

A Synthesis Research Report on the Participation of Citizens in the East African Community Integration Process

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A Synthesis Research Report on the Participation of Citizens in the East African Community Integration Process:

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The Vision East Africa Forum (VEAF) is an East African Community-wide civil society think-tank that was launched, with the support of the Friedrich-Ebert-Stiftung (FES) in Tanzania, on the 6th of October, 2011, in Arusha, Tanzania. The launch ceremony was conducted by the Secretary General of the East African Community, Honourable Dr. Richard Sezibera, in the presence of Tanzania's Minister responsible for East African Community Affairs, Honourable Mr. Samuel Sitta. The VEAF received a certificate of formal registration as a non-profit limited liability company in Dar es Salaam, Tanzania, on the 2nd July, 2012.

The main goal of the Forum is the provision of evidence-based intellectual support to efforts and initiatives taken by state and non-state sector stakeholders of the East African Community integration process. As per the communiqué issued by the founder members of the VEAF, the Forum seeks to be “... a think tank for critical

reflection on and advocacy for a people-centered East African Community integration process.” The launch communiqué commits VEAF members to encourage every stakeholder in the region to do whatever is in their power to promote “...the timely attainment of the integration milestones as enshrined in the Treaty for the Establishment of the East African Community and accompanying protocols.”

The Forum sets itself the goal of striving to be a holistic non-state sector platform that brings together the voices of a wide range of civil society groups to bear on the actions of institutions entrusted with the realization of the main objective of the East African Community Treaty of 1999, which is to promote a people-centred East African Community integration process that ultimately leads to the establishment of an “*East African political federation ... founded on the fundamental democratic principles, social justice, equality and respect for peoples dignity,*

rights and freedoms.” As per its communiqué of October 6th, 2011, the Forum is a unique non-state sector opinion platform as its membership is “... primarily drawn from, but not necessarily, representing a broad arena of non-state actors, including civil society organizations, the private sector and academia.”

This is the first publication of the Vision East Africa Forum that has been produced with the cooperation support of the Friedrich-Ebert-Stiftung (FES) office in Tanzania, which also supported the launching of the Forum. The FES also provided financial and secretarial support to the Forum in coordinating the work of conducting, in each of the five member states of the East African Community, a study on citizen participation in the EAC integration process, and the preparation of a country report on each of the five member states. The research work and the preparation of the country reports was commissioned to research team leaders, one

from each member state of the East African Community: Prof. Bernadeta Killian (Tanzania), Prof. Mwambutsya Ndebesa Patt (Uganda), Dr. James Kasombo (Kenya), Ernest Ndayizeye (Burundi) & Alloys Mutabingwa (Rwanda).

In addition, FES supported two research dissemination conferences: one in Dar es Salaam in September, 2012; and the other in Arusha in October 2012. These conferences provided an avenue to discuss the preliminary and the final findings of the country research reports. At the end of the Arusha research dissemination conference, the VEAF appointed an Editorial Board (Dr. Azaveli Feza Lwaitama (Tanzania), Dr. James Kasombo (Kenya), and Dr. Kitila Mkumbo (Tanzania)), tasking it to consolidate the five reports and prepare this booklet as a synthesis of the individual country-based reports into a single publication meant to highlight insights that are shared across the five countries. The publication is being produced as VEAF

Research Monograph Number 1, hoping that it will be the first in the series of monographs that VEAF intends to produce with the intention of stimulating evidence based debate on how best, as pointed out earlier, every stakeholder in the region may do whatever is in their power to promote “...*the timely attainment of the integration milestones as enshrined in the Treaty for the Establishment of the East African Community and accompanying protocols.*”

The Editorial Board wishes to acknowledge the support from various key individuals and organizations in the preparation of this booklet. The Board expresses its gratitude to the Friedrich-Ebert-Stiftung (FES) for its cooperation support of Vision East Africa Forum in general, and the support to the country research endeavours that resulted in the research reports from which this booklet draws its content. We express this gratitude, to the FES as an organization as well as to the individuals who

acted on its behalf, the staff of FES offices in Dar es Salaam, Tanzania; Kampala, Uganda; and Nairobi, Kenya.

Among the FES staff who we wish to single out for special mention is Dr. Stefan Chrobot, who was the Resident Director of FES-Tanzania in the period when FES extended its cooperation support in the establishment of VEAF and the publication of this monograph. Without wishing to personalize what was after all an institutional undertaking, the Editorial Board would like to acknowledge the personal commitment shown by Dr Stefan Chrobot, much as this was a commitment as a Resident Director of FES-Tanzania, discharged on behalf of FES as an organization. He certainly took a very keen and close interest in ensuring the successful establishment of the Forum, as well in the undertaking of its first EAC region-wide research endeavour. It was during his tenure as the Resident Director of FES-Tanzania that FES accepted the additional request

to assist in the publication of this monograph, in the most glossy but cost-effective format, and for this we are profoundly grateful to both FES as an organization and to Dr. Stefan Chrobot as the individual who persuaded the FES to assist VEAF to such an extent. A new Resident Director of FES-Tanzania, Mr. Rolf Paasch, took over from Dr. Stefan Chrobot in March 2013 just as the process of publishing this Monograph was about to be completed and he, too, like his predecessor, showed great enthusiasm in having this publication come out as soon as possible. We are most grateful for his personal support to the publishing initiative as well as to the work of the visionary VEAF moving forward.

The Editorial Board believes that FES has all along been behind the launch and work of the VEAF because it shares the Forum's belief in the need for all like-minded citizens of the world to come to each other's help in undertaking to contribute, in accord with one's local context, to the promotion

of "democracy and development" world-wide, and to "peace and security", thus, helping to "shape globalization in a socially just way."

We also express many thanks to the immediate former Secretary General of the EAC, Ambassador Dr. Juma Volter Mwapachu, who, in addition to the moral support for the idea of registering the VEAF as a non-profit company, also offered to write the **Foreword** to this monograph. His prelude offers us some insights as to where the EAC integration process is, and the extent to which the process may be taken further forward much more expeditiously if greater participation by all sections of East African society are encouraged by organizations like the VEAF.

The Vision East Africa Forum takes its inspiration from the analysis of the economic and political conditions of the peoples of East and Central Africa after World War II, and the dreams of visionary East

Africans like the late Mwalimu Julius Kambarage Nyerere, on what would be the best way of addressing those conditions. As far back as December 1961, George Dunheved observed the following:

From the policy of unifying the tribes of Tanganyika, Nyerere swiftly moved to the vision of the eventual federation of East and central and, indeed, of a unified continent of Africa.... Federation was first proposed by the British Government in 1929 but as Nyerere remarked, the Africans could not then accept it because it would have been dominated by the Kenya settlers. There was another attempt

after the Second World War and again there was African opposition for the same reason....Nyerere felt that most people in East Africa agreed that if the conditions could be fulfilled for federation, then the countries of East Africa in every respect would be much better together as one political unit than if they were separate. (Julius Nyerere: A Biography:14). (Our emphasis.)

Dr Azaveli Feza Lwaitama
Chairman, Board of Directors
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April 2013

Ambassador
Dr. Juma Volter Mwapachu.
*Immediate former Secretary
General of the East African
Community*

Regional integration is often viewed in trade and economic terms because of the traditional end results that feature as primary goals of integration. Concomitantly, integration processes have become more a matter of managerial and technocratic process driven by governmental interests and power relations. Thus, whilst regional integration is fundamentally a highly political process, the nature of the democratic state has dominantly defined who the principal players are, and what institutional structures are necessary in enabling integration decision-making processes to be undertaken. In this regard, the Treaty establishing the East African Community (EAC) is crafted in a manner reflective of the nature of the democratic state of the founding partner states. Thus, the Treaty is very clear in its

provisions about the institutions and institutional mechanisms for putting the nation state at the heart of integration decision-making process, with the Council of Ministers being the pivot.

Yet it is increasingly becoming an issue of great contestation whether the democratic state is—or should be—defined and deemed to be dominantly the state with its three pillars of the executive, legislature and judiciary. It is a contestation that also extends to regional institutions even where the pillars that embody the separation of powers do not feature, or feature as prominently. In other words, does a political process merely start and end with electoral and legislative politics? In the EAC Treaty, the provisions that relate to the development of a people-centred integration project are left loose and hanging. Of course, there is a view that the East African Legislative Assembly (EALA) is a people representative body, and thus a capable organ to promote the interests of the EAC citizens in the integration process.

However, the EALA is not a body of directly elected representatives in the same manner as, for example, the European Union Parliament, which leaves the question as to its legitimacy as a representative organ of the people. Moreover, the EAC Treaty is weak in addressing the engagement of civil society organizations (CSOs) in any effective way. Whilst many CSOs have indeed mushroomed in the region—some weak, some strong (one could refer to organizations such as the East African Business Council and the East African Law Society as being very strong)—the EAC lacks an institutional framework for engaging these bodies, and arriving at mutually determined decisions. One may also query: are these organised bodies mere ‘lobby’ or ‘interest group’ CSOs?

As such, there remains the more fundamental question about how East African citizens can *broadly* be involved and allowed the space to participate in the EAC integration process. This question has been heightened

by what is often described as the lack of knowledge about the EAC amongst the broad masses. On its face, the question clearly begs another: whose responsibility is it to educate the citizens? Is it the EAC itself, or does it lie with the partner states who own the EAC and upon whom most of the decisions about the pace and depth of integration principally lie?

In my view, this question extends beyond citizens being informed and becoming knowledgeable about the EAC. It has more to do with democratic politics and citizen participation. In this context, this question has attracted great interest among social scientists for several years. The interest now flows from a new reality that we live in the age of consent, and that the nature of our democratic politics has to be transformed in the face of new information and communication technologies, and with social media becoming a huge and effective platform and vehicle for empowering citizens to voice

opinions, agitate and even propel revolutions. In sum, we are now witnessing what the late Professor Rajni Kothari described, in his 1990 magisterial book, *Politics and the People-In Search of a Humane India*, as the “... convulsion of human consciousness” that is driving a dynamic and aggressive civic ethos and action. It is a new form of political expression that operates outside the realm of mainstream politics of political parties.

With the fast changing demographics, especially in the EAC region where the challenges of the youth bulge are becoming devastatingly worrisome, this new form of political expression that now underlies the numerous Blogs such as ‘Jamii Forum’, ‘Vijana Forum’ etc., is taking shape and becoming a force in civic engagement. Recently, Twaweza, a NGO, launched a project titled ‘Ni Sisi’ (It is us), to promote the idea that citizens can forge change through their own actions rather than depend on external agencies, be they

governments, donors, politicians or, in this particular respect, the EAC. Social movements that are citizen-based, centred and driven are the critical agents and catalyst of any form of transformation. I think we overplay in calling for the creation of institutional arrangements to organize such movements. Bureaucratization of civil society and of spontaneous people’s drives for participation and change cannot achieve the requisite—albeit, some migration of—power from the state.

Sustainable regional integration of the EAC has to fall in line with the objective reality that you cannot have grass without roots, as LC Jain so ably argued in his book, *Grass Without Roots* (1985) with respect to India’s development challenges in the 1980s. The EAC must be driven by a ‘grassroots’ ethos and thrust based on broad citizen participation at all levels of the East African society. I believe that this booklet, which features the research work undertaken under the auspices of the Vision East Africa Forum Limited and

the Friedrich-Ebert-Stiftung, aims at advocating the centrality of putting the citizens of our region at the heart of the EAC integration process. I commend this effort and hope that the publication

will catalyse what Rajni Kothari calls ‘a common élan and thrust’ propelled by “... diverse voices joining in symphony that cannot but be heard, respected and admired.”

1 Introduction

East African regional integration dates far back to the beginning of 20th century, by then encompassing three of the present members of East African Community (EAC): Kenya, Tanzania and Uganda. As summarized in the Preamble of the current 1999 Treaty for the Establishment of the East African Community (TEEAC), the social and economic integration measures that provide the historical antecedents of the current EAC include:

“the construction of the Kenya Uganda Railway 1897 - 1901, the establishment of the Customs Collection Centre 1900, the East African Currency Board 1905, the Postal Union 1905, the Court of Appeal for Eastern Africa 1909, the Customs Union 1919, the East African Governors Conference 1926, the East African Income Tax Board 1940 and the Joint Economic Council 1940; the East Africa (High Commission) Orders in Council 1947 - 1961, the East African Common Services

Organization Agreements 1961 - 1966, (and) the Treaty for East African Cooperation 1967 for the establishment respectively, of the East Africa High Commission, the East African Common Services Organization and the East African Community as successive joint organizations of the said countries to control and administer certain matters of common interest and to regulate the commercial and industrial relations and transactions between the said countries and by means of a central legislature to enact on behalf of the said countries laws relevant to the purposes of the said joint organizations”

As the same Preamble of 1999 TEEAC states, the original 1967 “Treaty for East African Co-operation” that established the original “East African Community” was officially wound up in 1977. The 1999 TEEAC Preamble attributes “the main reasons contributing to

the collapse” of the original East African Community to:

“lack of strong political will, lack of strong participation of the private sector and civil society in the co-operation activities, the continued disproportionate sharing of benefits of the Community among the Partner States due to their differences in their levels of development and lack of adequate policies to address this situation.”

The unequal ‘distribution of the pains and benefits of cooperation’ was itself a result of what Tanzania’s High Commissioner to Nigeria, Dr. Msuya Waldi Mangachi (2008:199) has characterized as “the structural dependency of the East African economy on the metropolitan countries and lack of a coherent development strategy to de-link from the vicious circle of this dependency.” The political clout to de-link from external neo-colonial forces can only derive greater regional political integration which in turn is only possible if there is

full participation of the majority of citizens of the EA region in the EAC integration process.

The first step in seeking to revive the EAC on a more democratic footing would seem to trace back to initiatives taken by Presidents Arap Moi of Kenya, Ali Hassan Mwinyi of Tanzania, and Yoweri Museveni of Uganda that resulted in the signing, in Arusha, Tanzania, on **November 30, 1993**, in the presence of the late Mwalimu Julius Kambarage Nyerere, of an agreement for the establishment of a Permanent Tripartite Commission (PTC) for East African Co-operation. The Secretariat of the Commission was established in 1996, followed by the signing of a treaty re-establishing a revived EAC on **November 30, 1999**, though, the treaty only came into force on **July 7, 2000**. President Mwai Kibaki of Kenya, President Yoweri Museveni of Uganda and President Jakaya Kikwete of Tanzania formally admitted Rwanda and Burundi to the expanded EAC at the 5th Extra-Ordinary East

Africa Community's Heads of State summit held at the Serena Hotel in Kampala, Uganda, on **June 18, 2007. Indeed, it was at the ceremony for granting admission to Rwanda and Burundi to the EAC** where President Mwai Kibaki of Kenya, as the Chairman of that session of the Summit, used the occasion to pay tribute to President Museveni and former Presidents Ali Hassan Mwinyi and Daniel arap Moi for having been the ones who, possibly under the influence of the late Mwalimu Nyerere and in the shadow of then Rwanda and Burundi violent conflict simmering, took the courageous first step, on **November 30, 1993**, in reviving the EAC, on a new and potentially expanded democratic footing.

Looking back to these inspirations for the revival of the desire to work towards EAC integration, it is important to observe that the decision making organs of the revived EAC and the manner in which the political leadership of the member states of the revived

and expanded EAC would seem to have been attending to the treaty obligations of each member states in circumstances that still register unsatisfactory levels of citizen participation the revived EAC integration process. Members of the *Vision East Africa Forum Limited* (VEAF) wished to ascertain the extent to which the democratic deficits that led to the collapse of the first wave of EAC integration do not still manifest themselves in the manner in which the current laudable EAC integration efforts have been unfolding.

At various meetings of the members of the VEAF, there was unanimous agreement with analyses like those above that argued that the historical origins of the previous EAC integration projects had suffered from immense democratic deficits and these deficits were the cause of the collapse of these previous integration efforts. It was agreed that the building blocks of what later evolved into the immediate post-independence EAC that

collapsed in 1977, and had to be revived from the 1990s, were laid by a succession of social and economic integration measures, first by the British colonial authorities, and, subsequently by the immediate post-colonial independent governments, all with little consultation of the feelings of the majority of the indigenous inhabitants of the East African region.

The VEOF members thus wished to undertake research, in each member state, that sought to establish the extent to which citizens in each member state of the revived EAC have had their voices heard in the scripting of the on-going EAC integration agenda. Specifically, the VEOF members wished to establish the extent to which political parties to which citizens in the relevant countries were affiliated addressed issues of EAC integration at their regular policy making meetings. Since all the countries in the region have adopted a multi-party

democracy political dispensation, it was deemed important to find out the extent to which citizens affiliated to political parties in the oppositions, as well as those currently in power, are equally consulted and encouraged to participate in decision-making relating to the EAC integration agenda.

It is indeed pertinent to note here that while the need to enhance democratic participation has been recognized, and renewed efforts are currently being sought to incorporate extensive consultation and participation by the widest possible range of private sector and civil society, some studies have identified ironies to these efforts. For example, Mukandala and Killian (2004) have pointed out that citizens' participation may result in the "consolidation of nation states" as well as an increase in territorial nationalist demagoguery about the need for "non-interference in each other's internal affairs; respect for each

other's sovereignty.' All these may work towards 'consolidating' the status quo; thus promoting a situation that may be the opposite of the ultimate goal of EAC regional political and economic cooperation, which are political federation and political union.

The Tanzania Chapter of the *VEAF* investigated the role of political party participation in the integration process or lack thereof (Killian, 2012). This country study highlights a number of insights on the extent to which a lot is still required to encourage full participation of all political parties and their members in the EAC integration. What this country presents as the situation pertaining to Tanzania seems to apply to most other EAC member states. For example, it was noted during the research dissemination conference that Kenya had just adopted a new national constitution, and yet this new constitution did not make much reference to the EAC integration. Similarly, the election manifestoes of Kenyan political parties hardly addressed the EAC integration in any great detail, if at all. A similar situation was observed with respect to Uganda, Rwanda and Burundi. Let us now examine the results of the Tanzania country study at greater length in order to emphasize the fact that citizen participation through political

parties is not very satisfactory.

2.1 The Tanzanian Situation¹

Tanzania is a merger of two formerly independent states, Tanganyika and Zanzibar, which united in 1964 to form the United Republic of Tanzania. After independence in 1961, Tanzania had a brief period of a multi-party politics which lasted up until 1965 when a single-party system was instituted. With the wind of change toward democratization in the 1990s, Tanzania re-introduced a multi-party system in 1992. There are now a total of 19 political parties in the country. However, Chama cha Mapinduzi (CCM) has been able to maintain power since independence even amidst multi-party competitive elections. Tanzania uses a first-past-the-post electoral system (FPTP), whereby a candidate who gets the most votes, whether a majority or

¹The discussion in this section is based on the draft country research report submitted by Prof Bernadette Killian of the Department of Political Science and Public Administration, University of Dar es Salaam.

plurality, is elected; and the party with a majority of seats constitutes the government. In parliamentary and local government elections, candidates are elected through a single-member constituency. The Union parliament consists of 239 Members of Parliament (MPs) who are directly elected at the constituency level. In addition, women's participation in the elective organs is further promoted by the constitutional affirmative action system, whereby 30% of all seats in the Parliament are supposed to be special seats for women. These seats are allocated to political parties in accordance to their national vote share in parliamentary elections.

LaPalombara and Weiner (1966) note that political parties are not only creatures of modern and modernizing political systems, but are also, in one way or another, omnipresent. Basedau and Stroh (2008) assert that political parties ought to be institutionalised so as to play their democratic roles effectively. An institutionalised party is thought

to enhance citizen participation and strengthen accountability (Thames 2007). Besides, such a party is capable of performing the usual functions of interest articulation, interest aggregation, political socialisation, political recruitment, rule making, representation, and forming a government (Gunther & Diamond, 2001).

Out of the nineteen registered political parties in Tanzania, only six have seats in the Union parliament. These include Chama cha Mapinduzi (CCM), Chama cha Demokrasia na Maendeleo (CHADEMA), Civic United Front (CUF), National Convention for Construction and Reform (NCCR-Mageuzi), and Tanzania Labour Party (TLP). According to the 2010 elections, CCM secured 78% of all constituency-based seats followed by CUF (10%), CHADEMA (9.6%), NCCR-M (1.7%), TLP (0.4%) and UDP (0.4%). In the Presidential elections, CCM's presidential candidate, Jakaya Mrisho Kikwete secured 61.2% of the national

votes, followed by CHADEMA's candidate, Dr. Willibroad Slaa (26.3%), CUF's candidate, Prof. Ibrahim Lipumba (8.1%) and the remaining candidates attained 1.8% of the total votes cast. During the 2010 elections, only around 8 million, out of the 20 million eligible voters, participated in the electing their leaders (NEC, 2010; TEMCO, 2011). The point here is that only a small segment of the Tanzania's population is actively involved with political parties' activities either as voters or as members; and this should be taken into account when assessing the role of political parties in mobilising their members and supporters for the EAC integration agenda (NEC, 2010; Makulilo & Raphael, 2010). With the exception of CCM, CHADEMA and CUF, the remaining political parties are weakly institutionalized; and are only limited to urban areas (Mukandala & Kiragu, 2005; Mmuya, 1998). Owing to this, they fail to perform their critical functions of interest articulation, interest aggregation, political

socialisation, and political recruitment.

2.1.1 Political Parties through the East African Legislative Assembly

The EAC Treaty provides one formal avenue through which political parties can participate in the integration process. Article 9 (1) (f) of the Treaty establishes the East African Legislative Assembly (EALA), which is vested with decision-making powers. The Assembly is composed of members elected by the respective national assemblies of each member state. Article 50 (1) of the Treaty states:

“The National Assembly of each Partner State shall elect, not from among its members, nine members of the Assembly, who shall represent as much as it is feasible, the various political parties represented in the National Assembly, shades of opinion, gender and other special interest groups in that Partner State, in accordance with such procedure as the National Assembly of each Partner State may determine.”

The Treaty thus requires MPs, in their respective states, to elect representatives for the EALA. Aspirants to the EALA are supposed to be members of political parties who are not MPs. In this way, issues of representativeness as well as accountability are definitely difficult to map out since the individual thus elected to the EALA could not claim to have a direct popular mandate similar to the one that can be claimed by the elected constituency MPs in the national Parliaments. Moreover, even with regard to the popular mandate that could be claimed by the constituency MPs in national Parliaments, the level of participation of the individual citizens within political parties is rather limited.

Furthermore, some political parties are excluded from participating in the selection process given that only political parties with representation in the National Assembly get the opportunity to elect the EALA members. In Tanzania, for

instance, members of the EALA are drawn from three political parties only: CCM, CUF and NCCR-M. Seven out of the nine members belong to the ruling party, CCM. The opportunity to involve the citizens is restricted by the fact it is MPs, and not individual voters, who directly elect members of the EALA. In this case, the process of electing members of the EALA is essentially top-down. Various stakeholders have recommended the need to introduce universal franchise in electing members of the EALA in order to boost citizens' participation and awareness of the EAC integration process.

2.1.2 Political Parties' Manifestos and EAC Integration Agenda

It is strange to note that no political party has specific and grand plans about the East African Community integration. Moreover, parties have not been able to develop mechanisms through which its members and followers can participate in the

EAC integration agenda, thereby undermining the whole idea of a 'people-centred community'. Ideally, national elections provide opportunity for citizens to participate effectively in the activities of a political party. This is due to the fact that the opportunity for citizen participation that exists in between general election times is limited. Using election manifestos, political parties engage in mobilizing the electorate in order to induce their support for electoral victory. In the 2010 general elections, which was the first election to be held after Rwanda and Burundi joined the EAC, different political parties came up with election manifestos. The content analysis of these manifestos shows that while issues regarding the EAC were mentioned in the election manifestos of three major political parties, there were no grand plans in the manifestos on the modalities of enhancing citizens' participation in the EAC integration agenda. The focus of the election manifestos was largely domestic, stressing

national and local issues; and the agenda of EAC integration was not a rallying issue for political parties' mobilization drive.

The ruling party, CCM and its predecessor, TANU, has had a history of supporting East African integration even before independence. Once, the Prime Minister of Tanganyika, Julius Nyerere, was even ready to delay Tanganyika's independence until Uganda and Kenya had attained their independence for the sake of the EA integration. However, during the multi-party phase, though at the forefront of revitalizing the EA integration process, the CCM leadership has been labelled as being a hesitant player toward full integration, especially in fast-tracking the process towards a political federation. This is partly reflected in the 2010 CCM election manifesto, which only argued for the need to promote economic integration, not just with the EAC, but also with SADC, without stating clearly how that can be achieved, or how the people can

be involved in fostering such kind of integration. The 134-page long document mentions the EAC only twice: not as a paragraph, section, title or sub-title, but merely in a sentence. While there is a section on global and national trends, opportunities and challenges, there is a glaring omission of regional trends and dynamics in the document, where issues of EAC integration could have been addressed. Fears expressed in the speeches of national leaders about such issues as fast-tracking political federation and benefits-sharing among partner states are not reflected at all in the election manifesto. Neither is the EAC discussed as part of the CCM five-year achievements, nor as challenges. The EAC is mentioned twice in relation to the need to continue with economic partnerships agreement between EAC and the EU and the need to improve the quality of education in order to enable Tanzanian graduates to compete in the EAC labour market.

The same pattern can be observed in the opposition political parties, namely CHADEMA and CUF. First, CHADEMA calls for the need to promote English teaching in schools in order to produce graduates who can compete with partner states in the labour market, particularly Kenya and Uganda (CHADEMA Manifesto, 2010). The second mention of the EAC in CHADEMA's manifesto relates to the need to reclaim Tanzania's leading role in promoting the EAC integration and full political federation. It challenges CCM for being rather hesitant towards the integration process, without however mentioning how citizens could be involved in the scripting of the integration process (ibid). On its part, the CUF manifesto states that "... the prosperity of *Tanzania relies a lot on EAC, hence CUF will support the strengthening and integration of the block as it is worth doing so to all citizens of the Great Lakes region*" (CUF Manifesto, 2010 [translation from Kiswahili to English, ours]).

Being written in the election manifestos is one thing, and being discussed in the campaign rallies is a different matter altogether. EAC issues were rarely raised in the campaign rallies, which were largely dominated by national and local issues. According to the Synovate (Tanzania) report (2010), the five major issues that dominated the 2010 election campaigns were corruption, agriculture, education, peace, and health (TEMCO Report, 2011:63).

It is in recognition of this trend that the EAC organized, for the first time, a forum involving delegates from political parties in the EAC in Nairobi in August, 2012. The main objective of the forum was to chart out ways in which political parties can popularise the EAC, particularly by highlighting the importance of deepening both economic and political integration. In his opening speech, Kenya's Prime Minister, Mr Raila Odinga, accused political parties in EA of excluding regional integration from their election manifestos

and constitutions. He further pointed out that, there is huge gap between the political class and bureaucrats, which in turn makes it difficult for important decisions to be implemented within partner states.²

2.1.3 The 1999 EAC Treaty and Citizens' participation

The 1999 EAC Treaty is built on the basis of being a people-centred (not people-driven as it is market-driven!), without establishing the modalities of citizenry participation. Indeed, the term 'citizens' rarely appears in the 129-page document. Stakeholders' participation is mentioned in relation to the private sector and organized civil society. Article 127 (1b) of the Treaty states that "... *the partner states agree to provide opportunities for entrepreneurs to participate actively in improving the policies and activities of the institutions of the Community that affect them.*" Furthermore, Article

²<http://www.in2eastfrica.net/eac-political-parties-meet-in-nairobi>

127 (3) of the same 1999 EAC Treaty states that the partner states agree to promote an enabling environment for the participation of civil society in the development activities within the Community. Also, according to Article 127(4), the Community “... shall provide the forum for consultations between the private sector, civil society organizations and other interest groups and appropriate institutions of the Community.” To cap it all, Article 7 (1d) states that the Community “... shall operate on the principle of subsidiarity, with emphasis on multi-level participation and the involvement of a wide range of stakeholders in the process of integration.” It is no wonder the term citizens appears only 5 times, compared to 22 times for private sector, and 13 times for civil society. Indeed, Chapter 25 covers the modalities under which the private sector and civil society are to participate in the affairs of the Community.

The most notable aspect in the document is the chapter on promoting women’s participation,

where the term ‘women’ appears 20 times. Article 121 recognizes that women make a significant contribution towards socio-economic transformation and sustainable growth, and that it is impossible to implement effective developmental programmes without the full participation of women. There are regional bodies for promoting the participation of CSOs and the private sector in the EAC agenda. Sadly, the initiatives for establishing an EA apex organization catering for the interests of women entrepreneurs would seem so far not yet to have born visible results.

All this brings us to the question: how are citizens and citizens’ participation defined in the Treaty? As we have seen from the above, the groups that feature prominently in the Treaty are the private sector, civil society organizations, and women. As such, the EAC promotes citizens’ participation largely through select groups of organized stakeholders. Unfortunately, the modalities for citizenry

participation in the affairs of the EAC are not provided in the EAC Treaty.

2.2 Other Avenues of Citizens' Participation

2.2.1 Civil Society Organizations

As discussed above, the EAC Treaty recognizes the role of CSOs in promoting EAC activities. Yet, the rules regulating CSOs activities limit them only to an observer status. Moreover, the rules set stringent requirements for CSOs to be recognized as partners in the framework of the EAC and, as a result, only a few organizations have been granted the observer status (Odhiambo, 2010). These rules include:

- Acceptance of the fundamental principles underlying the EAC;
- Having an interest in the fundamental and operational principles of the EAC;
- Making a contribution towards the strengthening of regional integration in East

Africa;

- Ability to enhance development partnership;
- Having objectives of common interest to the partner states;
- Bearing a regional dimension, i.e., being registered in each of the partner states; and
- Having a track record of at least three years of active operation in regional activities.

There have been various NGOs which, through advocacy, have been aggregating and articulating the interests of the Tanzanian citizens towards the integration of the EAC. These NGOs, however, are largely urban-based, and hence fail to reach the majority rural population. Even in the urban areas, it is only a small segment of the residents who can be said to be informed of, and actively participate in, affairs related to the EAC. These are the elites engaged in various spheres as academicians, NGO activists, civil servants and technocrats, journalists, and the business community.

Moreover, member states limit CSOs operation in their countries. In Tanzania, for example, the Non-Government Organizations Act No. 24 of 2002, and the Societies Act Cap. 337 R.E 2002 still limit the activities of CSOs and NGOs. One of the requirements is that NGOs are not allowed to be partisan and participate in politics. This has been a problem as the scope of politics is difficult to ascertain. For example, in 1995 the Tanzania Women Council (BAWATA) was de-registered on the allegation that it was involving itself in politics during the 1995 general elections. BAWATA took the matter to the High Court of Tanzania, and it was in 2009 that the case was determined in favour of BAWATA. Another organization that has faced similar threats from the government is HAKIELIMU, which seems to be critical of government education policies.

Despite these challenges, on 6 August 2012 the Tanzania Association of Non-Governmental Organizations (TANGO) took

the initiative of acting as a coordinator of bringing aboard CSOs in the country to actively engage in the EAC integration process. In a one-day roundtable meeting, it was noted that very few CSOs and civic actors at the sub-national level have the knowledge or the skills needed to engage in the EAC integration process. TANGO shares the similar observation that so far there is a very low participation of the civic population in the EAC integration.³

2.2.2 Consultative Organs

A Referendum is a ballot vote on a political issue in which citizens are directly consulted to decide either to accept or reject a proposal considered of great importance in their respective polity. At its bottom-line, therefore, a referendum is based on the principle of majority rule to legitimize a political agenda (Qvortrup, 2002:19). If well-

³ For further information on TANGO one is advised to visit www.tango.or.tz

conducted, this process is an ideal mechanism of involving masses in determining their destiny. The Wako Report (2004) stressed the importance of a referendum with regard to fast-tracking of the political federation of the EAC. It states:

*A public referendum in the three Partner States would appear the most natural policy choice. The referendum process is desirable since large numbers of the EA have stated very clearly that they want not only to understand what a federation is, but also own it and participate in its formation. The process of a referendum is by itself is a milestone, and takes a bit of time.*⁴

Despite the realisation of its importance, however, so far there has not been any referendum held in the member states with regard to the issue of fast-tracking the EA federation. It is pertinent to note here that despite its

significance, a referendum has one limitation: peoples’ lack of awareness of the issue being addressed. For instance, in 2009 Afrobarometer conducted a study called “Citizens’ Views on the East African Federation: A Tanzanian Perspective” and found that a large majority of Tanzanians had little or no awareness of the proposed East African Federation. The results of that Afrobarometer study are summarized in Figure 1 below. Overall, nearly 31% had not heard anything about the Federation, and nearly 46% had heard only ‘some’ or ‘a little’ about it. Only 20% of Tanzanians indicated that they had heard a ‘lot’ about the proposed East African Federation. Rural respondents were less informed about the proposed Federation than their

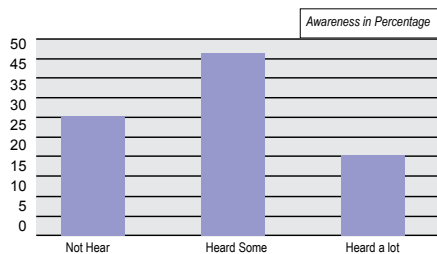


Figure 1: Awareness of Tanzanians on the Proposed East African Federation

Source: Afrobarometer: Briefing Paper, No. 54 of February 2009

⁴ Report of the Committee on Fast-Tracking East African Federation 2004 (Popularly known as the Wako Report).

urban counterparts: 34% of rural dwellers had heard nothing about the proposal, compared to 22% of urban dwellers.⁵

Furthermore, citizens' participation can be sought through collecting their opinion on the particular issue; a task that is usually done by a commission or a committee. However, this method only provides an opportunity to some members of the community to participate, instead of involving the whole community. Following a recommendation by the Fast-Tracking Committee in 2006, each member state carried an enquiry into the need for fast-tracking the EAC integration. Out of 65,000 Tanzanians who had the opportunity to air their views before the Committee, 74.6% said that there is no need for fast-tracking the East Africa Political Federation. Only 25% of those interviewed were in support of a fast-tracking the process. An analysis of the views shows that Tanzanians expressed some fears

of fast-tracking on four main issues: economic differences between Kenya and Tanzania, the ability to compete in the EAC job market, the need for building a strong economic foundation, and the ownership question of land and natural resources (Nyirabu, 2011). It was also believed that the questionable democratic credentials of some of the partner states instilled some fears among a certain segment of Tanzanians.

The ongoing constitutional review in the country offers an avenue for Tanzanians to air their views on the EAC integration agenda, among other things. While it is too early to conclude on the main issues brought about by the people in the constitutional review process, signs already indicate that national and local issues are dominating the debate. The union question between Tanganyika and Zanzibar is highly controversial, especially in Zanzibar where sentiments against the Union are openly raised. The structure of the Union may have an implication towards the form of Tanzania's

⁵ *Afrobarometer: Briefing Paper, No. 54 of February 2009.*

membership in the EAC. A certain section of Zanzibaris are advocating the break-up of the Union, and are calling for Zanzibar to join the EAC as an independent state.

Moreover, following the EAC Treaty, member states were urged to establish a ministry that deals with EAC affairs. This is the Ministry of East African Cooperation in Tanzania. It has been involving the citizens in various issues related to the integration process by using different methods like workshops, seminars, minister's visitations; and meetings involving citizens, NGOs, political parties, business-people, academicians and politicians. In August, 2012, the Minister, Mr. Samuel Sitta, held a series of meetings during his tour of regions bordering neighbour EAC member states. Commendable as these visits were, it may be argued that the Minister would have been compelled to use a lot of time during these visits addressing the people on EAC issues, rather than

soliciting their views on the EAC integration agenda.

2.2.3 The Media

The media has also been at the forefront in raising public awareness about the EAC integration process. The EAC organizes annual EAC Media Awards ceremony, where journalists are evaluated and honoured for their work on the EAC integration process. In Tanzania, the media's role in reporting EAC integration issues is still very limited. Compared to other media outlets, only The Citizen newspaper has received recognition for consistently featuring EAC integration issues.

2.3 Insights Derived from Tanzania Country Study

Stakeholders' participation in the affairs of the current EAC integration process has definitely increased compared to the former EAC that collapsed in 1977. The scope of their involvement, however, does not in significant

ways foster meaningful and expanded citizens' participation. The EAC Treaty has not yet provided adequate conditions for the citizenry to be active agents who can, in turn, shape the EAC integration process. The role of political parties, CSOs and the media in Tanzania in raising awareness about EAC integration is also limited. As such, although the EAC is founded on the principle of being 'people-centred', it has a long way to go before becoming a 'people-driven' integration process

he Kenyan Chapter of the VEF investigated at great length the role of non-state actors other than political party participation in the integration process, or the lack thereof (Kasombo, 2012). The Kenyan country study brought to light the extent to which there is a lot that still needs to be done to encourage full participation of members of organizations of non-state actors in the EAC integration. What this chapter presents as the situation pertaining on the issue seems to apply to most other EAC member states.

The Kenya country research effort was motivated by the recognition of the important role that civil society and the private sector can play in the realization of the full potential of the EAC integration process. It was recognized that, when fully implemented, the EAC integration process would be able to:

- Address the EAC region's developmental problems and reverse its exclusion in the globalizing world.
- Address the all-important issues of peace and security, democratization and development that pose institutional challenges at the bilateral and multi-lateral levels.
- Tackle fully and comprehensively obstacles that block development and growth in the region, and thus lead to the realization of the much-needed socio-economic and political transformation.

The Kenya country study consisted of both extensive library documentation search as well as a rapid survey of opinions using interviews and selected participant group discussions. The preliminary findings were further subjected to validation at various research dissemination workshops in Kenya under the VEF-Kenya Chapter, as well as in Tanzania under the auspices of the regional VEF. This section

⁶The discussion in this section is based on the draft country research report submitted by Dr. James Kasombo (2012) on behalf of the entire team of researchers commissioned by the VEF-Kenya Chapter, known as the Kenya Non-State Actors Forum.

attempts to synthesize the finding of the Kenya country study.

Kenya's political and economic history provides proof that there is need for full civil society and private sector participation in the integration process. However, the 1999 EAC treaty did not provide clear-cut mechanisms for their involvement in the design and implementation of the integration process as it was largely dominated by the political elite and bureaucracies. Therefore, CSOs have so far failed to evolve the requisite capacities and strategies for engaging in the process. Generally, the research found out that most CSOs still focus their attention on the national level and have, therefore, neither forged meaningful partnerships, nor strengthened cross-border collaboration and research and dissemination capacities to tackle issues at the regional level. The private sector has done much better, but still faces a lot of hurdles. Through quality engagement, the civil society can play the all-important

role of mainstreaming issues that are of interest to the people; and thereby accord legitimacy to the process, and close the gap between rhetoric and reality. There is also an emphasis on the need for a platform/forum through which the people, civil society and the private sector can proactively influence the pace and direction of regional integration. In general, therefore, the Kenya country research has identified four issues that require urgent interventions by non-state actors to enhance mutual attainment of respective goals and/or objectives in the integration processes:

- Lack of awareness on the EAC integration process;
- Poor implementation of the legislative frameworks of the EAC;
- Undemocratic nature of the EAC institutions and processes; and
- Weak and/or dysfunctional EAC institutions.

3.1 Overview of Regional Integration and the Need for Non-State Actors Engagement

Most research respondents didn't seem to be aware of the EAC Treaty, which is an important component to the regional integration. Interview evidence from the Kenya study suggested that there was need to disseminate information on the EAC Treaty and popularize it among the EAC people so as to eliminate the fears that people have on the integration. If people were made aware of the provisions of the EAC Treaty they would feel less inclined to be suspicious of the implications of fully implementing the Treaty and would be more likely to see the benefits of the accelerated implementation of all the milestones enshrined in the Treaty, including political federation. Indeed, some respondents in the Focused Group Discussions undertaken during the implementation of the Kenya country study were of the view that perhaps there may be benefit

in undertaking thorough review of the Wako Report now, some years after it was issued, not least because some of those who held negative views on the need for fast tracking political integration may have revised their stances in the light of difficulties that have been experienced in implementing the already agreed upon customs and common market protocols due to lack of supra-national institutions to follow up on enforcement of agreed lines of action and benchmarks. It would seem that a thorough reading of the 1999 EAC Treaty leaves one in no doubt about the fact that the past EAC integration (1967-1977) is radically different from the current one. The current EAC integration effort is deliberately supposed to be people-centred much as it is agreed that it could not possibly be anything but market-driven.

The Kenya country study observes that the current EAC organizational structure does not seem to provide for a strong democratic institution at the

centre EAC decision making institutional profile. The East African (EALA) provided for in the 1999 EAC Treaty does not provide for regional legislators elected by popular vote but rather those nominated by members of the member states' incumbent legislatures. The study also reveals that there is a feeling among stakeholders that the governance structures set up to implement decisions at the EAC Headquarters tend to be weak and definitely undemocratic institutions. Between the Summit of Heads of States one has a Council of Ministers and the technocrats who service the Council, the Permanent Secretaries of Ministries of EAC Affairs, who do not reside at the EAC Headquarters. To make matters worse, in terms of official protocol, the Ministers view the Secretary General of the EAC more or less as a regional EAC "Permanent Secretary" at large! This is hard an organizational structure likely to address issues such as perceived or actual unequal access to the gains

and pains of the of the EAC integration process given the historic and geographical unequal distribution of resources among communities in East Africa. This is an organizational structure that seems to be ill-suited to address the issue of the need for Partner states to harmonize country-level policies with the respective EAC regional level policies, modifying country level policies to be in line with EAC regional level policy thrusts.

Furthermore, the Kenya country study highlights the following as specific challenges facing EAC integration project:

- On peoples' participation: the study provides support to the view that the EAC people ought to be made aware of the process and should be allowed full participation in the process.
- On common tariffs: the study provides support to the view that the lack of common trade tariffs is widely considered as a factor contributing to the hampering of robust trade

among member states as the boarder regulations are still not allowing free movement of goods and services.

- On common official identity for being considered the East African person: the study provides support to the view that the lack of national IDs in Uganda and Tanzania hinders movement within member states. Also, the study provides support to the view that while Kenya has national IDs; these ought to be machine readable so as to enable easy identification within the EAC borders.
- On work permits: the study provides support to the view that some countries still require work permits from non-nationals before being allowed to work in the country. The study provides support to the view that the EAC should also be open to allow businessmen/women to run their business across the countries without restrictions.
- On political federation: the study provides support to the

view that member states are yet to invest adequate time and resources in discussing what would be entailed in having a political federation.

The Kenya country study provides support to the view that vision oriented NGO think tanks like the VEAF must seeks to encourage the building of convergences of the voices of the currently voiceless elements in civil society and the private sector who are the majority and who will benefit most from the full implementation of all the key milestones of enunciated in the 1999 EAC Treaty, demanding as it does for the establishment of people-centred, even if market-driven, EAC integration process. Promotion of such a convergences may help push for amore democratic integration process where EALA MPs have a popular mandate, the EA Court of Justice has teeth, and EAC Secretariat is an effective governing Council led, perhaps, by an effective, albeit rotating, single person Presidency as the Summit! The Kenya country

study also provides support to the view that a vision oriented NGO think tank like the VEAFF can promote the championing of the development of a detailed catalogue of common values and principles that may constitute an East African integration ethos.

3.2 Non-State Actors (NSA) and Awareness Creation in EAC Integration

The Kenya country study proposed some strategies that could be used in raising the currently low levels of awareness of various aspects of current EAC integration process among the Kenyans, as much as it would do the same with respect to the possible low levels of awareness among most citizens in all the other EAC member states. These would include:

1. Involving Non-State Actors (NSA) to promote awareness among the people;
2. Strengthening NSA/CSOs to ensure inter-country coordination;

3. Involving the media in cascading the EAC agenda;
4. Having democratic structures that will involve electing members of EALA directly by the people.

The Kenya country study notes that the 1999 EAC Treaty specifies the two ways in which NSAs can be involved in the EAC integration process: by seeking observer status (the Treaty also specifies that not every CSO will qualify for observer status); and through participation in consultative forums that include a broader array of stakeholders such as the private sector and different interest and community groups. It is, however, that the mechanisms that provided for NSA involvement needed to be reformed so that they may be more effective in facilitating greater citizen participation in EAC integration resulting partly from greater collaboration between the private sector and civil society components of the NSAs. Overall, though, the study maintains that the NSAs, such as the Kenya Chapter of the regional

VEAF, need to be more proactive in seeking to engage with the decision making organs of the EAC as presently constituted.

3.3 Towards Effective and Efficient Institutions for Regional Integration: The Case of EAC

This component of the Kenya country research highlighted the importance of having effective and efficient institutions that will enable achievement of the overall goals of the East African integration since the first EAC collapsed in 1977 due to ineffective and inefficient institutions. The reasons that led to the collapse of first EAC included ideological and political differences, centralization of power within the EAC authority, and lack of political will among member states.

The study thus argues for the need for effective and efficient institutional functioning to ensure successful integration. It further highlights certain underpinnings

that must be obtained for the EAC institutions to deliver; and these include:

- Member State Leaders ceding more powers to the EAC Secretariat;
- Ensuring EAC is provided with adequate financial and human resources,
- Ensuring EAC is provided with adequate legal mandates;
- Ensuring EAC has clear membership and compliance rules;
- Ensuring EAC has transparent decision-making processes; and
- Ensuring integration has closer institutional linkages (national and regional) to help strengthen over-arching regional institutions.

The study further teases out the criteria that may help in measuring the extent to which the institutions function effectively as regards to the EAC integration. These criteria would include having:

- Clearly spelt-out goals and objectives in terms of their clarity, prioritization and capacity for implementation;
- A facilitative organisational culture;
- A rational organisational structure and process;
- Ability to acquire the needed resources to facilitate its operations;
- Ability to satisfy all of its strategic constituencies both internal and external;
- Ability to adjust and respond to dynamic changes and requirements of and in its environment; among others.

Most of EAC institutions cannot meet the above criteria, and as such cannot function effectively and efficiently in pursuing the objectives of EAC regional integration. The study stresses the need for more effective and efficient institutions to complement EAC's market-driven and people-centred regional integration. More significantly, there is need for deeper institutional innovation and

reforms. Lastly, the institutions need to be granted more legal clout for ably discharging their respective mandates as stipulated in the various treaty and protocol provisions.

3.4 Democratization of Regional Economic Schemes in the EAC

The final component of the Kenyan research highlights the importance of having democratic institutions in the EAC for it to realize the main objectives. It reiterates the need to adhere to universally acceptable principles of democracy, rule of law, observance of human rights, and social justice as preconditions for admission of new members. This section of the study emphasises the need to provide a platform for people in general and non-state actors in particular, to participate in both policy and legal decision-making that is informed by, and informs the integration process. Here, the study noted with

dismay that discussions of the East African regional integration have largely focused on the formal structures and institutions of the new EAC, while paying very little attention to the democratization of the Community.

One of the key concerns of the research findings relates to worries over the different democratic traditions of the political systems in the three founding East African countries and the two recent entrants into the EAC club. These differences have direct implications on the EAC regional economic and political systems. For instance, while Kenya and Tanzania have multiparty political systems, Uganda runs a movement political system, while Rwanda and Burundi have multiparty political systems that entrench power sharing because they have just emerged from protracted violent ethnic conflicts. More needs to be done to build of the laudable Treaty provisions that explicitly embraces democratic

principles by stating that member states will, in all their domestic and foreign dealings, adhere to : “... good governance including adherence to the principles of democracy, the rule of law, accountability, transparency, social justice, equal opportunities, gender equality, as well as the recognition, promotion and protection of human and people’s rights in accordance with the provisions of the African Charter on Human and Peoples’ Rights (Article 6 (d)).”

It is on this basis that the study emphasizes the need for the utilization of country level alternatives in the bid to achieve fuller participation of the people in the integration process. There is also need to incorporate women, youth groups, NSAs, and other interest groups in the EAC agenda as these have an important role to play in the integration process. This not only addresses the concern of a market-driven process, but also the centrality

of people's voice in the EAC integration.

Based on the Kenya country study, this section of this VEAF research monograph concludes by highlighting the necessary intervention measures needed to further deepen the democratization of EAC integration. Among the most important is the need to develop a system that will allow for open elections of members of the EALA by the people, something that has the potential of enhancing popular awareness and participation among the East Africans people. Other recommendations in this regard include the need to:

- (a) Develop necessary guidelines and structural mechanisms for the attainment of political federation;
- (b) Harmonize best practices in institutionalization and capacity building in promoting participatory governance, rule of law and protection of people's rights;
- (c) Encourage programs that truly nurture East African identity, unity and collaboration;
- (d) Streamline and strengthen the mandates and capacities of regional organs for efficiency;
- (e) Create a common platform in conceptualizing development and democratic processes by ensuring the inalienable right of individuals to participate by means of free, credible and democratic procedures;
- (f) Involve and take advantage of the huge reservoir of the Diaspora by providing a conducive social, economic and political environment that will tap into their expertise in building the regional economies;
- (g) Encourage partnership in fighting terrorism and intelligence-sharing in containing crime;
- (h) Institutionalize wider and inclusive stakeholder participation;
- (i) Develop a regional media house that would report, educate, highlight opportunities and create clearer awareness among the people;

-
- (j) Promote peace, security and stability as a prerequisite for the implementation of the regional development and democratic agenda since the scourge of conflicts in the region constitutes a major impediment to the socio-economic development of the region;
 - (k) Facilitate the development of vibrant civil society organizations at the national, sub-regional and regional levels.

In this connection, NSAs need to seize the moment to directly or indirectly engage in the integration process—without waiting to be invited either by the regional body or individual member states—to help shape the regional agenda. All in all, there is need to create trust among the East Africans, as well as further broaden the demand for the greater democratization of the integration processes at the regional as well as country levels.

3.5 Insights derived from Kenya country study

At the VEOF study results dissemination conferences mentioned earlier, members of the VEOF from all the five EAC member states drew some key insights from the findings of the Kenya country study discussed at length in this section of this Monograph. First, it was observed that in order to achieve an integrated East African Community, there was need for the crafting of a special democratic institution that will involve all the NSAs and whose main task would be to champion the interests of the private and informal sectors in the EAC integration process. Second, the NSAs had to strive to empower the people through awareness programs meant to educate all East Africans on the benefits of EAC integration and how the integration process was progressing. This is because the Kenya country study provided evidence to the effect that most of Kenya, and possibly most East Africans, hardly knew what the

EAC integration was and what it entailed. Once the people are aware, they can be involved directly by participating in pressurizing the leaders to adhere to *“the timely attainment of the integration milestones as enshrined in the Treaty for the Establishment of the East African Community and accompanying protocols,”* as the VEOF Launch Communiqué expresses the sentiment.

Third, and finally, it was observed that the EALA ought to be a true representation of the people, rather than being a representation of member countries’ parliaments. The people should vote directly for their EALA representatives,

thus making the body more democratic. This will provide a democratic counter to the current situation that is characterized by power being exclusively concentrated in the offices of the presidents of the EAC member countries.

With efficient and effective institutions at the regional level, there is bound to be major economic and social benefits to the entire East African community both in the informal and private sector. This will also promote good regional relations, as well enhanced peaceful co-existence.

4.1 Synthesis of the findings drawn from five country studies

The discussion of the findings of the two detailed country studies, the Tanzania and Kenya country studies, whose summaries are presented in Section 2 and Section 3 of this monograph, together with discussion, of the Uganda, Rwanda and Burundi country reports, which was undertaken at the two VEAF research dissemination conferences mentioned earlier, one in Dar es Salaam in September, 2012 and the

other in Arusha in October 2012, helped the VEAF membership to appreciation of what the concept of citizen participation in EAC integration processes implies, and why citizen participation is important.

The overwhelming evidence from both the review of the relevant literature, and insights derived from the focus group discussions that were undertaken as part of the preparation of each of the five country research reports, leads one to the conclusion that if we are to guard against the attempt to establish the second EAC ending up with collapse like the first one, the second EAC must endeavour to stick to the terms of the 1999 EAC Treaty. This meant that the second EAC must be nudged to move towards the attainment of an EAC political federation, **which is a precondition** of attaining people-centred integration, as opposed to merely market-driven free trade area integration of the ECOWAS or the first EAC market and state integration that excludes peoples/social integration.

⁷ The discussion in this section is based on a synthesis of the findings reported in all the five country research reports submitted by Dr. James Kasombo (2012), on behalf of the team of researchers commissioned by the VEAF - Kenya Chapter; Prof Bernadette Kilian, on behalf of the team of researchers commissioned by the VEAF - Tanzania Chapter, Prof. Mwambutsya Ndebesa Patt, on behalf of the team of researchers commissioned by the VEAF - Uganda Chapter, Mr. Ernest Ndayizeye, on behalf of the team of researchers commissioned by the VEAF - Burundi Chapter; and Mr. Alloys Mutabingwa, on behalf of the team of researchers commissioned by the VEAF - Rwanda Chapter. Findings of only two of the five country research reports are presented in synopsis but at length in this Monograph; the Tanzania country study that is summarized in Section 2 of this Monograph and the Kenya country study that is summarized in Section 3. The findings derived from the country studies on Uganda, Rwanda and Burundi are reflected in the discussion of the insights gained from the Tanzania and Kenya country studies as well as the conclusions and recommendations arrived at the proceedings of the two research findings dissemination conferences at the Peacock Hotel in September 2012 in Dar es Salaam, and at the Kibo Palace Hotel in October, 2012, in Arusha; which were initially recorded by Frederic Fussi and Erasmo Nyika.

As such, a people-centred integration is the only antidote against the possible eventual collapse of the second EAC for the same basic underlying reasons that led to the collapse, in 1977, of the first EAC, i.e., ***“the continued disproportionate sharing of benefits of the Community among the partner states due to their differences in their levels of development and lack of adequate policies to address this situation”*** (1997 EAC Treaty).

The five country research studies shed light on what could be meant by citizens or people, who would determine the EAC being people-centred. The list of who were EAC citizens include:

- Politician in political parties
- State bureaucrats
- Big business executives, i.e., EAC Business Council
- Trade union leaders
- Trade union rank and file members
- Small scale peasant farmer through cooperatives societies
- Pastoralists

- Big farmer and big farmers’ associations
- Women
- Youth
- Lawyers
- Accountants
- Journalists
- Teachers
- Students
- Travellers
- Faith-based leaders and actors
- Artists, e.g., musicians, film actors/actresses, etc.

The five country studies also clarified what could be meant by citizen participation. It was evident that this would not be restricted to what politicians in ruling political parties and member state government bureaucrats do, but would also include ordinary citizens who will benefit from EAC common services—e.g., relatively cheaper and safer railways/airways/road/water transport; food security through trade in foodstuffs across borders; free movement of peoples across borders, etc. Citizen participation also includes the estimation of the extent to which ordinary citizens

are being consulted by decision makers—e.g., by being accorded observer status at the sittings of decision makers—as well as determining the extent to which ordinary citizens are allowed to influence the EAC policy agenda, ***invariably by being permitted to be members*** of these decision-making organs. One such example is the extent to which the leaders of the monolithic governing political parties ***improve the representative-ness of participants to EAC decision making organs provided for in 1999 EAC Treaty.***

The findings of the five country studies, as synthesized in this monograph, do facilitate the enhancement of the common understanding of the issue on the extent to which citizens in the various EAC member states have in the past participated, and do now participate, in the making of decisions relating to the conception and implementation of the provisions of the 1999 EAC Treaty and related subsequent protocols. The

findings also provide a platform for disseminating, to a wider EAC audience, the importance of enhancing citizen's participation in the implementation of the EAC integration if the 1999 EAC Treaty milestones are to be attained in a timely manner. This monograph constitutes the first opportunity for the VEAF to offer evidence-based advice to the citizens of the EAC, and the senior staff of EAC integration agencies, on how to improve possibilities for the participation of citizens in the EAC integration processes.

Participants to the two research findings dissemination conferences mentioned earlier offered a small set of the concrete suggestions on how citizen participation may be enhanced. These include:

- Working towards the declaration of the **30th OF NOVEMBER, 1993**, the day the agreement for the formation of the Permanent Tripartite Commission for the establishment of EAC was

signed by the then President of Uganda, Yoweri Museveni, the then President of Kenya, Mzee Arap Moi, and the then President of Tanzania, Mzee Ali Hassan Mwinyi in Arusha, Tanzania, in the presence of one of the most persistent and convincing advocates of 'Pan African' East African nationalism, Mwalimu Julius Kambarage Nyerere, as EAST AFRICA DAY.

- Undertaking more evidence-based advocacy for the preparation, and adoption by referendum, of a draft EA Political Federation Constitution.
- Undertaking more evidence-based advocacy for adoption and implementation of plan of action, linked to public-private partnership arrangements, seeking to a revival of the provision of regional common services with respect to air, sea, water, road and railway services.

It was suggested, finally, that this

monograph will provide EAC citizen, and their well-wishers, an opportunity to engage in more critical reflection on the past and current obstacles to citizens' participation in regional integration process. Hopefully this will occasion the generation, by all concerned, of more insightful possible solutions to the identified obstacles to the enhancement of citizens' participation in the regional integration process.

4.2 Overall Conclusions and Recommendations

The discussions in the above sections confirm the key assumptions that guided the undertaking of the five country studies on the importance of greater citizen participation in the EAC integration process. Although the findings of the Tanzania and Kenya country studies are the ones discussed at length in Sections 2 and 3 respectively, the conclusions made from the two studies apply, by and large, to the situation in the other three countries: Uganda, Rwanda

and Burundi. **The research dissemination conferences facilitated the adoption of the conclusions derived from the two country studies by VEOF members drawn from all the five EAC member states.** This VEOF Research Monograph is justified in presenting these conclusions as those derived from the five country studies.

The overall conclusions and recommendations presented in this section were indeed adopted as applying to all the five member states. Above all, the studies help us appreciate the extent to which democratic deficit in past regional integration efforts contributed to the failures of earlier EAC integration initiatives, as well why current efforts to re-establish the EAC have sought to be guided by good governance and democratic principles. The discussions of findings of the studies provide evidence for appreciating the necessity of adhering to the advice that **the widest possible consultations and the building of common consensus in all the**

partner states are supposed to precede the implementation of every stage in the integration effort.

This synthesis of the five country studies supports the conclusions of Mangachi (2008) that the original East African Community traces its beginnings to undemocratic efforts that were inspired by neo-liberal market-led political and economic models of development. The leadership of the partner states was initially in the hands of British colonial officials, and British settler and private corporate interests. The leadership role was later passed on to a selected African political elites, many of whom shared models of political and economic development with the departing colonial officials, as well as with the British settler and corporate elite who remained behind even after the East African states became independent. The main objective of the integration efforts was to create a customs union, a common market, a monetary union, and a loose form of

political cooperation that was ultimately meant to serve the interests of a small segment of East African residents. It was only Tanzania (when under the leadership of its first President, Mwalimu Julius Nyerere), and to a lesser extent Uganda (under its first republican head of state, Dr. Milton Obote), that continued to demand and work towards the greater democratization of the integration effort.

The synthesis of the five country studies further support the conclusions presented in the work by Lwaitama (2012:218) observing that the extent to which measures to consolidate the re-established East Africa Community eschews continuing to draw inspiration solely from economic integration models that are not based on democratic principles will determine the possibility of the Community surviving the unfolding political changes in the relevant East African states. This line of thinking further argues that these political changes are inspired by the democratization

wave that followed the collapse of the former global socialist block, and the advent of the post-cold war era (*ibid.*:). Similar arguments are presented in the seminal work on globalization by Rugumamu (2005) that characterizes these contemporary global developments as consisting of “... *the rise of the USA as the sole military superpower and the emergency of various nebulous centres of economic power.*” The world capitalist system is now identified as globalization, and neo-liberalism has been given a new lease of life. In the long run, the re-established East Africa Community can only survive if it is people-centred and thus operating within an enhanced democratic integration setting capable of mounting an effective counterpoise to the dominant neo-liberal political and economic vision for developing countries promoted by the powerful global neo-colonialist forces.

The neo-liberal political and economic vision is awesome but not left uncontested; it invariably

finds expression in contradictory states of affairs in most developing countries: pervasiveness of state failures and the rise of structural militarism and impunity on the one end, and intensified struggles for greater democratization on the other. The international climate is characterized, by Prof Rugumamu (opp.cit.:) by “... a *multiple of external interests competing for geo-strategic dominance, strategic mineral resources and cultural imperialism.*” The current integration efforts in the region are thus taking place against the backdrop of a “... *struggle for economic influence and political control by the major European and North American capitalist powers.*” (loc cit.:) This struggle finds expression in persistent but subtle pressures on the partner states to be predisposed towards “... *signing ‘blood-sucking’ contracts with international mineral companies that originate from these very countries,*” (loc cit.:) as well as pressure to be predisposed towards implementing “... *conflict-prone, neo-liberal economic policies, institutions and*

ideologies’ that are ‘not particularly developmental’” (loc cit.:).

In order to counter-balance this external influence on the political elite in the partner states, it is strongly argued that current efforts aimed at implementing the various aspects of the 1999 Treaty for the establishment of the East African Community need to be oriented towards strengthening the democratic elements in the integration effort. Firstly, as all the Inter-Parliamentary Relations Seminars—popularly known as the Nanyuki Series—have repeatedly recommended, the parliamentarians in the EALA, apart from ex-officios, need to be elected; and the mandate of the EALA needs to be broadened to give it greater fiscal and policy-making clout. Also, the institutional and networking capacities of the EALA need to be given a boost (Rugumamu, 2010). Secondly, the EAC Secretariat needs to be given a greater executive brief, and its name be changed into that of an EAC Commission. Moreover, is better to

enable it—with EALA’s oversight, together with close political supervision from a Council of Ministers team that is resident at the EAC Headquarters—to work more autonomously to effect the integration measures more efficiently. Thirdly, the East African Civil Society Organizations’ Forum (EACSO), need to be raised to a status of a special interest observer constituency of the EALA, just as should the East African Business Council (EABC). Fourthly, as recommended by the EACSO “... *the operationalisation of the East African Court of Justice (EACJ) ought to be extended to include handling of human rights cases brought before it and to institute best practices in the selection of the judges to the court*” (EACSO, 2009). Fourthly, efforts must be made to encourage greater cooperation and networking between all political parties in the member states (Baregu & Ally, 2010). Furthermore, like-minded political formations must be facilitated to form East African-wide networks, or even

associations. In this regard, CSOs based in external development partners that have already taken pioneering initiatives in this direction such as the Friedrich Ebert Stiftung (FES) ought to be encouraged to continue facilitating the development of an East African Civil Society Mobilization Strategy ((Maina & Kopsieker, 2006; Baregu, 2008), as well as the establishment of a think-tank like the VEEAF.

The practical and philosophical challenges that the EAC faces, and which require a greater democratization of its operations, are best summarized in a speech by its former Secretary General when he pointed out that he was:

“... totally sold to what the EAC Common Market can do to unlock the potential of our economies. The economic benefits will be huge, especially flowing from trade in services and shared human resource capacity. Equally, the free movement of capital would trigger incentives for private equity funds to step

into our region and bringing down the cost of risk capital” (Mwapachu, 2010).

He, nevertheless, gave caution “against constructing castles in the air like the Abu Nawas Fable” to the view that “realizing the full potential of the Common Market will take years, not months” (ibid.). He pleaded with the media, as a component of civil society, to “galvanise political will as well as the commitment of East African citizens around shared integration goals” (ibid.). To emphasize the need for encouraging EAC citizens to eschew what he has often termed ‘zero-sum nationalism’ and take a ‘partial win, partial lose’ attitude to the pains and gains of economic integration, he posed the following rhetorical questions:

“Do you know that after 18 years of the single market in Europe only 2.3% of Europeans live in a member state different from that of their nationality? Do you know that freedom of movement of workers in the EU is the most

contested and least used of the four freedoms in the EU single market? Do you also know that updating the regulations on co-ordination of social security systems in the EU required 11 years of negotiation?” (ibid.).

As Hellsten and Lwaitama (2004) and Hellsten (2008) have correctly observed, political parties and non-governmental organizations, together with and through the mass media, constitute critical institutions that are bound to make a critical contribution in addressing the challenges of East Africa’s development ethics. These challenges are tragically reflected in the ‘traumatic experiences’ that characterized the genocidal mayhem in Rwanda in April 1994 (Amnesty International, 2008); and more recently, the post-election violent civil unrest in Kenya in December 2007. Political parties and non-governmental organizations, as representatives of civil society, are well positioned to play a key role in **identifying and promoting shared values and the adoption of forward-looking**

solutions to contemporary social and economic injustices instead of preying on each others fears and past mistrusts. (Hellsten, 2002). These institutions, working with a rejuvenated EALA, and through a strengthened EALA's Inter-Parliamentary Relations Seminar (the Nanyuki Series), are capable of helping East African citizens and permanent residents to engage in ***“reflective civic education and training.”*** Hellsten and Lwaitama (2004). This may assist them to begin to break out of the ***“viscous circle that integrates ethnically and tribally based power politics and unfair resources distribution,”*** (Hellsten, 2002) within and across the EAC member states (Lwaitama, 2012:218).

The individual country studies indicated the extent to which the current EAC continued to suffer from the lack of citizen participation in the EAC integration process. The studies reveal the categories of citizens who are currently participating in EAC integration processes, and the categories of citizens whose participation is the least effect, if at all. The country research reports have also shown the type/nature of participation of the various categories of citizens. The official and non-official spaces through which citizen participation takes place, or may take place, have been discussed at length in the Tanzania and Kenya reports.

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Taarifa Maalumu

TUKIAFIKI lengo la kuendelea na mchakato wa kuunganisha Afrika Mashariki;

TUKIKUBALI kuwepo haja ya ushahidi wa kutokana na utafiti kuwa msingi wa maamuzi katika mchakato wa kuunganisha Afrika Mashariki ;

BAADA ya kutafari kwa kina na kukubaliana juu ya umuhimu wa kuazisha jukwaa litakalo kuwa na lengo la kuibua na kuhabarisha juu ya ushahidi wa kutokana na utafiti na maoni yatokanyo na tafakuri jadidi:

Sisi, wananchi husika kutoka nchi tano zinazounda Jumuiya ya Afrika Mashariki waliokutana leo tarehe 5 Oktoba 2011, tumeamua kuunda jukwaa litakalo julikana kama “ **Jukwaa la Dira Afrika Mashariki**” (**Vision East Africa Forum**). Sisi, wanachama wa jukwaa, tunakubaliana kuwa jukwaa litaongozwa na vidhaminiwa, misingi, na taratibu za utendaji zifuatazo:

1. Kufikiwa lengo la kundwa Shirikisho la Afrika Mashariki litakalo ongozwa na misingi mikuu ya demokrsia, haki, usawa, na kuheshimiwa kwa utu, haki na uhuru;
2. Kufikiwa kwa wakati malengo yote ya kuunganisha Afrika Mashariki kama yalivyoinishwa katika Mkataba wa Uazishwaji wa Jumuiya ya Afrika Mashariki na makubaliono mengine yote yatokanayo;
3. Jukwaa litakuwa ni tanuru la tafakuri litakalo tafakari kwa kina na kuimiza kukubalika kwa dhana ya mchakato ulio rafiki wa watu wote wa kuunganisha Jumuaia ya Afrika Mashariki ;

4. Uanachama wa jukwaa utakuwa wa mtu mmoja mmoja, mwenye mwelekeo wa kutafakari kwa kina na kufikiria kwa uhuru, aliye muumini na mwenye kufuatilia kwa karibu mchakato wa kuunganisha Jumuiya ya Afrika Mashariki, mwenye kutokana na lakini bila kuwa mwakilishi, wa asasi mbali mbali zisizo za kidola, ikiwa ni pamoja na asasi za kiraia, sekta binafsi na vyo vikiu. Wanachama wa “**Jukwaa la Dira Afrika Mashariki**” (**Vision East Africa Forum**) wanatokana na matawi ya kitaifa ya jukwaa;
5. Kila nchi mwanachama wa Afrika Mashariki itaazisha jukwaa la kitaifa lililozingatia mazingira maalumu ya nchi mwanachama husuka;
6. Kutakuwepo na chombo cha uratibu wa jukwaa ngazi ya Afrika Mashariki; na
7. Kwa muda huu, shirika la Friedrich-Ebert-Stiftung litakuwa ndilo litakalotoa huduma za kiofisi, kama msaada, za chombo cha uratibu cha jukwaa ngazi ya Afrika Mashariki.

Tangazo lilisomwa kwa waandishi wa habari tarehe 6 Oktoba, 2011 na Dr. Kitila Mkumbo kwa niaba ya Jukwaa la Dira Afrika Mashariki

Kwa maelezo zaidi tafadhali wasiliana na mtoa huduma za kiofisi wa jukwaa:

**Dkt. Stefan Chrobot,
Mkurugenzi Mtendaji,
Friedrich Ebert Stiftung-Tanzania**

Communiqué

REAFFIRMING our commitment to the East African integration process;

RECOGNIZING the need for evidence based decision making to inform the East Africa integration process;

HAVING deliberated and agreed upon the need to establish a forum of generating and disseminating such evidence and informed opinion:

We, concerned individuals of the five East African Community member countries meeting today, 5 October 2011, have resolved to form a forum hereby known as the “Vision East Africa Forum”. We, the members of the forum, agree that the forum will be guided by the following values, principles and operational procedures:

1. Attainment of the East African federation founded on the fundamental democratic principles, social justice, equality and respect for peoples dignity, rights and freedoms;
2. Timely attainment of the integration milestones as enshrined in the Treaty for the Establishment of the East African Community and accompanying protocols;
3. The forum shall be a think tank for critical reflection on and advocacy for a people-centered East African Community integration process;

-
4. The membership of the forum shall comprise individual, critical and independent thinkers with keen interest in the East African Community integration process, primarily drawn from, but not necessarily, representing a broad arena of non-state actors, including civil society organizations, private sector and academia. The members of the Vision East Africa Forum are drawn from national chapters;
 5. Each East African Community member country shall constitute a national chapter appropriate to the country context;
 6. There shall be a regional coordinating mechanism and
 7. In the interim, the Friedrich-Ebert-Stiftung shall provide Secretariat support to the regional coordinating team.

****This was signed and presented to the Press on 6th October, 2011 by Dr. Kitila Mkumbo on behalf of the Vision East Africa Forum**

****** See the photograph of the founding members of the Forum and their well-wishers next page that was taken immediately after the launch of Forum by the Secretary General of the East African Community, Dr. Richard Sezibera**

***For more information contact:
The Secretariat of Vision East Africa Forum
Dr Stefan Chrobot, Resident Director,
Friedrich Ebert Stiftung Tanzania***



Members of the Vision East Africa Forum (VEAF) posing for a photograph immediately after the forum's launch in October 2011 at the Arusha Kibo Palace Hotel.

SEATED ARE: Hon. Amb. Dr. Richard Sezibera, the EAC Secretary General (3rd right); Hon. Samuel Sitta, Tanzanian minister for East Africa Co-operation (3rd left); others are Hon. Mike Sebalu, Ugandan based EALA member (left); Dr. Stefan Chrobot, former FES-Tanzania Resident Director (2nd left); Ms. Gloria Mafole (Tanzania) (2nd right); and Dr. Kitila Mkumbo (Tanzania)(right).

STANDING FROM LEFT ARE: Khalid Mlanga (FES-Tanzania programme officer); Ms. Emilia Siwingwa (Tanzania); Ms. Andrea Cordes (FES Tanzania former office manager); Mr. Henry Kasacca (FES Uganda former program officer); Ms. Eunice Musiime (Uganda); GIZ Representative; Mr. Lawrence Ezekiel (Tanzania); Mr. Willis Othieno (Kenya); Hon. Abdulkarim Harelimana (Rwandan based EALA member); Mr. Clement Onyango (Kenya); Hon. Amb. Oliver Wonekha (Uganda- Ugandan ambassador designate to the United States); Mr. Kennedy Masime (Kenya); Mr. Stephen Asimwe (Uganda); Dr. Azaveli Lwaitama (Tanzania); Mr. Stefan Plenk(Germany); Prof. Mwambutsya Ndebesa (Uganda); Prof. Liboire Kagabo (Burundi) and Mr. Steve Machage (Office of EAC Secretary General)

About FES

The Friedrich-Ebert-Stiftung (FES) was founded in 1925 as a political legacy of Germany's first democratically elected president, Friedrich Ebert.

Ebert, a Social Democrat from a humble craftsman background rose to hold the highest political office in his country. In response to his own painful experiences in overcoming social barriers of his time, he proposed the establishment of a foundation to pursue the following aims:

- furthering political and social education of individuals from all walks of life in the spirit of democracy and pluralism,
- facilitating access to university education and research for gifted young people by providing scholarships,
- contributing to international understanding and cooperation.

The Friedrich-Ebert-Stiftung, banned by the Nazis in 1933 and re-established in 1947, continues to pursue these aims in all its extensive activities. As an independent, non-profit, political foundation, it is committed to the ideas and basic values of social democracy.

Solidarity, Peace and Social Democracy

Global partner – the international work of the Friedrich-Ebert-Stiftung

The guiding principles of the international work of the Friedrich-Ebert-Stiftung (FES) are to promote democracy and development worldwide, contribute to peace and security, help shape globalization in a socially just way and support the widening and deepening of the European Union. Through projects in over 100 countries the FES has been actively involved in the development and consolidation of civil society and state structures for promoting democracy and social justice, strong and free trade unions, human rights and gender equality.

In addition to its core endeavor of promoting democracy in individual countries, the Friedrich-Ebert-Stiftung is increasingly working on global and regional issues. Its focus areas are the widening and deepening of the European integration process, further developing the transatlantic relationship and reforming systems of global governance.

The dialogue between different societal actors, between different cultures and social models, between North and South, EU countries and candidate countries and international institutions is indispensable, especially for stabilizing fragile social and state structures and for finding solutions to cross-cutting regional and global issues. With its worldwide network of offices and partners the Friedrich-Ebert-Stiftung has a range of instruments at its disposal that allow it to make a substantial contribution to these debates and to organize and propel this dialogue process at various levels.

The global network of the political partners of the FES provides a forum for sharing and learning. The partners include traditional parties and trade unions, non-governmental organizations, academic and policy think tanks as well as governmental institutions (such as parliaments and ministries).

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North-South Dialogue: Julius Nyerere, former President of the United Republic of Tanzania and Willy Brandt, former Chancellor of the Federal Republic of Germany

WILLY BRANDT:

„International co-operation is far too important to be left to governments alone.“

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