THE STRUGGLE FOR REGIONAL INTEGRATION IN AFRICA: THE EAST AFRICAN COMMUNITY, 1886 - 2013

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DEDICATION

This work is dedicated to my friend Marion Namuki.

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ABSTRACT

This study examines the Struggle for Regional Integration in Africa: the East African Community from 1886 to 2013. The East African community is the regional cooperation that comprises of the republic of Tanzania, Kenya, Uganda, Burundi, Rwanda and South Sudan. The process leading to the establishment of the initial EAC in 1967 started as early as 1886 with the construction of Kenya-Uganda railway. The initial community, however, collapsed in 1977, ten years after its formation. It was however revived in 2002 and in 2007 Rwanda and Burundi joined while South Sudan joined it in 2016. The EAC experiences both success and challenges, some of which correspond to those of its predecessor. In assessing the prospects of the EAC, the study traced the origin of the community; examined lessons learned from its predecessor and its challenges. World systems theory was used to examine lessons, challenges and the achievements of the EAC. The theory defines a world system as a social system with boundaries, member groups, structures, coherence and rules of legitimation. It further explains interactions and relationships between states as well as their development in the modern world. To achieve this, data obtained from both primary and secondary sources was analysed using historical method. Primary data for this study was sought from Kenya National Archives and from various government reports. It also included data gathered from oral interviews with various relevant respondents including; past and present administrators, policy analysts, government officers concerned with regional matters. Secondary data was obtained from books, journal articles, EAC reports and conference publications. An analysis of the challenges and achievements of both the initial and present integration was covered by the study. The study endeavoured to show whether the present community has learned lessons from its predecessor. The study further analysed the prospects of EAC with regard to the lessons derived thereof. The findings of this study can thus be used by policy makers to come up with strategies that can be used to advance regional integration.

TABLE OF CONTENTS

LIST OF TABLES

LIST OF FIGURES

ABBREVIATIONS/ACRONYMS

APEC	Asian Pacific Economic Community
ASEAN	Associations of South East Asia Nations
AU	African Union
CASSOA	Civil Aviation Safety and Security Oversight Agency
CEN-SAD	Community of Sahel Saharan State
COMESA	Common Market for Eastern and Southern Africa
CU	Customs Union
EA	East Africa
EACI	East African Community I
EAC	East African Community
EACJ	East African Court of Justice
EACSO	East African Common Service Organization
EADB	East African Development Bank
EAHC	East African High Commission
EALA	East African Legislative Assembly
ECOWAS	Economic Community of West African States
ECSC	European Coal and Steel Community
EU	European Community
FTA	Free Trade Area
IGADD	Intergovernmental Authority on Drought and Development
EAIMBVD	East African Institute of Malaria and Vector-Borne Diseases

IMF   International Monetary Fund

IUCEA   Inter-university Council for East Africa

MERCOSUR Mercado Comun del Sul

NAFTA   North Atlantic Free Trade Area

NEPAD   New Partnership for Africa's Development

OAU   Organization of African Union

RECs   Regional Economic Communities

RTA   Regional Transit Authority

SACU   Southern African Customs Union

SADC   Southern African Development Community

UN   United Nations

UNDP   United Nations Development Programme

UNIDO   United Nations Industrial Development Organization

WTO   World Trade Organization

CHAPTER ONE

INTRODUCTION

1.1 Background to the Study

The study examines the struggle for Regional Integration in Africa: the East African Community. The world is arguably turning into a 'world of regions' with the formation of free trade areas, customs unions and the emergence of currency blocks.[1] This process began in the eighteenth century when countries in Europe decided to operate standard trading policies. Countries in other parts of the world such as America, Asia and Africa have followed suit and also formed regions.[2] Today, integration is taken as the path for growth and affluence, with the European Union (EU), North Atlantic Free Trade Area (NAFTA) and the Association of South East Asia Nations (ASEAN) believed to be the pacesetters, from which other countries have drawn inspiration.[3]

The desire for African countries to integrate on a regional and international basis is driven by the African Union's goal of a Common Market by 2028.[4] The goal is based on ideological foundations designed to foster commerce, democracy, and institutions. Besides, the common market aims at managing competition of resources amongst states, as well as enhancing wealth creation. Such foundations have been the basis of establishing regional economic communities in Africa.[5] This trend is currently forging towards trade and economic, social, political relations among countries and regions.

This aspiration to integrate among African countries is also demonstrated by the Lagos Plan of Action of 1980 and the signing of the Abuja treaty in 1991 that seeks to establish the African Economic Community. The Treaties identify major stages of creating the Economic Unions such as; the Free Trade Areas (FTA) and Customs Union (CU), Common Market and finally a

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[1] J. K. Peter, *Small States in World Markets* (New York : Cornell University, 1985), p. 136.

[2] F. I. Nixon, *Economic Integration and Industrial Location: An East African Case Study* (London: Longman Group Limited, 1973), pp. 127-138.

[3] S. Reith, *The East African Community: Regional Integration between Aspiration and Reality.* KAS International Reports, 9/10/2011

[4] P. Draper, *Rethinking the (European) Foundation of Sub-Saharan African Regional Economic Integration: A Political Economy Essay*. OECD Development Centre, Working Paper No. 293. September 2010.

[5] D. Kelly, 'Trade, Security and Globalization', in Kelly, D. and Grant, W. *The Politics of International Trade in the Twenty-First Century* (Basingstoke: Palgrave MacMillan, 2005), pp. 75-77

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Monetary Union with regional economic communities as the pillars.[6] Furthermore, integration also aims at achieving stronger political cooperation between states; the Economic Community of West African States (ECOWAS) being an example, as it intervened in the conflicts in Sierra Leone and Liberia, restoring peace and hope to millions of people.

Most of Africa's integration arrangements have a similar philosophy of operation. An example is the Southern African Development Community (SADC) launched in 1980 with the aim of reducing economic dependence on apartheid South Africa, which at the time was not a part of the African Development Plan.[7] In 1992 after the liberation of South Africa, SADC developed its strategic plan to include; a Free Trade Area (FTA) by 2008, the Customs Union in 2010, a Monetary Union in 2016, the Common Market by 2015, and a single currency as of 2018. This linear approach to progression was adopted by ECOWAS as well as the East African Community (EAC). Furthermore, most of Africa's integrations have been founded on geographical proximity. This explains the increasing number of regional groupings in Africa, with examples of the Southern African Development Community, the Indian Ocean Commission, the Intergovernmental Authority on Development (IGAD) and the East African Community-all established more than twenty years ago.

The year 1919 marked the first move towards regional cooperation in EA with Kenya, Tanganyika and Uganda forming the Customs Union under British administration. The cooperation was strengthened in 1948 when East African High Commission (EAHC) was established. The commission was a permanent body headed by the British, and mandated to oversee all East African's regional activities. However, in the 1960s, the East African Common Service Organization (EACSO) replaced the EAHC, which reflected the face of East Africanism. Additionally, by then all the East African (EA) countries had attained independence and therefore they wanted to lead themselves without external influence.

The EASO, however, did not last long before it was transformed into the EAC-I in 1967. Unlike the EACSO and the EAHC, the EAC's treaty was very comprehensive, outlining the steps

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[6] *Assessing Regional Integration in Africa II: Rationalising Regional Economic Communities for Africa, 2006.* www.Uneca.org, Accessed on 6th March 2014

[7] T. Hartzenberg, *Regional Integration in Africa,* World Trade Organization: Economic Research and Statistic Division. Staff Working Paper ERSD-2011-14.

towards establishing a political union led by East Africans. The hope for an integrated community was however shattered in 1977 when the EAC-I collapsed. Its demise was attributed to differences among the East African Presidents, unequal distribution of income and conflicting interests (national over regional).[8] It is, therefore, imperative to find out how the factors as mentioned above influenced the collapse of the community despite the resources invested in its formation. The East African leaders began to initiate negotiations on possible ways of reviving the community.[9] Such steps included the appointment of the Victor Umbrecht, a neutral party to lead in the mediation process. Umbrecht presented his report to the East African leaders in 1984. One of his key recommendations was the formation of a tripartite group to develop the guidelines for a new integration. The tripartite group came up with the treaty for establishing the EAC and was signed in November 1999 by the heads of states of Kenya, Uganda, and Tanzania. Burundi, Rwanda and South Sudan, three new members joined the community later on.

Since its inception, the institution has not been able to attain various stages of integration; these include the Customs Union in 2005 the Common Market in 2010.[10] In addition, the EAC has been able to launch an East African Single Tourist Visa, national identity cards as border crossing documents and the Northern Corridor Integration project. Other projects include as well the on-going construction of an oil refinery in Northern Uganda, a crude oil export pipeline and a standard gauge railway line from Mombasa to Kigali-Rwanda.[11]

However, the challenges East African member states face such as; Kenya's superior economy threatening other members, the weak role of Civil Society Organizations. That includes market forces and political differences as to who will lead the EAC political federation have been the major impediments to its success among other obstacles. The community has been unable to attain most of its goals and objectives. Common labour laws being an example, rights of

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[8] E. Kafeero, *Customs Law of the East African Community in Light of WTO Law and the Revised Kyoto Convention* (Munster, 2009), P. 83.

[9] D. A. Nyakwaka, 'Regionalism and Regional Reconstruction: The Case of EAC', in G.Korwa Adar and J. Peter Schraeder (ed), *Globalization And Emerging Trends In African Foreign Policy: A Comparative Perspective of Eastern Africa* (Lanham, Maryland: University Press of America, 2007), pp. 137-38.

[10] S. Muluvi Augustus, "The East African Community Integration Process and Economic Growth of Member Countries", *Eastern Africa Social Science Research Review,* Vol. 30, Number 2, (June 2014), pp. 1-17.

[11] www.eac.int/institutions/gov Accessed on 15 March 2014 3:30 p.m

residence and free movement of labour have not been accomplished as well as several critical elements necessary for the success of a political union. Against this background, the study has inquired whether the present EAC has the capacity of setting itself apart as a stronger regional entity from the past.

Integration aspires to provide countries with the opportunity to reap maximum benefits from economic, political and social cooperation. Such advantages, however, do not arise automatically. It is, therefore, necessary for integration to have strong institutions, commitment from the elites and support among the wider population. For instance, the German President Horst Kohler stated that due to the weak nature, lack of awareness among the citizens as well as political interference, the EAC runs the risk of disappointing the region's people despite having ambitious plans.[12] The government, Civil Society Organizations, Non-Governmental Organizations, and the 'regional citizens' have a part to play in ensuring what is on paper is realized, hence the study.

1.2 Statement of the Problem

EAC face challenges, some resembling those that led to the collapse of EACI in 1977. Such impediments have hindered the attainment of EACII's goals and objectives and which is criticized for having ambitious plans but little to show in the way of results. The study is premised on the argument that, challenges to EACII emanates due to its lack of lessons from its predecessor. The study has therefore interrogated whether the EACII has learned lessons from EACI, and to establish the causes of the existing rift between its ambitious plans and its achievements. The answers to these questions shall not only provide solutions but also make it possible to understand the future of EACII.

1.3 Objectives of the Study

The main objective of the study was to examine lessons which the present East African Community has learned from its predecessor. The study has been guided by the following specific objectives.

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[12] Horst Kohler was speaking in June 2011 at a conference in Arusha organized by the Konrad-Adenaur-Stiftung and the East African Community for the purpose of discussing these issues.

    i.   To investigate the genesis of East African Community.

    ii.   To examine lessons learned by East African Community from its predecessor.

   iii. To assess achievements and the challenges of the East African community in the integration process.

1.4 Research Questions

The study has been guided by the following research questions.

    i.   What is the genesis of East African Community?

    ii.   How has East African Community learnt its lessons from its predecessor?

   iii. What are the achievements and the challenges in the EAC integration?

1.5 Significance of the Study

The study examines the EACII using the history of the first institution as a source of reference. The findings will help to understand the genesis and history of the EAC's presently, and to guide in the making of informed choices while avoiding the mistakes of the past, that were made by the EAC's predecessor. Furthermore, the research will not only inform the on-going process of strengthening the EAC, but it will also be of use to policy makers and scholars in advancing regional integration. In addition to this, the historical account of the EAC will contribute to the existing knowledge of world's historiography.

1.6 Scope and Limitations of the Study

The study focused on the East African Community as an institution. The Community constitutes the Republics of Kenya, Uganda, Tanzania, Rwanda, South Sudan and Burundi. The study covered the periods from 1886 to 2013. The process of establishing EACI begun in 1886 with the construction of the Kenya-Uganda railway, and, the year 2013 provides the present picture of the institution. Because of the vast geographical nature of the EAC, it was a challenge accessing all the member countries and its employees for the purpose of informing the study. To overcome the challenge, the researcher conducted interviews via Skype; consulted files, minutes, reports and books at the EAC offices in Nairobi. The study also employed the internet to obtain data on the EAC, as well as resources from the National Archives-Nairobi and the Nairobi University Archives.

1.7 Definition of Terms

Economic Integration: - applies to the growth of transnational economy

Integration: - voluntary union of previously independent entities; Kenya, Uganda, Tanzania, South Sudan, Rwanda and Burundi

Political Integration: - connotes the growth of transnational polity

Policies: - Denotes the declared objectives that a government or party seeks to achieve and preserve the interest of the national community. Actions define steps that are taken or are to be taken to achieve identified goals. A framework aimed at guiding operations of an activity

Closer Union: - Coming together of the three East African territories

Regional Integration: - refers to the integration of the East African region

Regionalism: - refers to an increase of East African regional interaction and activity

Social Integration: - refers to the growth of transnational society

State: - An authoritative arm of an organized nation, which regulates activities of that nation

Sub-Regional Groupings: - the integrations existing in the East African region such as IGADD

Multiple Regionalism: - existence of several sub-regional groupings

Inter-Regionalism: - the relation between regional groupings existing within the same geographical location

1.8 Literature Review

This section provides a review of literature related to regional integration. It also outlines the theory which has guided the research.

1.8.1 Literature on East African Community

The East Africa regional integration has attracted significant research, such as Dorothy Nyakwaka's study which focused on the origin and future of the East African Community's regional integration.[13] The study pays close attention to the various stages of development of the EAC; pre-colonial, colonial and postcolonial periods. Nyakwaka also discusses the current steps taken by the EAC towards further regional integration. Granting, the study did not compare the past and the present institution, it nevertheless helped in understanding the history of the EAC. What's more, the study helped in deriving important lessons from the past for the present EAC.

Bethwell Ogot's account of the EAC since 1975 also informed the study by providing information on the elements leading to the demise of the East African regional integration.[14] Ogot discusses factors such as ideological differences, political differences, and economic differences. Hence, Ogot's study which dates from 1975 leaves out valuable information to the reader who may not have an understanding or the background of the East African Community. The present study, therefore, has filled this lacuna by covering the historical background of the EAC, its transition from the colonial rule to independence, as well as providing the present state of the Community. Furthermore, the study used the speeches and writings of Julius Nyerere.[15] In as much as these statements highlight the genesis, problems and the future of the East African Community, they are short and do not provide an in-depth analysis of the history of the East Africa regional.

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[13] D. A. Nyakwaka, 'Regionalism and Regional Reconstruction: The Case of EAC', in G.Korwa Adar and J. Peter Schraeder (ed), *Globalization And Emerging Trends In African Foreign Policy: A Comparative Perspective of Eastern Africa* (Lanham, Maryland: University Press of America, 2007), pp. 137-38.

[14] B.A Ogot, *My Footprints on the Sands of Time: An Autobiography*, (Kisumu: Anyange Press, 2003).

[15] J.K Nyerere, *Freedom and Socialism*: *Uhuru na Ujamaa*: *A Selection From Writings and Speeches*, *1965-1967,* (Nairobi, London and New York: Oxford University Press, 1968).

Other East African-specific studies lay focus on the establishment of the East African Community. Korwa Adar's work is an example, considers the desire to establish the political federation of East Africa was largely driven by a common historical experience and Pan-Africanist ideology that was rising at that time.[16] Since the idea was unattainable, Presidents Jomo Kenyatta (Kenya), Julius K. Nyerere (Tanzania) and Milton A. Obote (Uganda) opted for an economic driven Neo-Functionalist regional integration process. Despite the challenges that the EAC faced including its collapse in 1977, it was finally revived in 1999. Korwa adds that unlike the first EAC whose focus was a political federation, the revived EAC was tailored towards economic integration. Korwa further posits that the formation of Customs Union led to the establishment of the East African Common Market, which further laid the groundwork for the 2006 - 2010 development strategic plans. Adar, therefore, concludes that EAC is not static but progressive and futuristic towards the democratization of the East African region.

Potholm and Fredland, discuss among other things the factors that led to the collapse of East African Community.[17] They believe that the national policy instruments introduced by the member states as being the fundamental reason for the failure of the EAC's economic integration. They further concur that other factors like the failure of political leadership, ideological differences, economic realities, foreign intervention and changing times as having contributed to the final rapture of the EAC. However, they admit that the EAC was 'not killed' but it died from lack of interest. On the other hand, Mazzeo pointed out the consequences of the collapse of the EAC. According to him, the loss of the common market in the short run affected Kenya the most, while Uganda and Tanzania lost more from the termination of financial and technical institutions. The works, therefore, informed the study by providing a brief history of the EAC, as well as the factors that led to its collapse. The present study, however, has provided a consistent and systematic analysis of the EAC, which was lacking in Potholm and Fredlands work.

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[16] G. Adar Korwa, *First International Democracy Report 2011: East African Community,* ed., (Midrand: Institute for Global Dialogue, 2011), pp. 3-39.

[17] P. Potholm Christian and Richard A. Fredland, Integration and Disintegration in East Africa, *The International Journal of African Historical Studies,* Vol. 16, No. 3 (1983), pp. 534-536. http://www.jstor.org/stable/218776. Accessed: 01/09/2014 9:25 am

The African Union recognizes the East African Community as one of the building blocks for African integration.[18] Hansohm further notes that the EAC is unique among other African Regional Economic Cooperation's (REC) (it does not appear in the list of words and should have a 1st appearance in full text) since the countries share a similar historical background. The study also draws more attention to the significant strides made by the organization. He also agrees with the World Bank report which rated the EAC among the 17 hopeful regional integrations of emerging Africa that have left behind years of stagnation, poor governance, mismanagement, and conflict.[19] Additionally, several other African countries have expressed interest in joining the EAC because of its progress. According to him, those that have applied for its membership include Ethiopia, DR Congo, South Sudan, Sudan and Somalia. However, Honsohm suggests the need to phase out over-reliance on outside donors and development of a strong political will for EAC to deepen its integration further.

According to Augustus Muluvi, the current East African Community is a revival of the first integration scheme, a free trade area that was founded in 1967 before it collapsed in 1977.[20] Muluvi further notes that the East African Community presently aims at a higher integration with the establishment of a Customs Union in 2005, a Common Market in 2010 and a Monetary Union and a political federation by 2015. Additionally, the Customs Union has encouraged trade liberalization with the reduction of tariffs and other trade taxes, adoption of a common external tariff and the reduction of non-tariff barriers among other benefits. Muluvi believes that the major products of intra-EAC trade range from food and live animals, chemicals, fuels, lubricants as well as machinery and transport equipment. However, he concludes that the full potential of East African Community remains untapped since most of the countries are still struggling to implement its business reforms.

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[18] D. Honsohm, *South Sudan, Sudan and the East African Community: Potential of Enhanced Relationships*, UNU-CRIS Working Papers (W-2013/4), PP. 1-19.

[19] World Bank, *Sudan: Recent Economic Developments* (Issue 2012-01-05), www.worldbank.org Accessed 17 March 2014

[20] S. Muluvi Augustus, "The East African Community Integration Process and Economic Growth of Member Countries", *Eastern Africa Social Science Research Review,* vol 30, Number 2, (June 2014), pp. 1-17.

In a related study, Davoodi examines the East African Community's current status, achievements, and challenges.[21] The author highlights key progress made by the EAC such as the establishment of a Customs Union, Common Market, and a comprehensive regional infrastructure. In addition, the EAC states are currently harmonizing the financial sector supervision, monetary and exchange rate policies, payment and settlement systems, fiscal policies, coordination and harmonization of statistics, and regionalization of the financial sector for the purpose of creating a single financial market. Despite the above status, Davoodi has identified significant challenges that hinder its growth. These include, how to balance benefits from the regional integration, the problem of shifting from a Common Market to the Monetary Union, and the challenge of the oneness of states vis-à-vis its diverse membership.

Interest in security matters, national and regional, is believed to be one of the primary motives for the formation and expansion of the EAC.[22] Another cause for uniting of the EAC was the unstable and warlike environment of the Horn of Africa, as well as insecurity in the Great Lakes region.[23/24] In addition, these conflicts have further deepened integration. An example is the post-conflict countries such as Rwanda and Burundi joining the East Africa's regional bloc in 2007. The EAC is also economically and politically successful,[25] with not only an attractive economic market but also security and politics. Hofman, therefore, concludes that the EAC is the most advanced RIO (what is a RIO, no formal explanation given) regarding economic and political integration.[26]

In regards to the lessons of the EAC, Mugomba noted that 'certainly, the hard lessons of this unsuccessful venture will need to be borne in mind in any future attempt at further regional unity

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[21] R. Davoodi Hamid, *The East African Community After Ten Years: Deepening Integration* (Tanzania: CIDA, 2012), PP. 10-35.

[22] J. Stephan Plenk, *The Uniting of East Africa and the Uniting of Europe,* (Minich: Ludwig Maximilan University, 2011), p.5

[23] V. Matthies, "Konfliktlagen am Horn von Afrika," *Aus Politik und Zeitgeschichte* 32-33 (2006): 25–32.

[24] N. Ekango and Albert R*., Innerstaatliche bewaffnete Konflikte und Drittstaaten,* (Leipzig: Leipzig Univ, 2001), pp.154.

[25] H. Asche and Jonne Bruecher, "Myth and Reality of African Regional Integration," *Recht in Afrika* (2/2009), pp. 169–86.

[26] Hofman, Ribeiro and Anna Van der Vleuten, *Closing or Widening the Gap? Legitimacy and Democracy in Regional Integration Organizations*, Hampshire: Ashgate.

and economic integration in Africa.[27] In addition, President Daniel Arap Moi told his colleagues from Uganda and Tanzania that, 'we must be careful enough to avoid the pitfalls that led to the demise of the original EAC in 1977.[28] Furthermore he stated that 'those who understand their past have confidence to face the future.[29] Regarding this context, this study is, therefore, important as it not only provides an in-depth background of EAC but also crucial lessons as well as its future.

1.8.2 Literature on Other Attempts at Regional Integration

A similar link is provided by other researchers who focused on the regional studies but ignored its import at a national level. For instance, Gonzales attention to the challenges facing Africa's regional economic communities; which also discusses the importance of this economic integration at a regional level.[30] Gonzales observation advances that Africa has no choice but to integrate into the world's economic and financial systems if it is to grow sustainably and reduce poverty. Gonzales also appreciates the effort and part played by the New Partnership for Africa's Development (NEPAD) in addressing such challenges. However, his work does not pay attention to specific regions; it simply gives an overview.

Rowlands has argued that COMESA, despite being a unique integration scheme, has not achieved its ultimate targets.[31] The cooperation aimed at creating an integrated market, foster economic growth, reduction in both urban and rural poverty as well as improving standards of living. The challenges, however, range from distribution of power, limited homogeneity and inadequate regional orientation at the economic, political and sociocultural levels leading to

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[27] A. T, Mugomba, "Regional Organizations and African Underdevelopment: The Collapse of the East African Community", in *The Journal of Modern African Studies*, Vol. 16, No. 2 (1978): PP. 261-272.

[28] B. R. Mngomezulu, 'An Assessment of the Role Played By Political Leaders, Nationalism And Sub-Nationalisms In The Establishment And Collapse of The East African Community, 1960-1977.' (MA Thesis, University of South Africa, 2006), pp.77

[29] Ibid.

[30] A. Gonzales, *Proposals for an ACP Agenda for Capacity Building, Dialogue and Information for International Trade Negotiations,* (September, 2000).

[31] H. Rowlands, "Mapping the Prospects for Regional Cooperation in Southern Africa", *Third World Quaterly,* Vol 19, No. 5, (1998) pp. 917-934. http//www.jstor.org/stable/39929337 Accessed 26 March 2016.

hindrances to the attainment of these goals.[32] Furthermore, Rowland argues that for regional cooperation to succeed, the states have to be similar in social and cultural attributes, political characteristics and economic factors.

Regional integration in Africa has been pursued as a strategy for development.[33] Due to the sizes of these countries, small markets with small economies, their regional integration is usually centred on neighbourhood arrangements. Despite the integration, many African countries still rely on imports of finished manufactured goods. Other factors which affect the competitiveness of these integration arrangements include inefficient governments, bureaucracy, poor technology, corruption, high tax rates, inadequately educated workforce and lack of access to finances.[34] Besides, the intra-trade among these arrangements is not balanced. Such as, the intra-EAC exports over the period 2000 - 2009 which was dominated by Kenya with 73 percent of exports, 67 percent of which were destined as imports for the other two countries; Uganda with 40 percent and Tanzania 27 percent intra-exports.[35] The inability of integration to promote balanced trade raises questions about its appropriateness at achieving deeper integration.

Another continental approach to economic integration is given by Fajana who analyses the rapid socio-economic development of Africa.[36] Unlike Gonzales, the scholar pays attention to economic, social and cultural development and integration of the African economies in order to increase economic self-reliance and promote an endogenous and self-sustained development. He points out that, if properly conceived and implemented, regional integration offers numerous advantages to developing economies. Fajana further traces the foundation of Africa's integration to the adoption of the Abuja Treaty in 1991 that led to the establishment of the African Economic Community.

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[32] H. Rowlands, "Mapping the Prospects for Regional Cooperation in Southern Africa", Pp. 917-934.

[33] African Development Bank, *African Development Report 2000* (Abidjan: Regional Integration in Africa, 2000)

[34] A. N. Sindzingre, *The Conditions for Long-Term Growth in Sub-Saharan Africa: China as a Model, a Constraint and an Opportunity*. Cahiers du Centre Working Papers No. 9, (July 2011) Available: www.centredurkheim.fr Accessed 21 March 2016.

[35] T. Hartzenberg, *Regional Integration in Africa,* Staff Working Paper ERSD-2011-14 (World Trade Organization: Economic Research and Statistic Division).

[36] O. Fajana, "*Enhancing Africa's Integration in a Globalizing World: A Challenge for the African Union*", (PASU, 2004).

De Lombaerde in his study of the role of EU in promoting regional integration on the Central America Subcontinent argues that the academic world has left the area of regionalism unexplored. [37] The author reasons that the EU promotes integration because of the following reasons. First, the economic interests which contribute to the creation of larger markets for goods and services. Another reason for promoting region integration is strategic considerations. A final factor responsible for EU's promotion of region integration is because of the bureaucratic elements. Farrell concurs with this assertion and adds that integration arises due to the need for the advancement of internal coherence among member states.[38]

The multiplicity of regional arrangements is the subject of study by Baldwin who has focused on the increase of regional trade agreements.[39] According to Baldwin, every time an FTA is signed there is 'domino effect' pressure on non-member exporters to engage in integration. A total of four hundred and eighty-nine Regional Trade Area (RTA) (not defined anywhere else or in list of terms) were confirmed by the World Trade Organisation (WTO) to be in existence from 1948 to 2011. Of these, the RTAs, FTAs, and partial scope arrangements account for 90 percent, while Customs Unions account for 10 percent.[40] Baldwin further analyses how the efficiency of integration is affected by the multiplicity of schemes in providing a case of Southern Africa where SADC, COMESA, and SACU overlap and create conflicting rules. The study also presents an assessment of different levels of RTAs which include Free Trade Areas, Customs Union, Common Market and Economic Union/Monetary Union.

Pettman asserts that regional cooperation is needed in Africa for African countries to compete favourably with multinational companies, and to improve their negotiation power with international organizations such as the European Economic Community.[41] In addition, the integration leads to the expansion of small internal markets that will in turn aid industrialization. It also helps in the mobilization of more capital while at the same time improves product

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[37] P. De Lombaerde and M. Schulz, *The EU and World Regionalism: the Makability of Region's in the 21st century*, (Burlington : Ashgate Publishing Ltd, 2009), pp. 312-367.
[38] M. Farrell, "EU Policy Towards other Regions: Policy Learning in the External Promotion of Regional Integration", *Journal of European Public Policy*, 16(8), (2009). pp 1165-1184.
[39] R. Baldwin, *A Domino Theory of Regionalism*, (Cambridge MA) NBER working paper 4465, 1993.
[40] WTO. *Annual Report 2011*, Geneva, World Trade Organization.
[41] R. Pettman, *International Political Economy,* (Singapore: World Scientific Publishing Co, 1975), p 275.

specialization and efficiency in the use of human and natural resources. Additionally, he notes that regional cooperation faces the serious obstacle of organising Africa's production for export. This is because production in African States "were organized to meet extra-African needs."[42] All mechanisms such as production, marketing transportation, banking and insurance and even business information was structured to serve this purpose. Therefore intra-African trade would require a restructuring of this machinery to match supply and demand among the countries of the region. Moreover, Pettman stated that regional cooperation is not likely to bring fundamental changes in African economies and even in their position in the international economic system in the foreseeable future. Pettman has also provided challenges that may limit the regional economic integration in Africa;

Solignac has discussed the progress of African RECs over the last four decades.[43] He compares the performance of other economic integration schemes in other parts of the world, such as the EU in Europe, the MERCOSUR in South America and the North America Free Trade Area (NAFTA), in North America. Solignac observes that the African RECs have not succeeded in accelerating growth or trade. He points out that intra-African export as a proportion of the continent's total exports amounted to only 7.6 percent in 2000 as against a ratio of 17.2 percent for Latin America, a region, which has not been as active in Africa in the promotion of cooperation and integration. His work will be significant in analysing the role which the East African Community schemes have had on the integration of East African countries, in relation to other Schemes.

The above literature demonstrates that there have been attempts to document the history of the EAC. The literature, however, shows that various studies were limited to specific themes or periods in the history of the EAC. In some instances, other writers provided a descriptive narrative rather than a detailed analysis of the said events. None of the literature analyses provided a consistent and or a chronological analysis of the history of the EAC or the EAC-I. It is this lacuna that this study attends to.

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[42] E/CN.14/ECO/0/REV.3, June 1976

[43] Solignac Lecomte, H.B. 2000. Building Capacity to Trade: A Road Map for Development Partners-Insights from Africa and the Caribbean, ECDPM Discussion Paper 33.

1.9 Theoretical Framework

The study was informed by the World Systems Theory initiated by Emmanuel Wallersstein. According to this theory, a World-System is a social system with boundaries, member groups, structures, coherence and rules of legitimation.[44] It also focuses on the development and unequal opportunities among nations by exploring different modes of production and the relation of both capitalist and non-capitalist world economy. [45] Wallerstein founded this theory on the ideas of Annales School, Marxist and dependency theory.

Chirot and Hall further argued that a world system is a set of political, social and market integration with interdependence among states on necessities such as food, fuel, and security, leading to competition for domination among polities without one of them becoming supreme in the long run.[46] The theory was useful to the study as it submits that a world system comprises of different territories characterized by different modes of production and political systems. The relationship between these states and their forces of production is responsible for the occurrence of major interdependent regions in a world economy; core and periphery. These groups are different regarding culture, geography and development. In addition, the semi-periphery states have a mixture of characteristics found in the core states as well as the peripheral ones.[47]

 Goldfrank argues that on the one hand the interdependence among states is characterized by the domination of the rich and powerful states, and the exploitation of weak and poor states on the other.[48] Powerful states possess advanced technologies while the weak states have a less developed technology. According to Wallerstein, it is this comparative advantage that the core has over the other states which leads to unequal exchange.[49]

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[44] Immanuel Wallerstein, *The modern World System I: Capitalist Agriculture and the Origins of the European World-Economy in the Sixteenth Century* (New York: Academic Press, 1974)

[45] D. Chirot and Thomas D. Hall, 'World System Theory', *Annual Review of Sociology,* Vol. 8 (1982), pp. 81-106. http://www.jstor.org/stable/2945989. Accessed: 12/11/2014

[46] L. Goldfrank, Walter, "Paradigm Regained? The Rules of Wallerstein's World-System Method. *Journal of World-Systems Research* Vol. 6. No. 2 (July 2000), pp. 150-195.

[47] T. Skocpol, "Wallerstein's World Capitalist System: A Theoretical and Historical Critique." *American Journal of Sociology* Vol. 82. No.5 (1977), pp. 1075-1090.

[48] L. Goldfrank, Walter, "Paradigm Regained? The Rules of Wallerstein's World-System Method.

[49] T. Skocpol, "Wallerstein's World Capitalist System"

This relationship (core, periphery and semi-periphery) was useful in the study in understanding the challenges that exist among the EAC member states in the region. The theory has been used to classify the EAC member states subject to their level of development and growth within the region. For instance, the intra-EAC imports (2000 - 2009) averaged eight percent, with the imports being 67 percent destined for two countries; Uganda importing 40 percent and Tanzania 27 percent.[50] Furthermore, the intra-EAC export over the same period was 18.9 percent, with Kenya dominating the trade with 73 percent of the exports.[51] Therefore, this theory provided more insight to the study in explaining how the EAC (World System) is affected by the differences of its component parts (member states).

Wallerstein further argues that there is increased competition from the core to exploit resources from the periphery and the semi-periphery. This exploitation is pushed by the Non-Governmental Organizations, private enterprises and the state of the dominant polity. However, the periphery and semi-periphery resist exploitation from the core. The resistance usually comes in the form of non-cooperation in the implementation of agreements. Such agreements may range from harmonization of tariffs and non-tariff barriers, development of a single political system and so forth. The non-commitment may arise from the notion that free trade not only benefits advanced industrial economies, it also slows the development of the poorer economies. However, Wallerstein believes that the world system cannot function without the semi-peripheries and the periphery.[52] This helped the study in establishing the degree by which the EAC member states need each other in a 'World System.'

Added to that, the theory uses the Marxist notion of class conflict to describe the relationship of the international conflict.[53] The core forms the upper class, the working class is the periphery and the middle class being the semi periphery. The conflicts that exist in these three classes reflects the struggles for supremacy and control over the region on the one hand, and the

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[50] T. Hartzenberg, *Regional Integration in Africa,* World Trade Organization: Economic Research and Statistic Division. Staff Working Paper ERSD-2011-14. P. 13
[51] T. Hartzenberg, *Regional Integration in Africa,* World Trade Organization: Economic Research and Statistic Division. Staff Working Paper ERSD-2011-14. p.13
[52] Wallerstein, *The modern World System I: Capitalist Agriculture and the Origins of the European World-Economy in the Sixteenth Century* (New York: Academic Press, 1974)
[53] Chirot and Hall, 'World System Theory', *Annual Review of Sociology,* Vol. 8 (1982), pp. 81-106.

safeguarding of the sovereignty on the other. The coexistence in these classes in international conflict demonstrates that events in a country may slow or speed up integration, but these countries will not by themselves be decisive. This class struggle has been used to explore the difference that exists among the EAC member states to bring out the impediments that hinder further attainment of its goals and objectives.

This theory has been criticized for relying on socialism as a solution to the problems caused by capitalist exploitation. This arose due to Wallenstein's belief that countries that develop do so at the expense of poorer states. However, the World System Theory illuminated the study of the interactions and relationships between states as well as their development in the modern world. Furthermore, contemporary social change cannot be assumed without attention to class and inter-societal relations.

1.10 Methodology

The study was carried out in Kenya. Kenya has been a considerable historically center for the East Africa Community trade relations. The presence of the EAC offices in Nairobi as well as the proximity to higher institutions of education put the researcher in the proximity of both experts and primary and secondary sources relevant to the study. Kenya is strategically located to large water bodies such as the Indian Ocean, unlike other EA member countries, therefore controlling much of the EAC activities in the region.

The study utilized both primary and secondary sources. Primary data incorporated archival records obtained from the National Archives. Archival records encompassed annual reports, official letters and government policy documents of the East African Community. Data from the archives was corroborated with interviews collected using interview schedules of people who have interacted with EAC in the past and present.[54] An interview schedule was used in the interviews (see appendices) to collect data from the respondents. The individual interview schedule had the added advantage of establishing close interaction between the interviewer and

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[54] Further details on the intepretations and definitions of oral sources would include the works of J. Vansina, 'Oral Traditions and its Methodology' in J. Ki-zerbo (ed) Unesco General History of Africa Vol. 1: Methodology and African Prehistory (Carlifornia, 1981), pp. 142-156 and Oral Tradition as History (Nairobi: East Africa Educational Publishers, 1990).

the participants.[55] Some interviews were recorded where the consent of the respondents was given for easier retrieval of data.

Secondary data comprised of both published and unpublished works. These ranged from books, Journal articles, newspapers, magazines, and the internet. These documents were obtained from the Egerton University Library, the University of Nairobi Library and the EAC office in Nairobi. This was useful in providing information as well as in corroborating oral interviews data.

A sample of 51 respondents, both men, and women knowledgeable about the East Africa regional integration were interviewed. They included investors and businesspersons, past and present employees of the EAC, policy makers on integration matters, and ordinary East Africans. The non-probability sampling technique that entails purposive and snowball procedures were used in data collection.[56] Purposive sampling was used to identify the core respondents, whereby knowledgeable individuals were chosen.[57] In addition, Snowball techniques were applied to identify other potential respondents who qualified for inclusion in the sample.[58] This sampling method connected the researcher with vertical and lateral respondents.[59]

The study utilized both primary and secondary data. To collect primary data, the study developed an instrument for data collection, the interview schedule. It was used to obtain information from key respondents such as past and present administrators of the EAC, policy makers, and knowledgeable civilians. These operational instruments allowed for the measurement of a number of variables by sampling respondents that represent a larger population to give room for generalization of the entire population.

The study employed the qualitative design. As Creswell observes, in this design, the research seeks to understand the people's interpretation and perception as to what the people perceive

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[55] E. Babbie, *The Practice of Social Research* (New York: Wadsworth Publishing Company, 2001), p.79

[56] D. Kasomo., *Research Methods in Humanities and Education* (Nakuru: Nakuru Publishers, 2006).

[57] N.J. Kathuri and Pals., *Introduction to Educational Research.* p.47

[58] N.J. Kathuri and Pals., *Introduction to Educational Research.* p.48

[59] M.S. Feldman.,J. Bell. And M. Berger., *Gaining Access: A Practical and a Theoretical Guide for Qualitative Research* (WalnutCreek, C.A: AltaMira Press, 2003), P.57.

reality to be.[60] Immediately after data collection, a descriptive analysis was used to sieve data to determine its usefulness and relevance to the study in order to obtain a sense of the overall data. First, recorded information was transcribed. Furthermore, the data from the archives and documentary sources was coded where information was grouped under several themes, sub-themes, topics and categories. After sorting the information into various categories, the data was analyzed to determine its suitability and usefulness in answering the research questions. This process was done by itemizing the data collected against the objectives and the theory used as well as themes that formed the study.

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[60] M. Mugenda Oliver and G.A. Mugenda. *Research Methods: Quantitative and Qualitative Approaches* (Nairobi:African Centre for Technology Studies, 2003)

Figure 1: Map of East Africa
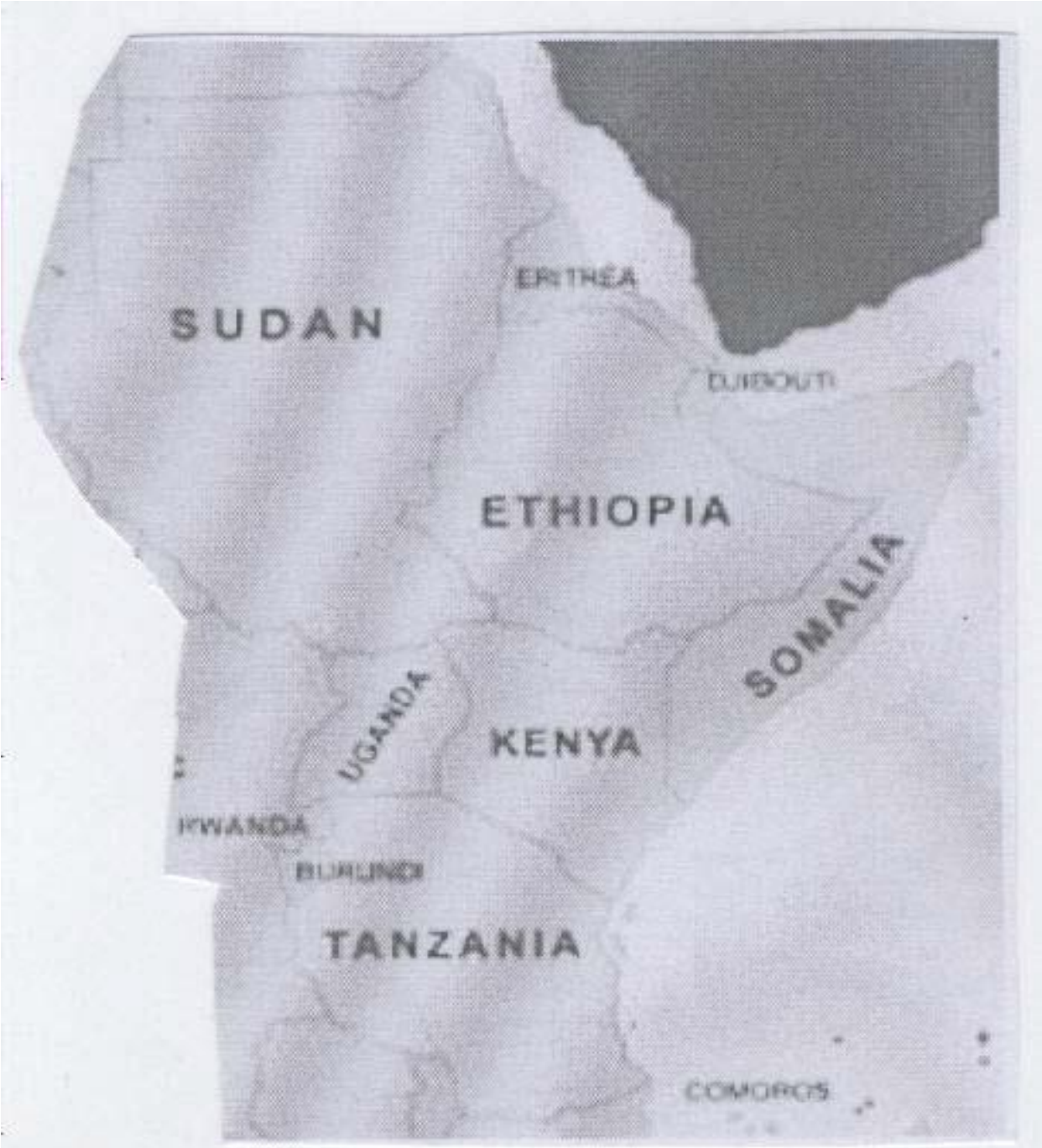
CHAPTER TWO

CONQUEST AND INTEGRATION ATTEMPTS: EAC, 1886-1948

2.1 Overview

This Chapter discusses the development of East Africa regional cooperation and analyses the steps taken towards the establishment of the first East African Community between 1900 and 1948. It depicts how the collaboration of the East African countries is not a new phenomenon. The phrase itself may be new, but the process begun before the colonial administration set up in the region. However, the construction of Uganda Railway (1897-1907) marked the beginning of the East African Cooperation. The period witnessed the establishment of several institutions, which include 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 in 1919, the East Africa Governor's Conference in 1926 and the formation of East African High Commission in 1948. The need to understand the historical development of the East African regional cooperation forms the basis of this Chapter; that is, did the process of integration evolve due to historical circumstances or because of the efforts of the Europeans'? Was the idea of uniting East Africa a colonial strategy to enhancing European domination? It further examines the roles of the early East African regional institutions.

2.2 A Regional Body: Conflicts and Interests

The coming of the colonists to the region marked the foundation of a closer union amongst the East African territories which were at the time operating independently.[1] In as much as the process of cooperation between the East African territories began before the arrival of the Europeans, the idea of the East African integration was conceived in the mid-1890s. Aforementioned is when the British administration was established in the region. However, the federation of the East African territories of Kenya, Uganda, and Tanganyika with the possible

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[1] J. Lonsdale, "East Africa", in J.M. Brown and R. Louis (eds), *The Oxford History of the British Empire, Vol. IV, Twentieth Century*, (Oxford and New York: Oxford University Press, 1999)

inclusion of the Central African territories of Rhodesia and Nyasaland has for many years been a goal constantly sought by the white-settlers of these regions and the British colonial office.[2]

In 1898 Fredrick Lugard recommended the establishment of East Africa as a region.[3] This was in line with the British authority's idea of forming a single political union under a collective administration. Lugard further suggested for the appointment of the Governor and Commissioners for East Africa. The Governor based in Nairobi and the Commissioners stationed in Uganda and Zanzibar. The union under a joint administration was perceived by the British as the only way of fostering contact between the East Africans, rather than operating separately.

The British authority appointed Sir Harry Johnson in 1899 to assess the possibility of establishing the East African Union. In 1901 he went back to England and reported that the two protectorates, Uganda, and Kenya, as well as British Somaliland and Zanzibar, could function under a single administration.[4] He further proposed the formation of a Supreme Court, a military camp and the administrative capital of Kenya. In addition to this, the entire region was to have a single budgetary control. Another British counsel who shared Johnson's sentiments was Charles Eliot. In 1905 he suggested for the gradual formation of the East African Union, and if this was to be done it certainly should be done soon; the longer they remained apart, the more they tend to become different in administrative systems and relations.[5]

The British colonial interest in an integrated region was aimed at securing control of the Nile headquarters as a conduit for the protection of British position in Egypt and the Suez Canal; monitoring of Pre-World War era Imperial German's plans in the region and opening up the Kenya hinterland via rail transport to introduce lucrative large-scale farming. The result was the formation of the Customs Union in 1917. Kamanga notes that;

> *There were several other benefits from occupying East Africa. German imperial*
> *designs in the region would be checked and opening up the Kenyan hinterland by*
> *rail transport would introduce the lucrative large-scale farming. No wonder that*

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[2] J K. Kiano, 'The Pan-African Freedom of East and Central Africa?' *Africa Today*, Vol. Vi, No.4 (1959),

[3] A J. Hughes, *East Africa: The Search for Unity – Kenya, Tanganyika, Uganda and Zanzibar*, (London: Penguin, 1963). P.213

[4] C. Legum, (ed). *Africa: A Handbook*, (London: Anthony Blond, 1967).

[5] Hughes. *East Africa,* P.214

from a mere British sphere of influence subject to direct British rule, East Africa quite rapidly became a fully-fledged, de jure colonial possession. And indeed, for the avoidance of doubt, the 'East African Protectorate' was in 1920 'elevated' to the 'Kenya Colony'.[6]

Even though the recommendations from Fredrick Lugard and Sir Harry Johnson indicated the British's interest in integrating East Africa, the white-settlers and the Africans were opposed to it. The settlers feared the loss of control if the British government imposed its policies to govern the East African region. As Hughes puts it, the move "would bring increased colonial office, particularly over native policies."[7] Therefore Africans and the white-settlers in Kenya, Uganda and Tanganyika were against the integration process that was spearheaded by the British government.[8] The East African leaders were not left behind, Nyerere for instance, opposed the idea on the premise it would perpetuate white domination in his country.[9] Even though the white-settlers and the Africans opposed this move, the British authority moved on with the process of establishing a regional body.

2.3 The Gore Commission

In 1924 the British colonial office in London decided to appoint a four-member Commission to investigate the matter further. Hon W.G.A Ormsby-Gore (Conservative M.P in the British parliament), was appointed as the Chairman of the Commission. He was assisted by Major A.G Church (Labour M.P), F.C Linfield (Liberal M.P), and J.A Cadler who represented the British Colonial Office, and also served as the Commission's Secretary. Gore's Commission was authorized to investigate ways that would foster economic development of the British East Africa and the proper mechanisms to implement regional policies.[10]

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[6] K. Kamanga, 'Some constitutional dimensions of East African Cooperation', in J. Oloka- Onyango (ed.) *Constitutional Development in East Africa for the Year 2001*, (Dar es Salaam: E&D Limited, 2003)

[7] Hughes, East Africa, p.214

[8] Kiano, 'The Pan-African Freedom of East and Central Africa?'

[9] J. Hatch, *Two African Statesmen: Kaunda of Zambia and Nyerere of Tanzania*. (London: Secker & Warburg, 1976), p. 129.

[10] KNA/AVQ/1/11 Report of the W.G.A Ormsby-Gore Commission

The Commission arrived in the region in August 1924, interviewed residents from several Constituents and submitted the Report to the Colonial Office in 1925. The Commission established that there was, "little if any support in East Africa for the idea of federation and in some quarters we found definite hostility."[11]   The Report further stated that the idea of integration was opposed by the white-settlers in Kenya, Africans in Uganda and Zanzibar including the majority of the Indians in the East African region.

According to the Commission, East African cooperation would not succeed if a call for the integration came from outside the region. The local populace would regard it as a British affair, aside from the opposition it was bound to receive. There was need therefore for the local Governors to spearhead the integration process with the involvement of the locals. As a result, the Commission concluded that the federation "will come, if it comes at all as a result of the locals" discussion of local needs and common problems. The Federation cannot be imposed from without."[12]   The Commission, however, recommended the possibility of a regional integration in the future.

The implementation of the Gore Commission's Report began immediately. One of the developments was the formation of the Conference of Governors in 1926. Its composition included the Governors of Kenya, Uganda, Tanganyika and the British resident of Zanzibar. As an advisory body, it was supposed to address issues relating to Customs tariffs, railway rates, and scientific research activities. It additionally focused on the administering "of territories whose boundaries are in the main the result of historical accident rather than the expression of ethnological and geographical facts."[13]   The Conference of Governors held their meetings once a year on a rotational basis. They further agreed that the governor of the hosting territory would chair the meetings.

The Conference of East African Governors was first held in Kenya in the year 1926. Edward Griggs, the then Kenya's governor, played a key role in convincing the white-settlers to embrace the concept of amalgamating the East African territories. After the first Governors' Conference, the Colonial Report that was published showed that His Majesty's Government agreed that

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[11] KNA/HAK1/1/01 Report of the East African Commission, 1925
[12] Hughes, p.214
[13] KNA/HAK1/1/17 Report of Future Policy in Regard to Eastern Africa, 1927

"some form of closer union between the territories of Central and Eastern Africa appears desirable."[14]

2.4 Hilton Young Commission

In 1927 the Whitepaper issued by the British government demonstrated the importance of bringing the East African territories together. According to the paper, there was a need for using more practical ways towards integration of the region. As a result, Sir Hilton Young was appointed the Chairman of the Commission, which was supposed to investigate workable methods of integrating the region.[15] The terms of the Commission included; First, to find out if cooperation between the territories in Central and Eastern Africa could be secured regarding the establishment of customs tariffs, science, transport and communication. Second, to make recommendations as to which territories could be brought together now or in the future for purposes of cooperation. Third, to suggest proper mechanisms in the composition of the legislative councils for each territory. Fourth, to propose the best way possible of implementing the dual policy acclaimed by the Conference of the East African Governors in the political and economic provinces. Fifth, to suggest possible improvements in the sphere of communication for the various territories to enhance cooperation; and finally, to consider the financial aspects of any plans which may fall under the fore mentioned recommendation.[16]

The above terms show that; Britain was not sure as to which of the territories would be brought together under a single administration or the composition of the Legislative Council. However, what was clear was that a Union should be formed. Consequently, the Hilton Young Commission was mandated to work on its logistics. The Report, the Hilton Young Commission, presented in 1929 enclosed the following conclusions. First, to urgently implement policies concerning the natives and any matter about their relationship with the immigrants. Second, to centralize and coordinate the services of common interest to the three territories. Third, to realign some aspects of Kenya's constitution with the cooperation process.

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[14] KNA/HAK1/1/17 Report of Future Policy in Regard to Eastern Africa, 1927
[15] KNA/AVQ/09/01 Future Policy in Regard to Eastern Africa, 1927
[16] KNA/AVQ/15/12 Report of the Commission on Closer Union of the Dependencies in Eastern and Central Africa, 1929

The Commission proposed the creation of a Central Authority for Eastern Africa. The Authority was purposed to maintain justice, defend the interest of His Majesty's government and to coordinate policies of matters relating to the three territories.[17] The Legislative Council represented all the territories; hence the Commission proposed the gradual transfer of power from the territories. This is because they felt that a Central body was not yet ready to discharge its regional mandate. It was therefore, recommended that all the executive powers be conferred to the Governor-General.

Sir Samuel Wilson was appointed the Colonial Secretary of state in 1929, by L.S Amery, to study the recommendations made by the Hilton Young Commission. At the end of it, Wilson affirmed the possibility of forming the Union of East Africa. He further recommended the appointment of a High Commissioner with the responsibility of legislating, the Posts and Telegraphs, Railways, Customs, security and defence in the East African territory.[18] These were the areas in which the British government had developed the interest at the time.

As the plans for establishing a single East African territory were on-going, Britain was entering its election period. The elections ended with a change in government. The Labour Party defeated the Conservatives. The new administration continued the process of forming the East African Union. It started with the presentation of a Whitepaper by Lord Passfield to Parliament. Like Wilson, Passfield suggested the recruitment of a High Commissioner to administer the affairs of each territory in East Africa. The result was the formation of a Joint Select Committee from both houses of parliament. The Committee's mandate was to investigate the possibility of a closer union and give recommendations to Parliament.[19]

After conducting its research, the Committee submitted its Report to the government in 1931. One of its recommendations was the use of peaceful means towards the attainment of a single Union. The recommendation was based on the fact that Africans from Tanganyika and Uganda were opposed to any steps towards a Union. They argued that the white-settlers who dominated Kenya would take their land. Their presence would further attract the British Government to

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[17] KNA/AVQ/15/12 Report of the Commission on Closer Union of the Dependencies in Eastern and Central Africa, 1929

[18] KNA/AVQ/10/27 Minutes of the Colonial Secretary of State

[19] Paul Ndeto, O.I. 20 July 2015

their territory.[20]   The Committee was, however, positive that with the formation of East African Union. By recognizing the efforts of the structures already existing, it stated that "for the next few years the Governors' Conference and the meetings of officials provided a useful means of achieving effective co-ordination."[21]

One of the recommendations of the Hilton Young Commission was to establish possible areas of future cooperation. The process was concluded in June 1939 when the Governors' Conference met in Dar es Salaam. It was agreed that immediate steps to coordinating an aerial survey of the East African territories should be carried out, "with a view to placing at the disposal of the government's equipment available for use in various territories as and when it required."[22] It was also agreed that the East African Veterinary Research Institute be set up at Kabete (Kenya) by September 1939.

2.5 Regional Integration during the Second World War

The outbreak of the Second World War in 1939 posed new challenges for the British colonies as well as the white-settlers in the East African territories. German's demand for the return of Tanganyika (which was under the trusteeship of the League of Nations) caused the white-settlers in Kenya to agitate further for an integrated East Africa. They thought that Germany would further demand its other territories once it had acquired Tanganyika. The white-settlers, therefore, opted for a British dominion as "they were infuriated by German's insistence that Tanganyika's mandated status should not be endangered by closer association with the British Colony and Protectorates."[23]   Therefore the war provided an opportunity for the British government and the white-settlers to work together towards the integration of the East African region.

The Governors of Kenya, Tanganyika, Nyasaland, Uganda and Northern Rhodesia met in 1940 and agreed to establish a Joint Economic Council and Secretariat. The Economic Council would lay the foundation for the formation of a Political Federation. The governors believed that the

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[20] Hughes. East Africa, p.218.

[21] Ibid, p.219

[22] KNA/ AVQ/1/39 Confidential Minutes of the Conference of Governors of British East African Territories, 23 and 24 June 1939.

[23] Hughes. East Africa, p. 219

attainment of a Political Federation would not be possible without prior economic cooperation. Likewise, there was the formation of other regional institutions such as; East African War Supplies Council, East African Refugee Administration and East African Research and Development Board. It is important to note that the Governor's Conference played a crucial role during the War period.

The latter part of the Second World War witnessed a more vigorous push for an integrated East Africa. The British government had taken a bold step, issuing proposals for the management of activities in East Africa. What's more, George Hall, the Undersecretary State for the colonies also stated that the Governor's Conference was ready to coordinate policies between Kenya, Uganda, and Tanganyika. G Hall further urged the British government to increase the organization's power so as to discharge its mandates more efficiently.

In 1945, Creech Jones, the newly appointed Colonial Secretary, decided to tour East Africa to have a broader understanding of the region. He later issued the Colonial Paper No.191 of 1945, which stressed the need for the cooperation of East Africa. He also suggested that the Governors needed to work together with the British government in matters concerning the East African region.[24] Therefore, the two continued to cooperate and as a result, the British government, by an Order-in-Council, recommended the creation of a permanent body; the East African High Commission (EAHC). The long struggle towards the formation of the regional body ended 1 January 1948, with the establishment of EAHC.[25]

Nonetheless, the Central Legislative Assembly (CLA), was given responsibility to advise the Commission as well as administer specific common services in the region.[26] It is also important to note that the Africans were not involved in the discussions above that led to the formation of EAHC. The times their opinion was taken into account, they were considered as "outsiders."

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[24] Pressure from Kenya's white settlers forced him to change his tone. Subsequently a different version of his views appeared in paper No.210 giving more powers to the governors to make certain decisions on regional matters.

[25] KNA/HAK1/1/50 East Africa (High Commission) orders in council, 1947-1960

[26] J. Banefield, "The Structure and Administration of the EACSO", in C. Leys and P. Robson, (eds). *Federation in East Africa: Opportunities and Problems,* (Nairobi: Oxford University Press, 1965)

The EAHC's headquarters was placed in Nairobi, Kenya. Its Secretariat was made up of the administrator, a Commissioner for transport, a Postmaster General, and a Legal Secretary. The mandate entailed; defence including the East African Navy, civil aviation, general provisions and administration, expenditure appropriations on services it was responsible, Customs and Excise, telephone and radio communications, railways and harbours, income tax, general provisions and administration, research, Makerere College, posts and telegraphs and staff matters.[27]

The EAHC was able to achieve the following: First, the establishment of the East African Airways Corporation; Second, the amalgamation of two rail systems; Third, commercializing the posts and telecommunication; and finally, the establishment of the research services for agriculture, veterinary, and medical research. One of its major successes was that it was able to link the Court of Appeal for Eastern Africa and the East African Currency Board, whereby they would work together.[28]

2.6 Chapter Summary

This Chapter covers the early years of regional cooperation in East Africa, commencing with the formation of the Kenya-Uganda Railway and ending in 1948 when the East African High Commission was formed. The process leading to the formation of the EAHC was long and tedious. The integration process faced opposition at the beginning from the white-settlers and the Africans. They not only feared British government's domination but also the imposition of her rules and policies on them. During the Second World War, the white-settlers, however, decided to collaborate with the British government in establishing the first Regional Institution in 1948, the EAHC. Their position was predominantly influenced by the German's aggression and determination to repossess Tanganyika. The Africans, on the other hand, continued to oppose the regional initiative as they did not see the benefit of an integrated territory. Therefore the Chapter following examines the following questions: Did the Africans change their perception concerning the idea of regional unity? How did this perception influence their relationship with the white-settlers as well as the British authorities?

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[27] Paul Ndeto, O.I. 20 July 2015
[28] KNA/HAK1/6/43 Annual Report on the East African High Commission, 1961

CHAPTER THREE
EAST AFRICAN COOPERATION FORMATIVE STAGES, 1948-1967

3.0 Overview

The previous chapter shows the realisation of EAHC in 1948 as the brainchild of the British government, as its representation in the region. The EAHC's establishment, therefore, came amidst the conflict between the centre (British) and the periphery (Africans). From the 1950's however, a new wave of nationalism began to sweep across the African continent at large and particularly East Africa. Not only did the East African leaders call for the Africanisation of the EAHC, but they were also determined to establish a political union through regional integration. This was also influenced by the fact that the East African countries (Tanganyika, Zanzibar, Uganda and Kenya) were moving towards independence. Therefore, this Chapter discusses the important changes that took place among the East Africans and how these changes influenced their embracing of the integration process, an idea they initially protested.

3.1 The Rise of Nationalism and its Effects on Regional Cooperation

The nationalist movement is traced from the Pan-Africanism ideology of which was birthed by Africans in the 'diaspora' because of European imperialist's powers. As a result, the first Pan-African Congress convened in 1919 under the leadership of W.E.B Du Bois. Africans in the diaspora attended the conference which majorly focused on the equality of all races. Consequently, the Pan-Africanist continued to hold conferences to agitate for the welfare of the black people. It is, however, the fifth Pan-Africanist Congress which ignited the idea of Africa's nationalism. The Congress, chaired by Du Bois was held in Manchester in 1945 and attended by more than 200 delegates most of them coming from the continent of Africa.[1] Kwame Nkurumah [the rapporteur during the conference] while addressing the wide-raging issues facing colonial Africa promised to lead a "strong and vigorous action to eradicate imperialism," which he identified as a major impediment to Africa's unity.[2] Another leader who addressed the Congress

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[1] George Padmore, a pan-Africanist himself, introduced Du Bois as the 'father of Pan-Africanism' and invited him to take the chair as the president of the fifth Pan-Africanist Congress.

[2] Lewis David Levering, *W.E.B. Du Bois: The fight for equality and the American Century, 1919-1963,* (New York: Henry Holt, 2000), p.514

was Jomo Kenyatta, he talked about the six East African territories ranging from Nyasaland to East Africa. From its initiation, Pan-Africanism evolved from demanding racial equality and respect to calling for freedom and independence of African states.

The 1945 Congress depicted Pan-Africanism in two-folds. The first being as a political project fostering for the political unity of the continent of Africa; and second, it was anti-imperialist. After the conference, Kwame Nkurumah and Jomo Kenyatta returned to their respective countries with added vigour in agitating for independence, occasioning to nationalist movements. When Ghana attained its independence, Kwame Nkurumah began to agitate for United States of Africa while Julius Nyerere, on the other hand, was determined to establish the East African Federation. In as much as the two differed on the path toward Africa's unity, their destinations were in line with the Pan-Africanist vision.

Nkurumah advocated for the formation of the African Union Government rather than establishing national sovereign states. He argued that by pursuing the latter before the former, the imperial powers would use individual states to push for their neo-colonial interest. Nyerere, conscious of this possibility, argued that the vision of the African Union should be prolonged and be based on the regional building blocks.[3] It is the ideologies spearheaded by Nyerere that gained support from most of the East African territories.

The leaders, among them Jomo Kenyatta, Julius Nyerere and Milton Obote were at the forefront of pushing for the integration of East Africa. What's more, their morale was primarily boosted by the prospect of independence. On the one hand, Tanganyika, Zanzibar and Uganda were on the verge of attaining self-rule, while the prospects of Kenya's independence, on the other hand, were discernible. This wave of change swept across the region eliciting the support of the East African leaders. They saw it as an opportunity to establish a union with their own rules. Nyerere believed that this was the time of real development for East African countries without which, growth would be retarded if the countries formulated economic policies separately.[4]

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[3] J K Nyerere, 'The Second Scramble', in J. K. Nyerere, *Freedom and Unity*, (Oxford: OUP, 1966), pp. 204-208

[4] A T. Mugomba, "Regional Organizations and African Underdevelopment: The Collapse of the East African Community", in *The Journal of Modern African Studies*, Vol. 16, No. 2 (1978), pp. 261-272.

One of the challenges that these leaders faced was the reconstitution of the EAHC. In as much as the period presented an opportune time for East African rule, members of EAHC mostly constituted the British settlers and its founding members.[5] Therefore the Organization only dealt with the affairs of the white settlers. In as much as East Africans tried to ensure their interests were represented, their numbers were few and hence they could not make any tangible impact.[6] Furthermore, British founding members of the EAHC were still involved with its affairs. For instance, one of the governors, Sir Philip Mitchelle recorded that he not only presided over the inaugural meeting of the Assembly on 6 April 1948 and also participated in the same forum in 1952. He further considered the assembly as being a momentous structure for the future of East Africa.[7]

Indeed the EAHC was an important vehicle for the British settlers and their government. This can be attributed to Mr David Scott's speech (a representative of the British government) during the opening of the EAHC.

> *The members of the East African Central Legislative Assembly, meeting for the first time in its second term, present their humble duty to His Majesty the King and desire to assure His Majesty that they are fully sensible of the responsibilities imposed on them, and gladly accepted, in continuing to promote the well-being of all three East African Territories and all His Majesty's subjects in them. They are resolved to direct all their activities, in so far as it lies within their powers, to the fulfilment of this trust.*[8]

G. Scott's speech confirmed the institution of the EAHC as a British creation with a mandate to fulfil the desires of the British government. Furthermore, its allegiance to the British government was largely influenced by the dominance of the white settlers amongst its leadership. This clearly indicated that the EAHC was not only serving His Majesty's government but also determined to accomplish its goals and objectives.

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[5] KNA/HAK1/1/58 The East Africa High Commission, *Annual Report*, 1952

[6] I D. Delupis, *The East African Community and Common Market,* (London: Longman, 1969).

[7] KNA/GO/3/2/89 EAHC Proceedings of the Central Legislative Assembly, Official Report, 1953

[8] Ibid

Reconstitution of the EAHC, therefore, became an immediate goal among the East African leaders so as to reflect the views of the Africans; with calls for Africanisation of the EAHC felt at the assembly which was also dominated by the white settlers.[9] This is because the African leaders were constantly criticizing the partial role played by the Assembly. They not only called for Africanisation of EAHC but also steered for political independence in the region.

As observed by Gitau, African leaders begun to work in close collaboration. A case in point was the strengthening of ties between Kenneth Kaunda from Zambia and Kwame Nkurumah from Ghana; Presidents J. Nyerere, Milton Obote and J. Kenyatta.[10] Their association was evident from the fact that they invited one another to address the East Africans against the British rule. This was done at both the national and regional level. Indeed the East African leaders were determined to follow Nkrumah's footsteps in obtaining independence from the British government. Other African countries adopted the idea of nationalism hence the notion that, "during the 1960s Africa was chaotic because these were the years when many nations 'rushed' into independence."[11]

3.2 The Formation of EACSO

The good personal relationship existing among the East African leaders could be attributed as one of the factors that led to the reconstitution of EAHC and later the formation of the East African Common Service Organization (EACSO). Another factor of importance that largely contributed to the creation of EACSO was the attaining of independence by the East African states. An example is in December 1961 when Tanganyika acquired its independence and agreed to merge with Zanzibar in 1964 to form Tanzania. This came after a revolution that occurred in Zanzibar in 1963, that later witnessed President Nyerere of Tanganyika and Abeid Karume of Zanzibar agreeing to form Tanzania.[12]

After the independence of Uganda and Tanganyika, the focus was shifted to Kenya. The former was determined to put more weight so that the latter's process of independence would be

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[9] KNA/GO/3/2/89 EAHC Proceedings of the Central Legislative Assembly, Official Report,

[10] James Gitau, O.I. 28 July 2015

[11] Ibid.

[12] J K. Nyerere, *Arusha Declaration,* (United Republic of Tanzania: Government Printer, 1967).

accelerated. In Kenya, the plans for integration were assured by the Kenya African National Union. Its leaders, among them the former president of Kenya, Mwai Kibaki aimed at organizing a meeting to discuss the future of East Africa after the elections in Kenya. KANU was more convinced that a meaningful discussion for East Africa's regional integration would only be achieved if Kenya first held its elections.[13]

In the 1960s, the East African Union was more of reality than a dream. The close relationship of the East African leaders continued to shape the process of bringing the states more closely to one another. This was demonstrated by President J. Nyerere and J. Kenyatta who were working closely towards an East African Federation.[14] Indeed as mentioned earlier, the colonial governors in East Africa's region, the British government and the national governments held a meeting in London to envisaged difficulties in line with the proposed regional integration. The outcome of the meeting was, therefore, a draft plan for a post-independence era of the region.

One of the Conference's agendas was to address the prospects of the East African cooperation. It was also meant to plan for the transition of Tanganyika to independent Tanzania from the British rule. The 28 December 1961 was agreed as Tanganyika's Independence Day. However, Tanganyika's independence had limited the chances of having a regional bloc. The latter therefore was entitled to enjoy some rights which Uganda and Kenya could not access. In fact, Hughes ruled out the possibility of ever having an East African federation due to Tanganyika's independence from Britain.[15] Southall also perceived the failure of inter-territorial cooperation believing that it was upon Britain to take precautionary measures to prevent such an ugly scenario from happening.[16]

The conviction of President J. Nyerere of an integrated East Africa led him to offer a solution for the perceived union. He was willing to wait for the independence of Uganda and Kenya at the expense of Tanganyika. He stated that "If the British Government is willing to amend their timetable for the constitutional changes of the other territories and then those territories

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[13] The Sunday Post, 5May 1963

[14] Sunday Chronicle, 31 July 1960

[15] Hughes, *East Africa*, p. 225

[16] R J. Southall, "The Federal University and the Politics of Federation in East Africa", *East Africa Journal*, Vol. 9, No. 11 (November, 1972), pp. 38-43:15

expressed a desire for federation, I would be willing to ask the people of Tanganyika to join that Federation with the others."[17] This sense of good will from Nyerere was a sign of unity amongst the East African leaders. Were it not for Nyerere's idea, Tanganyika would have proceeded with its independence without considering the prospects of Kenya and Uganda and the plans for a regional integration.

President Nyerere's concerns were however addressed during a meeting convened by the secretary of state for the colonies from 19 - 27 June 1961 in London. Those who attended the meeting include the EAHC delegates from; Tanganyika, Kenya, Uganda, Zanzibar and the British colonial officers. Delegates from Zanzibar, however, attended as observers. The representatives recommended that any amendment of the constitution in East Africa that would take place should not affect the shared services provided.[18] Thus the perceived derailment emanating from Tanganyika's independence was ruled out.

Despite the above recommendation, the East African leaders were still unsatisfied by the composition of the EAHC. Their immediate plan was to have an organization that reflected the views of the East Africans, and that would be guided by the East Africans' interest at the top of its agenda. Their agitation culminated in the replacement of the EAHC by EACSO in December 1961. After the replacement, the report of the EAC pointed that, its change was a paradox since some of the achievements were in part responsible for its demise at the end of 1961.[19] The report further stated that EACSO was a symbol of East African people's desire.

The scope of EACSO was larger, with a higher representation than the predecessor organization. Other services that were added to the new organization include customs regulation, currency regulation and tax control. Other differences as observed by Banfield could be stated as follows. First, Unlike the High Commission (EAHC), the EACSO was not the conception of the British government, rather by the terms of an agreement entered into by the three East African governments and was therefore called into being at their request. Second, the EACSO constitution provided for a local executive responsible to the three governments and not a foreign government as was the case with the Governors. Third, the constitution could be amended by

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[17] J K. Nyerere, *Arusha Declaration*, p. 130
[18] KNA 29/10/63Report of the London Conference, 1961
[19] KNA/CS/2/6/3 EACSO Annual Report, 1962: a view shared by Simon Odaga, O.I. 20 June 2015

local arrangement and, as a result, EACSO was able to meet changed and changing political situations and needs. Lastly, the EACSO continued to control the policy and administer the common services, which for many years had proved to the satisfaction of the East African governments to be valuable, efficient and useful and notwithstanding the attainment of independence by the three East African sovereign states. They were better administered by the joint authority [the Regional Legislative Assembly].[20]

The plan for regional growth was steadily executed. On 22 May 1962, the Central Legislative Assembly convened its first meeting under the EACSO with the presence of the East African leaders. During the meeting, President J. Kenyatta made his speech emphasizing regional brotherhood and growth of Africans. His speech is quoted at length:

> *Mr. Speaker, honorable Members, on behalf of the Authority I bid you welcome to this, the first meeting of the Central Legislative Assembly set up in terms of the East African Common Services Organization Constitution. My colleagues on the Authority, the Prime Minister of Tanganyika, Mr. Kawawa,[21] and the Prime Minister of Uganda, Mr. Obote, join with me in extending to all of you our congratulations on your appointment to this Assembly whose membership can now be said to reflect public opinion throughout Africa. We welcome this fact and look forward to your expression of opinion which will be ventilated here on the major issues which now confront East Africa as a whole. From the very outset this will require from you a sense of statesmanship, in as much as you will need to look at the problems from an East African point of view and not from the point of view only of what is best for your own Territory. I want to emphasize that this Assembly is a completely new body. It is true that there was a former legislature which had very nearly the same name, but in fact there is really no connection between that former legislature and this one. On the other hand, I say to you, profit from the experience gained in the former legislature but do not be afraid to*

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[20] J. Banefield, "The Structure and Administration of the EACSO", in C. Leys and P. Robson. (eds). *Federation in East Africa: Opportunities and Problems,* (Nairobi: Oxford University Press, 1965)

[21] Rachidi Mfaume Kawawa was appointed by Nyerere to become Tanganyika's Prime Minister on 22nd January 1962 when Nyerere himself resigned from that position as a tactical political strategy. (see Nyerere, 1967, pp. 157-158)

introduce into this one your own customs and procedures where it would be right to do so.[22]

President J. Kenyatta compared the EAHC and the EACSO. He stated that, EAHC had limited African representation and without certain African customary practices. The EACSO however was a true reflection of African practices since the Africans were its custodians. Development of events was further accelerated in East Africa as demonstrated by Kawawa, J. Nyerere and J. Kenyatta. Kawawa, who "cooperated closely with TANU and entered a long-term partnership with Julius Nyerere."[23]   This good relationship ensured a favourable atmosphere for the integration of East Africa.

3.3 The Raisman Commission

Every new step in the cooperation process was met with different challenges. After the formation of the EACSO, the East African leaders wanted to formulate a roadmap that would help them establish the federation of East Africa. In July 1960, Ian Macleod, the Secretary of State for the Colonies formed a three-member Commission known as the East African Economic and Fiscal Commission. Jeremy Raisman was appointed Chairman of the Commission. Other members were R.C Tress and A. J Brown. The Commission worked under the following objectives; First, to examine arrangements at present in force in East Africa for a common market area, for economic co-ordination between Territories and for fiscal uniformity with regard to measures now taken to facilitate inter-territorial trade in products of local agriculture and manufacturing industries and to develop such industries in East Africa, and to secure uniformity in fiscal and financial matters including methods used to allocate yields from customs, excise and income taxes between territories. Second, to provide the East Africa High Commission revenue necessary to meet the costs of services administered by the Commission for the benefit of the territories and to apportion the cost of such services between the Territories; and Third, to consider the advantages and disadvantages generally of the present arrangements as to whether or not these arrangements are economic and fair to the interests of each of the individual

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[22] KNA/GO/3/2/94 EAHC. Proceedings of the Central Legislative Assembly, Official Report, 1962

[23] J A. Wiseman, *Political Leaders in Black Africa: A Biographical Dictionary of the Major Politicians Since Independence* (Britain: Edward Elgar, 1991), p. 106

Territories; as well as make recommendations for any necessary adjustments, additions or modifications to them.[24/25]

In January 1961, the Commission submitted its Report to the Secretary of State for the Colonies. Macleod presented the Report to the Parliament of Britain in February 1961 as Command Paper 1279. On the other hand, the East African Legislative Assembly discussed the Raisman's Report. One of the members of the legislature, Pandya stated that the Report was significant as it had reviewed the relevant mechanisms for a common market, economic coordination and joint services which-"should be further strengthened in the interest of East Africa as a whole." We, the leaders of the people and [26]

3.4 The East African Declaration

The journey towards an integrated East African region was marked by a very significant event on 5th June 1963 in Nairobi. The period saw the signing of the Declaration of East Africa by Presidents J. Kenyatta, J. Nyerere and Milton Obote. This was a historic occasion considering the East African leaders demonstrated their love for one another by committing themselves to work together towards attaining a single Union. The Declaration not only required the leaders to work in partnership in the spirit of the East African brotherhood but to also support the course for Kenya's independence.[27] Among other things, the Declaration was as follows:

> *We, the leaders of the people and Governments of East Africa assembled in Nairobi on 5 June 1963, pledged ourselves to the political federation of East Africa…Within this spirit of Pan-Africanism and following the declaration of African unity at the recent Addis Ababa conference, practical steps should be taken wherever possible to accelerate the achievement of our common goal.*

> *We share a common past and are convinced of our common destinies. We have a common history, culture, and customs which make our unity both logical and*

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[24] KNA/ED/52/4/6/1 Report of East Africa Economic and Fiscal Commission, 1961

[25] KNA/AVQ/12/07 Report of the Economic and Fisal Commission [Raisman Commission]. 1961

[26] KNA/GO/3/2/94 EAHC. Proceedings of the Central Legislative Assembly, Official Report, 1962

[27] R J. Southall, "The Federal University and the Politics of Federation in East Africa", *East Africa Journal*, Vol. 9, No. 11, (November, 1972), p. 16

natural. Our futures are inevitably bound together by the identical aspirations and hopes of our peoples and the need for similar efforts in facing the tasks that lie ahead of each of our free nations.

In the past century, the hand of imperialism grasped the whole continent and in this part of Africa our people found themselves included together in what the colonialists styled 'The British sphere of influence.' Now that we are once again free or are on the point of regaining our freedom we believe the time has come to consolidate our unity and provide it with constitutional basis.[28]

Immediately after the meeting, the leaders jointly stated that: "We are nationalists and reject tribalism, racialism or inward-looking politics."[29]   Such views were boldly marked in the Declaration stating; "We reiterate that our plans for the Federation of East Africa is the logical promotion of the spirit of Pan-African unity and wish to make it, therefore, clear that any of our neighbours may in future join this federation."[30]

Such sentiments demonstrated that the leaders were working on a common spirit of East Africanism. Other leaders continued to air their views about the above achievement. For example, Bataringaya an opposition MP from Uganda stated that, "Mr Speaker, I beg to move that this House denotes with approval the Declaration by the Heads of the East African Governments to form a political federation of East African territories this year. The purpose of my moving this motion from this side of the House is simple and that is, to show to Uganda, to East Africa and Africa that the Opposition in Uganda is meaningful and plays its role of construction and not destruction."[31]   A similar idea was also shared by Duncan Sundy the Secretary of State for the Colonies. While addressing the House of Commons, Sundy not only acknowledged British efforts in the formation of a union but also congratulated the East African leadership for their sheer commitment in establishing an integrated region. He called for the inclusion of the Government of Zanzibar in the East African integration process. Sundy further

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[28] KNA, Kenya News. Press Handout No. 525, 5 June 1963
[29] Daily Nation, 6 June 1963
[30] KNA, Kenya News Press. Press Handout No. 525, 5 June 1963
[31] Uganda Argus, 5 june 1963

assured the East African leadership of its government's support in speeding up the region's integration process.

A positive outlook about the formation of East African Union was not shared by all people. Some thought that it would not last. Dr J. Kiano, however, stated that "the fact that we have not signed a federal constitution does not mean that we are moving apart. We are moving closer every day."[32] Furthermore, while addressing the central legislative assembly on 10 August 1965 in Dar es Salaam, President J. Nyerere said that "Kenya, Tanzania and Uganda are unified in their objectives as they have ever been as determined to work together for the benefit of all the peoples in East Africa."[33] He further argued that "there is no reason at all to believe that East African cooperation is about to collapse. It is sustained by our overwhelming will for unity."[34]

3.5 The EAC Treaty: the Establishment of the EAC I

As stated earlier, the formation of the federation was now at the discretion of the East African leadership. The leaders, however, required the guidance and technical support as well from outside. The need for a gigantic corporation brought the various stakeholders together in 1965; among them were the regional leaders. As a result of the meeting, they proposed the establishment of a commission to carry out the task of preparing a draft of the treaty establishing East African Community. In 1966 the three presidents from East Africa appointed Professor Kjeld Philip, the former Denmark's minister of trade and finance to head the Commission.[35]

The commission conducted interviews and drafted the treaty which was presented to the leaders. After a thorough examination of the document, the East African leaders accepted and signed it in Kampala-Uganda on 6 June 1967. Article 1 of the EAC treaty stated that; "By this Treaty, the contracting parties establish among themselves an East African community and as an integral

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[32] Mombasa Times, 7 August 1964

[33] J K. Nyerere, *Arusha Declaration* , (United Republic of Tanzania: Government Printer, 1967), pp. 60-61

[34] Ibid, p.61

[35] Arthur Hazlewood, ed., *African Integration and Disintegration,* (London and New York: Oxford University Press, 1967), pp. 114.

part of such community, an East African Common Market."[36] This marked the beginning of the realization of a regional body reflecting the struggles of the East Africans.

The supreme organ of the community was known as the East African Authority. It comprised of the three heads of state, with one of them serving as chair for one year. The chairmanship was on a rotational basis. The Authority was assisted in decision making by a council of three ministers, each representing Kenya, Uganda and Tanzania. The three ministers advised the Authority on matters relating to the EAC. They also chaired Council meetings. In total, there were five councils, namely; Finance, Common Market, Economic Consultative and Planning, Communications, and Research And Social. Three deputies also assisted each minister. Another important office was that of the Secretary General. He was the Principal Executive Officer and head of the EAC Civil Service, as well as Secretary of the Authority.

The secretariat which was based in Arusha comprised of three ministers, the Office of the Secretary General, the Chambers of the Counsel to the Community, Secretaries (finance and administration; common market and economic affairs; and communications, research and social services), and the East African Legislative Assembly (EALA). The EALA constituted of 36 members; nine members appointed by each partner state, a Chairman, three East African Ministers, three Deputy Ministers, Secretary General and the Council to the Community. The organ was responsible for legislation of all EAC matters.

Other institutions include; The Agriculture and Forestry Research Organization mandated to conduct research on the production of cash and food crops across East Africa. It was also tasked to look after the well-being of the forests in the region. The East African Airways Corporation (EAAC) linked the three countries through commercialized air transport. It also provided air transport to the rest of the world. Other than the EAAC, the community also established the Directorate of Civil Aviation. It was charged with the issuance of the licenses for commercial and private aircraft pilots; training of engineers, air traffic and communication staff and pilots. It was based at Wilson Airport, Nairobi with its branch at Soroti in Uganda. The Veterinary Research Organization located at Muguga, near Nairobi, conducted research into animal

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[36] The treaty of EAC Co-operation, 1967

diseases, cross-breeding experiments between local and exotic breeds and manufacturing of vaccines.

The East African Development Bank was responsible for spearheading development through the provision of financial and technical assistance to the member countries. The Freshwater Fisheries Organization situated in Jinja-Uganda was responsible for determining fish populations for fish-canning industries among the partner states. Other related institutions were the Marine Fisheries Organization located in Zanzibar.

Other research institutions include; the East African Harbours Corporation, The Industrial Research Organization, The Leprosy Research Centre, The East African Literature Bureau, The Institute of Malaria and Vector-Borne Diseases, The Institute for Medical Research, The Meteorological Department , The Tropical Pesticides Research Institute, The East African Posts and Telecommunications Corporation , East African Railways, The Income Tax Department, The Trypanosomiasis Research Organization, The Statistics Department, The Tuberculosis Investigation Centre, The Virus Research Institute located in Entebbe.

"The Treaty,' as stated by Tom Mboya 'had gone a long way toward creation of institutions and procedures for regional integration in the three cooperating East African countries."[37] One of the things was to decentralize offices from Kenya to other territories. For example, Arusha became the new capital of the community, while the East Africa Railways headquarters and the Airways cooperation were left in Nairobi. The East African harbours cooperation offices were moved to Dar es Salaam, while the East African post and telecommunications corporation were moved to Kampala, Uganda's capital. EACSO workers were to become EAC workers automatically.[38]

Preparations for the launching of the EAC-I were moving on smoothly. Mr Dunstan Omari, the secretary general of EACSO, met with the East African leaders to arrange for the dawn of the long awaited event. Many leaders continued to demonstrate their joy towards this momentous historic journey. As Mr Mwai Kibaki stated, "East African countries no longer depend on a gentleman's agreement, but on law."[39] Furthermore, Mr David Scot, British representative said

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[37] 'East African Common Market: How We Did it.' CERES I (Dec, 1968), pp. 28
[38] Peter Kariuki, O.I. 31 July 2015
[39] Daily Nation, 12 July 1967

that his government was confident with the East African leadership, effort and commitment in the establishment of the EAC-I. The historic event of inaugurating the EAC took place in Arusha on 1 Dec 1967. It was further declared a public holiday for East African countries. The occasion was attended by more than 8,000 people and about 500 delegates.[40]

The founding of the EAC-I was a long journey that begun with an idea which was conceived by the British agents in East Africa, and later the British government. Another factor that contributed to its success was the good relationship between the East African presidents. More importantly was Nyerere's gesture of unity when he offered to delay Tanganyika's independence for the sake of East African Union. The relationship between other national leaders with the presidents facilitated the success of this long process, in this instance; Thomas Mboya augured well with presidents J. Kenyatta and J. Nyerere which also paved the way for the formation of the EAC.[41]

3.6 Chapter Summary

Towards the end of the 1950s, the Africans began to support the idea of regional integration. In as much as integration was initially opposed, the East Africans realized later that it offered them an opportunity to gain economically and politically. It is this notion which helped the leaders revisits their initial stand. Furthermore, the countries were heading towards independence which meant an end to the British rule. They thought that this would allow them to integrate on their own terms. Immediately after Tanganyika attained self-rule, J. Nyerere offered to delay its independence for the sake of East African progress. His gesture demonstrated the good and close friendship that existed among the East African leaders. The period witnessed the signing of the East African declaration in 1963 and the East African Treaty establishing the EAC-I in 1967. In conclusion, the creation of EAC-I in 1967 was as a result of the positive perception towards a closer union by Africans; attainment of independence by the East African states and the working relationship between the East African leaders. However, the demise of EAC-I in 1977 prompts one to ask why the East African states abandoned the integration scheme after the long process that led to its establishment. Therefore, the next chapter discusses the events which resulted in the collapse of the EAC, as established in 1967.

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[40] J. Grace, and J. Laffin, *Fontana Dictionary of Africa Since 1960,* (London: Fontana, 1991), p.103

[41] J A. Wiseman, *Political Leaders in Black Africa: A Biographical Dictionary of the Major Politicians Since Independence,* (Britain: Edward Elgar, 1991), p.106

CHAPTER FOUR
THE COLLAPSE OF THE EACI, 1967-1977.

4.0 Overview

The previous Chapter has shown the various steps that were taken towards the establishment of the EAC-I in 1967. The present Chapter traces the factors that contributed to the collapse of the EAC-I in 1977. The demise of EAC-I was primarily triggered by its failure to deal with major on-going issues such as; personal differences among its leaders, lack of political will among the member states, inequitable distribution of gains, currency disharmony and constitutional impediments among other factors. These differences led to the disintegration of the jointly operated services. Among the corporations affected were the East African Currency Board in 1965, the University of East Africa in 1970 and the East African Airways Services in 1977. The collapse of these institutions dimmed the chances of having an East African federation. This Chapter has therefore discusses in detail the events that occurred, contributing to the disintegration of the East African Community. Additionally, the collapse of jointly operated services has been discussed, as well as how this disintegration influenced the survival of the East African Community.

4.1 Regional Integration: a Conflict of Interests and its Resolutions

Disagreement on the type of cooperation as well as sharing of benefits was not a new phenomenon to the post-colonial East Africa. Many British workers in the territory knew that such differences could not be solved instantaneously. In fact some of them believed that these differences would interfere with the future prospects of the EAC. Campbell, for example, a Colonial Officer under British government reiterated that East African colonies varied widely in several aspects. He added that it is almost impossible to predict how cooperation amongst those colonies would be put together for their benefit.[42]

Sub-nationalism dominated most of the East African states during the early years of the formation of East African cooperation. Most people owed allegiance to Kingdoms rather than the British authority. Among the most powerful of the states in East Africa was the Buganda

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[42] KNA/K325/31 Campbell, Memorandum on Cooperation in the Colonies

Kingdom in Uganda. The natives of the Buganda Kingdom opposed every move to form the East African cooperation. Their leader, Kabaka Mutesa II rejected Andrew Cohen (first Governor to Uganda) as well as Milton Obote's call of uniting Uganda in 1953. He argued that benefits from East African union would only benefit the Uganda protectorate rather than the Buganda Kingdom. While addressing Ormsby- Gore, Kabaka stated that:

> *It is feared, however, and quite naturally, that whatever form the proposed federation will ultimately take; there is no possible hope of any benefit accruing from there to the Baganda and the Constitution of this Kingdom.[43]*

His decision of wanting separation between Buganda and Uganda angered Milton Obote who launched an attack on his palace. He was defeated by Milton Obote's army under Idi Amin. As a result, Kabaka Mutesa II was exiled to England where he died in 1969. In fact, Wiseman noted that:

> *In the colonial period, Buganda had enjoyed a semi-autonomous status and Mutesa began campaigning for his Kingdom to become a separate independent state and not part of Uganda. He was exiled for a time in Britain in the 1950s because of his opposition to the inclusion of Buganda in Uganda, but eventually, a compromise solution, whereby his Kingdom would have a degree of autonomy in the independent state of Uganda, was agreed.[44]*

The objection by Buganda depressed the chances of having the East African Union. Another important opposition that is worth mentioning came from Chief Yekoniya Zirambamuzale of the Basoga people. Yekoniya argued that the "European settlers may come into Busoga and take away our land from us. Busoga is a small country, and there is room only for its inhabitants and the government officials."[45] Just like Kabaka, he wondered what kind of benefits his people will accrue from the proposed cooperation.

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[43] KNA/ED/52/7/3/34 Kabaka of Buganda to Mr. W Ormsby-Gore, 1927

[44] J. A Wiseman, *Political Leaders in Black Africa: A Biographical Dictionary of the Major Politicians Since Independence*, (Britain: Edward Elgar, 1991), p.154

[45] Esther Namboka, O.I. (Fomerly working at the National parliament of Uganda) on 23/12/15 at Busia-Kenya

Similar sentiments were recorded from Tanzania. Chief Mukwaia argued that Tanganyika was better off on its own rather than being united with other territories. The issue of benefits was his main concern. "…the fear of the Tanganyika people is because, for all purposes in so far as they comprehend them, the administration which has been established over them in Tanganyika suffices for all their needs."[46] A similar opposition was recorded in Kenya. Most of the leaders such as Chief Mbiu Koinange and Ezekiel Apindi saw integration as a scheme by the British to dominate the region. They further advocated for representation in the Legislative Assembly.

After independence, the East African states focused on national growth and development rather than East Africanism. Most of them were reluctant, and sometimes unwilling in backing policies likely to restrain state sovereignty, and inevitably, their powers. Personal and national interest clouded the thoughts of these leaders. An example being, the transition of EACSO to EAC, Tumbo, Tanganyika member of the House, wanted the High Commissioner to employ Tanganyikans in all of the East Africa's railways and harbours in Tanganyika. The Commissioner argued that employees "are not normally transferred away from their country of origin unless it is for their personal benefit in the matter of promotion, which is not available to them in their home country."[47]

The idea of integrating the East African Community continued to receive opposition as well as support in different measures; evidenced in Kiwanuka an opposition leader from Uganda's criticism of Onama [Minister in Uganda] for concentrating on Uganda's interest alone. By doing this Onama was risking a marriage that was agreed by all three parties. He further stated that there was no need to pursue a federation and continue to be known as Kenyans or Ugandans or Tanzanians. His idea of a federation was to make all into one new nation.[48] Campbell, however, argued that "there exist in many of our colonial territories customs of considerable antiquity which contain a definitely cooperative element."[49] He further advised the leaders to concentrate on these cooperative elements.

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[46] KNA/AVQ/17/9 Joint Select Committee on closer union in East Africa, 1931

[47] KNA/ED/52/4/6/1 Report of East Africa Economic and Fiscal Commission, 1961

[48] Esther Namboka, O.I. 23 December 2015.

[49] KNA/K325/31Campbell, Memorandum on Cooperation in the Colonies

Different opinions about the Community was also witnessed in Kenya during the signing of the declaration that established the EAC. Ronald Ngala, the leader of Kenya African Democratic Union (KADU) warned the government of Kenya of involvement in the cooperation issues without consulting them. According to him, such steps were bound to fail as they lacked people's blessings. Ngala through a letter told Kenyatta, "I am sure I can rely on you to avoid binding decisions on this matter until you have had time to consider and act upon this letter."[50] Other leaders like Masinde Muliro [Member of Kenya National Assembly] believed that the process of integrating East Africa would be unsuccessful if national laws from respective countries were not harmonized. Uganda was characterized by traditional practices while Kenya marked by mixed feelings about integration and Tanganyika was a one-party state. He therefore proposed for the harmonization of these laws by the various states.

The issue of economic imbalances largely contributed to the embrace of national interest. Uganda and Tanzania feared that Kenya would dominate them due to its immense economic muscle. Moreover, most of the economic institutions were located in Nairobi-Kenya and hence the idea of a common market would only benefit her. Due to its developed nature and territorial advantage, Kenya attracted most of the investors, businesses as well as industrial productions. Their concern was that Kenya would be the core, while Tanzania and Uganda formed the periphery in this marriage.[51]

4.2 The Kampala Agreement

The disagreements continued to escalate, with leaders from Uganda and Tanzania calling for the harmonization of the regional resources. In 1962 the three East African leaders met in Kampala Uganda to discuss solutions to these problems. As a result of the meeting, the following deliberations were arrived at; First, immediate action with certain inter-territorially connected firms to increase production in the deficit countries thereby reducing imports from the surplus country. Second, the immediate allocation of certain major industries. Third, the application of a system of quotas and suspended quotas whereby exports from surplus countries would be progressively reduced, and local production increased in the deficit countries according to the

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[50] The Sunday Post, 9 June 1963
[51] Peter Kariuki, O.I. 31 July 2015

building up of the productive capacity of the deficit country. Fourth, increased sales from a country in a deficit to a country in surplus; and Finally, early agreement within the East African Common Market on a system of inducements and allocations of industry in order to secure the equitable distribution of industrial development as between the three countries.[52]

The above methods were operationalized from 1965 after its ratification by the three East African states. It started with Kenya relinquishing some manufacturing industries to the other two states. The immediate industries that were relocated include beer, cigarettes and footwear. Other services which were relocated to Kampala include telecommunication and Postal services, and the Central Development Bank. Dar es Salaam, on the other hand, was handed shipment and the control of harbours. The EAC administration was also shifted to the northern part of Tanzania-Arusha. The decentralization of cooperation, however, did not affect the East African Railways and the Air transport services which remained in Nairobi.

In addition, companies which had branches in the three states were required to wind up their services in Kenya. In addition, countries with high trade deficits were required to control trade from another member country. These drastic measures were meant to address unemployment in the other two countries; to resolve the continued dispute that had taken root among the three states and empowerment of Tanzania and Uganda to create their industries and enlarge their markets. The Kampala agreement successfully decentralized a lot of resources and in so doing restoring sanity. However one would wonder if actually, Kenya was happy with such developments since she was more affected than any other state? By decentralizing these resources, did the Kampala Agreement solve the existing differences?

4.3 The Ramifications of the External Donors on the East African Community: the U.N

The United Nations (U.N) was substantially involved in the development process of the region. However, its support to regional projects was low as compared to the national projects. For instance, the U.N loan portfolio to the EAC in 1969 was 15 million shillings (about US$ 2.1 million); 197.60 million shillings (US $ 29 million) for Kenya; 613.36 million shillings (US $

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[52] KNA/31/12/65 Kampala Agreement, 1965

85.9 million) for Tanzania; and 84.94 million shillings (US $ 10.7 million) for Uganda.[53] In 1969 the external aid amounted to 55 percent of the development revenue in Kenya; 43 percent in Tanzania; 57 percent in Uganda; and 9.5 percent of the revenue for EAC.[54] The national aid for these countries superseded the regional financing. This is because member states, while requesting for funding prioritized national development above regional growth. The external donors, however, encouraged member countries to steer regional projects. The World Bank, for instance, established a consultative group for East Africa. Additionally, David Gordon, the Chief of the World Bank Permanent Mission to Eastern Africa emphasized the need for internal African integration. He also advocated for the promotion of integration at the 'core' through technical aid and economic models to the 'periphery.'[55]

The U.N also assigned economists to the common market and economic affairs secretariat to facilitate the integration as well as the development of the three states through research. The cooperation also sought for assistance from the United Nations Industrial Development Organization (UNIDO) on industrial location as well as integration in fields such as textiles, iron and steel and, automobile assembly plants.[56] Another organization that initiated development in East African region was the United Nations Development Program (UNDP) through a specially funded project for East Africa. The organization instigated projects of common interest. For example, research for the East African livestock plan started in 1964; the research project on freshwater fish in Lake Victoria initiated in 1965; the East African School of Aviation in 1966; research on tick-borne cattle disease and tick control in 1967; transport study in 1967; East African Railways and Harbours Training and Development in 1968; and the East African Flying School in 1970.

The East African livestock plan was intended to promote livestock projects in the partner states. The states however could not do much since they were absorbed on their national plans rather

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[53] KNA/AVQ/1/104 State-Trading in Connection with the Process of Economic Integration Among Developing Countries

[54] Kenya, *Economic Survey* (Nairobi: Ministry of Economic Planning and Development, 1969), p. 146.

[55] 'The World Bank: New Directions in Africa,' *African Affairs 68* (july 1969), p. 244.

[56] Ann Seidman, 'Old Motives, New Methods: Foreign Enterprise in Africa Today,' in Christopher Allen and R.W. Johnson (eds) *African Perspectives,* (Cambridge: Cambridge University Press, 1970), p. 264-67.

than regional development. The research project on tick-borne diseases and tick control was successful as were the universal problems caused by the tsetse fly and other vectors, which proved to be a menace within state boundaries. Since the headquarters of the project was in Nairobi, research mainly concentrated within its surrounding. This prompted Tanzania to initiate a supplementary research farm in Mwanza to study varieties of immunological diseases on Lake Victoria while Uganda researched the ecology of the eastern region.

Another special area of focus was infrastructure. It aimed at promoting communication among the three polities as well as contact. This was fostered by the treaty's provision of locating projects in different countries. Likening the East African School of Aviation located in Nairobi was concerned with air traffic, radio telecommunications and other services rather than flying. Pilot training was decentralized to Soroti in Uganda under the UNDP funds initiative.

For the regional integration agenda to move forward, it was essential therefore for the heads of state to trust one another. The stumbling block against the accord emanated from the process of initiating new regional projects in which the states had a common need. Besides, resistance also arose when it came to the expansion of existing projects from a national to a regional scope. The example of the College of African Wildlife Management near Arusha continued to serve the people of Tanzania despite its importance to other EAC countries. Into the bargain, the states differed when they were required to share the cost among themselves.[57]

Due to suspicion and mistrust, the states demanded individual national offices. This plea contradicted the spirit of integration which required one regional office. A worthy example is when the East African states requested the United Nations and other external donors to duplicate faculties of medicines, engineering and agriculture in each country, despite the process proving uneconomical, with facilities being underutilized and understaffed. In 1968 the community Secretary General, Z.F.K Bigirwenkya advocated for one UNDP office to be established in Arusha rather than placing in each state a national office, as was the custom.[58] However, the three head of states rejected the proposal in 1969. The difficulty of having a common stand was eminent in the selection and administration of the regional projects, especially the project

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[57] Lumumba Eric, O.I. 16 August 2015
[58] UNDP, *Pre-Investment news,* (June, 1968), p.7

personnel and the plan of operations. States were also focused on protecting national over regional interest.

4.4 Presidential Camaraderie

The overthrow of Milton Obote by General Idi Amin in Uganda inhibited the personal relationship of the East African leaders. However, it is the antagonism between Milton Obote and Idi Amin that begun to affect the prospects of the East African Corporation. This is because Idi Amin did not participate in any process to establishing the East African Union. Added to that is the fact that, he was not the duly elected President of the Republic of Uganda. His accession to power (through a military coup d'état) as a result threatened the good relations existing at the time. In fact, T. Mugomba noted that "the EAC has tottered on the brink of collapse ever since the military coup that brought Idi Amin to power."[59]

As mentioned above, Idi Amin did not participate in the signing of the EAC Treaty or in any of the negotiation processes. Consequently, it was difficult for the other leaders to incorporate him as the leader of Uganda.[60] In fact it soured relations between President J. Nyerere and Idi Amin. The former refused to recognize him as the President of Uganda. It is for this reason that Nyerere did not convene the EAC meeting for the head of states. It was therefore attributed that "the personality clash between Nyerere and Idi Amin" was the main cause of the EAC collapse. Besides, this souring of relations began to slow down the implementation of the EAC Treaty.

The evident enmity could best be ascribed by Nyerere who occasionally used unprintable language to describe his Ugandan counterpart. Idi Amin himself did not help matters using equally vulgar language to describe Nyerere."[61] The difficulty of accepting Amin as the Ugandan leader, as well as the good friendship between J. Nyerere and M. Obote, compelled Nyerere to act against Amin. In 1971, President Nyerere sent his army to Uganda to fight against Idi Amin with intent to reinstate Milton Obote as the defacto President of Uganda; his plan was however unsuccessful. In fact it only deepened the likelihood of ending the East African Union.

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[59] AT Mugomba, "Regional Organisation and African Underdevelopement: The Collapse of the East African Community", *The Journal of Modern African Studies,* Vol. 16, No. 2 (1978), p. 268

[60] Milton Mange'ni, O.I. 27 December 2015

[61] J Garba, *Diplomatic Soldiering: The Conduct of Nigerian Foreign Policy, 1975-1979* (Ibadan: Spectrum Books Ltd, 1987), p. 125

Disagreements were also recorded between Idi Amin and President J. Kenyatta. "There were constant political squabbles between Kampala and Nairobi and also armed border confrontations."[62] Amin was acting indecently as at the outset the two leaders refused to recognize him, and secondly, he had the support of the people of Buganda. Idi Amin claimed that his fourth wife, Medina was a gift from the Buganda due to the good relationship that existed between them. It can be recalled that Milton Obote's administration did not command the support of the people of Buganda. The latter also did not embrace the idea of integrating the region. And the question arises, was the idea of East African union founded on the true spirit of Africanism?

Mulira, a member of the house from Uganda tried to answer the question, though in part. He argued that the EAC was only a concern of the leadership since the process lacked the blessings of the people in the region. He added that that "this is typical of Africans to build from the top. If we try to build a federation this way it is bound to fail. We cannot put on a roof without first laying the foundation."[63] He therefore criticized the formation of EAC as a top-down process rather than a bottom-up process.

4.5 The Impact of Conflicting National Interest

East African leaders continued to place national interest over regional interests. The states proved overly protective of their ideologies, goals and interests over the regional ones. These differences to a grand extent slowed the implementation of the regional policies at the national level. A Kenyan EAC minister, while addressing EALA posited divergent views as an issue in stating that "the biggest challenge facing the bloc is that member countries act nationally but seek regional benefits."[64] An approach that affects the desired momentum required to attract meaningful and developmental initiatives.

President J. Nyerere's refusal to recognize Idi Amin as the legitimate leader of the Republic of Uganda continued to hamper EAC-I's progress. His stand made it difficult for the EAC-I leadership to meet and discuss future arrangements of the community. In fact J. Nyerere was

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[62] A P. Van Rensburg, *Africa's Men of Destiny* (Bloemfontein: DeJager-Haum,1981), p.178
[63] The Standard Tanzania, 20 May 1966
[64] www.nation.co.ke/EAC integration Challenges.

determined to overthrow Idi Amin in 1971. The disagreements forced President Jomo Kenyatta to mediate between the two leaders. His arbitration efforts were unsuccessful and in mid-1972 Tanzania attacked Uganda. The escalation of the conflict called for support from neighbouring states. One of them was President Siad Barre who intervened to mitigate the disputes.

On the other hand were the disagreements between Kenya and Uganda. The latter claimed that some parts of western Kenya belonged to eastern Uganda. The failure of Idi Amin to maintain a balance between Kenya and Tanzania led to the tottering of EAC-I to the point of its collapse. As remarked by an observer; "we are wedded in an unhappy marriage of convenience. An amicable divorce may be the only way of ending this constant and pointless bickering. Like the parties to a broken marriage, we may find that relieved of the pressure of having to live under the same roof. We may learn to cultivate a healthier and more respectful attitude towards one another."[65]

Another factor that largely contributed to the collapse of the EAC-I was the differences in foreign policies. Kenya embraced the policy of discretionary non-alignment; Tanzania pursued a national policy of non-alignment,[66] while Uganda lacked a clear international policy.[67] The difference in the international policy among these nations was demonstrated in their international relations. From Europe to Asia, each embracing a unique political ideology. Therefore, shifting to either Europe or Asia did have not only geographical implication but also ideological consequences. For example Kenya strengthened its ties with Britain; Tanzania extended its relation from China to the Soviet Union and Cuba.[68]   J. Nyerere further shifted to the southern cooperation with an aim of solving the Southern African crisis. Uganda, on the other hand, shifted to Saudi Arabia and Libya. This was largely influenced by Idi Amin's embrace of the Islamic faith.

The alignment of these states to different ideologies was not blind. Most of them ended up acquiring military assistance, financial aid and technical support in areas of need. Another effect

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[65] Weekly Review (Nairobi), cited in *African Development,* November 1975, p. 20.
[66] Although its socialist ideology has struck an affinity with other more orthodox, Marxist-leninist states
[67] Nizar A. Motani, 'From Ideology to "idi-ology": Uganda under Obote and Amin', in *Africa Report* (New York, 1976), p. 50.
[68] T. Yu George, *China and Tanzania: A study in Cooperative interaction* (Barkeley, 1970), and *China's African Policy: a Study of Tanzania* (New York, 1975).

of the strategic alignment was the penetration of the super power's military technology and weapons leading to an arms race in the region.[69]

The adoption of the Marxist-oriented ideologies by Kenya widened the crack in the walls of the EAC-I. According to Tanzania, various mechanisms that were put in place to ensure equal sharing of resources among member states had failed. Instruments as the 1964 Kampala Agreement failed to decentralize the benefits of integration from the 'core' to the 'periphery.' Kenya being the 'core' continued to 'milk' the economies of Tanzania and Uganda.[70] Therefore, Kenya's economy continued to grow tremendously, outpacing its partners.

The capitalist path taken by Kenya was viewed as being exploitative, 'ripping off' its partners' benefits. Such a path was consequently not favourable for the other two countries, especially Tanzania. According to Nsekelu, they would have embraced such course "if it held out the promise of a marked improvement in the material welfare of the mass of Tanzanians, implying not only a more rapidly growing level of income but also in line with our socialist policies, [and] more equitably distributed incomes. In turn this would imply that federation would have to contribute in some significant ways, to the destruction of those forces, economic, social and political, which are responsible for our absolute level of poverty and for the inequitable way in which what little we have is distributed among us." Efforts to redress such inequalities were unsuccessful.[71]

Despite the negative opinions and conflict emanating from the leaders, some of them were optimistic and wanted to see the EAC becoming a federation. John Malcela, the EAC Minister from Tanzania was one such leader; he argued that they "in Arusha are determined that the common services must continue to run although the East African Community is faced with difficulties just as any other interstate organization." Similar faith was also shared by EAC Minister from Uganda, Shafiq Arain who said that, "Although the East African Community is

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[69] Peter Enahoro, 'East Africa: Arms Race', in *Africa* (London, 1975), pp. 10-12; *Strategic Survey* (London, 1977), pp. 59-60

[70] Martin Godfrey and Steven Langdon, 'Partners in Underdevelopement? The Trans-nationalization. Thesis in a Kenyan Context', *Journal of Commonwealth and Comparative Politics* (Leicester), XIV, I, March 1976, pp.42-63

[71] African Development (London), February 1974, P.E.A 15. Amon Nsekela was then a member of the new East African Assembly and head of the Tanzanian National Bank of Commerce.

going through a difficult stage, as one of the most sophisticated of all the regional co-operations in the world today, it is here to stay. It will come through this difficult period strengthened and better equipped to deal with similar situations which may arise in the future."[72]

4.6 Disintegration of the East African Joint Services

As discussed earlier, the efforts to establish the EAC were spearheaded by optimists who believed that the existing differences in the region reflected intellectual diversity and not animosity. In 1967, the EAC-I was established. The various institutions that were originally a part of the EACSO were incorporated to the new organization. The Treaty, however, did not settle the differences that existed amongst the leaders.

Leaders continued to air their dissatisfaction with regard to the location of East African joint services. Mulira complained that most of the aviation services were located in Nairobi. This required Ugandan pilots to travel to Nairobi in order to be issued a license. He therefore suggested for equal distribution of EACSO services to all parts of the region in order to curb the conflicts. Makame from Kenya however argued that the concentration of regional services in Nairobi was not Kenya's fault.[73] According to Makame, these services were established long before Kenya got its independence and therefore it would be inappropriate to blame her for the corporations found therein.

The issue of regional services was very pressing, though not much attention given to the outcry of the various stakeholders. Therefore one some of the earliest fragmentation took place when each state decided to form its national bank. This came out after the finance minister of Tanzania, Kenya and Uganda pronounced in June 1965 in their budget speeches. The dissolution of the East African currency Board was attributed to several factors. Firstly, national interest overshadowed regional interest and coupled with the poor grasp of the functions of regional currency board. Secondly, the three territories were founded upon different political ideologies, and it was almost impossible for them to have a currency union. Because of these differences, A.H. Jamal the Minister of Finance in Tanzania argued that there can never be such a country as

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[72] Community 4 (April 1971)

[73] KNA/GO/12/10 EACSO Proceedings of the Central Legislative Assembly Debates. Official Report, 1965

East Africa. Similar sentiments were also shared by Were, a former employee in the ministry of finance.[74]

Tanzania was the first country to establish its own national bank. In addition to her socialist principles, she could not fulfil most of her integration requirements. When a Journalist asked President Nyerere about it he responded that;

> *You have already heard what is being said that now Tanzania is hammering the last blow on East African co-operation. Why? Why East African co-operation should be endangered because we own our banks! If the fact that we own our banks makes East African co-operation totter, then it totters only one-third. When Uganda will own her banks, it will totter two-thirds and when Kenya will own her banks, it will completely break up! If East African co-operation depends on not owning our banks, then we are saying we have interfered with it only 33 percent, and 66 percent is still there. But it is all rubbish![75]*

J. Nyerere accorded the break-up of the EAC to outside of the issue of the national banks. It was largely influenced by ideological differences, and therefore Tanzania was not supposed to be blamed for establishing its own bank. Each state was responsible for the existing differences. It was also clear that national interest of each member states superseded the regional interest. He concluded that; "ultimately we are not in fact East African Leaders, but leaders of states in East Africa, and regional loyalty has sometimes to come second to our national responsibilities."[76]

Other challenges that led to the disintegration of regional services have been posited by Banfied as; First, young graduates were unwilling to forgo prestige and salaries offered by their own countries for a service with EACSO, which could not offer the permanency and status of the territorial services; Secondly, It was difficult to attract staff from all the territories in equal measure and to encourage those already employed to accept postings in other parts of East Africa; Thirdly, the great majority of the African staff headquarters were from Kenya but they were likely to be superseded when staffs from the other two territories were promoted ahead of

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[74] Evans Weche, O.I. 28 December 2015
[75] Nationalist, 6 March 1967
[76] KNA/GO/12/13 EACSO Proceedings of East Africa Central Legislative Assembly, 1965

them, to rectify the existing imbalance; and finally, territorial governments were reluctant to second their able men and women to service outside their own respective governments.[77]

Another important institution that cannot go without mention is the University of East Africa (UEA). The process leading to its establishment was long and tedious just like it was with the EAC. The phases leading to its establishment included; firstly, the period from 1938 when the concept of a unitary University for East Africa was coined by the colonial administrators; secondly, the period of inaugurating the UEA in June 1963 and its demise on June 1970; and thirdly, the period when each of the three independent states in East Africa had a national university but still co-operated within the context of the EAC.

The Act establishing UEA stated that "there shall be established, upon a day to be appointed by the authority by notice in the Gazette, a University to be known as the University of East Africa, hereafter referred to as 'the University'."[78] Three constituent colleges were consequently established through the Act, including; Makerere University College in Uganda, Royal College in Nairobi and the University College in Dar es Salaam. In June 1963 the UEA was inaugurated and President Nyerere was appointed as the Chancellor with Sir Bernard de Bunsen as its Vice Chancellor.

The collapse of the UEA was largely influenced by the national interest which superseded the regional interest. The government of Uganda began to agitate for Makerere to be a university whiles the others to become its constituent colleges. While addressing the Legislative Assembly in November 1959, Obote demanded for Makerere's University status.[79] He further wanted its degrees to be offered by the London University. Kenya and Tanganyika however opposed the idea. They wanted to have their constituent colleges to develop first before establishing a regional body. This was a somewhat frustrating relationship for Makerere, because it had to mark time while the two newer colleges forged ahead in Kenya and Tanganyika.

There were disagreements in harmonizing the University calendar. Makerere's learning calendar began in July and ended on April, while that of Nairobi College began in October and ended in

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[77] J Banfield, "Federation in East Africa", *International Journal*, Vol. Xviii, (Spring, 1963).
[78] KNA/MTC/5/48/03 EACSO Gazette, 1963
[79] UON Archives, PUEA/1A/8, Makerere University College

June. When reporting on the possibility of having a joint university calendar, the joint university committee reported that the Nairobi College could not adjust its calendar from April to June because the long rain made it difficult for its students to go for field work, and that period was also unsuitable for travel and family holidays.[80]

The Government of Uganda on the other hand argued that; such proposals would interfere with its entire machinery. Its financial year and the school year were meant to go hand in hand; the proposal would create backlogs since pupils will have to wait for one year before joining the University; and that the plan would create a two-term gap between finishing school and joining university. The following calendar clearly demonstrates the variations in the learning periods of the various Universities.

Table 1: University of East Africa: Calendar for 1969/70

College	Term 1	Term 2	Term 3
Makerere	June-6 Sept. 1969	29Sept-6 Dec. 1969	5 Jan.-21 March 1970
Nairobi	22 Sept.-5 Dec.1969	5Jn-20 March 1970	6 April-3 July 1970
Dar-es-Salaam	7 July-13 Sept 1969	4 Oct.-6 Dec. 1969	3 Jan.-28 March 1970

Source: UEA Calendar, 1969/70: UON Archives, PUEA/3/10/(i)

It was clear that none of the member states was ready to compromise its national sovereignty for the sake of a regional education system.[81] For that reason, the East African Authority decided to deal with the situation. In 1968 the Authority established a working party headed by Professor George D. Stoddard. After a thorough investigations, Stoddard recommended that; first, it is upon each University College to become a fully-fledged University; second, the EAC-I should form an inter-University Committee to coordinate future East African universities; and third, the

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[80] UON Archives, PUEA/3/10/(i), UEA Academic Board.
[81] UON Archives PUEA/2A/16 Letter by Bernard Onyango to the Permanent Secretaries of Uganda, Kenya and Tanzania

member states should establish autonomous ad hoc University Grant committees for advising national governments on the financial needs of the Universities in the region.[82]

The inter-University committee however did not receive attention as suggested by Stoddard's Working Party. Furthermore the states did not involve the federal University in their plans for higher education. This among many other challenges led to the collapse of UEA in the 1970s. The failure therefore by regional leaders to salvage the UEA was a clear indication that the demise of EAC-I was bound to come to pass. This is because, just like the EAC-I, the establishment of the UEA was a long and tedious process with political and economic interest taking centre stage.

The collapse of the East African Airways (EAA) was the last seal of the demise of the EAC-I. The termination of EAA services was largely contributed to by the pre-eminence of national over regional interest. The government of Kenya being an example, they began to charge money for hosting the planes as well as servicing them. This move disgruntled Uganda and Tanzania. Since they lacked the capacity to service their own planes as well as hosting the East African Airways Corporation, the British government began to demand for the aircrafts. The situation was further worsened when Tanzanian employees were not allowed to leave Kenya.[83] The writing on the wall was very clear. No state was ready to commit itself and the only thing that remained was to end the EAA. Ngweno, a columnist commented that "a speedy process of dismantling what remains of the community is the only way of minimizing the human suffering and bitterness which are bound to follow the final demise of the community."[84]

The government of Tanzania in retaliation blocked Kenya from using its highways. She also set new rules pertaining to tourism. The rules required the tourists to enter Tanzania through Arusha from the initial routes of Dar es Salaam and Kilimanjaro. In addition, Kenyan based safari vehicles were banned from entering Tanzania. The government stated that the tourists "will now

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[82] UON Archives PUEA/2A/16 Letter by Bernard Onyango to the Permanent Secretaries of Uganda, Kenya and Tanzania

[83] Milton Mang' eni, O.I, 27 December 2015.

[84] Weekly Review, 14 February 1977:4

do their touring of the great Serengeti and Ngorongoro game reserves from bases in Arusha where the standards of hotels are much lower than those in Nairobi."[85]

The two government's efforts to hold talks were in vain. The government of Tanzania permanently closed its borders. It further impounded about 30 trucks owned by the state company called KENATCO, 60 vehicles belonging to a tour company and about 30 aircrafts belonging to a firm based in Nairobi. The Kenyan government argued that the closure of the border was attributed to political rather than economic differences. She blamed Tanzania for not being transparent and open in the integration process. It was obvious that the EAC-I had lost its grasp. The leaders were no longer concerned with the regional interests but their national outlook.[86] All attempts to salvage the community were unfruitful. When the East African leadership realized nothing could be done, they all agreed to end the community in 1977.

It is also important to note that the community's failure was largely contributed by the leaders who thought that nationalism and Pan-Africanism were complementary. In fact Mandaza stated that "the differences between the colonial inspired East Africa High Commission and the Post-Colonial East African Community that was formed in 1967 was 'no more than' the sentiment of Pan-Africanism that characterized the latter."[87] Thus the first EAC collapsed due to the failure of the leaders' failure to distinguish between nationalism and Pan-Africanism in the context of regionalism. Its failure also resulted from the lack of efforts to reconcile these two ideals.

At the time of its collapse, the EAC was already a fully-fledged Customs Union and a Common Market. The cooperation shared railways and harbours, civil aviation, airlines, inland waterways, road transport systems, post and telecommunication, power and lighting, customs and tax management, health and medical research, aviation training, pesticide research among others. Other institutions include the University of East Africa, East African Court of Justice and the East African Legislative Assembly.

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[85] Milton Mang' eni, O.I. 27 December 2015.
[86] Samuel Njehia, O.I. 12 Novemeber 2015.
[87] Mandaza, Ibbo. 'Perspectives on Economic Co-operation and Autnomous Development in Southern Africa,' In Samir Amin, Derrick Chitula, and Ibbo Mandaza (eds.) SADCC: *Prospects for Disengagement and Development in Sothern Africa,* (London:Zed Books, 1987), Pp. 213

4.6 Chapter Summary

The Chapter undertook to provide the status of EAC-I since 1967 until 1977 when it collapsed. It has also examined the role of East African leadership in the rise and fall of the regionally owned services. The fall of the East African Community began with the decentralization of various regional services. A case in point was the leaders agreeing to disband the common monetary unit in 1966 and to establish individual currency institutions. Later on the University of East Africa's demise in 1970. However, it is the disbanding of the East African Airways on February 1977 that sealed the fate of East African Community. Other forms of national interest vis-à-vis regional interest have been discussed to bring about clarity of the matter. In fact, the EAC-I's collapse did not come as a surprise after the disintegration of the commonly owned Cooperation. This is because the circumstances leading to their formation were similar to that of EAC-I. For example both of these organizations engaged a lot of British as well as East African resources; they were meant to serve the main goal of integrating the East African territories, and their formation was politically motivated. In 1977 the leaders agreed that little could be done to salvage the institution and hence its collapse. In conclusion, the collapse of EAC-I was predominantly caused by ideological differences; lack of active involvement of the private sector and the civil society; leadership wrangles; unequal sharing of benefits and lack of political will. Added to that, Tanzania and Uganda viewed integration as a zero-sum game or possibly a negative-sum game because of Kenya's dominant status. Indeed it could have been argued that the former states prayed against the EAC-I. Now that the EAC-I had collapsed, what next? The next Chapter, therefore, discusses the immediate steps that were taken towards the revival of the EAC.

CHAPTER FIVE
REVIVAL OF THE EAC, 1977 - 2002

5.0 Overview

This Chapter examines the revival of the East African Community. The process that re-established the EAC began soon after it collapsed. The initial step was the formation of the memorandum for the sharing of liabilities and assets among the three states.[1] This marked the beginning of the 1991 Treaty establishing the EAC. It was signed by Kenya, Uganda and Tanzania and entered into force on 7 July 2000 after its ratification. Six months later, the Council of Ministers of the EAC was formed. The summit met the same year in Arusha. From that time on, the summit continued to hold meetings regularly. In 2007, the Republic of Rwanda and the Republic of Burundi joined the EAC and signed the Treaty. The revival of the EAC was followed by the establishment of permanent institutions like the EAC Secretariat, the East African Court of Justice and the East African Legislative Assembly. The East African Customs Union was established in 2005 and the Common Market was realized in 2010. The Chapter has therefore queried whether the new EAC has the capacity of setting itself apart as a stronger regional entity from the past. Furthermore, the Treaty demonstrates that the revived EAC inherited some of its institutions from its predecessor. These institutions include the East African Civil Aviation Academy (EACA); the East African Development Bank (EADB); the East African School of Librarianship (EASL) and the Inter-University Council for East Africa (IUCEA). Therefore the revived EAC reflects two distinct communities which draw parallels on 'change' and 'continuity', an aspect that makes the present institution a necessary study.

5.1 Victor Umbrecht's Mediation Agreement

The demise of the community was followed by the closure of borders; the inter-country railways, limited regional trading, and no joint airways services. The joint services were disbanded. The relationship between the states was severed to an extent of Tanzania and Uganda engaging in War in 1978-79. The debt which the community had accumulated from institutions such as the World Bank was not re-paid.

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[1] KNA/AVQ/1/218 Brief on the Implementation of the EAC Mediation Agreement and Future East African Cooperation

The revival of the community however did not surprise the East Africans. The process that had been initiated by the colonialist, advanced by the nationalists and formalized during the post-independent period was yet to pass through another test of time. Both the formal and the informal corporation processes had been experienced. Therefore the expectation from the East Africans was not the revival of the community but the philosophy that would sustain it. At the end of 1977, a memorandum of understanding for sharing of liabilities and assets was agreed upon by the three states. It further outlined the terms of reference for the mediation process. Among them was the appointment of a neutral party to head the process. Victor Umbricht was therefore appointed by the three countries in January 1978 to lead the mediation process. He produced two Reports in March 1980 and October 1981 which were used to distribute the assets and liabilities amongst the three nations in 1984.

Umbricht's Report of 1980 recommended for the retaining of key institutions by the member states. These organizations were to be retained under the tag of 'East African.' Among this was the East African Development Bank [EADB]. The new charter and treaty establishing the EADB was signed the 23 July 1980. Its mandate ranged from "industry, tourism, agriculture, infrastructure such as transport, and telecommunications and similar and related fields of development." It was also agreed that the Bank would offer loans to the neighbouring countries along with the three signatories.

The Report also laid down a framework for the division of assets and liabilities among the three countries. In 1984 the leaders met in Arusha-Tanzania to discuss the findings of the document. The meeting was dubbed Mediation Agreement of 1984. The Mediation Agreement was signed on 14 May 1984 by Presidents J. Nyerere, Milton Obote and Daniel Arap Moi.[2] Assets and liabilities were distributed among the three countries as follows; Kenya received 42 percent of the allocation, 32 percent went to Tanzania and 26 percent was allocated to Uganda. The leaders further agreed to explore and identify further areas for future cooperation and to work out concrete arrangements for such cooperation.

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[2] S Wangwe, "Proposals to Address Economic and Social Disparities in the East African Community" Dialogue on the Regional Integration in East Africa, *East African Dialogue* Number 4, (EAC: Arusha, 2001). P.170

Figure 2: 1984 Mediation Agreement for Division of Assets and Liabilities of the EAC1.

Source: Viktor H. Umbrecht, Multilateral Mediation: Practical Experiences and Lessons. Dordrecht (The Netherlands), 1988

To explore areas of future cooperation, a tripartite group was formed in 1986 to develop the guidelines for a new integration. Its mandate extended to areas such as culture, security, economic and political issues. This measure was intended to reduce the gap which had been created by the collapse of the EAC1 in 1977. Steps towards reviving the EAC gained momentum in November 1991 after the Heads of State held a summit in Nairobi. The leaders issued a formal

Communiqué binding them to revive the East African cooperation.[3] They further established a Committee of Foreign Ministers to work on the details. In addition they were asked to develop a program that would reactivate the process of regional integration. Likewise, the tripartite committee was asked to identify areas of Common interest among the three countries.

5.1.1 New Agenda for Africa

From the 1960s to the 1980s, the Africa's attempts to integrate were motivated by Pan Africanist's ideals and the Cold War. On the one hand, to a larger extent, the majority of the African leaders confused Pan Africanism with nationalism. In fact, J. Nyerere noted that: "the role of African nationalism is different or should be different from the nationalism of the past; that the African nation-state is an instrument for the unification of Africa, not for dividing Africa that African nationalism is meaningless, is dangerous, is anachronistic, if it is not at the same time Pan-Africanism."[4] The two notions were not only used as a tool against the colonialist but also as a driving force towards Africa's unity on matters concerning politics, investment policies, industrialization and trade amongst themselves. Regardless of the efforts by Pan-Africanists to liberate Africa from colonialism, the post-colonial elite discarded the philosophy for nationalism. Indeed Pan-Africanism in of itself contained the seeds of its failure.

The second wave towards integration emerged at the end of the Cold War. During this phase, world superpowers showed little (or no) interest to Africa's integration. The former were fighting for the control of the 'world's peripheries.' However, at the end of the Cold War, regionalism was pursued in the context of globalization. The states aimed at competing for the international market, with a goal of expanding and enhancing trade relations as well as providing solutions to Africa's political and economic problems. Africa at large was greatly affected by the Cold War. Most [if not all] of the African states were side-tracked by these squabbles. Competing alliances shaped and dominated the African states internal as well foreign policies. At the end of the Cold War, Africa began to seek for a new identity. The process started with the conglomeration of the African leaders to chart the way forward.

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[3] Phillip Apuuli Kasaija, Regional Integration: A Political Federation of the East African Countries? *African Journal of International Affairs*, Vol. 7, No. 1 & 2, (2004), pp. 27-28.

[4] Colin Legume, 'On Nationalism's Impact on Pan-Africanism,' *East African Journal*2[1]; pp.5-16

In 1980, the Second extraordinary Session of the Heads of State adopted the Lagos Plan of Action. The plan of action encouraged development, self-reliance and integration among African countries. In 1985, the Assembly of the Heads of states laid the Africa's Priority Program for Economic Recovery. This was an emergency plan meant to address the 1980s crises such as famine, drought and external indebtedness. In June 1991 African leaders participated in the signing of The African Economic Treaty in Abuja (Nigeria), also known as the Abuja Treaty. The treaty identified major stages of establishing an Economic Union as follows; Free Trade Areas and Customs Union, Common Market and finally a Monetary Union with regional economic communities as the pillars.[5] The treaty became the plan of action for regional integration in Africa.

To drum up Support from the International Community, the United Nations prepared the Program of Action of African Economic Recovery and Development in 1980 and the United Nations New Agenda for Development of Africa in the 1990s. These initiatives were meant to realign Africa's integration plan with the world's plan for development. These measures contributed significantly to the formation of Africa's regional economic communities. In fact during this period several integration schemes such as SADC, COMESA, ECOWAS, SACU and many others emerged. The occasion further provided the African leadership with a platform to discuss the plans of the cooperation. The discourse set the massive momentum for Africa's integration.[6]

5.1.2 Signing of EACII Treaty

Plans towards the renewal of the East African Community progressed steadily. The 1st Summit of East African Heads of state met to deliberate on the recommendations of the Committee of Foreign Ministers. They agreed to establish a Permanent Tripartite Commission (PTC) in 1993. The Commission was tasked with a comprehensive process to adopt the Agreement on the PTC into a Treaty. In order to operationalize the Tripartite, there was a need to establish the East African Community's Secretariat. To this effect, the leaders met again in Arusha in 1994 and signed the Protocol establishing EAC Secretariat.

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[5] Assessing Regional Integration in Africa II: Rationalising Regional Economic Communities for Africa, 2006. www.Uneca.org.

[6] Sylvia Kakyo, O.I. 14 January 2016.

The Secretariat was however established in 1996 and Ambassador Francis Muthaura was appointed as its first Executive Secretary. The Secretariat's main work was to assess the possibility and the viability of integrating the East Africa's social economic and political sectors. On 29 April 1997 the Summit met for the second time in Arusha and launched the first East African Business Council and the first EAC Development Strategy, 1997-2000. The summit also launched the East African passport and the East African flag. In 1998, the Secretariat published the draft Treaty establishing the EAC. The Treaty was then circulated among the East African countries for debate and discussions.

During the discussions on the formation of the EAC, President Benjamin Mkapa of Tanzania stated that; "The only key to our survival is to integrate our economies and markets. The Wakurya have a proverb that says: 'one person is thin porridge, two or three people are a lump of 'ugali'. and I say Kenya on its own, Uganda on its own, or Tanzania on its own are like thin porridge. But if we unite, we can at least be a lump of 'ugali'."[7] President Yoweri Museveni, on the other hand, argued that "an investor would be more attracted to invest in a united East Africa than in just Uganda because of the bigger market the former offers."[8] Such a union would be competitive in the world market. He added that "the present small African states individually, do not possess much defence capacity."[9] Therefore integration would improve the strength of these states to safeguard its security interests. However, one challenge that was perceived was the existing political fragmentations. The weak nature of African states implied that there would be no head prefect to impose discipline among other member states.

His vision for an integrated East Africa further explains how power was to be shared. Yoweri Museveni further stated that the corporation would be made up of the Union government as well as the national government. The union government would be responsible for external differences, foreign affairs, common Market affairs, common services such as railways, harbours and ports and telecommunications and scientific research. The national government, on the other hand, would deal with education, health, internal security, roads, wildlife, tourism and agriculture. While commenting on Yoweri Museveni's plan, Mujaju stated that;

[7] Mkapa, qtd. East African Community, 2002
[8] Y, Museveni, *Towards a Closer Cooperation in Africa*, (Kampala, 1998).
[9] Ibid.

Museveni... has been acting like a leader on the campaign trail... the latest evidence of this was a document which he circulated recently advocating a political union of East African states including Rwanda and Burundi... his role in the Tutsi dominated Rwanda and Burundi and now his intervention in the DR Congo cast him in the image of a new Nkwame Nkrumah.[10]

In July 1998, President Yoweri Museveni while addressing the leaders of National Resistance Movement (NRM) further encouraged closer cooperation among the East African countries. According to an observer, Museveni urged East African countries including Rwanda and Burundi to politically integrate as this would improve their bargaining strength as well as competition in the international market. The discussions were however not as smooth as presumed.[11] Mukiri further stated that disagreement in the sense of nationalism proved to be a hindrance in the formation of the EAC; the launching of the Treaty for EAC, for example was postponed to July 1999 because Tanzania was opposed to zero tariffs and free movement of factors of production. According to Tanzania, it was unfair to treat the three states as being on the same level of economic development. The free movement of factors of production, according to Uganda and Tanzania, would be putting at risk their land and jobs. Tanzania therefore, advocated for 'a step by step' process towards integration.

After consolidating discussions and recommendations from the stakeholders, the Secretariat presented the document to the East African leaders for signing. The treaty establishing the East African Community (TEAC) was signed on November 30, 1999 during the 4th Summit of the Heads of State by Benjamin Mkappa, Daniel Arap Moi and Yoweri Museveni in Arusha.[12] The Treaty however entered into force on 7, July 2000. While commenting on the successes achieved, Muthaura stated that;

EAC's integration is a process based on the experience of three partner states: firstly on their previous efforts under the defunct EAC of 1967-1977, and the East African Common Service of 1961-1967; secondly, on no cooperation during the

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[10] M Akiiki. 'How to make sense of the events taking place in the Great Lakes, 1998

[11] Caroline Mukiri, O.I. 23 May 2015.

[12] Phillip Apuuli Kasaija, Regional Integration: A Political Federation of the East African Countries? *African Journal of International Affairs*, Vol. 7, No. 1 & 2, (2004), pp. 27-28.

period 1977-1993, as well as the emergence of regionalism after the end of Cold.[13]

Figure 3: Signing of the EAC Permanent Tripartite Commission

War in 1989, and on the challenges of the globalization of economic, monetary and information policies of the new world order.

The treaty envisioned to establish the Customs Union by 2005, Common Market by 2010, the Monetary Union by 2012 and Political Federation by 2015. Such practical steps were echoed by President Nyerere. According to Nyerere, Africa's corporation needed to grow slowly since such

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[13] F Muthaura. "The Process for the East African Regional Integration in the East African Community" Dialogue on the Regional Integration in East Africa, *East African Dialogue* No.4. (EAC: Arusha, 2001). p.49

a goal could not be implemented at once. He further argued that Africa would have to attain such unity through stages and groupings at a regional level.[14]

5.2 Organs of EACII

The formation of the EAC was followed by the establishment of permanent institutions. These institutions are known as the policy organs of the EAC. They were been established to help implement the different areas of cooperation. They include; The Summit, Council of Ministers, Coordination Committee, Sectoral Committees, the East African Court of Justice, the East African Legislative Assembly and Secretariat.

The Summit comprises the Heads of State of the Partner States of the EAC.[15] It discusses the Council's annual progress reports and other progress reports as indicated by the EAC Treaty.[16] It further provides directions regarding the community's achievements as well as reviewing the state of peace, security and good governance within the Community. The Summit meets at least once a year. It may hold extraordinary meetings depending on the need and urgency of matters at stake. The Council of Ministers, on the other hand, is a policy organ of the EAC, comprising the Ministers for Regional Cooperation from the member states. Its mandate is to consistently promote, monitor and review the execution of the programs involving the community. Unlike the Summit, the Council meets regularly, with its next meeting coming after the assembly of the Heads of State. The Co-ordination Committee works together with the Council of Ministers and comprises Permanent Secretaries from the member countries. Partner states are responsible for appointing Permanent Secretary Representative. The organ recommends to the Council Sectoral Committees as necessary for the achievement of the objectives of the Treaty.

The Sectoral Committee is subject to Coordination Committee. It further prepares and monitors the implementation of the programs of the Community on its sector.[17] The East African Legislative Assembly (EALA) is the Legislative arm of the integration process. It comprises of 27 members appointed by the National Assemblies of member states; nine from each country,

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[14] A P, Nyong'o. (ed). *Regional Integration in Africa. An Unfinished Agenda.* (Nairobi: Academy of Science Publishers, 1990),

[15] The Treaty for the Establishment of the East African Community, Art 10

[16] Ibid, Art 11

[17] Ibid, Art 21

five Ex-Officio members, three Ministers, Secretary General and the Counsel to the Community.[18] Its main function is to approve the EAC budget. It also analyses the EAC's annual reports and audits, and present any matters as regards to the regional bloc for discussion.

The other organ is the East African Court of Justice (EACJ). It is the judicial body of the EAC. Its function is to arbitrate matters concerning the EAC and its decision is legal and binding to all member states. EACJ also plays a vital role of harmonizing the laws of partner states.[19] The Secretariat being an executive arm of the community is headed by the Secretary-General. Other members include two Deputy Secretary Generals and the Office of the Counsel to the Community. The Secretariat is responsible for the execution of all EAC programs. It is important to note that in as much as EALA is a regional legislative organ; its sovereignty in relation to the Summit, the Council and the National Legislative Assemblies of the partner states is limited. Such power overlaps weaken the operations of the EALA. Furthermore, the supremacy of the Summit on matters relating to legislation enshrined in EAC Article 11 raises questions about the autonomy of the EALA. Further discussion of the preceding argument has been provided in Chapter Five.

Other EAC affiliated institutions include the Inter-University Council of East Africa (IUCEA), East Africa Development Bank (EADB), the Lake Victoria Basin Commission (LVBC), and the Lake Victoria Fisheries Organization (LVFO). These institutions help to boost the cooperation amongst member states.

5.3 Achievements of the EACII

The Customs Union Protocol was first signed in March 2004 and later effected 1 June 2005. The protocol required Kenya to remove its tariff on imports originating from Tanzania and Uganda with immediate effect. It further stipulated that taxes on goods originating from Kenya should gradually decline from 5% in 2005 down to 0% by 2010.[20] It also listed three bands of tariffs originating from third countries. They include 0% on raw materials imports, 10% on

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[18] W. L. O Oluoch, The Legitimacy of the East African Community. *Journal of African Law,* Vol.53, No. 2 (2009), pp. 194-221

[19] East African Community. *EAC Treaty and Challenges to the Community*. (Arusha:GTZ, 2003)

[20] EAC. Protocol on the Establishment of the East African Community Customs Union, (EAC Secretariat: Arusha-Tanzania, 2004)

intermediate products and 25% on finished goods.[21] The Customs Union (CU) is managed and implemented by the Revenue Authority of the partner states and coordinated by the Customs and Trade Directorate at the EAC Secretariat. This allows the movement of goods across the borders of the partner countries without taxation; on the premise that they have satisfied the rules of origin. The CU resulted in the increase of Intra-Trade among partner states; increased competition that has expanded consumer choice, reduction of costs, and attraction of foreign direct investments.[22]

Benefits from the customs union include: Removing some Non-Tariff Barriers (NTBs); gradual and asymmetrical removal of tariffs on goods originating from within Partner States thereby promoting intra-EAC trade; adoption and application of a uniform common external tariff (CET) facilitating tax collection; enactment of EAC Customs and Trade Act, EAC Competition Act and Establishment of a Directorate of Customs and Trade, increasing coordination, monitoring, implementation of integration instruments and programs; Establishing the one stop border post program thereby expediting the clearing processes for goods and persons at the borders; Awareness creation and sharing of information among stakeholders on the opportunities that exist within the integration process.[23] The EAC publicity program targeting policy makers, professional associations, political parties, ordinary citizens through outreach programs and media programs.

In August 2004, the Summit formed the Wako Committee to find out ways of speeding up the process of integration. As a result, the Report of the Committee on the fast tracking the East African Federation was presented to the leaders on November 2004. The Report dealt with regional issues such as peace, conflict and economic imbalances. Basing on the report, the Summit recommended a comprehensive sensitization to inform the people as well as collect their views. A task force was fashioned to conduct this lengthy process.

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[21] M Stahl, East African Community Customs Union Tariffs Liberalization Impacts in Perspective, (Arusha Tanzania: *EAC Secretariat*, 2005)

[22] Moremi Marwa, O.I. 23 March 2016.

[23] D. Tadesse, 'The RECs as Building Blocs towards an Effective Continental Integration,' 2009, Institute for Security Studies (ISS), http://www.issafrica.org/pgcontent.php?UID=28121, Accessed 20 April 2016

On May 29-30, 2005 during Extraordinary Summit held in Dar es Salaam, the leaders adopted the Report. As a matter of urgency, the post of Deputy Secretary General was established with the main occupation of fast-tracking the process of political federation. The Secretariat, therefore, came up with the third EAC Development Strategy (EAC-DS) to fast track the federation. The third EAC-DS (2006-2010) emphasized the consolidation of the Customs Union and Common Market Protocol while placing the mechanisms for the Monetary Union. The EAC Development Strategy (EAC-DS) 2006-2010 listed six areas of interest that needed immediate attention: first, growing political commitment on the part of partner states. Second, the establishment of functional organs and institutions. Third, vast natural resources, friendly climate, rich cultural heritage. Fourth, experience with regional integration and cooperation. Fifth, high population; and finally, relatively skilled human resource base.

During the 8th Heads of State Summit held in Arusha (November 2006) the Memorandum of accenting Rwanda and Burundi into the Community was discussed by the East African leaders. The two states joined the bloc after the Accession Treaty was signed on 18 June 2007. Prior to their admission into the community, these francophone countries were required to fulfil certain conditions. Among which were; promoting Kiswahili and English in order to harmonize their social cultural national environments with those of Kenya, Uganda and Tanzania; make equal contributions to the EAC kitty; appoint representatives to all organs of the EAC; synchronize their fiscal years and budgetary patterns with those of the three traditional partner states and participate in all affairs of the EAC.[24]

The Republics of Rwanda and Burundi joined the union in 2007. Leaders across Africa, including representatives of the AU and COMESA witnessed the granting of Rwanda and Burundi full membership. Oloo, a lawyer from Nairobi points out that the admission of Rwanda and Burundi into the union is a success since their membership has contributed to more stability in areas of conflicts as well as in achieving integration objectives. Oloo further argues that the presence of Rwanda and Burundi neutralizes any aspects of traditional rivalry amongst the original members of the EAC that may have historical roots.[25]

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[24] P Ngare, Daily Nation Online. (Nairobi) 5 July, 2007.
[25] Oloo Owiye, O.I. 22 May 2015.

The leadership of the EAC pronounced during its inauguration that their corporation would focus on establishing a single investment area rather than having a joint ownership of assets; this was a feature in the former EAC. President Paul Kagame further stated that Rwanda's admission not only marked a significant milestone for her Citizens, but also for the East Africans. This "marks our formal entry into a family of nations with long historical and cultural ties."[26] Pierre Nkurunziza, on the other hand, upheld that the historic moment would enhance prosperity, trade, and stability for the people of Burundi. On his part, Yoweri Museveni indicated that East African Unity was the only way of solving historical differences that were set by the colonial administration. He further argued that East Africa was strategically placed to salvage Africa from the syndrome of Political Balkanization. In his speech, President Kibaki acknowledged the persistence and patience demonstrated by Rwanda and Burundi. He also said that their accession into the Union completed the missing link in the region. While agreeing with Kibaki, President Kikwete added that Rwanda and Burundi's entry would improve diplomatic relations as well as increase development among the member states.

Other countries which have applied for admission into the Union include Somalia and Sudan. Their applications are still pending approval. During the Summit meeting held in Nairobi, the EAC Presidents directed Council of Ministers to finalize negotiations with the South Sudan after completing the verification process. They also directed the Council to look into Somalia's application to be admitted to the fast-growing regional body.[27]

The East African Common Market was established on 1 July 2010 after 18 months of intensive negotiations that involved a host of multi-stakeholders, governments, the private sector and professional organizations. One of the Institutions laid to support this process is the Inter-University Council for East Africa (IUCEA), which is an East African Institution and the only one of its kind in Africa. The task of harmonizing education systems along the Bologna process in the European Union is underway. It is aimed at enabling the achievement of one of the goals for Common Market, namely the free movement of labour in the region.[28] The IUCEA brings together institutions of higher learning in the region to engage in collaborative research in the

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[26] Rwanda, Burundi Formally Join EAC. http://www.newvision.co.ug

[27] J Odinga, O.I. 20 May 2015.

[28] Ibid

development of high education standards. It also ensures that there is a joint research program for the region in areas which are considered to be affecting regionals' integration process. Such areas include peace and security, good governance, foreign policy issues among others.

The common market achieved the following; first, the use of the EAC Passport and the temporary travel document; second, the six-month visa-free entry for East Africans to the Partner States; third, establishment of counters for EAC citizens in the airports; fourth, nurturing a more positive attitude among immigration authorities towards East African travellers; fifth, waiver of student visa fees in all partner states for East Africans. Thereby easing access to educational opportunities in the region; and finally, Rwanda and Kenya have lifted and Uganda has reduced restrictions on work permits for EAC citizens. It is also anticipated that the common market will lead to the following; increased freedom in movement of goods, persons, labour, services and capital and Rights of Establishment and Residence; and removal of undue bureaucracy on the issuance of work permits, including setting time limits within which such permits should be approved.[29]

The EAC has also established a security oversight institution, the Civil Aviation Safety and Security Oversight Agency (CASSOA). Its work is to spearhead and promote security oversight and air safety. The Agency further encourages the harmonization of civil aviation systems and regulations including the establishment of a free skies regime, in line with the Yamoussoukro Decision aimed at liberalizing Africa's airspace so as to lower the cost of air transport.

EAC is pursuing a $300 Million infrastructural program. The project involves the automating of weighbridges, Customs Departments as well as other border points and Transport corridors.[30] Other measures taken to improve infrastructure include the enactment of the East African Community One Stop Boarder-Post Bill 2012 and the EAC Vehicle Load Control Bill. The partner states have further ratified a tripartite agreement on road and transport to facilitate interstate road transport. They have further endorsed the East African Road Network Project. The project witnessed the implementation of the Northern Corridor connecting the port of

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[29] Ministry of East African Community. January-March, 2013. *Jumuiya Newsletter,* Issue 24. Nairobi: MEAC Secretariat.

[30] George Omondi, '*EAC Begins Race to Grow Trade with New Partners,*' the Business Daily-Africa, February 2, 2011. http://www.Businessdailyafrica.com

Mombasa (Kenya), to Katuna (Uganda), near the Rwandan border. It also involves the development of Dar es Salaam to Mutukula, Uganda-Central Corridor.

Other East African Transport Network improvements include;

TANZANIA

Da-er-Salaam-Dodoma-Isaka-Mutukula-Musaka (2020Km); Biharamulo-Mwanza-Musoma-Sirani-Lodwar Lokichogio in Kenya (449 Km); Tunduma-Sumbawanga-Kasulu-Nyakanazi (1121 Km); Tunduma-Sumbawanga-Nyakanazi (1056 Km)

Uganda

Malaba/Busia-Katuna (636 Km); Musaka-Mutukula (85 Km); Kapchorwa-Suam-Mbale-Lwakhukha (128 Km)

Kenya

Mombasa-Malaba; Isebania-Lokichogio (954 Km); Namanga-Moyale (128 Km)

The partner states directly implemented components of these projects with the support of the European Union, the World Bank, and the African Development Bank. The Secretariat, however, is charged with the overall coordination of these projects. As for the railway projects, construction of Tanga-Arusha-Musoma-Portbell/Jinja railways is on-going. The railway network improvement goes hand in hand with the expansion of the ports at Mombasa and Dar es Salaam which is a gateway to the land-locked member countries.

The partner states have adopted and agreed to an initiative that will increase employment as well as help in poverty reduction within the EA countries. Repenski concurs in stating that the "EAC policies, projects and programs intend to contribute implicitly and automatically to poverty reduction through their general focus on integration."[31] While stressing the poverty alleviation role of the EAC, Njenga pointed out that the EAC programs should be assessed on how they

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[31] G Repenski, Poverty and Poverty Reduction Strategies in East African Community. (Arusha Tanzania: *EAC Secretariat*, 2005). p. 5

contribute to poverty eradication in the region.[32] Other than that, Njega added that the EAC ministerial forums organized annually with a special focus on employment creation and poverty reduction should provide practical solutions to be adopted by member states.

Another remarkable achievement by the EAC is its focus on improving tourism in the region. Such efforts are evident through the establishment of policy instruments and laws. Protocols to promote tourism in the region include; the protocol on environment and natural resources management and the protocol for the standards criteria for the classification of hostels, restaurants and other transit facilities. The two protocols aim at ensuring East Africa becomes a single tourist destination, hence attracting tourists in volume, thus increasing the contribution of the tourism industry to the East Africa economy.

Another important project pursued by the Community is the initiative dubbed Lake Victoria Environmental Program undertaken to address the persistent decline of water levels and increasing levels of pollution of the lake. The lake is shared by the three of East Africa's partner states; Kenya, Uganda and Tanzania. Added to that is the Transport Bill, and the ratified tripartite agreement on inland waterways to lay a harmonized legislation that covers inland waterways transport in the EAC to enhance transport and safety on the lake. In 2006 April, Heads of State of East Africa held a special Summit that deliberated key issues relating to the control and management of the sustainable use of Lake Victoria. Additionally, the Council successfully established the EAC Forum of Electoral Commissions with the Community's structures. Such mechanism, according to a correspondent, offers a platform for national electoral bodies to share challenges and experiences.[33] The EAC has further developed an Election Observation, Monitoring and Evaluation Manual and is developing a mechanism for sharing of electoral materials. However, the EAC still needs to put in palace mechanisms for dealing with election difficulties such as those witnessed in Uganda and Burundi.

The involvement of the youths in the integration process is catered for under Article 120 (c) of the EAC Treaty. The approaches of engaging youths according to the article include education, policy making, training, and projects geared towards the realization of an integrated community.

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[32] Simon Njenga, O.I. 14 January 2016.
[33]. Situma Peter, O.I 10 August 2015.

The involvement of the youths with the EACs' affairs has been through a number of activities which include: EAC Youth Summit; the annual EAC University Students Debate and the EAC Youth Ambassadors' Platform (EAC-YAP) that was launched on 3 September, 2013.[34]   These activities have fostered active participation by bridging the knowledge gap about the EAC among the youths through information and experience sharing. The EAC-YAP coordinates EAC Youth Clubs from different Universities in East Africa, to involve them in community work and debates geared towards achieving a fully integrated community. Furthermore, the EACs' Nyerere Centre for Peace Research has continually involved the youths through exchange programs and training.

The community has also initiated measures to strengthen 'East Africanism.' This includes the instituting of the East African flag, the East African Anthem and the East African passport.[35] The regional passport can be acquired from the member states. One of its benefits is that the holder, for six months, can enter in any of the member states without a stamp. The document has further eased the border crossing procedures. These steps are vital in shaping the East African identity which for a long time has been defined by diverse ethnicities, religion, nationalism and race. Added to that, the Treaty validates that the revived EAC inherited some institutions from its predecessor. These institutions include East African Civil Aviation Academy; East African Development Bank; East African School of Librarianship and the Inter-University Council for East Africa (IUCEA). The cooperation reflects two distinct Communities drawing parallels on 'continuity' and 'change.'

5.4 Chapter Summary

The Chapter has examined the re-establishment of the EAC. The process started in 1978 with the appointment of Victor Umbritch to head the mediation process of distributing liabilities and assets among the three states. After sharing assets and liabilities, the EA leadership formed a tripartite group to investigate areas for future integration. The process, however, gained momentum when the following were put in place; Permanent Tripartite Commission in 1993; the

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[34] EAC: a survey on the impact of the EAC youth ambassadors in promoting EAC integration agenda, 2013

[35] Ministry of East African Community. October - December, 2011. *Jumuiya Newsletter,* Issue 23. Nairobi: MEAC Secretariat.

Secretariat in 1996; publication of the EAC Treaty and the engagement of the East African leadership. The treaty establishing EAC was signed in 1999 and entered into force on July 2000. Unlike the first EAC, its successor has tried to adhere to its trajectory and timeframe for integration. After establishing the Customs Union, then the Common Market, the EAC is now, at the stage of creating the Monetary Union and a political federation. Remarkably, it can be opined on the support and attention it receives from the respective governments. It is, however, important to note that the process leading to the establishment of the EAC has not been smooth. Tanzania and Uganda as an example, opposed the launching of the Treaty in July 1999. They argued that the free movement of goods and labour would put at risk their jobs and land. Therefore, they advocated for a slower pace towards the East African integration. In conclusion, the EAC was not established in a single day. The process was long and involving. The leaders, as well as the 'East African citizens, were given an opportunity to give their views with respect to its formation. It is also evident that the new organization is distinctly different from the old one, in as much as it inherited some of its characteristics from its predecessor. It is, therefore, important to find out if the EAC has learned any lessons from the success and failures of the original institution.

CHAPTER SIX
LESSONS FOR THE EACII

6.0 Overview

It is important to appreciate that history enables us to apprehend the present while at the same time it helps us to inform the future. The present chapter therefore examines the lessons which the current EAC has learnt from its predecessor. Some of the lessons reviewed include: ideological differences, unequal sharing of benefits between the 'core' and the 'periphery', inefficient funding of the institution and inadequate involvement of the civilians and the civil society organizations among others. What does the old EAC teach the revived EAC? Furthermore, aspects that did not lead to the collapse of the defunct institution but form important basis for the progress of the current EAC have been discussed. Indeed after the signing of the customs union and the common market, the EAC is now aiming at establishing a monetary Union and political federation. This mode of successful progression by the East African Community was adopted from other regional bodies. The chapter further discusses the challenges which affect the present community. Such factors include: the presence of armed conflict and violence, ethnicity and sub-nationalism, non-implementation of the EAC treaty and the differences from the regional leaders among others. From the lessons and the challenges, the chapter ends with a discussion about the future of the community.

6.1 Lessons from the EACI

The study has demonstrated that EAC did not emerge from a 'historical vacuum'. Its formation dates back in the pre-colonial period with the coming of the Europeans. The colonialist, later on, passed the EACSO, the first East African regional institution onto the newly independent states of Kenya, Tanzania and Uganda. This organization was established through subjugation and exploitation of Africans. The latter's views were not only overlooked but also sidelined in its leadership.

It is of note that the EACSO was not committed to addressing the socio-economic and political inequalities of the East Africans. The Europeans used the institution as a tool for addressing their needs. The process began with the construction of the Kenya-Uganda railway to facilitate the transportation of agricultural materials for European's economy. Later on, the

colonialist pushed for integration of Tanzania to prevent Germany's aggression. Indeed cooperation of the East African region began on a wrong footing.

The colonialists were criticized for unequal distribution of resources among the member states. Most of the regional institutions were placed in Nairobi-Kenya since the town was strategically near the Indian Ocean. Other territories were sidelined in the making of the East African region, a feature that was inherently embedded in the European's administration system. After East African countries had gained their independence, their leaders were determined to address the inequalities propagated by the colonialists.

The colonial legacy was not completely shed off during the establishment of the defunct EAC in 1967; as the organization inherited organs as well as other regional institutions that were created by the Europeans. The major difference this time round was that the Africans were the top managers and that the states involved were independent. Other factors remained more or less the same. It is therefore on this basis that the argument of this paper is founded. The defunct EAC did not completely transform itself from the colonial institution, a phenomenon which was passed on to the present EAC.

The founding leaders of the defunct EAC were criticized for not involving the people of the community. The Treaty recognizes that it collapsed because of lack of the blessings from its peoples as well as civil society organizations.[1] It adds that the leaders should focus on building the cooperation from the top instead of starting from the bottom. However, the 1999 EAC Treaty committed itself to creating "*a people centred*" institution. People-centred in the sense of a Community owned by the people for whose benefit it was established. However, Mbure argues that this case is different in that the *"key stakeholders especially the grassroots stakeholders"* are not entirely involved when it comes to the policy making and implementation process.[2] Explaining this, Mbure states that a 'people-centred' EAC would mean the 'East African Citizens.' Her argument being that for this notion to take root, it will require a new generation of

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[1] East African Community Secretariat, East African Legislative Assembly. 2006. *Report on The Third Inter-Parliamentary Relations Seminar (Nanyuki III)* on the Theme of "Enlarging Functional Relations in the East African Community", Kilimanjaro Hotel Kempinski, Dar es Salaam, August 14-16. Arusha: East African Community Secretariat, EALA
[2] Mbure Nyange, O. I. 12 August 2015

East Africans brought up under the East Africanism ideology.[3] The new institution has further been criticized of not sufficiently involving the citizens from member states when it was being re-established. According to Kabudi; "*the initial approach of trying to fast-track the establishment of the East African Federation without seeking the people's input is against the spirit and provisions of the treaty and a departure from a people-centred Community to a leader-centred Community.*"[4]

One of the architects of the contemporary EAC, Ali Hassan Mwinyi (the former president of Tanzania), while launching a report on citizen participation on 24 May 2013 in Dar es Salaam, said that the biggest challenge facing the community is a lack of citizen involvement in the socio-economic and political activities of the region. He added that a people-centred EAC would eventually lead to the formation of the East African political Federation founded on equity, social justice and democratic principles.[5] The report further stated that the EAC integration process is dominated by private businesses and governments while the general public is left out in the cold. Munyiri also said that the appointment of the members of the East African Legislative Assembly (EALA) of the respective national parliaments does not conform to the EAC's goal of people centred-ness.[6] For this matter, the EAC Secretary General has been at the forefront calling for the election of the EALA members by the East African citizens. He said that "*Direct election of EALA members by the electorate will enhance democracy and good governance as enshrined in the Treaty establishing the Community.*"[7]

The issue of people-centeredness can also be examined at the EAC's organs and institutions. A good example is the East African Court of Justice (EACJ) registry, which is found in Tanzania. Munyiri further observes that its location disadvantages petitioners from other states

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[3] Mbure Nyange, O. I. 12 August 2015

[4] P. Kabudi. 2007. *The East African Federation: Legal Framework and Legality of Decisions*. Paper Presented at the 10th Workshop on Democratic Transition in East Africa, Paradise Holiday Resort-Bagamoyo, Tanzania, September 6-7

[5] Ex-president touts people-centred EAC. <http://en.afrikinfos.com/2013/05/24/ex-president-touts-people-centred-eac/>

[6] David Munyiri, O. I. 4 June 2015

[7] Ex-president touts people-centred EAC. http://en.afrikinfos.com/2013/05/24/ex-president-touts-people-centred-eac/

who have to travel all the way to Northern Tanzania to record their complaints.[8] Munyiri also notes that the appointment of a judge to the EACJ by a partner state is an affair of the head of state; a loophole for unjust rulings, as far as justice is concerned. According to Munyiri, the court's confidence has remained questionable since some partner states have taken matters concerning the Customs Union and Common Market to quasi-judicial national bodies.

Another argument advanced about the old EAC is that the process of creating a regional institution is a sensitive and complex undertaking. Therefore, its realization needs to be slow, careful and open.[9] The preceding section of this study shows the process of the realization of the EAC, which was undertaken from the pre-colonial to post-independence period. When the institution collapsed in 1977, none of these efforts were recalled. Therefore, the present leaders have to learn the art of patience and humility if the present Community intends to attain a monetary union as well as political integration. Any plans to speed the process have faced opposition as well among other hurdles; the East African leaders' disagreement on the opportune time for having a political federation being an example. Rwanda's President argued that his nation would be willing to federate only after 2026. One of the observers viewed this as a blow to Museveni who was pushing for the federation to happen as early as 2015.[10] Other factors that may have influenced this derailment according to K'otieno was the fact that Rwanda was still recovering from the 1994 genocide, therefore such plans would interfere with her reconciliation process. President Kagame's term was coming to an end, and therefore it was important for Rwanda to deal with her internal politics before engaging with regional affairs. Finally, Kenya was not ready yet, as it was pre-occupied with the International Criminal Court (ICC) case filed against their President and his Deputy, Uhuru Kenyatta and William Ruto respectively.[11]

The idea of a more rapid integration, however, has been supported by some East African leaders. The former Presidents Daniel Moi (Kenya) and Hassan Mwinyi (Tanzania) advocated for the speeding up of the East African regional process while addressing the symposium to mark

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[8] David Munyiri, O. I. 04 June 2015
[9] EAC 2011,'About EAC,' East African Community, http://www.eac-int/index.php?option=com.content&view=article&d=1:welcome-to-eac&catid=34:body-text area7itemid=53, accessed 24 January 2016
[10] Theoneste K'otieno, O. I. April 2015
[11] Ibid, a view which was also shared by respondent number 50

the 10th Anniversary of the East African Legislative Assembly. The Symposium, under the theme, '*A Decade of Service towards an East African Political Federation*' drew more than 150 attendees who included participants from the civil societies, the private sector, politicians, academia, and youth organizations representing their respective nations. President Daniel Moi posited that he wished the community would attain its eventual goal of a political federation sooner than later. He also stressed that despite the challenges the Community was facing, the process of establishing a political union was unstoppable. On his part, Hassan Mwinyi noted that "The EAC integration calls for vibrant efforts from all to make our region prosperous and developed."[12]

Just like its predecessor, the present institution is faced with ideological differences. Those advocating for the 'Fast Tracking' of the political federation on the one side. This school of thought believes that politics control all spheres of life and that it is important first to attain the political kingdom. On the contrary, the other group advocates for a phase-by-phase process involving all the stakeholders. In as much as both schools have been attended to, greater attention has been given to the former. At one point President Yoweri Museveni argued that; "the Development Strategy recognizes the Regional integration as a progressive process. However, it is appreciated that in the implementation of the different phases of integration, some elements belonging to future stages of integration may need to be brought forward in order to support the overall integration process."[13]

A committee of experts mandated with the responsibility of drafting the constitution of the East African Federation presented its report to the Council of Ministers for discussion. The recommendation was forwarded to the Summit meeting scheduled on the 30 September 2015 for deliberations. During that meeting, Kenya, Uganda, Tanzania and Rwanda called for more time to consult on the timeliness of the Federation. Uganda, however, argued that such consultations were unnecessary since the roadmap for a political federation had already been laid out. Delegates from Uganda further recalled the deliberations of the 15th Summit held on 30

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[12] Moi, Mwinyi Press for Enhanced EAC Integration. 1 July 2011. http://www.ippmedia.com/frontend/?l=30717

[13] East African Community, (2002b). *The Budget for the East African Community for the Financial*

November 2013 in Kampala.[14] During the summit, the experts had settled on a two-tier structure model of a federated community. The committee stated that "*The federal state will be responsible for federal matters while constituent states will be responsible for non-federal matters. In terms of structure, the federal state will be comprised of an executive, legislature and judiciary, all with functions based on the principle of separation of powers amongst the three organs.*"[15] However Kenya, Tanzania, Burundi and Rwanda argued that the committee did not present a concrete proposal for the drafting of the federation's constitution.

Kakyo, a policy analyst, points out some leadership differences some of which were accompanied by threats from member states as Tanzania's threat to withdraw from the union when the other member states refused to involve her during the Entebbe and the Mombasa resolutions being a case in point.[16] Salva Rweyemamu, the spokesperson of the Tanzania government said that his country had not been invited to the meeting. He added that "*There is no shortage of people to partner with*."[17] Kakyo highlights the disagreements between the Heads of State of the initial EAC; particularly between Presidents J. Nyerere of Tanzania and Idi Amin of Uganda as one of the reasons for the disintegration of the community. Their differences affected the community since the authority, an equivalent of the Summit for the present EAC, could not meet nor deliberate on regional matters. Decisions were arrived at through consensus, a phenomenon enshrined in the present treaty. In the event of a stalemate between the leaders of the member countries, it would be difficult for the remaining leadership to come up with binding decisions.

Tanzania has also been blamed for dragging its feet on matters concerning regional integration. While commenting on the issue, one of the EAC delegates argued that "*We have been moving around in circles for far too long, holding meeting after meeting without much progress, until we decided to move ahead with those who are ready.*"[18] President Yoweri

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[14] Uganda stands alone on political federation. http://www.theeastafrican.co.ke/news/States-fail-to-adopt-EAC-federation-plan

[15] Uganda stands alone on political federation. http://www.theeastafrican.co.ke/news/States-fail-to-adopt-EAC-federation-plan

[16] Stella Kakyo, O. I. 11 November 2015

[17] Ibid.

[18] *The EastAfrican.* EAC states pull in different directions as Dar is isolated, 27/04/14

Museveni was also quick to comment on the pace of East African integration. He said that "*We have been suffering from a sort of political anaemia on the issue of integration, but with the election in Kenya of these young gentlemen — Uhuru Kenyatta and William Ruto — we have got a new blood supply.*"[19]

In addition to ideological differences the defunct EAC faced a shortage of funding to undertake large infrastructural projects. Another of the reasons the former EAC collapsed was the failure of the partner states, in June 1977, to approve the General Fund Services Budget. The present community also faces a similar financial constraints hurdle. The EAC budget has been unstable since the year 2013. The EALA approved Shillings 10.734 billion for the financial year 2015/16, Shillings 12.049 billion for 2014/15, and Shillings 12.785 billion in 2013.[20] The underfunding of the EAC has already led to the stagnation of some sectors. One of the EALA members- Susan Nakawuki, urged the respective governments to increase funding in order to restore the activities of these EAC sectors faced with stagnation. She further stated that; "*The allocated amount in [the] budget is miserable. If you look at agriculture and food security, much is said but what is provided for in the project is the opposite, yet this sector touches on the very hearts of East Africans. I beg the Chair of Council to look for more money for this sector.*"[21]

One of the major impediments that faced the initial East African regional integration was the existence of sub-nationalism. Kings and or Chiefs head most of these 'sub-nations'. Other than being powerful 'national' identities, these kingdoms were defined along ethnic and tribal lines. Of important note is that some of these communities did not support integration. Therefore the various governments decided to use the Media (electronic and print) to popularize oneness and unity among the East Africans. An example being the Kenya Broadcasting Corporation and the Uganda Broadcasting Corporation which are both respectively pioneer and national radio stations within the region. These stations did play a key role in the process of integration by creating a 'national' consciousness.

Today sub-nationalism is increasingly outpacing nationalism with the emergence of vernacular radio stations across the East African region. In Kenya, as an example, there are over

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[19] *The EastAfrican.* EAC states pull in different directions as Dar is isolated, 27/04/14
[20] Mwangi Njenga, O. I. 11 October 2015
[21] http://www.nation.co.ke; EAC budget dwindles third year in a row as sponsors exit

ten vernacular radio stations; this characterizes the situation in Burundi, Rwanda and Uganda. A fact Tanzanians have argued that their "*country risks being infected with ethnicity problems that characterize politics in Kenya, Rwanda, Burundi, South Sudan and Uganda*".[22] One of the correspondents was convinced that the infiltration of sub-nationalism poses a hurdle against the new EAC's common goal of using Swahili as a language of communication.[23] A hurdle that according to Waikwa arises from the fact that the Swahili used in Kenya is characterized by clichés, commonly known as 'sheng', differentiating it from what is being spoken among the other regions. On the 27th of April 2007 the EAC Secretariat, the Secretary General while addressing the media summit organized stated that; "*the media in East Africa is slowly but steadfastly taking an East African shape and form [*and*] this emerging identity is inevitable, as economic players in our region respond to the logic of the market and become more regional-oriented.*"[24] He further asked the Secretariat to consider the establishment of its TV network and Radio to broadcast its agenda, policies and views. In order to control the issue of sub-nationalism, it is important the Secretariat sets up an East African Broadcasting Commission to pursue the regional broadcasting services.

Another important lesson is that the collapse of the EAC was attributed to the failure of member states' to surrender some of their sovereignty. The member countries were reluctant, if not unwilling, to support policies likely to restrain state sovereignty as they feared that the federation would undercut their autonomy and, consequently, their power.[25] Before its collapse, the partner states began to perform practices that contradicted the spirit of integration. With Tanzania closing its borders and demanding for employment of its citizens in all the EAC's cooperation's in Tanzania; Kenya, on the other hand, began to charge more for hosting Tanzania's aircraft. Similar differences were also recorded between Uganda and the other member states. The present institution needs to borrow the consequences of nationalism from the defunct EAC. It is, therefore, impossible to have a federation without surrendering some

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[22] The Sunday Standard, 5 November 2006, p.25
[23] Thomas waikwa, O. I. 17 July 2015
[24] J. V. Mwapachu, (2007). "Keynote Address," Delivered at the East Africa Media Summit on the Role of the Media in EAC Integration and Development Process, held at the Grand Regency Hotel, Nairobi, 27 April
[25] Joel Munyae, O. I. 21 May 2015

sovereignty. Additionally, the amount of power to be delegated to the new authority has raised concerns among the stakeholders.

Unlike the defunct EAC, the present institution has made strides in addressing the issue of the gender participation. Before the accession of the Treaty establishing the new EAC, a team of experts was drawn across the region in 1998 to ensure that the document addresses the interest of all the stakeholders in the cooperation process.[26] More importantly nevertheless, the committee was asked to include in the Treaty the role of women in development and integration. In this regard, Article 121 of the Treaty, therefore, intends to 1). Promote the empowerment and effective integration and participation of women at all levels of socio-economic development especially in decision making; 2). Abolish legislation and discourage customs that are discriminatory against women; 3). Promote effective education awareness programs aimed at changing negative attitudes towards women; 4). Create or adopt technologies which will ensure the stability employment and professional progress for women workers, and to take such other measurers that shall eliminate prejudices against women and promote the equality of the female gender with that of the male gender in every project.[27]

6.2 Challenges Facing EACII

The community still faces a number of challenges in its course towards the implementation of its treaty. One of the encounters is non-cooperation of the member states in the implementation of the common market protocol. Some government officials and delegates have decried delays in the implementation of this protocol. They claim that the presence of non-tariff barriers (NTBs) to trade has incurred humongous cost to businesses. Such costs arise from weighbridges, roadblocks, poor infrastructure, unnecessary delays at border posts, and lack of harmonized import and export standards, procedures and documentation.[28]

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[26] East African Community Secretariat, *East African Community Private Sector Development Strategy. Final Report*. (Arusha: East African Community Secretariat, 2004a)

[27] East African Community Secretariat, *The Treaty for the Establishment of the East African Community*. (Arusha: East African Community Secretariat, 2002).

[28] EAC: Bureaucratic delays, missed targets hurt integration. http://www.africareview.com

One of the observers argued that the community is only strong on paper and weak in the implementation of its goals and objectives.[29]Furthermore the committee on Fast-Tracking of the Federation recommended for parallel pursuance of integration stages rather than a step-by-step implementation.[30] However such plans have faced serious challenges. The community has not only postponed the formation of a monetary union, but also remained sluggish in the implementation of the Common market protocol that was signed on 1 July 2010. In fact, EAC secretary general has admitted that its implementation would probably take decades.[31] .

The EAC treaty is also clear on security matters such as: measures to deal with mechanisms to combat trade in arms and drugs, coordination of security policies and measures of dealing with terrorism. Furthermore, the community has established a research institute, the Nyerere Center for Peace Research. However the Community's influence on peace and stability is minimal. For example, EAC's engagement in the [2007] Kenya's post-election violence was wanting.[32] On one hand President Museveni recognized Kibaki as a duly elected president, while President Kikwete of Tanzania advocated for dialogue between [opposition leader] Raila Odinga and Kibaki. The present conflict in Burundi also demonstrates EAC's inability to deal with security issues. The head of the EAC's election observer mission, Abubakar Zein argued that Burundi's election did not meet the union's standard of holding a free, transparent and credible election. He further stated that, "the election process in Burundi was hampered by insecurity, a tense environment, limited media freedom and the violation of fundamental human, civil and political rights."[33] This calls for more action among the leaders to upgrade EAC's mandate from observer's status to one that will reduce such escalations as the ones witnessed in Burundi and Uganda.

Power struggle has also affected the East African region with the incumbent presidents refusing to cede from ruling. In fact, Odaga observes that President Paul Kagame of Rwanda sought for

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[29] Respondent No. 51, O.I. 19 March 2016.

[30]East African Community, "EAC Fast Tracking Report 2004," http://eac.int/politicalfederation/index.php?option=com_ docman&Itemid=28 (accessed June 30, 2015).

[31] Caroline Mukiri, O.I. 23 May 2015.

[32] Gilbert M. Khadiagala, "Regionalism and conflict resolution: Lessons from the Kenyan crisis", *Journal of Contemporary African Studies*, 27 (2009) 3, 431-444.)

[33] Anadolu Agency; http://www.aa.com.tr/en/politics/burundi-elections-neither-free-nor-credible-e ac/22648

constitutional amendments to allow him to vie for the third term; and President Yoweri Museveni of Uganda has refused to cede power, with constant harassment of the opposition leaders.[34] Such power struggle not only poses serious threat to the EAC regional integration but also prompts one to inquire whether these leaders will ever agree one of them to head the East African federation. Odaga further observes that there have been disagreements as to who will be the leader of the East African federation. On one hand, Odaga argues that president Museveni stands a better chance of leading the region. However, with constant harassment of the opposition leaders in Uganda, a human rights violation and corruption scandal raises concerns on his ability to lead the region. Furthermore, his failure to handle the Lord's Resistance Army rebels makes one wonders if he can actually handle the issue of terrorism in the region.

Another challenge that threatens the future of the community is the fear of loss of sovereignty by the member states. The question that lingers in the mind of the political elite is the amount of power to be seceded to the political union. In fact, the EAC report on Fast Tracking reported that the fear of loss of sovereignty is an issue in the minds of ruling elites in the region.[35] According to the report, most of them feel that with the federation, the nation states would be relegated to mere provinces and hence loss of meaningful power. Indeed president Nyerere foresaw such a scenario by arguing that independence would be a hindrance to political federation. Such fears cannot be overlooked. Leaders need to develop mechanisms to eliminate such fears, otherwise it will remain as a political challenge for the community. Odaga also pointed out that, Kenya is more suitable partner to lead the federated community.[36] This is because of its financial muscle and economic well-being. However, states at the 'periphery' are afraid that Kenya will use the occasion to exploit them. Furthermore, states like Tanzania feel that Kenya's ethnic problem, capitalist system and rampant corruption may penetrate and take roots amongst its citizens. Odaga also views Tanzania on the other hand as being a lukewarm in the integration matters. Such views have been demonstrated by Uganda which has been in the forefront in launching attacks against Tanzania's reluctance to implement regional policies and agreements. He also

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[34] Simon Odaga, O.I. 20 June 2015.

[35] EAC: Bureaucratic delays, missed targets hurt integration. http://www.africareview.com, Accessed on 23/09/15

[36] Simon Odaga, O.I. 20 June 2015.

observes that Burundi, Rwanda and South Sudan do not stand the chance either for not only being new members in the region but also having weak economic muscles.

The community is further constrained by luck of finances.[37] The Secretariat has registered complains on member states for late submission of their contributions to the EAC budget. In addition the member countries submit less than what they had committed. Furthermore, external donation is not only accompanied by strings attached but also takes long time to access for the long term projects. The fund is meant to finance projects as well as support member states at the periphery to upgrade their infrastructure and the industrial sector. However the fund has never been sufficient to run regional projects, forcing member states to seek for donations to supplement their budgets. Furthermore, contribution by partner states to the EAC fund has always been minimal prompting the Secretariat to postpone some key projects.

Multiplicity of sub-regional groupings has affected the EACs governance and administration mechanisms due to the duplication of decision making organs. This divided attention as well as politicization of the integration process has lowered performance of the community as a result of policy overlap among these sub-regions.[38] Overlapping membership, duplication of programmes, and multiplicity of institutions has been worsened further by the presence of COMESA and IGADD. EAC member states have membership to these groupings. For example, Kenya, Uganda, Rwanda and Burundi are all members of COMESA. Just like the EAC, COMESA's decision-making structure include the Heads of state, the Council of ministers, technical committees and a series of advisory bodies. In addition to the multiplicity of institutions COMESA also strives to attain larger economic trading unit by following the Abuja Treaty's progressive stages of regional integration. IGADD on the other hand was established to deal with issues of drought and diversification before expanding its scope to issues relating to conflict

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[37] Odhiambo, W (2005), Equity Issues in Regional Trade Arrangements: The Case of EAC in The Making of a Region – The Revival of the East African Community, Rok, A (eds), *Institute of Global Dialogue*, South Africa

[38] ARIA, 2002, 'Annual Report on Integration in Africa. www.uneca.org-accessed on 12/05/16

prevention, management and resolution, and humanitarian affairs. Such activities fall in the EAC and COMESAs mandate. [39]

As much as East African states share history from pre-colonial times, their cultural practices is not homogenous. The postcolonial experiences have worsened the situation. This has resulted to stereotyping among the various states. For example, as observed by a respondent, Tanzanians are concerned with the aggressive nature of Kenyans. Burundi complains that Tanzania is slow in the removal of barriers within its borders. Kenyans of Cushitic origin have reported cold reception from almost other partner states.[40] Therefore integration may further dent the heritage of cultural practices if not pursued with extra caution.

6.3 Chapter Summary

The chapter has discussed the important lessons learnt by the present EAC from its predecessor as well as other regional institutions. From the preceding discussion it can be said that the East African community is only keen to learn 'lessons' which it can adopt for itself. This is demonstrated by the adoption of the successive steps towards regional integration. Similar method was used by the defunct EAC. In fact by the time of its collapse the institution had established a Customs Union, Common Market and the Monetary Union. Just like its predecessor, the community also has other governing institutions that support the integration process. Such institutions include the secretariat, EALA, EACJ among others. In conclusion, the integration process is complex. In as much as the stakeholders have adopted a pragmatic approach towards integration, clarity of purpose and sense of direction; there underlies important lessons that need to be learned. Furthermore, having an EAC institution is not enough, every stakeholder, including the leaders and the 'East African Citizens' need to work together to avoid what occurred to the previous cooperation from happening again.

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[39] IGADD, 2011, 'IGAD Profile' http://www.africa-union.org/ress/igad_profile.pdf, accessed 15 March 2016accessed 15 March 2016

[40] Respondent No. 49, O.I. 24 March 2016.

CHAPTER SEVEN

CONCLUSIONS AND RECOMMENDATIONS

The study has divided the history of EAC into five phases with the first phase beginning in the 1900s, when the idea of integration EAC was initially conceived. The second phase is marked by the formation of the East African High Commission (EAHC) in January 1948. The third phase constitutes the period from 1948 to 1967. This period was characterized by the establishment of the EACSO in 1961. The fourth phase ranges between 1967 and 1977. The period witnessed the demise of the Community that had been established. Upwards of 1977 efforts towards re-establishment of the Community were being undertaken. The period extends to 2001. The final phase examines the ongoing process of advancing the EAC with a view of providing the present picture.

Initial Phase 1900 - 1948

Steps towards the establishment of an East African Union are recorded as early as 1900. The process began with the establishment of the Uganda Rrailway (1897-1907), the Customs Collection Centre (1900), the East African Currency Board (1905), the Postal Union (1905), the Court of Appeal for Eastern Africa (1909) and the Customs Union in 1919. However, it was until July 1924 when emphatic measures towards an East African Union were undertaken.

The Gore Commission was appointed in July 1924 to investigate ways of enhancing integration. This is because the white settlers and the Africans opposed the idea of integrating the region. They believed that such a move would increase British hegemony in the region. Even though the Gore Commission proposed the involving the local populace in the integration process, the British government went ahead to set the Conference of Governors in 1926. In 1927, the Hilton Young Commission was established up to find workable methods of uniting the region. Two of its major recommendations were; transfer power from the territories to one central governing authority; and find areas for future cooperation. To this effect, the Conference of Governors met in 1939 and agreed to coordinate the air survey and the veterinary services in the region.

The process was fastened by the outbreak of the war in 1939. This is because the white settlers who initially opposed the idea were scared of a German invasion. They preferred to be under British's rule rather than the former's domination. Although there were misunderstandings

between the core (British) and the periphery (East Africa) they all agreed on the idea of having a closer union. In addition, the governors of the three territories continued to extend the areas of cooperation with the aim of establishing a political federation. They believed that economic integration was important for attaining a political union. With the support from the 'locals', the British government thus recommended for the creation of a permanent body, the EAHC to govern East Africa's regional affairs. The organization was therefore instituted on 1 January 1948. It is evident that the EAHC formed in 1948 was a brainchild of British government and its representatives. Unlike the white settlers who changed their mind during the latter part of the World War II, the Africans did not support the integration process. To them, integration was a scheme by the core to scam resources.

Second Phase, 1948-1967

The establishment of the EAHC was happening concurrently with the rise of nationalism and pan Africanism. By 1950s most of the East African states were at the verge of attaining independence. The leaders saw an opportunity of forming a union on their own terms. In fact it was clear that formulation of separate economic policies would retard regional if not national growth and development. Their first move was to reconstitute the EAHC to so that it has an East African picture. This is because the institution was dominated by white settlers and the British representatives. However that was not possible without the member states attaining self-rule. In 1961 Tanganyika acquired its independence and merged with Zanzibar to form Tanzania. This union encouraged the member countries to form an East African union. The urge to integrate was further aggravated by the independence of Uganda in 1962.

The good inter-personal relationship among the East African leaders led President Nyerere to offer a delay of Tanganyika's independence for the sake of East African Union. However, Tanzania proceeded with its independence after assurance their sovereignty would not interfere with the regional services. This came after a meeting that was held in London on June 1961. The meeting was attended by delegates from Kenya, Uganda, Tanzania, Zanzibar and the British colonial officers. They further agreed to form a regional organization that had an East African interest at the top of its agenda. As a result, the EACSO was founded and replaced the EAHC in December 1961.

Unlike the EAHC, the EACSO was an African creation; administered by the local executives while its constitution could be changed by local arrangement. Furthermore, additional regional services were included under its mandate. The EACSO was a reflection of true African practices with Africans as its custodians. This was not enough, the leaders wanted to establish an East African political union. They therefore began to design a road map towards this course. In this effect the presidents of the three East African countries committed themselves to work together through the signing of the Declaration of East Africa in June 1963. Many people shared their views about the steps that were being taken. As a matter of fact, the process received praises and criticism in equal measures. As noted, the national leaders of the member countries were mostly the ones in favour of the integration. The leaders determination was however unstoppable. It was within their discretion to carry on the integration agenda. After meeting in 1965, they agreed to form a task force to lead in the formulation of the Treaty for the establishment of the East African Community.

The Philip Commission

In 1966 the three presidents appointed Philip Kjeld as the head of the Commission mandated to draft an East African Treaty. Other members include the three Ministers of Finance and Planning from each country and a team of consultants on common market and trade from the U.N. The Commission drafted the Treaty for the community, which was effected on December 1967. Among the key issues addressed by the Treaty was the decentralization of the regional offices from Kenya to Tanzania and Uganda. Community's headquarters were moved to Arusha, the East African Harbours Corporation was moved to Dar es Salaam, while the East African post and telecommunication corporation was relocated to Kampala. The treaty further advocated for the establishment of the EADB as well as the imposition of transfer tax on the imports by Uganda and Tanzania. The bank's aim was to provide funding for the regional services while the trade restrictions were purposed to mitigating trade imbalances.

The Collapse of the Community

The establishment of EAC-I demonstrated that the efforts of regional leaders were not in vain. However the organization lasted ten years before it collapsed in 1977. Its collapse came so fast compared to the protracted process to its creation. A closer look into the factors that led to its

demise show that there is more than meets the eye. It began with the disintegration of the regional corporations and their services. These institutions were created after long negotiations and a demanding process. In fact after the breakup of these organizations, the demise of the EAC-I did not come as a surprise. The former's collapse had a direct impact on the survival of the community. It is also important to note that the member countries were no longer interested in operating the jointly owned service. Most of these services were concentrated in Kenya (core) which was earning more revenue compared to Uganda and Tanzania (periphery).

It all started with the disintegration of the East African Currency Board in 1965. Each country decided to establish its national bank. Its collapse alludes to the poor grasp of the functions of a Regional Currency Board by the member states. Other major organizations that faced a similar downfall include; the UEA in June 1970 and the disintegration of East African Airways in 1977. The inability of the member states to cede some powers to the central organization also contributed to the demise of these institutions. Thus the failure by the leaders to salvage these institutions was a clear indication that the demise of the EAC was about to take place. Other than the collapse of the regional institutions there was also a souring of personal relationships between the leaders.

The leadership differences was evident through the antagonism between Presidents Idi Amin and J. Nyerere. President J. Nyerere opposed the overthrow of Milton Obote, by Idi Amin and hence began to wage War against Uganda with a view of re-instating the former. Furthermore, President Idi Amin collided with his Kenyan counterpart, President Jomo Kenyatta. This came after Idi Amin claimed that the western part of Kenya belonged to Uganda. The personality clashes between the leaders jettisoned chances of the East African leadership holding meetings. This situation further derailed the implementation of the Treaty hence stagnating the Community's plans, coupled with either state placing national priorities over regional interests. Other factors that contributed to the demise of the community include ideological differences and the influence of the domestic economies by the international community. Lack of efforts to resolve these differences by the stakeholders led to the collapse of the first regional scheme in 1977.

Revival of the East African Cooperation

After the closure of the EAC headquarters, the regional leaders agreed to sign a memorandum of understanding on September 1977. The purpose of the MOU was to address the differences between member countries resulting from the collapse of the EAC-I. Therefore, Victor H. Umbricht, a Swiss diplomat, was appointed in 1978 to lead the mediation process. After lengthy negotiations, Umbricht's team presented the mediation agreement for the division of the EAC-I assets and liabilities among the regional leaders. In 1984, presidents J. Nyerere, Milton Obote and Daniel Moi agreed to explore further areas of cooperation after signing the mediation agreement. Later on, in 1993, the leaders established the Permanent Tripartite Commission (PTC) Secretariat in 1996. In 1999 Presidents Benjamin Mkappa, Daniel Arap Moi and Yoweri Museveni signed the treaty establishing the East African Community in Arusha.

Since its establishment, the EAC-II has been able to achieve certain objectives as enshrined in the Treaty. First, the Customs Union Protocol was effected on 1 June 2005. It has registered an increase in foreign direct investments, intra-trade among member states as well as reduction of costs. Later, in the same year, the leaders adopted the Waki Report, which proposed for the fast tracking of the EAC. This was to be achieved through the creation of the post of a Secretary General. Waki further recommended for the consolidation of the Customs Union and the Common Market. Consolidation of the two protocols was meant to lay down the foundation of the monetary and political union. The EAC common market was then established on 1 July 2010.

The IUCEA has been established to facilitate the implementation of the common market protocol through the free movement of labour in the region. The organization further coordinates collaborative research among the institutions of higher learning. The EAC has also been hailed for its vast infrastructural development programs in the region. Such developments include the construction of road networks, railway networks, the ports of Mombasa and Dar es Salaam. Likewise, member states have adopted policies geared towards poverty reduction through the creation of employment opportunities. In fact, EAC ministerial forums are organized annually with a special focus on employment creation and poverty alleviation.

The admission of Rwanda, Burundi and South Sudan into the community is considered as one of the greatest achievements of the community. Their entrance into the Union has expanded not

only the regional market but also neutralizing aspects of the rooted traditional rivalry amongst the historical member states. Progress in other areas of the integration include the establishment of the Lake Victoria Commission to address the persistent water level decline and increasing levels of pollution in the lake. The launching of the joint promotion initiative aimed at making East Africa a single tourist destination. In as much as the EAC is hailed for such successes, there is still much that has not been attained.

The process towards political integration is complex. Against the desires of the people of East Africa to achieve faster development, there underlies the need to take a pragmatic approach, have a sense of direction and clarity of purpose towards political integration. One of the perceived challenges is the idea of sovereignty, that is, loss of national identity, political power, decision making and loss of flexibility in exercising powers. Another concern that has been raised from the study is the issue of democracy and governance. Among other things is the question of whether federation will bridge the gap on corruption, respect for human rights, the rule of law and democratic deficits, prevention of conflicts, constitutionalism, and access to justice?

The EAC-II inherited the administrative foundations laid down by Britain, as well as the capitalist framework of production and development of the EAC-I. The Community began its operation within the capitalist framework. This led to the problem of reconciling these external mechanisms with particular interest of the three member countries, especially Tanzania which continued to suffer poverty. This has resulted in further dependence on the world economy, and failure to resolve the root-cause of poverty in the region. In as much as these states have benefited from the regional market, altogether they have not been able to sufficiently deal with the underdevelopment problem.

The long-term future of the EAC has always been to establish a political federation. However, the necessary conditions to facilitate such goals have not been put into place. Such a goal will only be realized if there is an ideological conscious among the states, a common economic strategy and solving the problem of distribution as well as minimizing inequalities. Furthermore, if the community is to witness a fruitful and sustainable socio-economic and political integration, there is a need for the concerned stakeholders to both harmonize and ensure effective coordination of policies. This should be underpinned by strong political will, unwavering

coherence, and building of a regional identity that nurtures unity of purpose based on the shared interest in pursuit of regional goals.

For the EAC to speed up the integration process, rapid industrialization on the growth sectors such as agriculture, tourism and ICT is key. Since the majority of the East Africa's labour is concentrated in agriculture, there is need for the stakeholders to mechanize the sector so as to improve the value addition of agricultural products. There is also need for developing agriculture-based industries for manufacturing agricultural merchandises enhancing value addition. It is also important to note that the world system's 'core' did not transform without rapid industrialization, and as such, EAC needs to take advantage of the available resources both natural and human to develop processing, manufacturing and basic industries, as well as those taking the form of non-agricultural industrial activities.

Another important factor that seems to slow down the fast tracking of the East African community is the multiplicity of identities. Such identities occur in the form of ethnicity, religion, nationalism and race; as discussed in the previous chapters. In fact, the multiple East African identities will continue to outgrow the envisaged single East African identity, even with the formation of a federation. This fact is defined by different cultural practices such as languages which have been part of the making of the East African region. The people of East Africa, however, have a long-standing cultural heritage. One of the renowned forms of this heritage is the Swahili language. It is widely understood and spoken across the region. The EAC secretariat can tap into the language to harness support for regional integration process from the five-member states. One of the proposed ways to elevate Kiswahili is to broadcast in the language regionally, with a regional broadcasting network under the aegis of the East African Community. In addition, the regional identity will be realised if there is an upscale in the integration of social and cultural activities that blend the citizens of the East Africa Community. This will infuse a sense of mutual identity and bond the people by enhancing cultural and social cohesiveness and aligning them to the broader vision of regional integration.

In order for the EAC to accelerate the integration process, it is important for the Secretariat to fully adopt an inter-regionalism mechanism and overcome the multiplicity of programs and institutions, as well as address the issue of border-crossing policy matters by promoting collaboration between different regional bodies. One of the important structures put in place to

encourage inter-regionalism is the African Economic Treaty (also known as the Abuja Treaty), which seeks to foster coordination and harmonize the policy matters of the RECs. Its goal is the establishing of a Africa's Customs Union, African Common Market, African Central Bank and a Single African Currency. Furthermore, Inter-regionalism will help overcome duplicity of programs among the sub-regional groupings by allowing member states to pursue common agenda. The initial step will include institutionalizing of relationships between the present sub-regional groupings. Others include harmonization of monetary and economic policies and programs, joint meetings between various committees or secretariat, and joint implementation of projects and programs across the region.

Despite the laid strategies for youth's involvement in the Community activities, the department of political affairs has not been able to reach a larger number of youths across the EAC countries. Youths' are estimated to make up to 60 percent of the community's population. Of this population, the secretariat is documented to have sensitized about 400 students and lecturers as per the monitoring and evaluation program conducted in July 2013. Keeping in mind that youths are a valuable resource in the socio-economic and political development of the integration process. That is a miniscule number as compared to the youth population in the region. The, community therefore needs to review its approach and re-strategize better and sustainable mechanisms that will promote continuous and full participation of the youths in a constructive manner.

The study concludes that the first EAC's socio-economic and political model traces its beginnings from the British colonial government and the white settlers; and the regional unity was meant to serve their interests. Their determination to integrate the East African region was further demonstrated through a step-by-step plan. The process' initial stage was a Customs Union, and then a Common Market, a Monetary Union, and finally a somewhat Political Union. But by the time the East African states were acquiring sovereignty, the British administrators had not yet attained the anticipated form of cooperation. Therefore the East African leadership was handed the mantle to deepening the integration process. It is important to note that the East African leadership also inherited the social-economic and political principles of the integration from the British. Re-establishing the East African Community, however, is not a panacea and requires deliberate efforts to avoid the collapse of the new East African Community, as happened

with the previous institution. Tanzanians, Ugandans, Rwandese, South Sudanese and Kenyans must start thinking as East Africans and stop thinking as individual nations. Economic, global, social and financial resource challenges need to be addressed for the survival of the community. The success of the East African Community will be achieved through political will, adherence to good governance, and the implementation of market-driven economic policies. A strong private sector along with sustainable institutional development would push this through, coupled with a compensatory mechanism that is efficient and effective and not biased.

Speed up industrialization on growth sectors for example by mechanizing agriculture, ICT, and tourism. One of the ways is to develop agriculture based industries to manufacture agricultural products and enhance value addition.

Recommendations

Speed up industrialization on growth sectors for example by mechanizing agriculture, ICT, and tourism. One of the ways is to develop agriculture based industries to manufacture agricultural products and enhance value addition.

Up-scaling the integration of social and cultural activities that unites the citizens of EAC for example by standardizing the swahili language to be used across the region; promoting tourism sectors

Institute policies that will encourage people-centeredness so as to have the EA citizens', civil society and private sectors' participating fully on the integration maters.

The EAC secretariat to adopt measures that will encourage inter-regionalism in order to overcome multiplicity of regional membership and programs.

Initiate policies that will encourage youth and women's involvement in the decision making processes of the integration of the community

Harmonize the education curriculum of the member states to have a standardized system recognizable by all the member states

SOURCES

LIST OF INFORMANTS

NAME	AGE	LOCATION	DATE OF INTERVIEW	OCCUPATION
1. Beatrice Chemutai	72	Eldoret	02/06/15	Former EAC worker
2. Brian Momanyi	73	Nakuru	21/07/15	Former employee at parliament of Kenya
3. Benjamin Olik	58	Nairobi	20/01/16	International company-Kenya
4. Caroline Mukiri	57	Nairobi	23/05/15	Policy Analyst
5. Collins Marube	63	Nairobi	03/09/15	Former EAC worker
6. Collins Kitonga		Gilgil	19/07/15	
7. Daniel Wanderi	75	Thika	21/05/15	Business man
8. Dennis Shyaka	50	Nairobi	26/05/15	Lawyer
9. Esther Namboka	74	Busia	23/12/15	Former EAC worker
10. Evans Weche	81	Busia	28/12/15	Business
11. Geofrey Thuku	65	Nairobi	16/08/15	Former worker at EAA
12. Gerald Walubengo	69	GilGil	07/06/15	Businessman
13. Grace Wanjiru	78	GilGil	19/07/15	Former EAC employee
14. Humphrey Kioko Ng'eti	47	Nairobi	25/05/15	Lawyer
15. Jackson Orimba	62	Busia	03/01/16	Businessman
16. James Gitau	80	Nairobi	28/07/15	Former EAC worker
17. Joan Atieno Kore	57	Nairobi	14/08/15	Business
18. Joel Munyae	77	Thika	21/05/15	Businessman
19. Josphat Wangaru	73	Nairobi	31/05/15	Former Railways worker
20. Joy Birungi	55	Nairobi	13/09/15	Uganda Embassy
21. Julia Wageshobo	79	Nairobi	14/08/15	Business
22. K'otieno Theoneste	81	Nairobi	24/09/15	Former railway worker
23. Kevin Mudach	77	Nakuru	20/07/15	Former railway worker
24. Lumumba Eric	73	Nairobi	16/08/15	Former EAC worker
25. Margaret Ajiambo	70	Busia	29/12/15	Business
26. Martin Waikwa	59	Nakuru	17/07/15	Editor (Kenyan media)
27. Mbure Nyange	56	Skype	12/08/15	Government of Tanzania
28. Milton Mang'eni	74	Busia	27/12/15	Fomer EAC worker
29. Moremi Marwa	46	Nairobi	23/03/16	C.E.O Dar Es

				Salaam Stock Exchange
30. Moses Munyiri	59	Eldoret	4/06/15	Lawyer
31. Mwangi Njenga	81	Nairobi	11/10/15	Former worker at Ministry of Finance
32. Ndung'u Waithaka	72	Nakuru	21/07/15	Business
33. Nobert Ehiri	64	GilGil	18/07/15	Businessman
34. O.J. Julius	69	Nairobi	28/09/15	Businessman
35. Odinga J.	50	Nairobi	20/05/15	Chief Libarian-MEAC
36. Oloo Owiye	54	Nairobi	22/05/15	Lawyer
37. Peter Kariuki	79	Thika	31/07/15	Former EAC worker
38. Paul Ndeto	81	Nakuru	20/07/15	Former EAC worker
39. Peter Maluna	48	Nairobi	15/01/16	International company-Kenya
40. Peter Situma	52	Nairobi	10/08/15	MEAC
41. Philip Yego	53	Nairobi	15/05/15	Ministry of Foreign Affairs
42. Samwel Njehia	84	Nairobi	12/11/15	Fomer EAC worker
43. Simon Odaga	78	GilGil	20/06/15	Former postal office worker
44. Stephen Njenga	66	Nairobi	14/01/16	Businessman
45. Sylvia Kakyo	55	Nairobi	11/11/15	Policy Analyst
46. Winny Obure	54	Nairobi	20/05/15	MEAC
47. Yasir Abbas	51	Nairobi	19/09/15	Businessman
48. Respondent No. 48	40	Skype	19/01/16	Government of Uganda
49. Respondent No. 49	44	Nairobi	24/03/16	MEAC
50. Respondent No.50	43	Skype	22/01/16	Embassy of Rwanda in Kenya
51. Respondent No. 51	39	Skype	19/03/16	Activist-South Sudan

NB. Respondents No. 48 to No. 51 requested anonymity.

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APPENDICES

APPENDIXI: Interview schedule

Interview schedule for east African community staff and former employees

My name is Nasubo Fred, a Masters of Arts (MA) candidate in the department of Philosophy, History and Religion of Egerton University in Kenya. Currently I am carrying out a study on the challenges facing East African Community in the integration of East Africa. You have been sampled as one of my respondents and I'm kindly asking you to respond to the following questions in order to provide me with relevant data for the study. Your responses will be treated with the highest confidentiality. Thank you for your time and response.

Informants Name:_____ Age:_____

Occupation:_____

1. Which position do you hold/held in the organization?
2. For how long have you worked with East African Community?
3. How did the cooperation in East Africa began and why?
4. What led to the formation of the first East African Community in 1967?
   a) What challenges did EAC faced from 1967 to 1977?
   b) Kindly describe the achievements and failures of the EAC between 1967 and 1977?
5. Is there **any** difference between the cooperation that existed before 1967 and the one that existed after 1967?
6. What was the status of EAC from 1977 to 2000?
7. How were the socio-economic and political activities managed in EA during the collapse of EAC?
   a) Briefly describe the difference in the administrative structure of old and new EAC?
8. Do you know lessons that the present EAC has learned from its predecessor?
9. What are the goals and achievements of the EAC?
10. Is the expansion of EAC necessary and feasible? If so why?
11. What is the future of EAC?
12. Do you think EAC is strong on paper and weak in implementation of its projects?

Interview schedule for businessmen/professionals/knowledgeable civilians

1. What is your relationship with EAC and for how long?
2. Briefly explain the establishment of EAC upto1967?
3. Do you think EAC made substantial impact in the integration of EA from 1967 to 1977?
   a) What factors led to the collapse of EAC in 1977?
4. How was the coordination of socio-economic and political activities in EA conducted during the collapse of EAC?
5. Was there need of reviving the EAC?
6. Is the revived EAC any different from the old one?
   a) If yes, what are the differences?
   b) If no, what are the similarities?
7. Has EAC helped in the growth and development of EA?
   a) If yes, kindly explain how?
   b) If no, kindly explain why?
8. What can you say are the failures and challenges of the EAC?
9. What is the future of EAC in the integration of EAC?
10. Do you think EAC is strong on paper and weak in implementation of its projects?

APPENDIX2: Research Authorisation

CONDITIONS

1. You must report to the County Commissioner and the County Education Officer of the area before embarking on your research. Failure to do that may lead to the cancellation of your permit.
2. Government Officer will not be interviewed without prior appointment.
3. No questionnaire will be used unless it has been approved.
4. Excavation, filming and collection of biological specimens are subject to further permission from the relevant Government Ministries.
5. You are required to submit at least two(2) hard copies and one (1) soft copy of your final report.
6. The Government of Kenya reserves the right to modify the conditions of this permit including its cancellation without notice

REPUBLIC OF KENYA

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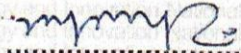
Serial No.A 11643

CONDITIONS: see back page

THIS IS TO CERTIFY THAT:
MR. FRED ERNEST NASUBO
of EGERTON UNIVERSITY, 536-20115
NAKURU, has been permitted to conduct research in *All Counties*

on the topic: *LESSONS, ACHIEVEMENTS AND THE FUTURE OF REGIONAL INTEGRATION: THE EAST AFRICAN COMMUNITY, 1967 - 2013*

for the period ending:
26th July, 2017

Permit No : NACOSTI/P/16/91655/12683
Date Of Issue : 4th November, 2016
Fee Recieved :Ksh 1000
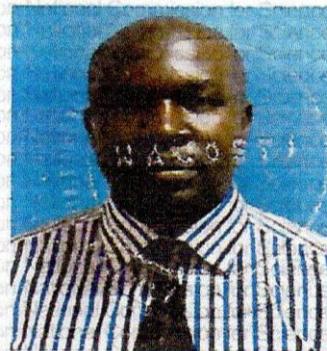
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Applicant's Signature

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Director General
National Commission for Science, Technology & Innovation

115