region-building in Africa, the following pages argue, still remains heavily constrained by the thick institutional ambitions conveyed by regional organisations that pretend to emulate the experience of the European Union (EU).

The following pages discuss what 'new' regionalism has come to stand for and makes a case for contrasting the heuristic value of the notion as a tool of analysis with the disappointing achievements of regional organisations which are meant to promote rejuvenated agendas. We will first review how the revival of regionalism has, in Africa, been equated with the endorsement of thick institutional blueprints drawn from the European experience. The dysfunctional implications of this mimetic process will then be reviewed. The article concludes with a brief discussion of the implications of radical shifts in Africa's interactions with the global economy and how they may contribute to a 'look east' approach to the defragmentation of African markets and policies.

'New' regionalism as a conceptual tool and a momentum

New regionalism stands first and foremost for new patterns of expression and understanding of issues that used to be more narrowly conceived through the notion of integration (Bach, 2009). Regionalism is more axiologically neutral than the concept of regional integration for it involves a broader understanding of what region-building and regionness are about (Hettne & Söderbaum, 2000). The notion of regionalism offers a long overdue insight into the paradox whereby, as Axline already lamented in the 1970s, "most cases of regional integration are among Third World countries, yet research in this field has been dominated by theory based on the European experience" (Axline, 1977: 83). Regionalism accommodates an extreme heterogeneity of configurations, ranging from those involving the material organisation of transfers of sovereignty (regional integration) to cognitive and ideational projects (associated with the 'invention' of regions and construction of identities within existing states). Regionalism can relate to disintegration, namely demands that challenge state sovereignty and border-lines. Unlike the notion of regional integration, regionalism has no difficulty to account for agendas which, as the track-record the ASEAN illustrates, do not combine regional economic integration with the pooling of sovereignties but with qualitatively different processes geared towards sovereignty 'enhancement' (Higgot, 1995: 361-63).

Regionalism also enables the analyst to keep away from an underlying assumption associated with the concept of regional integration: the confusion generated by alternative association of the term to projects or processes (Warleigh-Lack, Robinson & Rosamund, 2010). By contrast, the dichotomy between regionalism and regionalisation enables to analyse configurations where, as frequently observed in Africa, regionalism and regionalisation are not congruent. In accordance with a now well-established current of analysis, regionalism refers in this paper to cognitive or state-centric projects, while regionalisation points to *de facto* processes. Students of European integration assume a process of congruence between regionalism and regionalisation, best illustrated historically by the correlation between the EU's successive rounds of enlargement and the growth of trade and investment interdependencies between old and new members, or the 'magnetic pull' exerted by the EU over its neighbourhood. Such an equation cannot be taken for granted in the case of Africa where regionalisation has been thriving at the expense of stato-centric regional agendas.

Regionalism is about ideas or ideologies, programs, policies and goals that seek to transform an identified social space into a regional project. Since regionalism postulates the implementation of a program and the definition of a strategy, it is often associated with institution-building or the conclusion of formal agreements. Regionalism can also relate to the production, invention or re-invention of transnational identities, a process concomitant with the delineation of mental maps and boundaries.

Regionalisation refers to the build up of interactions which may or may not relate to an explicitly asserted or acknowledged regionalist project. Regionalisation is a more encompassing notion than regionalism since it takes into account processes and configurations within which states are frequently not the key players. Regionalisation may correlate with the implementation of regionalist strategies and translate into processes of cross-border integration. Regionalism may equally, as mentioned above, involve a loss of state territorial control and the emergence of autonomous regional spaces. Regionalisation can grow irrespective of state policies, and even at times, in opposition to their stated purpose. In West Africa as in Asia, trade or migration networks do not have the ambition to build regional integration per se. Regionalization, as it is being promoted by the Yoruba or Hausa trade Diasporas in West Africa, proceeds from the aggregation of the strategies of micro-economic agents. Regionalisation can also be the outcome of corporate strategies by firms, ranging from small business ventures to the large multinationals, seeking to enhance their competitive edge.

To summarize, the notions of regionalism and regionalisation free the analyst from the teleological and normative implications associated with 'integration'. Regionalism also offers a counterpoint to the treatment of Europe as the prototype for region-building. Empirically, 'new' regionalism stands for a wave of region-building that gathered stamina from the late 1980s onwards as neo-liberal policies unleashed the expansion of cross border networks and transnational interactions powered by non-state players (Bach, 2011: 29-38).

New regionalism in Africa: an asymptomatic course

The revival of regionalism in the late 1980s was a global and largely unanticipated phenomenon. The *de facto* crystallization of trade and investment flows around the three core regions of the 'triad' owed much to the dynamism of non-state players. And when states were a driving force, this went along with significant policy-shifts in the mandates and agendas of established regional inter-governmental organisations

(Landau, 1999; Fawcett: 1995). While implementation of the EU's Single European Market agenda (1986-1992) went on, in North America negotiations towards NAFTA (1991-1994) were proceeding. Since this momentum went along with the establishment of the WTO (1994) it stimulated debates on the functions of regionalism as 'master or servant' of multilateralism (Hveem, 1999). In Latin America and in Asia, it was the notion of "open regionalism" that would provide the backbone for rejuvenated agendas and the emergence of such new organisations as Mercosur. While this on going wave of regionalism, branded as 'new regionalism', was generally associated with the promotion of less state- and euro-centric patterns of region-building, this was not to be the case in Africa.

In post-colonial Africa, the discussion of regional integration relates to a distinctive post-colonial history, shaped by the coexistence of three waves of institution-building. The first generation was born out of the federations and common services established during the colonial period. While most of Africa's federations were dismantled at independence, their common services often survived, generally as IGOs meant to manage common assets. In two cases, the Southern Africa Customs Union (SACU) and the CFA Franc currency zone, the transformation of colonial arrangement into hegemonic regimes resulted in unique instances of integration through hysteresis (Bach, 2005:137-48). The second generation of institution- building also emerged during the 1960s and was largely driven by geo-political considerations, including when economic cooperation or integration were the stated objectives. Most of the groupings meant to promote regional economic integration combined aspirations to import-substitution with strong inspiration from the (then) European Economic Community's 'constitutional' approach to integration. Throughout the period of the cold war, the politics of competing affiliations and patronage ties prevailed over the implementation of commonly stated economic goals. Most of the IGOs established during this period are still functioning, but their mandates, institutional architecture and acronyms went through drastic revisions in the early 1990s.

In Africa, the revival of regionalism took an asymptomatic course in so far as it retrospectively appears to have meant the endorsement of ambitious projects towards a constitutionalisation of integration and the mutualisation of sovereignties. The treaties of all the existing regional integration groupings were profoundly revised in the early 1990s and new acronyms were adopted to signal changing priorities: the *Preferential Trade Area* (PTA) of East and Southern Africa became the *Common Market* for East and Southern Africa (COMESA), CEAO was superseded by the Economic and Monetary Union of West Africa

(UEMOA), UDAO dissolved to be replaced by the Economic and Monetary Union of Central Africa (CEMAC), the Southern African Development Coordination *Conference* (SADCC) morphed into a Southern African Development *Community* (SADC)... Commitments towards the establishment of constitutionalised integration, involving the pooling of sovereignty, went along with a broadening of mandates so as to include issues of governance and rule of law. By the end of the 1990s, protocols establishing security management architectures had also been adopted by two key regional organisations (ECOWAS and SADC).

These bold agendas were designed to contribute to the implementation of the Abuja Plan of Action. Adopted in 1991, this continental blueprint prescribes the establishment of regional economic communities (RECs) that are to operate as 'building-blocks' towards an integrated African Economic Community (AEC) in 2028. By then, the AEC should involve the free movement of people and factors of production, a single domestic market, an economic and monetary union (with a single African currency) and a central bank. Today, eight regional groupings are officially recognized by the AU as RECs – the Arab Maghreb Union (AMU); the ECOWAS, COMESA, SADC, the Intergovernmental Authority for Development (IGAD), the Community of Sahel-Saharan States (CENSAD) and the East African Community (EAC).

The African Union (AU), launched in 2002, following the revision of the OAU Charter, similarly reflects upon the endorsement of thick institutionalism as an overall approach to region-building. Emphasis on institution-building and good governance with member-states is expected to contribute to the progressive transformation of the AU into regional agencies of restraint. The new Constitutive Act considerably broadens the missions of the AU since they now incorporate the establishment of the AEC and the creation of a sophisticated African Peace and Security Architecture (APSA). The APSA's establishment builds upon a normative revolution: the substitution of a culture of 'non-indifference' to the past principle of past non interference in the internal affairs of member-states.¹ As a result, the AU is the regional organisation which, by world standards, carries the boldest provisions allowing intervention into the affairs of its member-states. In accordance with these objectives, the transformation of the former Bureau of the OAU into a Peace and Security Council (PSC) aims at improving the

¹ The CA prescribes that the AU has "*the right ... to intervene in a Member State pursuant to a decision of the Assembly in respect of grave circumstances, namely war crimes, genocide and crimes against humanity*" (art. 4 section h).

conflict resolution and peace-building capacity of the AU. The CA of the AU also provides for the creation of an Economic, Social and Cultural Council (ECOSCC), for the establishment of an African Court on Human and Peoples' Rights (ACHPR) and for a Pan-African parliament.

The thick institutional agendas assigned to the RECs and the AU since the 1990s converge towards the construction of a continental economic and monetary union along with the mutualisation of sovereignties. All are strongly evocative of the trajectory followed by the European Union (EU). As the EAC and ECOWAS treaties illustrate, elements of federalism that go well beyond the EU's stated ambitions have been formally endorsed by some of the RECs.

More than in any other world region, the EEC/EU and its member-states have contributed to shape representations of regionalism and region-building in Africa. References to the EU as a prototype for region-building may be viewed as a tribute to the exemplary achievements of the European experience since the 1950s. The Lomé Convention actively contributed to promote a socialisation of the ACPs into the European model through the multiplication of group-to-group institutions which conferred a high visibility to European institutions.² European aid programmes have also involved the dispensation of expertise in line with Brussels' own understanding of region-building. A most obvious legacy of these years is provided by the UEMOA and CEMAC treaties which were drawn by experts from the European Commission and patterned along the newly established European Economic and Monetary Union (EMU). The EU's economic trajectory, it should be conceded, seemed to offer an exemplary confirmation of the scenarios for economic integration (free trade area, customs union, common market and finally monetary union) that were suggested in the fifties and early sixties by influential economists (Belassa, 1961).

Given the extensive aid and expertise drawn from Europe, it is not really surprising that the RECs borrowed the idea that the deepening of economic integration would progress through transfers of sovereignty to a supranational entity. The AU's revised treaty also draws much of its inspiration from the EU's politico-institutional architecture, although the organisation is, in effect, operating on a strictly inter-governmental basis. Since 2005, the EU has also turned from model to mentor, as interactions between the EU and the AU were institutionalised, through

² Joint institutions still include the ACP-EU Council of Ministers, the EU-ACP Committee of Ambassadors, and the Joint Consultative Assembly composed of an equal number of ACP parliamentarians and representatives from the European Parliament.

the organisation of Commission to Commission meetings – now known as College to College (C2C) meetings – entrusted with reviewing the progress of the Joint Africa EU Strategic Partnership (JAES).

It does not fall within the ambit of this paper to provide a comprehensive review of the achievements and failings of regionalism in Africa. Unlike what the case two decades ago, the topic is no longer ignored or side-tracked. A large body of experts, policy-makers and scholars monitors security and peace-keeping, while the ‘defragmentation’ of African markets generates active interest from both old and new players. The chequered process of negotiating the EPAs with the EC has also contributed to increase public awareness and mobilisation within African civil society. Such problems as the simultaneous participation of states to several RECs, the heavy reliance of African regional institutions external funding – recently illustrated by China's construction of the AU's new Addis Ababa headquarters – or the implementation deficit that affects policies agreed upon are widely discussed (ECA, AU & ADB:2010). We will therefore confine ourselves to a few remarks on this subject.

Current assessments of regional economic integration in Africa, while celebrating Africa's transformation into a new frontier for international trade and investment, stress that the continent still remains characterized by "fragmented small economies"(Janneh, 2011). There is also a striking contrast between the dynamism of the so-called ‘informal’ trade and the quasi-irrelevance (11%) of recorded intra-regional flows compared to what is being monitored in Europe (72%) and Asia (52%) (ECA, AU & ADB, 2010: 1-4). This reflects on the poor implementation of stated policies, but also on the limitations of a trade-driven approach to regional integration within regional economic communities and the future AEC (Woolfrey, 2012).

The establishment of Free Trade Areas (FTAs) and customs unions within the RECs was originally meant to have taken place within respectively 10 and 12 years following the adoption of the Abuja treaty in 1991. Two decades later, AMU, CENSAD and IGAD are nowhere near any progress towards establishing FTAs. In the Maghreb, member-states of the AMU have not been able to meet for several years. In the Horn of Africa, IGAD is still primarily a political forum, while CENSAD is probably doomed to fade into oblivion after the eviction of its Libyan patron and financier. While ECOWAS, ECCAS and the EAC have formally announced the establishment of their FTAs, SADC is yet to achieve this objective despite the formal claim (on its website) that the FTA was ‘launched’ in 2008. At a time when the African economies

have never been so integrated within the global economy, the regionalisation of markets and policies remains embryonic.

The EAC is the only regional economic grouping that has evolved from a FTA into a customs union. This should not, however, be considered as a forewarning of evolutions that are about to take place in the other groupings. The EAC is a much smaller (five) member-state organisation with a business oriented slant and, unlike the other groupings, an established record of cooperation and shared common services dating back to colonial period. Kenya, mainland Tanzania and Uganda were initially included into an East Africa High Commission (EAHC), established in 1948 by the British to manage external defence, a common external tariff, a common currency and common services that covered an extensive range of issues and activities (Hazlewood, 1975: 28).³ In 1961, the EAHC was replaced by a new organization, the Common Services organization (EACSO) that kept operating the common market and currency base, co-coordinated taxation and allocated resources from the distributable pool. Legislation on the matters entrusted to EACSO was passed by a regional parliament, the Central Legislative Assembly, which was less dependent from the administration, but had little capacity for political initiative. Decisions were effectively adopted on an inter-governmental basis by triumvirates of ministers drawn from the different states or territories. Dissatisfaction in Uganda and Tanzania over the distribution of the benefits of the customs union and common services meant that by 1965, all three states had issued their national currencies and the future of the CSO was threatened by the introduction of tariff barriers. In this context, the Treaty that established the East African Community in 1967 was a belated attempt to interrupt the fragmentation of the common market base of the CSO through the introduction of transfer-taxes that were meant to ensure equitable redistribution of the benefits drawn by the most industrialized country, namely Kenya. This new mechanism, however, amounted to tariff protection and became another subject of controversy. It would still take almost a decade until the EAC formally collapsed when, in 1977, member-states stopped paying their dues while Tanzania closed its border with Kenya.

The Arusha Treaty re-establishing the EAC was signed on 30 November 1999 by Tanzania, Kenya and Uganda, following a decade and a half of co-operative arrangements designed to harmonize

³ Common services covered activities such as customs, excise and income tax as well as transport and communication services (including the East African Airways Corporation), applied research, statistical data collection and higher education (at Makerere College).

monetary and fiscal policies, promote the restoration of a customs union, and establish common regulatory frameworks to attract investors. The treaty is particularly ambitious since it ultimately commits its signatories towards the establishment of a 'Political Federation'.⁴ Frustrated by the slow progress of integration within COMESA, private sector operators had kept pressing for the re-launching of EAC, encouraged by new prospects for convergence due to pro-market economic reforms within all three states. By the time the heads of state of the EAC met in November 2004, co-ordination of national policies had already achieved significant progress in several areas, in conjunction with regional networking and institution (re-) building. Major institutions include the Summit, the Council of Ministers, the Secretariat (since 1996), the East African Assembly and Court of Appeal (2001). Regional structures revitalised or newly established include the East African Business Council, the East African Development Bank, the Inter-University Council for East Africa (2000), the Lake Victoria Development Unit (2001), the East African Council for Science and Technology (2001), etc.

Lessons drawn from the pros and cons of the initial EAC, but also lingering representations of the region as a social and cognitive space and, above all, the ability of member-states and their bureaucracies to conceive economic integration as a 'common good' have sustained the build up of a momentum that, today, can appear to be credible when it plans for the establishment of a common currency by 2012. This capacity of the EAC to reinvent itself is in stark contrast with SACU's inability to do so. As a result, the oldest working customs union in Africa is being threatened by South Africa's declining interest for a regime (pooling and redistribution of the revenues) that has been breeding patronage and status quo preservation.

The achievements of the EAC are a reminder that the ability of regional organisations to implement thick institutional agendas presumes that member-states voluntarily concede a reduction of national prerogatives and territorial control. This postulates a capacity and willingness to do so, an issue that refers *in fine* to the production and implementation of 'public' policies that do not simply reflect upon the private interests of the ruler and his clients. It is the limited ability of some states to craft public policies and ensure the protection of their citizens that has prompted the increasing engagement of both the RECs and AU into conflict prevention, peace keeping initiatives and post

⁴ The Arusha Treaty alternatively refers alternatively to the formation of a "*political federation*" or to a "*federation of the partner states*" See Preamble, Art. 5, Para. 2; Art. 11, Para. 3 and Art. 123, para. 1 (EAC: 2011).

conflict transitions. Accordingly, African regional institutions have, within the past decade, become increasingly engaged in the reconstruction of state society interactions. Nkrumah's famous motto: "Seek ye first the political kingdom" has become central to the agenda of regional organisation across the continent.

The limited capacity of African regional organisations to implement their ambitious integrationist agendas cannot be simply attributed to the existence or absence of supranational decision-making processes or to lack of political will on the part of member-states. Thick institutional agendas contribute to exacerbate the adverse effects of the coexistence, within African regional and continental groupings, of thoroughly patrimonialised and predatory regimes along with states within which patrimonialism is capped and ring-fenced. Procrastination over the dismantlement of tariff and non-tariff barriers despite formal commitments to do so by the state or its agents deserves to be understood in this broader context.

Regionalisation vs regionalism: transstate regionalisation

Neopatrimonialism also breeds specific interactions between regionalism and regionalisation. These primarily revolve around the capacity to capitalize on the exploitation of cross-border opportunities. The blanket term of 'informal' trade invites to stress the importance of cross-border transactions that follow traditional routes and reflect upon natural complementarities. These transactions are often of great significance to the populations living in the borderlands. What we have labelled elsewhere transstate regionalisation refers to hybrid processes that stem from the ability of transnational players to transact across territories and borders thanks to complicities within state institutions. The territory of the state and its institutions are permeated by networks whose greater or lesser dynamism operates as an indicator of the intensity of neopatrimonialism, and the capacity of the state to produce public policies. The reach of transstate networks goes well beyond the borderlands even though it is there that their dynamism tends to gain greater visibility. Whenever a particularly enabling environment arises, the activity of transstate networks targets the most profitable segments of cross-border interactions – usually illicit or criminalised transactions that relate to continental or global market opportunities.

Transstate networks shape regionalisation processes that are largely autonomous from the regions that the RECs are meant to build. Transstate networks, like informal trade in general, are structured around social, religious or geo-ethnic affiliations as opposed to territorially-based identities. Their dynamism builds upon the instrumentalisation of opportunities generated by the tariff, fiscal,

monetary or normative disparities and discrepancies. These stimulate transactions that can involve products like alcohol, cigarettes or petroleum, but also more sophisticated items such as cell phones, computer equipment, vehicles, medicine, diamonds, endangered species, drugs, and of course armament. Transstate networks capitalise on the permeation of public policies by private interest: variable geometry in interpreting national regulations is central to the profitability of such transactions, as Mahaman Tijani Alou's detailed analysis of the customs services in Niger has shown (Tijani Alou, 2011: 142-54).

Transstate interactions can, in some cases, articulate with institutionally-driven policy orientations. Throughout the 1980s and 1990s, the instrumentalisation of the opportunities associated with transit-trade on behalf of transstate networks was viewed as a substitute to a developmental strategy for the "entrepot states" of coastal West Africa. At the other end of the spectrum, the descent of some states into informality, as currently observed in the Horn of Africa contributes to draw a totally different regional landscape, the combination of opportunities associated with the dividends of the frontier with those drawn from the exploitation of the dividends of violence and insecurity (Healy, 2011).

Lean integration: from process to project?

Region-building in Africa is far more dynamic than it was a decade ago. The improved quality of governance in a number of African states means a greater capacity to craft and implement 'public policies on a sustainable basis. This in turn contributes to the greater synergies between regionalism as a project and regionalisation as a process, as illustrated by the EAC.

Africa is also becoming a new 'frontier' for the oil industry, the emerging economies and institutional investors in general. Investment flows into the continent have overcome aid flows since 2006, and private investors have a clear focus on markets that have a regional potential as hubs. The outcome is fresh incentives to pragmatism that fuel defragmentation in the field of banking and finance (viz the success of the Ecobank in West Africa), through the adoption of measures designed to reduce the cost of doing business (Common Investment Area within COMESA), the rehabilitation of infrastructures, the establishment of corridors of growth combining public with private support (as successfully initiated by the Maputo Development Corridor over a decade ago).

More generally, Africa's improved terms of engagement within the global economy generate their own pressure towards the

defragmentation of markets beyond the frontiers of national states and the regional economic groupings to which they belong. So as to anticipate the intractable problems generated by the combination of multiple affiliations to RECs that might negotiate mutually incompatible Common External Tariff (CET) agreements, a newly established arena, the African trade forum, is now discussing the creation of a continental FTA. In Southern and Eastern Africa, South African ambitions to fulfil the country's potential as a hub and a gateway, underscore the country's support to the establishment of the tripartite COMESA-EAC-SADC by 2014. Region-building are also and perhaps most than ever about the construction of new regional orders.

Conclusion

As the Eurozone sovereign debt crisis keeps unfolding, 'emerging' Africa ranks second after Asia among the regions identified by international investors as dynamic and least affected by the effects of the global turmoil. The dynamism of regionalism in Asia and the Pacific also highlights how regional integration in Europe can no longer be considered as a global prototype for region-building. Yet, unlike what has been the case in other parts of the world, regionalism still remains in Africa primarily shaped by ambitious processes of institution building that postulate transfers of sovereignty and strong institutional capacity. These contribute to the sharp disconnect between highly ambitious federalist ambitions and poor transcription of stated ambitions on the ground.

The revival of regionalism has, in Africa, been an asymptomatic process due to its association with a constitutionalisation and mutualisation of sovereignties that member-states *de facto* reject. This also stimulates a dissociation between regionalist ambitions that remain heavily dependent on the capacity of states to produce public policies, and regionalisation processes that are fueled by transstate networks. At a time when European construction is in turmoil due to the failure of its national and regional agencies of restraint, its relevance as a model for African regional groupings should be seriously reviewed. It is otherwise unlikely that the considerable expectations associated with the 'defragmentation' of African markets and policies will be upheld.

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