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Community Between Europe and
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project "On an European Union of
Citizens", commissioned by the
Austrian Federal Chancellery

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Abstract

The study analyses the kind of community which was established through the various Lomé Conventions. The relationship between the EC/EU and the ACP countries has undergone profound changes. While in the beginning the relationship was based on the (contrafactual) supposition of equality between the partners and fair exchange the situation turned into a more openly unbalanced one. The real status of the ACP countries turned from client to supplicant because the socio-economic and political rationale for upholding the fiction of equality vanished.

The special "post-colonial" relationship between the EC/EU and the ACP countries is likely to come to an end as is the particular form of community between these two groups of states. Even in the past the relationship was characterised by political and economic conditionality aimed at internal political reform, conflict prevention, and poverty alleviation. Nevertheless, as long as the EC/EU is not ready and willing to directly intervene in these countries it will rely on development aid as an indirect means to address its political concerns which now include refugee flight, the spread of cross border epidemic disease, and the growth of narcotics trade.

Zusammenfassung

Die Studie untersucht den Typ von Gemeinschaft, der durch die verschiedenen Lomé Konventionen etabliert wurde. Die Beziehung zwischen der EG/EU und den AKP-Staaten ist einem tiefgreifenden Wandel unterworfen. Während am Anfang die Beziehung auf der (kontrafaktischen) Unterstellung der Gleichheit der Vertragspartner und fairem Austausch basierte, wurde das Ungleichgewicht zwischen den Partnern im weiteren Verlauf immer offensichtlicher. Wurden die AKP-Staaten anfänglich als Klienten betrachtet, so wurden sie immer mehr zu Bittstellern, weil sich die sozio-ökonomischen und politischen Grundlagen veränderten, auf der die Fiktion der Gleichheit basierte.

Das spezielle, als "post-kolonial" charakterisierte Verhältnis zwischen der EG/EU und den AKP-Staaten geht aller Wahrscheinlichkeit seinem Ende entgegen, genau so wie die besondere Form der Gemeinschaft, die sich zwischen diesen Staatengruppen entwickelt hatte. Auch in der Vergangenheit war das Verhältnis durch politische und ökonomische Konditionalität gekennzeichnet, die auf interne politische Reformen, Konfliktprevention und Armutsbekämpfung ausgerichtet war. So lange die EG/EU nicht bereit und willens ist, direkt in diesen Staaten zu intervenieren, wird sie weiterhin die Entwicklungshilfe als indirektes Mittel benutzen, um ihren politischen Interessen Geltung zu verschaffen. Dazu zählen neuerdings die Flüchtlingsproblematik, der Kampf gegen die Verbreitung von epidemischen Seuchen und der Kampf gegen den wachsenden Drogenhandel.

Note

This study is part of the project “On an European Union of Citizens”, commissioned by the Austrian Federal Chancellery.

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Zusammenfassung

Die Gemeinschaft zwischen der EU und den AKP-Staaten beruht seit ihrer Kodifizierung in Lomé I auf der überraschenderweise fortdauernden Fiktion, die Lomé-Abkommen würden zwischen souveränen Staaten getroffen. Diese Gleichheitsfiktion erwuchs aus der Notwendigkeit, am Ende einer langen Periode europäischer Vorherrschaft ein Zeichen der Anerkennung für die formale Unabhängigkeit der AKP-Staaten zu setzen. Die Bedeutung dieser formalen Anerkennung wurzelte in den Formalitäten der Ausarbeitung der Handelsverträge. Formale Gleichheit stand im Gegensatz zur zentralen *raison d'être* von Lomé – jener der Entwicklung. Der Bedarf einer AKP-Entwicklung und die vorausgesetzte Unfähigkeit der AKP-Staaten, diese ohne Unterstützung der Lomé-Partner der EU herbeizuführen, setzen die Tatsache der Ungleichheit voraus. Trotz aller Paradoxität trug der Spielraum zwischen formeller Gleichheit, wie sie in den Richtlinien der Lomé-Abkommen definiert ist, und der Entwicklungsprämisse, die der Lomé-Konvention zugrundeliegt, zur Entstehung und zur Langlebigkeit des Lomé-Bündnisses bedeutend bei.

Die Bedeutung der Handelskomponente für das Lomé-Abkommen hat sich stark vermindert. Seit seinem Beginn in den Römischen Verträgen war der Handel nicht nur das Herzstück der Lomé-Konvention sondern auch die spezifische Differenz, die Lomé von einer Vielzahl anderer Hilfsübereinkommen unterscheidet. Als ein primär unterstützungsorientiertes Abkommen machte die Lomé-Konvention diese Unterscheidung nun hinfällig. Dabei hat sie ebenso die Prämisse der Gleichheit der Vertragspartner, die Richtung des Entwicklungsprozesses selbst bestimmen zu können, unterminiert. Dies wurde ferner durch den Wegfall umsetzbarer (sozialistischer) Alternativen vereitelt.

Das Konzept des "kollektiven Klientelismus" wurde zur Beschreibung der Lomé innewohnenden Beziehungsstruktur entwickelt. Das Hauptaugenmerk unserer Analyse der Lomé-Abkommen liegt dabei auf der einer Patron-Klient-Beziehung innewohnenden Ambiguität. Sie liegt u.a. im Sanktionspotential der AKP-Klienten gegenüber der Änderung ihrer Vertragsposition begründet. Angesichts der sich abzeichnenden Schwierigkeiten von Regionen, die Europa näher liegen, und der wachsenden Bedeutung asiatischer und lateinamerikanischer Interessen für Europa hat diese Sanktion nicht mehr die Wirkungskraft, die sie vielleicht einmal hatte.

Der Wegfall der Notwendigkeit, AKP-Staaten als gleichwertige Partner anzuerkennen, sowie die verminderte Bedeutung eines potentiellen Rückzuges der AKP-Staaten aus Lomé signalisieren, daß "postkoloniale" Tage vorüber sind, wie die DG8 darlegt. Es stellt sich jedoch die Frage, ob in einer zunehmend nur mehr unterstützungsorientierten Beziehung zwischen Spender und Bittsteller für die EU Sanktionierungsmöglichkeiten ausreichend gewährleistet sind, um deren Vision einer ökonomischen und politischen Konditionalität durchsetzen zu

können, wie wünschenswert diese auch immer sein mag. Zahlreiche Faktoren lassen dies bezweifeln.

Die Geschichte der Versuche, die wirtschaftliche Konditionalität der "Entwicklungsassistentz" durch die Weltbank und den IWF zu bekräftigen, zeigt seit den frühen achtziger Jahren, daß ökonomische Bedingungen ohne das gleichzeitige Vorhandensein von politischen Bedingungen nicht akzeptabel sind. Von einem solchen Verständnis hängt auch der Bedarf nach einer demokratische Praktiken absichernden Institution seitens der Spender ab. Abgesehen vom heiklen Problem des gegenwärtigen Verhältnisses von politischer und wirtschaftlicher Konditionalität hat eine solche Sichtweise politische Bedingungen als ein Schlüsselement der "postkolonialen" Desiderata seitens der DG8 in den Vordergrund gerückt. Die zentrale Frage an dieser Stelle ist, ob und/oder inwiefern Unterstützung eine effiziente Sanktionierungsmöglichkeit gegen Korruption oder andererseits eine Auszeichnung für gute Regierungsführung sein kann.

Während demokratische Wahlen mit einem Mehrparteiensystem als ein Wert für sich betrachtet werden können, ist es wichtig festzuhalten, daß es keinen notwendigen Zusammenhang zwischen solchen Wahlen und der Bekämpfung von Korruption geben muß. Auch gibt es angesichts der Ambiguität der Zivilgesellschaften vieler, insbesondere afrikanischer, AKP-Staaten keinen zwingenden Zusammenhang zwischen der Pflege der Zivilgesellschaft und dem Abnehmen korrupter Praktiken. An dieser Stelle spielt die historische Realität der ersten demokratischen Komponente der auf die Unabhängigkeit unmittelbar folgenden Periode eine Rolle. Es ist weiters nicht geklärt, ob die von der DG8 vertretene Regionalisierung zu erwarten ist. Ereignisse, die sich in Afrika abspielen, insbesondere jene des wachsenden Regionalkonflikts im früheren Zaire, aber auch die Konflikte am Horn von Afrika, illustrieren wie fern für viele Länder solche regionalen Bündnisse sind. Auch hier ist wiederum die Ambiguität der Konstituierung der Zivilgesellschaften in Afrika zu hinterfragen.

Angesichts der oben beschriebenen Schwierigkeiten ist es unwahrscheinlich, daß Sanktionen über den Entzug von Unterstützungen seitens der EU ausreichen werden, um die von der DG8 erwünschte Umwälzung politischer und wirtschaftlicher Praktiken herbeizuführen. Darüber hinaus kann die Anwendung der Sanktionierung aus mehreren Gründen nicht durchführbar sein: Eine solche Verweigerung der Unterstützung könnte in bestimmten Fällen einen humanitären Aufschrei innerhalb der EU-Staaten zur Folge haben, oder die Konsequenzen einer Verweigerung, deren Motive von der DG8 spezifiziert sind – z. B. Flüchtlinge, die Verbreitung von grenzüberschreitenden epidemischen Krankheiten, wachsender Rauschgifthandel –, sind nicht akzeptabel.

In solchen Fällen könnte sich die EU auch gezwungen sehen, auf direktere Art und Weise in den betreffenden AKP-Staaten zu intervenieren. Solche Interventionen, die ähnlich bereits vielfach zum Tragen gekommen sind, wären eine logische, wenn auch einigermaßen ironische

Folge der stillschweigenden Mißachtung des Lomé-Prinzips der formalen Gleichheit. In dieser Hinsicht könnte das Ergebnis der Beendigung "postkolonialer" Zeiten nur im Bewußtsein liegen, daß diese durch neue Formen kolonialer Verantwortung ersetzt wurden.

Introduction: Highlighting the Political

The Commission of the European Union (EU), in setting out its Guidelines for the Lomé V negotiations that formally begin in September 1998, has called for a *new and inherently political contract* between the EU and the Africa, Caribbean and Pacific (ACP) group of countries.¹ Since, from its inception in 1975, Lomé has been based on a contract in the form of an international treaty between the states comprising the two groups, it is what is meant by 'new' and 'inherently political' that command attention in the EU's negotiating stance. Lomé V, it is argued, will be new because, as the Commission's Directorate General for Development (DG 8) puts it: 'Post-colonial days are over. The Union and the ACP countries have common interests to develop and a strategic opportunity to grasp within a brighter, more ambitious vision'.² In marking out the end of the 'post-colonial days', DG 8 means that the earlier contract between the EU and ACP groups, which was generally referred to as one between as 'donors and recipients', must be abandoned. Instead of the previous aim of a Convention which was to promote development in the ACP area as a means toward achieving the differing ends and interests that inhered in the distinctive statuses of two sets of states as former colonies and colonisers, a new contractual Convention must now change to recognise the '*common interests*' which both groups need to defend³. The clear implication is that there is one set of policy objectives dealing with common problems that are generally shared by all member states of both groups. Thus, the 'inherently political' of DG 8's stance for negotiating the new contract for Lomé V signals recognition of what is supposed to be a fundamental change in North-South relations in general.

The ACP only superficially shares the 'post colonial' vision of DG 8. While the executive summary of the ACP's position paper, 'Future of ACP-EU Relations', recognises the changed 'international environment' in which Lomé V is to be negotiated, the substantive proposals contained therein largely call for a continuation of the Lomé IV status quo or for its strengthening.⁴ The *Libreville Declaration* of November 1997, issued after the first summit of

¹ Directorate General for Development (DG 8), EU Commission, Communication from the Commission to the Council and the European Parliament: Guidelines for the negotiation of new cooperation agreements with the African, Caribbean and Pacific (ACP) countries, Brussels, 1997, p. 9. For the purpose of this paper, it is assumed that these Guidelines supercede the more tentative proposals of the earlier Green Paper. See European Commission, Green Paper on relations between the European Union and the ACP countries on the eve of the 21st century, Brussels, 1997.

² Ibid., p. 3.

³ Ibid., p. 9.

⁴ ACP Secretariat, Future ACP-EU Relations: Report of the Subcommittee on the Future of ACP-EU Relations (Executive Summary), ACP/28/059/97 Rev. 3 Brussels, October 28 1997.

ACP heads of state and government, confirmed the earlier position paper in recognising how the World Trade Organisation (WTO) agreement, together with other changes in trade and investment decisions and institutions, are 'engineering a new World Order which demands the adoption of more creative approaches in the management of international affairs'. However, while the heads of ACP member states believed 'that a broader more intensive political dialogue with the European Union would enhance our partnership and cooperation', their outline proposals for renegotiating Lomé consisted of asking for more of the same from the EU.⁵ After a meeting of their trade ministers in Brussels, held during May 1998, the ACP group honed in the Libreville Declaration by further outlining its negotiating stance, searching for special assistance in adjusting to WTO rules at the same time as maintaining non-preferential trade preferences and market access and the existing Lomé instruments such as STABEX and SYSMIN.⁶ Thus, the ACP negotiating stance has stood in marked contrast to the EU's Guidelines that envisage Lomé V as a 'strategic opportunity' to further 'a brighter, more ambitious vision' – a vision which takes 'globalisation' as its chief referent:

*Significant changes in the world scene have affected the relationship between the Union and the ACP countries in particular the rapid globalisation of trading and financial systems with its opportunities and dangers, the technological revolution and the advent of the 'information society', the geopolitical upheavals caused by the collapse of the Eastern Bloc and the recognition of sustainable development for the sake of future generations.*⁷

Although globalisation is the now commonplace referent for the phenomena that are supposed to have rapidly eroded national barriers against the movement of goods, services and finance, it is useful to differentiate it from the internationalisation of trade, finance and production.

What distinguishes globalisation from internationalisation is the desire and capacity of agents, whether these be collective or individual, to take decisions according to a global scale of reckoning.⁸ According to this meaning of globalisation, decisions to invest, trade and produce both presume, and act to generate, a world in which policies of nation states, and groups of the same, tend to converge towards common points of reference and interest. It is this sense of globalisation that informs the post-colonial stance of DG 8 that sees Lomé V as providing the opportunity for a new departure in which EU-ACP relations are to be based on the converging interests generated by globalisation rather than the differing interests of post-coloniality.

(http://www.oneworld.org/acpsec/gabon/28059_gb.htm).

⁵ First Summit of ACP Heads of State and Government, The Libreville Declaration, Libreville, Gabon, November 7, 1997.

⁶ ACP Secretariat, Final Declaration Adopted by ACP Trade Ministers (ACP/61/027/98), Brussels, May 15 1998.

⁷ DG 8, Guidelines (1997), p. 7. Emphasis added.

⁸ A key text, in a voluminous literature, is still R. Robertson, *Globalisation: social theory and global culture*, London: Sage, 1992.

The significance of globalisation as the theme for negotiating Lomé V can be further understood by contrasting it with a different idea of global relations between nations – that of *globalism*. Since the time of the Rome Treaty and Yaoundé, the 1950s and 1960s precursors of the first Lomé agreement, globalism was one perspective or thesis which generated dispute over in intra-European aims and strategies of, and for, relations with what has come to be the ACP. For the first 1973 formal negotiations leading to Lomé I, the Community's Commission set out Guidelines that reported on the resolutions of the 1972 EEC Summit Conference. 'The Summit Conference', the Guidelines ran, 'stressed that *the Community must, without detracting from the advantages enjoyed by countries of with which it has special relations*, respond even more than in the past to the expectations of all the developing countries'. However, given that the Summit decided to emphasise 'the importance which the Community must attach to the maintenance and development of the Association Policy', the Commission established that EEC 'policy for development cooperation' would continue to be based upon 'a combination of a *high degree of cooperation at regional level* with a necessarily less intense degree of cooperation on a world scale'.⁹ Ellen Frey-Wouter later formalised the two perspectives of the global, or 'world scale' and the regional, or restricted spread of former European colonies which were associated with the EEC under the 1957 Treaty of Rome, in her 1980 account of the history and evaluation of Lomé I as follows:

*Western Europe's attitude to the Third World has been shaped by two theses: one regionalist and the other globalist. The regionalists prefer to approach cooperation problems within a geographically restricted framework and the internationalists think the EEC should follow a policy relevant to all the developing countries.*¹⁰

A fundamental distinction between whether the Convention should be based upon an international or former-colonial interest in development then entered into 1980s thinking about what Lomé generally represented for development cooperation.¹¹

⁹ Commission of the European Communities, Memorandum of the Commission to the Council: The Future Relations between the Community, the present AASM states and the countries in Africa, the Caribbean, the Indian and Pacific Oceans referred to in Protocol No. 22 to the Act of Accession (COM (73) 500/fin), Luxembourg, April 4 1973, p. 1.

The same stance had arisen in 1971 when the Commission, in providing the Council with its first general report on development cooperation, stated that the Community had originally embarked on a 'regional policy of development cooperation' and that this 'part of the Community patrimony' had to be 'maintained, improved and reinforced'.

Commission of the European Communities, 'Commission Memorandum on a Community Development Cooperation Policy', supplement 5/71 to the Bulletin of the European Communities, Luxembourg, 1971, p. 11 (quoted in E.R. Grilli, *The European Community and the Developing Countries*, Cambridge: Cambridge University Press, 1993, p. 52).

¹⁰ E. Frey-Wouters, *The European Community and the Third World: the Lomé Convention and its impact*, New York: Praeger, 1980, p. 7. Emphasis added.

¹¹ An outstanding example is J. Ravenhill, *Collective Clientalism: the Lomé Conventions and North-South relations*, New York: Columbia University Press, 1985, ch. 2; also, Grilli, 1993, chs. 1–2.

We will later return to the regional dimension of Lomé, and especially the concept of EurAfrica as a possible regional bloc, with France taking a regionalist perspective and Germany, Holland and Britain, upon its accession to the EEC, that of the international. For the majority of the Group of 77 'third-world' states of the South, whose compass of action was directed at the international precisely because it extended beyond Europe and the EEC, a regionalist bloc of former colonial countries centred on Africa stood as a possible barrier against their formal 1970s demands for a New International Economic Order (NIEO). What we aim to emphasise here, however, is that the change in the meaning of the global, from globalism to globalisation, reveals much about why the political has been highlighted in the 1998 Guidelines as the fundamental change in the EU stance towards the ACP. Whereas the earlier disputes between EEC internationalists and the regionalists over globalism was about particular colonial inheritances of the past, the present expression of a presumed common interest in globalisation, like decision-making itself, is about a projection into a future. Given the deficiencies of the economic in promoting past development, it is the political which now signals the EU aspiration to cope with the global by bringing the ACP into an understanding that its member states share a responsibility for coping with the global of globalisation.

'Though it is for the governments and peoples concerned to choose their development policies', the DG 8 Guidelines affirm, 'these policies are increasingly interdependent'.¹² It is on two main grounds that policies are held to be interdependent. The first is that of international cooperation, as it was understood in the past but now from the standpoint that what happens in the South has an impact on the North to a far greater extent than previously. In itself, this ground for interdependence is more reminiscent of the global of global-ism than of global-isation. Thus, when the authors of the current Guidelines set out the reasons for the EU's 'motives, responsibilities and common interests', they have implored the need to

*improve the management of global risks and interdependence in the fields of the environment, various forms of trafficking, migration, health etc. It is the interests of both the EU and ACP countries to use their intercontinental relationship to enhance cooperation, especially in areas where international cooperation is making slow progress.*¹³

In referring explicitly to 'violent conflict, migratory pressure, rising extremism, drugs, pandemics, AIDS, etc', the DG 8 authors make it clear that all of these problems arising from 'the lack of development' in the South impose 'threats to the security and well-being of the North'. Together with 'wishing to avoid' these 'threats', the Guidelines offer the EU's 'good positive grounds' for a new Convention by 'adjusting it to a radically different situation'.¹⁴ If this 'different situation' is what is meant by globalisation, then the second ground for holding why policies are interdependent is that there is a potentially common interest in the same policy

¹² DG 8, Guidelines (1997), p. 15.

¹³ Ibid., p. 9.

¹⁴ Ibid.

issues for all states, whether or not they are member states of the ACP or EU. It is clear then that the 'new and inherently political contract' for Lomé V, as proposed by DG 8, seeks to give recognition to the inherent commonality of policy. Past Lomé conventions were made politically possible by the recognition of the right of states to pursue divergent 'development policies', a nostrum which is repeated in the 1998 Guidelines. However, with the demise, virtually complete by 1989, of actually existing socialist policies, and especially those so prevalently identified with national protection and self-reliance among the ACP group, Lomé V has the potential to be the first Convention established according to a global background in which almost all states formally claim to orient policy towards a world of free and competitive flows in international trade, finance and capital investment.

Reference is made throughout the Guidelines, as well as in other DG documents, to the application of 'three principles' through which the EU, as part of the new political contract, can 'perform a key role'. Along with securing recognition of policy commonality by the ACP group, DG 8 intends that within the EU, 'development policies of the Member States and the Community *complement* each other'; that '*coordination*' of development policies and 'operations', towards and within ACP member states, be improved; and that EU trade, agricultural and other policies be made more '*consistent* with the objectives of development'.¹⁵ It may be inferred that the same three 'C's', should be applied in negotiating the new political contract with the ACP group of member states.

Having thus having interpreted the change in global background as giving grounds for interdependence, it is easy to reiterate what DG 8 proposes to be the objectives or priorities of development: common interests in poverty alleviation; 'the 'social and cultural dimension' involving human rights and social progress, environmental protection and violent conflict prevention, especially in Africa; and, within the common interest as detailed above, a differentiated approach to ACP member states through their own regional integration in various forms.¹⁶ For this last priority, the regional as it pertained to the global has also undergone a change in meaning insofar as it now pertains to intra-ACP rather than EU-ACP relations.

DG 8's proposed new political contract for Lomé, as expressed through the three Cs, is designed to maximise the use of a given amount of resources made available in the form of aid from the EU. More importantly, however, the proposed new political contract means that state-sponsored economic growth through the affording of protection to markets and quantum leaps

¹⁵ Ibid., pp. 8–9. The three 'Cs' appear, for example, in a 1997 DG 8 document on poverty alleviation, where emphasis is also given to 'coordination' and 'consistency' although 'coherence', here, seems to have stood for complementarity of policies. These 'principles', it should be noted, are also meant to be extended to other, non-EU agencies: 'European aid is not an isolated entity. The Community is not the only one to have made combating poverty a priority objective. Coordination and coherence are therefore much sought-after between combating poverty and the development policies embarked upon by other national, regional and multilateral agencies'. See European Commission, *EU-ACP Cooperation in 1996: the fight against poverty*, Brussels, 1997, p. 43.

¹⁶ DG 8, Guidelines (1997), pp. 9, 16.

in state directed spending on general infra-structural projects and development schemes – all that previously constituted the developmental of Lomé – are no longer on the EU's negotiating agenda. However what is most significant about DG 8's proposed new design for development co-operation is the attempt to reconcile the freedom or liberty of market capitalism with the principle of 'community' wherein protection is sought against the malificent forces of capitalist development. The authors of the Guidelines write:

At a time of internal and external change, the EU itself is having to come to terms with the need to adapt in order to sustain its social choices, defend its social model and reconcile the principle of competition as a force for economic progress with the solidarity necessary to social cohesion. The EU is looking for a way of linking the economic and the social, with social policy contributing to economic performance, jobs and competitiveness.¹⁷

We have shown elsewhere the extent to which over the past two centuries or more 'freedom and community' have continually recurred as the key tenets for what the DG 8 document refers to as a European 'social model'. We have also suggested that the construction of the European Community/Union has been predicated upon the same frame of reference recently reinforced by the growth of mass unemployment across Europe during a period when the common currency and eastern enlargement of the Union were about to happen.¹⁸ Now, after two-decades of structural adjustment and all that has been entailed by the attempt to secure the basis of economic 'freedom' for most ACP members, it is apposite that the same frame of reference for a supposed reconciliation of 'freedom and community' should be set out as a template for EU-ACP relations. Thus, Lomé V is proposed as a means to give succour to freedom as a means of making business enterprise within ACP member states more capable of entering global markets while, simultaneously, as the means whereby the mass poverty of non-producers in the self-employing 'economy of the poor' is to be alleviated through the associated variants of community. The question that arises is whether in the posited age of a 'third way', in which the economic of freedom and the social of community are to be reconciled, and in the light of Lomé principles as hitherto understood, a new political contract between the EU and ACP can be made consistent and coherent.

¹⁷ Ibid., p. 15.

¹⁸ M.P. Cowen and R.W. Shenton, 'Community in Europe: a historical lexicon', unpublished paper, 1998.

1. Principles of Lomé

Much of the critical evaluation of Lomé has been on the grounds of the inconsistency and incoherence. Despite the fact that criticisms of Lomé have focussed more in recent years on the political of human rights and democratic practices rather than the economic of trade and aid matters, it has always been on both the grounds of the political and the economic that Lomé has been held to be inconsistent and incoherent. One academic critic, whose criticism is representative of that of others, especially official and quasi-official criticism from the South stretching back to the 1970s, has argued that the EU lacks 'a continued commitment' to 'the founding principles of partnership, equality and mutual respect' of Lomé.¹⁹ Gordon Crawford continues:

Lomé is no longer the model of development co-operation to which other agreements could aspire, if ever it was. Rather the reverse process can be discerned since the unique features of the Convention have been so diluted and undermined as to become almost indistinguishable from other development aid programmes, characterised by donor influence over strategic aspects of economy and society. This renders both the founding principle of 'sovereignty' and the new emphasis on 'democratic practices' less than meaningful.²⁰

Inconsistency, however, and the ensuing incoherence in the conception of mutuality and partnership between what have become the EU and ACP states have been logically necessary for the continued operation of Lomé. Article 2 of Lomé IV, signed in late 1989, covering the ten-year period 1990 and 1999, restated the founding principles of the Convention, or what became known as the ACP's *acquis*, the rights acquired through conventions:

ACP-EC cooperation shall be exercised on the basis of the following fundamental principles:

- equality between partners, respect for their sovereignty, mutual interest and interdependence.
- the right of each State to determine its own political, social, cultural and economic policy options.²¹

The over-riding reason for the setting out of these principles was to establish a post-imperial relationship in which the hitherto formal status of a colonial subject was transmuted into that of an active, self-interested, autonomous and equal entity – *as if* it were an independent citizen – able to determine its own course of action. A second reason was to provide a justification for

¹⁹ Ibid.

²⁰ Crawford, 1996, p. 516.

²¹ Quoted in G. Crawford, 'Whither Lomé? The mid-term review and the decline of the partnership', *Journal of Modern African Studies* 34(3) 1996, p. 504.

the association of individual entities to achieve a purpose – that of development. Lomé was regarded as the means by which those with relatively developed wealth might aid the relatively very poor to develop the potential of material and other resources. Had the actual capabilities to develop potential capacities been equal between what have become the EU and ACP states, namely what contractual capacities really mean on the basis of equality, then there would have been no developmental purpose in the Convention. This developmental purpose for the existence of Lomé, the making of EU resources for development available to the ACP, necessarily presupposes an asymmetrical relationship between the partners. Thus, since the inception of the first Lomé Convention, association for the purpose of development has been substantially inconsistent with the principle of association between autonomous equals. Yet, as we also show below, this inconsistency between the developmental purpose and the principle of association, together with incoherence in the conceptions of mutuality and partnership, has been necessary for the functioning of Lomé.

In part, the Commission's 1998–99 stance for the re-negotiation of Lomé is a self-conscious response to the much-voiced criticisms of inconsistency and incoherence. DG 8's Guidelines are replete with references to why and how partnership must be strengthened. It is argued that Lomé, 'like all forms of cooperation' 'has had its shortcomings' since 'the principle of partnership has been difficult to carry through'. In setting out the difficulties of realising the principle of partnership which they hope will be strengthened by the new and 'intense political contract', the authors of the Guidelines refer to the development-constraining economic and social policies of ACP member states and their continued 'dependence on aid, short-termism and the pressure of crises' as well as to the EU's own problems in administering trade and aid provisions of past conventions.²² However, these reflections on past Lomé practices are about what the DG 8 authors understand to be contingent and/or beyond the control of the Commission in implementing past Lomé agreements. Neither the views of its critics nor the incorporation of their criticisms into DG 8's thinking about a new Convention directly or conceptually address what we have argued has been inherently inconsistent and incoherent about the original and continuing principles of Lomé.

Among those who have attempted to conceptually address the principles of Lomé as they have been practised, John Ravenhill's *Collective Clientalism* has provided both the best known and most convincing model of the 'post-colonial' period from which DG 8 seeks an escape. Ravenhill's argument is that the model of a negotiated bargain between a patron and client best captures the asymmetrical but contractual relationship establishing the formal interdependence of EC/EU and ACP states. Drawing on the work of social anthropologists in Europe, Africa, and elsewhere in the South, Ravenhill argues that clientalism is typified by a relationship in which (1) two actors, patron and client, command unequal resources; and in which (2) there is some affective or face-to-face relation between them and in which the bargain through which the client

²² DG 8, Guidelines (1997), p. 7.

is given protection by the patron entails a process of reciprocity. However, this second aspect of the relation also stipulates that the resources which are reciprocally exchanged are incomparable in that they cannot be easily made subject to a utilitarian calculus insofar as they do not consist of the same order of 'things'.²³ In view of what follows below, and especially with regard to the fundamental issue of corruption, it is important to note that the patron-client relation has also been typified as (3) a type of *power* in which the client may be able to exercise a degree of sanction against the patron to the extent that the unequally endowed partners are interdependently indebted to each other.²⁴

According to Ravenhill and others, Lomé approximates to this model of clientalism on the following three grounds. First, in that either as national entities or groups of member states, the ACP and EC/EU were not only unequal in their command over resources at the time of the negotiation of Lomé in 1975 but in that the difference has generally grown more pronounced and obvious since then. Second, the affective relation between the two groups was founded according to the colonial inheritance that gave vent to the regionalist perspective mentioned earlier. Despite the logical problem in making the transition from what is face-to-face about personal relations to those which are made abstract in the form of relations between states and among groupings of states, Ravenhill's second basis for the establishment of patron-client relations is grounded upon what he has called the *collective* clientalism of Lomé. We will elaborate upon why this second ground gives some coherence to Lomé's principles, albeit of a 'post-colonial' kind, when we turn to what is implied about the vertical image of patron-client relations in the new DG 8 vision of a more politically intense and presumably horizontal partnership of community.

²³ Ravenhill, 1985, pp. 30–32; also, J. Ravenhill, 'Asymmetrical interdependence: renegotiating the Lomé Convention' in F. Long (ed.), *The Political Economy of EEC Relations with African, Caribbean and Pacific States: contributions to the understanding of the Lomé Convention on North-South relations*, Oxford: Pergamon Press, 1980, p. 33.

²⁴ Ravenhill mainly used the work of Keith R. Legg and René Lemarchand on clientage to develop his unique model of applying patron-client relations to those between groups of nation states. Lemarchand, in connection with the question of the relation between state and civil society which we consider below, has latterly advanced the view that any process of reciprocation must 'involve tangible benefits' for 'partners' in a circuit of exchange, a view which is consistent with the benefits received by the 'clients' in the Lomé case. R. Lemarchand, 'Comparative political clientalism: structure, process and optic' in S.N. Eisenstadt and R. Lemarchand (eds.), *Political Clientalism, Patronage and Development*, Beverly Hills: Sage, 1981; R. Lemarchand and K. Legg, 'Political clientalism and development: a preliminary analysis', *Comparative Politics* 4(2) 1972; K. R. Legg, *Patrons, Clients and Politicians*, University of California Institute of International Studies, Berkeley, Working Papers on Development 3, n.d.; R. Lemarchand, 'Uncivil states and civil societies: how illusion became reality', *Journal of Modern African Studies* 30 (2) 1992, p. 191. Another source of reference for clientage is S.W. Schmidt, L. Guasti, C.H. Landé and J.C. Scott (eds.), *Friends, Followers and Factions*, Berkeley: University of California Press, 1977.

An asymmetrical relation of power, called *power*₂, was formalised by Stephen Lukes, and extended by L. Udehn, to be incorporated by Mustaq Khan's further development of the patron-client model. See M.H. Khan, 'Patron-client networks and the economic effects of corruption in Asia', *European Journal of Development Research* 10(1) 1998, especially pp. 22–7.

It is the third ground for the model of clientalism, that of the generalised obligation of reciprocity, that lies at the heart of the argument. Reciprocity has involved an exchange of economic resources from the EC/EU patron for those of reputation or honour or *noblesse oblige* bestowed on the Europeans by the ACP members through what Ravenhill refers to as a form of 'coercive deficiency'. In other words, the main and recurrent, as opposed to contingent, rationale for Lomé is not that it has involved an exchange – immediate or prospective, equal or not – of economic resources, but rather that it has been a central sense of being 'European' by way of reputation that has been at stake in assisting in the relief of the mass poverty of the South through development.²⁵ If, then, the ACP has possessed a sanction in the Lomé relationship, this sanction has been the threat that an EC/EU inspired dismemberment of Lomé would make the Europeans deficient in their reputation for committing resources for development.

'Indeed', Ravenhill has written, 'one can reasonably argue that the principal commodity provided by the ACP in the Convention was their participation: their very 'being there' brought symbolic rewards to the European Community, which was able to claim Lomé as the showpiece of its development policy'.²⁶ As for any such strong evaluation, rather than a merely utilitarian rendition, of why an agent is qualitatively constrained to be bound to the worth of an action, it is the *milieu* within which that agent engages in reflection over a course of action that determines why the obligation to act in this rather than another way arises at a particular time and should be reproduced thereafter.²⁷ In addition to the history of relations between those states that now form the EU and the ACP, before and after 1975, an important ingredient of this milieu includes the formation of the European Community/Union itself, with some reflective sense of its place in the wider world between the United States, the former USSR, and the latter Asia. Thus, as Ravenhill also argues, and here his argument can be extended, development cooperation on Lomé lines, no matter how much an 'imperfect model', was a way of demonstrating that the EC/EU could 'justifiably claim to be doing more' for the ACP countries 'than any other donor'.²⁸ Through its principles of equality and autonomy, Lomé expressed a claim that a generalised obligation of the relatively rich to the poor was being offered without subjecting the poor, represented by the ACP member states, as being bereft of autonomy and subject to the ruled administration of the rich as represented by the EC/EU and its Commission.

²⁵ Ravenhill, 1980, pp. 42–3; Ravenhill, 1985, pp. 35.

²⁶ Ravenhill, 1985, p. 33.

²⁷ Philosophically speaking, the idea of a strong evaluation was coined by Charles Taylor (for example, 'What is human agency?' in C. Taylor, *Human Agency and Language: Philosophical papers*. Volume 1, Cambridge: Cambridge University Press, 1985). The idea has been used widely as an antidote to utilitarian ways of thinking about social choice from the standpoint of the kind of principles set out in the Convention, especially that of self-determination and 'freedom'. Strong evaluation is pertinent for what is implied by symbolic reward in exchange, as evidenced by the work of Adam Seligman. See A.B. Seligman, *The Problem of Trust*, Princeton: Princeton University Press, 1997, esp. pp. 66–9.

²⁸ J. Ravenhill, 'Adjustment with Growth: a fragile consensus', *Journal of Modern African Studies*, 26(2) 1988, pp. 208–9.

Ravenhill's argument about the coherence of Lomé's principles can be extended inwards to within the Community/Union of European member states. A *welfare system*, aided and abetted according to the conception of social partnership and cohesion, has been the commonly historical means by which obligation to the European poor has been expressed. For ACP countries in the South, the historical analogue to welfare has been a *development apparatus*. It is also not difficult, even bearing in mind the weakening of welfare systems of many EC/EU member states, to argue on the evidence of the perpetuation and extension of mass poverty across most ACP countries since 1975 that the Lomé model is 'imperfect'. It is true also that, according to the conceptual implications of a strong evaluation, the reach and extent of the development apparatus bears little relation to that of a welfare system. Nevertheless, the question remains as to whether there is a qualitative difference between a welfare system and a development apparatus regarding the kind of constraint that makes the worth of poverty alleviation a necessary obligation on the part of state agencies. If we accept Ravenhill's explanation of how the Lomé model works, and in order to answer the question about welfare, we need to return to the patron-client relation within a European context and one which has had a profound influence, whether wittingly or not, upon the current thinking of DG 8 as revealed in the 1998 Guidelines for negotiating Lomé.

In his 1993 volume, *Making Democracy Work*, Robert Putnam examined the difference between regional government in the Italian North and South for a twenty-year period. From this study, he popularised the concept of social capital and, through a reworking of older traditions of mutual and civic associationism, confirmed a template for what has commonly become known as 'good' as opposed to 'bad' governance. Spreading across the pages of Putnam's work is the distinction between vertical and horizontal conceptions of obligation. For the Italian South, Putnam posited the *incivisme* of uncivic clientage, a vertical governmental relation between patrons and clients, within which public life is 'organised hierarchically, rather than horizontally', in which the 'concept of citizen' is 'stunted', and within which

few people aspire to partake in deliberations about the commonweal, and few such opportunities present themselves. Political participation is triggered by personal dependency or private greed, not by collective purpose. Engagement in social and cultural associations is meager. Private piety stands in for public purpose. Corruption is widely regarded as the norm, even by politicians themselves, and they are cynical about democratic principles. Compromise has only negative overtones. Laws (almost everyone agrees) are made to be broken, but fearing others' lawlessness, people demand stronger discipline. Trapped in these interlocking vicious circles, nearly everyone feels powerless, exploited and unhappy. All things considered, it is hardly surprising that representative government here is less effective than in more civic communities.

Contrawise, for Putnam, civic communities in the Italian North are 'among the most modern, bustling, affluent, technologically advanced societies on earth', the 'site of an unusual concentration of overlapping networks of social solidarity', within which people

*are engaged by public issues, but not by personalistic or patron-client politics. Inhabitants trust one another to act fairly and to obey the law. Leaders in these regions are relatively honest. They believe in popular government, and they are predisposed to compromise with their political adversaries. Both citizens and leaders here find equality congenial. Social and political networks are organized horizontally and not vertically. The community values solidarity, civic engagement, cooperation and honesty. Government works.*²⁹

Putnam, through his striking contrast of the polarity between uncivic clientage and civic community, presents us with a further set of perspectives that belong to both Ravenhill's patron-client model of EC/EU-ACP relations as well as a foremost perception of what makes a European North different, in general, from the ACP South. In other words, in their highlighting of the political, the strategic vision of the DG 8 Guidelines can be interpreted as an exhortation for a move on the part of ACP states from a pole of clientage to that of membership in a, if not the, community. Since the polarity is of both internal ACP state relations, as in Putnam's representation of 'Southern' public life, and of the external relations of the ACP states to the EU according to Ravenhill's clientage model, Lomé principles face a double bind. The intended ends of community in the ACP region has been interwoven with the means – the same ideal community of ACP-EU relations – by which the end is to be developed.

We do not take Putnam's polarity between the uncivic of clientage and the civic of community as either logically or historically given. Nor, contrawise, do we need to repeat the criticism of Putnam's thesis except to point out the fallacies that are involved in making the kind of expansive polarity between clientage and community.³⁰ The fallacies of polarity include the assimilating of political culture to state agency; the confusing of state policy performance with democratic practices; and the mistaking of the extent to which associational life is present for what could determine the cause or basis of economic development through the kind of generalised exchange that is involved in the reciprocal obligations of development cooperation. Various, these fallacies are also present in the shift from the presumed model of clientage to that of community.

²⁹ R. Putnam, *Making Democracy Work: civic traditions in modern Italy*, Princeton, Princeton University Press, p. 115 (and quoted by Seligman, 1997, pp. 75–6).

³⁰ Since Putnam's rendering of community in the Italian case has been so widely extended, it has correspondingly attracted widespread criticism. See, for example, M. Levi, 'Social and unsocial capital: a review essay of Robert Putnam's *Making Democracy Work*', *Politics and Society* 24(1) 1996 (and other critical essays in this same issue); S. Tarrow, 'Making social science work across space and time: a critical reflection on Robert Putnam's *Making Democracy Work*', *American Political Science Review* 90(2) 1996; R.W. Jackman and R.A. Miller, 'A renaissance of political culture?', *American Journal of Political Science* 40(2) 1996; J. Putzel, 'Accounting for the "dark side" of social capital: reading Robert Putnam on democracy', *Journal of International Development* 9 (7) 1997.

1.1 Insurance and Conditionality

It is some basis for a mutual understanding that patrons function politically to secure economic protection for their clients which makes possible the establishment and continuation of a vertical relation of asymmetric power, whether of clientage or community. The basis of mutual understanding rests, in turn, on the expectation of both patrons and clients that protection will be afforded in return for a political payoff or reward for the recognition of the different statuses involved, and roles played, in the interactions of clientage. What matters are the conditions that establish the status of the parties involved in the form of cooperation which is predicated by clientage and the extent to which the exchange of economic protection for a political reward is conditional upon its expected reciprocation. Thus, it is the presumption of both parties that patrons are expected to afford protection, and that clients are expected to confer a political reward in return for such protection, that explains why patrons do not regard clients as mere supplicants resting upon the goodwill of their richer and/or more powerful patrons.

The kind of cooperation that was formalised through Lomé in 1975 has been understood in terms of one principle of economic protection, that of insurance. Ravenhill, in setting out his model of collective clientage, has argued that 'one of the principal roles played by landlords in traditional patron-client relations is to provide their tenants with social insurance against the vicissitudes of the market'.³¹ In his early appraisal of Lomé I, Reginald Herbold Green directly referred to the Convention as an 'external economic insurance policy'. Kunibert Raffer and Hans Singer likewise described STABEX, one foremost Lomé innovation in compensating for fluctuations of primary product earnings through revenues rather than prices, as constituting a system operating 'very much like insurance payments'.³² It was this insurance principle which led Raffer and Singer to argue that Lomé I 'was the best' deal a group of Southern countries 'ever got from any group of donors' because the *contractual* provision to provide economic protection, through the interlinking of trade and aid, was couched in 'the pronounced emphasis on equality' between the ACP and EC/EU partners.³³

The likening of the operations of Lomé to a policy of insurance reveals, yet again, the conceptual problems of the Convention. For insurance to function, premiums have to be paid. For those who have argued that Lomé was more progressive than such pre-1975 arrangements as the French-dominated Yaoundé agreements or the post-colonial residues of the British system of Commonwealth preferences, it is the contractual provision between formally equal partners that is key. However, the insurance principle highlights the different statuses of 'donors' and 'recipients' in that it rests upon the mutual understanding that the EC/EU group donates premiums, through aid, on behalf of the ACP group, who cannot afford both the risks of

³¹ Ravenhill, 1985, p. 27.

³² R.H. Green, 'The child of Lomé: messiah, monster or mouse?' in Long, 1980, p.8; K. Raffer and H.W. Singer, *The Foreign Aid Business: economic assistance and development co-operation*, Cheltenham, Edward Elgar, 1996, p. 88.

³³ Raffer and Singer, 1996, p. 88.

trading internationally and the premiums to insure against the risks which inhibit trade. Furthermore, while the analogy of insurance may be apposite in that key Lomé instruments provide compensation for the loss of an existing resource arising out a hazardous activity, the insurance principle does not in itself ensure expansion in the supply of the resource, or any set of resources, that might enable a definitive change in the status of the recipient to the extent that it would become self-sufficient in paying the premium of insurance without the aid of the donor.

Motives for paying premiums through aid could be, and have been, justified by the donors of Lomé on any number of grounds, ranging from an historically justifiable and/or expedient compensation for past and present economic colonialism and neo-colonialism to the moral imperative that poverty alleviation and eradication is an end in itself. All these grounds implied that the motive for aid should be unconditional on the part of the donor. Yet, whatever the particular justification for the payment of the insurance premium by the Lomé donors, one key economic condition has been that the insurance principle should work to change the status of the recipient and thereby fulfil the contractual condition for generalised exchange among equals. For equality to have any substance, the progressive potential of Lomé thus lay in the trust that that the economic capacity of the ACP group would be developed so as to enable its members to become able to pay the insurance premium themselves. When the ACP heads of states declared in 1997, in their attempt to maintain the status quo of Lomé, that 'the development of our countries is first and foremost our responsibility and that of our peoples', they were summing up precisely what the EC/EU had always expected from the other partner to the Convention.³⁴

According to the clientage model, on the other hand, the insurance premium is paid by the donor as a reward for the enhancement of reputation that accrues to the donor by virtue of its payment. In principle, there is no economic condition that governs the process by which this *symbolic* reward is paid materially in the form of the premium. However, it may be presumed that motive of the donor is made conditional on account of the worth of its reputation. If its reputation ceases to matter to the donor, or becomes unrelated to the risk of trading, then the payment of the insurance premium by the donor may cease. Or, the premium may be of so little material significance to the recipient that its bestowal of reward ceases to matter to either donor or recipient. Trust by clients in the conditionality of the donor's motives is hazardous, resting as these do on goodwill. Therefore, to prevent the status of client regressing to that of a supplicant, there will necessarily be some expectation on the part of the client that it has to acquire an additional premium, from another source, to compensate for the loss of goodwill.

Adam Seligman, in partly drawing on the work of anthropologists, has taken on board the argument that trust is generated when individuals move between two systems or models of

³⁴ ACP Heads of State, Libreville Declaration (1997).

interaction in such a way that they are uncertain of what reactions to actions on the part of one are to be expected from another. Moreover, according to Seligman's reading of studies of small-scale forms of associative action, trust is made more necessary where statuses are ambiguous, relations between individual persons indeterminate, and resources scarce. We can follow Seligman in assuming that 'trust is some sort of belief in the goodwill of the other, given the opaqueness of others intentions and calculations' in a situation in which opaqueness, for any one agent, 'rests precisely on that aspects of alter's behaviour that is beyond the calculable attributes of role fulfilment'.³⁵ When this account of trust is brought into the clientage model of Lomé, it is important to emphasise, firstly, that trust inheres in the ambiguity of interaction between individual agents and, secondly, that models of interaction rest upon the familiar and the small-scale of interaction.

In the Lomé Convention, relations between the partners are opaque precisely because the roles which they might play according to clientage, with its statuses of patron and client, are intertwined with those of a formal economic contract in which the roles of the participants are of those agents who have equal capacities to co-determine a course of action. Further following Seligman, trust inheres in the interstices between the models of, say, clientage, carrying some conception of 'status' and that of contract where individuals meet each other as mere economic agents. As Seligman puts it, trust inheres in the 'undefined spaces' between the 'role definitions' implicated in the models of status and contract, or that of the 'metaphorical space between roles, that area where roles are open to negotiation and interpretation'.³⁶ Provided it is assumed that Lomé rests upon some contention that the agents, of the EC/EU and the ACP, are familiar to each other and that interaction is *as if* it were small-scale, then their expectations of each other are necessarily ambiguous when one is said to 'trust' the other in providing the insurance premium upon the condition that it will secure the process of economic development. .

However, as Seligman also shows, there are two forms of unconditionality that secure a trust relationship. The first form of unconditionality, that which can be attributed to a commonly understood familiarity is, for Seligman, a '*form of unconditionality in its own right*'. Examples of this first form of unconditionality include those founded on kinship, affection and friendship as well as their metaphorical counterparts such as 'the family of nations' which gave rise to the British Commonwealth and French Community variants of an image of a post-colonial EurAfrica. Unconditionality occurs in the familiar case, that of the familiar metaphor, because the family of nations are regarded *as if* they are individuals embroiled in affective relations. A second form of unconditionality, '*as a mechanism for maintaining system confidence*', stems from social preconditions of generalised exchange. It is because of the existence of this second form of unconditionality that Seligman insists that trust 'cannot be reduced to

³⁵ Seligman, 1997, pp. 27, 83, 43.

³⁶ *Ibid.*, p. 43.

familiarity alone'. When 'rooted in the structural composition of the division of labour', and expressed as some form of social solidarity in 'community', unconditionality is necessarily abstracted from any sense of personal familiarity and all its metaphors. Between the two realms of trust as 'pristine trust and trust as a principle of generalised exchange' there is contradiction and tension which is not easily overcome by the kind of associational arrangements that attempt, in the name of community, to marry the two.³⁷ It is now possible to show how the ACP-EC/EU relation has been played out through the kind of inherent tension that subsides in the trust relationship.

'There was an inherent tension', Ravenhill concluded in his *Collective Clientalism*, 'between the ACP Group's demand to be treated as equal in the relationship and its unwillingness to provide reciprocity'. He further argued that a 'similar contradiction and tension underlay demands for equality and for a contractual relationship on the one hand and the expectation that EEC would play the role of a conventional patron on the other'. Ravenhill continued:

ACP states aspired to the material benefits of clientalism while refusing to accept the status of clients or to appear subordinate in the relationship. When the EEC behaved in the manner of a typical patron in unilaterally defining the nature of the relationship and administering it in a paternalistic fashion, the ACP attempted to curtail this behaviour by emphasising the contractual obligations of the Community under the convention.

And:

On the other hand, the ACP expected the Community to go beyond the terms of the Convention in meeting its generalized obligation to its client in the 'spirit' of Lomé: in this instance it was often the Community that fell back on the contractual nature of the Convention as a means of delimiting its obligations.³⁸

In the light of Seligman's account of unconditionalities, as understood through the problem of trust, we can rework Ravenhill's reasons for why the tension inherent in Lomé practices have stemmed from the incoherence and inconsistency in its principles.

From the outset, the generalised obligation that the 'spirit' of Lomé was meant to express was one of generalised exchange but not simply so. Seligman's reference to 'the structural composition of the division of labour' is pertinent in two ways. First, as an insurance principle, the Lomé system was designed to maintain confidence in exchange between primary-product and manufacture-producing countries. Second, it was seen from some influential quarters as an exchange between ACP producers, as if workers, and the EC/EU, as if the capitalist

³⁷ Ibid., pp. 92, 100.

³⁸ Ravenhill, 1985, p. 46.

employers of workers in the South. Julius Nyerere, the former president of Tanzania spelt out this conviction in his *Unity for a New Order* when he claimed that: 'The truth is that we need power to negotiate, just as we need power to go on strike. So far we have been negotiating as noisy and importune supplicants. We need to negotiate from a position of power'.³⁹ Nyerere's injunction for the need 'to go on strike' is a prime example of the indeterminacy that arises from the ambiguities of status and role from which the trust relation of Lomé was generated. Given the third ground for clientage, as discussed above, it might be presumed that it was from the status of a client, rather than that of a mere supplicant, that Nyerere was threatening the removal of the symbolic reward of reputation by the Southern countries of the ACP group. A careful reading of Nyerere's words, however, demonstrates that this may not have been what he had in mind.

Reputation, as Seligman affirms, is necessary to establish a trading relationship.⁴⁰ Lomé involved reputation because it attempted to put trade relations on a new footing through the insurance principle. By affording protection as a condition for entering a market, in this case an international market, and then realising the possibilities of effective exchange, clientage could be subsumed by an ACP-EC/EU relation between formal and substantive equals. In other words, there has been no symbolic reward for the EC/EU, along lines that Ravenhill's analysis of Lomé contemplates, other than that accruing from the establishment of Lomé itself. The symbolic reward accruing to the EC/EU member states may have been significant as a necessary means to an end, with Lomé established as a means to that end of generalised exchange, but it was insufficient to stand as *the* condition which would make the EC/EU unconditionally extend the insurance premium through the vital principle of Lomé. Given this view of Lomé, what Nyerere possibly did have in mind was that once the conditions for free and equal exchange had been established, the ACP states of the South were relatively unfree in their role as clients, let alone supplicants, to alter the conditions of exchange. Rather, for Nyerere, it was as producers who, as such, had the capacity to withdraw from the market – via a 'strike' – products both necessary to Northern countries and for which they had no alternative source of supply, that could provide the sanction which Nyerere saw as necessary to secure greater power for the Southern group.

Nyerere, in transforming countries of people into classes of workers, was expressing a view typical of the 1970s. Nowadays, it is more likely to be supposed that countries are constituted by and of small capitalists. Whatever the tenor of the times, there has been a general tendency, evidenced repeatedly in the works discussed so far in this paper, to treat the EC/EU and the ACP, as well as the member states of which they are composed, as if these were imbued with the agency of a person. We now have to break with this individualistic presupposition for three reasons. First, neither the states that have come to comprise the EU

³⁹ Quoted in Green, 1980, p. 3. R.H. Green, it should be noted, was a fervent interlocutor for Nyerere.

⁴⁰ Ravenhill, 1977, p. 82.

nor those of the ACP are internally homogenous. Second, neither the ACP nor the EU are homogenous collections of states. Third, the ACP and EU themselves are not homogenous organisations. Expanding on this third point, we note that, as Ravenhill's model of *collective clientalism* partly bears out, the ACP and EC/EU, when they act collectively as two associated bodies of individual countries of the South and North, have the statuses of patron and client. The ACP and EC/EU groups are understood as collective clients who mediate between nation states, however the principle of clientage remains. It is through the institutional arrangements of the Community/Union and a regional grouping of the South that the insurance principle is negotiated and that the tensions inherent in conditionalities are meant to be mediated.⁴¹ Be this as it may, one issue that has commanded attention is the differential in the organising capacities of the two groups. There is little doubt that the asymmetry that has existed between them has been accentuated by differences in the form and extent to which they have been associated for purposes of negotiation and mediation. It is difficult to imagine an equivalence in voice between the European Community/Union, with its extensive institutional apparatuses spreading far beyond what is directed towards relations with a part of the South, and a southern grouping of countries whose sole purpose in associating through the ACP was to conduct relations with the EC/EU. That said, there is a twofold problem of collective clientage.

The first problem, upon which Ravenhill puts much stress, is that the ties between particular EC/EU states and their Southern counterparts of the ACP, in the form of affective relations inherent in the British Commonwealth or French Community or, say, special relations between Sweden and Tanzania, cut across the potential for association among all states in the South. It is also in this light that Putnam's ideal of a civic community, as quoted above, gives vent to some communitarian ideas about relations between countries of the South. Equally, as will become clearer below, the EC/EU has been constrained, if not conditioned, by obeisance towards other powerful Northern sources of bilateral state and multinational authority such as the World Bank, the International Monetary Fund, and the G7. Furthermore, as the history of the EC/EU has shown, the Community of Europe has been constructed through the regulative authority of communitarian bodies, such as the EC/EU Council, Commission or Parliament, that continue to be beset by problems arising from their constitutive basis – the so-called subsidiarity of national interests.

Second, there is a conception of organic community contained within Ravenhill's conception of collective clientage. For example, it is suggested that the sum of Lomé instruments are greater than their particular parts precisely because of the affective kind of unconditionality that can be held to serve as the pre-contractual arrangement through which it is supposed that individual agents, here taking a state form, decide to enter into exchange.⁴² However, if the state is treated in the same way, according to an organic conception of a collective interest of citizens,

⁴¹ Ravenhill, 1985, p. 44.

⁴² Ibid., p. 32.

it is no longer an individual entity. As of a social organism, to use the well-trodden metaphor, the state mediates between particular interests in society. When the argument is made that the state is an organic part of society, the intent is usually to counteract the private expression of interest on the part of those who rule the state. Thus, to be capable of mediation, the presumption is that those who rule the state, normally through a collective class interest, have a duty to subsume their private interests in the name of an organic whole and to act collectively on the basis of society at large.

As we will see below, both economic and political conditionality have appeared in Lomé as part of the injunction that a private interest in accumulation on the part of those who rule the state is not consistent with the application of the insurance principle. A private appropriation of the insurance premium, commonly called corruption, is meant to be countered by the injunction that it is the duty of ACP member states to serve the interest of all. If we extend the external dimension of the clientage model to what is internal within ACP member states, then the Lomé clients are effectively enjoined to be patrons securing the protection of the poor within their own territorial bailiwicks. However, if the model is grounded according to how the EC/EU has acted, then the internal patron-client relation faces the same kind of problems which we addressed above and, *moreso*, aggravates the tension inherent in the trust relation inhering between states when their rulers are meant to simultaneously act out the roles of patron and client.

Third, community, as a necessary precondition and adjunct to the presupposed autonomy of individuals who are involved in a normal course of exchange, has appeared in the EU DG 8 proposals in relation to the idea of a regional community of nations. Regional cooperation between nation states within the ACP group has been stressed as a necessary means for making the transition towards global markets. ACP member states are enjoined to act regionally, in association with each other, by finding a regional source of protection in a world of free exchange between 'individuals', of firms and enterprises who would not otherwise produce and trade profitably according to the competitive conditions of generalised exchange. It is towards the regional question that we now turn.

2. The Regional Question: a Historical Overview of the Relation between the Economic and the Political

For the past half-century or so, confusion has surrounded the question of whether European aid to Africa has been officially intended to served a political or an economic end. During the Second World War, for example, the United States put the British government under pressure to declare a colonial policy that gave some commitment to political independence. The British, responding during 1942–43, declared that economic development was to serve as a means to eventually make the colonial territories politically self-governing under majority rule. Oliver Stanley, the British Colonial Secretary declared, in his July 13, 1943 major statement on Colonial Policy, that

*If self-government is to succeed it has to have solid, social and economic foundations, and although without them spectacular political advances may draw for their authors the plaudits of the superficial, they will bring to those whom it is designed to benefit nothing but disaster.*⁴³

'Parent states', it was officially declared in another statement, had the 'duty' to 'guide and develop the social, economic and political institutions of the colonial peoples until they were able, without danger to themselves and others, to discharge the responsibilities of government'. It was further stated that the natural resources of the colonies should be 'organised and marketed not for the promotion merely of commercial ends, but rather for the service of the people concerned and the world as a whole'.⁴⁴ Yet, barely five years later, when post-war food and raw material supply had become the major British economic problem, the then Foreign Secretary, Ernest Bevin, declared:

*What I am anxious to do, in order that we can develop an independent position with the United States instead of being supplicants, is to have a policy which, in addition to feeding our industries here, will give a priority to developments which will produce the raw materials in short supply...*⁴⁵

Although Bevin was mainly interested in the Middle East and North Africa, his 1947 declaration is one origin of what has become known as EurAfrica, the primarily economic perspective that politics should serve as a means to promote and develop raw material supply in Africa for consumption in Europe.

⁴³ Quoted in F. Cooper, *Decolonization and African Society: the labour question in French and British Africa*, Cambridge: Cambridge University Press, 1996, p. 113.

⁴⁴ Quoted in C. Thorne, *Allies of a Kind: the United States, Britain, and the war against Japan, 1941–1945*, Oxford: Oxford University Press, 1978, p. 224.

⁴⁵ Quoted in M. Cowen, 'The British state and agrarian accumulation in Kenya' in M. Fransman (ed.) *Industry and Accumulation in Africa*, London: Heinemann, 1982.

In the event, for Africa from a British vantagepoint, it was the political perspective of trusteeship which came to dominate that of EurAfrica until the 1970s when, due to the 1973 oil shock in particular, fear about raw material supply resurfaced as one of the contributory factors making the insurance principle of Lomé possible. However, as in 1947, the fear of shortage dissipated almost as fast as the schemes that were laid down to increase production with a view to the realisation of the EurAfrican perspective. What is pertinent here, in view of the 1998 EU proposals for Lomé V, is that the idea of the *regional* played a large part in making possible a compromise between the internationalist and EurAfrican perspectives and, therefore, what was seen to be the relation between the economic and political ends of aid to Africa. From the standpoint of colonial powers, the economic of EurAfrica represented a regional association for Africa as a whole in relation to Europe, whereas the political of trusteeship, with its internationally orientated conception of the economic, was brought to bear upon the regional of the intra-African economic grouping of colonies. Thus, the compromise was to politically mediate, and minimise, the regional meaning of EurAfrica as a British imperial vision of Africa.

Regional production and supply councils were established for British West and East Africa and for the British Middle East to supply raw materials and provisions for the allied war effort as well as to promote import-substituting consumer good industries in colonial territories. While the remit of these regional authorities was economic, regionalisation also served a British purpose of containing American and local pressures for self-government. They also served to meet the American demand for the international trusteeship of colonies through the kind of association that had emanated in the Anglo-American Caribbean Commission and was later to be contentious for the Pacific islands.⁴⁶ As a senior British Colonial Office official argued, 'we are suffering at the moment from too much *independence* and too little *inter-dependence*. The whole idea of fostering independence of individual Colonies is quite contradictory to the idea of regional association'.⁴⁷ Regional Commissions, it was envisaged, were to be the means through which political self-government was to be reached through the means of economic development.

The post-war East African High Commission followed by the Central African Federation of the Rhodesias and Nyasaland, to take but two examples, were established partly in line with the earlier remit to promote regional associations. These variously involved the functions of a customs union and common market, a common services organisation and, as Federation indicated, a form of government which was awarded major responsibilities for defence and economic development. Yet, most, if not all, colonial regional associations had been dissolved by the time of the arrival of Lomé I. 'Independent statehood', thought by the British Foreign Office officials in 1943 to be 'a conception which, in any case, may be meaningless a

⁴⁶ For more detail, see M. Cowen and N. Westcott, 'British imperial economic policy during the war' in D. Killingray and R. Rathbone (eds.), *Africa and the Second World War*, Basingstoke: Macmillan, 1986.

⁴⁷ Quoted in W. Roger Louis, *Imperialism at Bay: the United States and the decolonization of the British Empire, 1941–1945*, Oxford: Oxford University Press, 1977, p. 247.

generation or two from now'⁴⁸, largely proved to be incompatible with the kind of regional authority that had been inherited from the colonial period. Pan-Africanism was to prove equally elusive as a historical antidote to nation-state sovereignty of the kind that informed Lomé.

Pan-Africanism was envisaged as the *political* antithesis to an economic conception of EurAfrica that contained a neo- or post-colonial reinforcement of a division of labour in which the manufacturing North and the primary-producing South were made 'complimentary' to and 'interdependent' with each other.⁴⁹ When Kwame Nkrumah, for example, proffered his all-Africa economic union it was to make Africa politically independent of Europe.⁵⁰ He stood in opposition to both the regional associationism of Yaoundé and the forms of intra-African association which his antagonists, such as Nyerere, had proposed as economic stepping stones for an eventual political union of Africa. Yet, what has been called a 'new' or Pan-Africanist form of regionalism has been said to stand on grounds of 'self-reliance' in opposition to Lomé as an evidential form of EurAfrica and against the 'old' or colonial forms of regionalism which stemmed from the second world war and its aftermath. Despite their varying range of functions and origins, the Economic Organisation of West African States (ECOWAS), the Common Market for Eastern and Southern Africa (COMESA), and the Southern African Development Community (SADC), have all been presented as newer forms of regional association that have the potential to be, if not Pan-African, then at least Africa-centric rather than vestiges of EurAfrica.⁵¹ And, whether or not regional co-operation is directly seen as an alternative to Lomé, the Pan-Africanist conviction has been that free trade agreements between African states can 'delink' Africa from Europe by eroding the importance of Africa's preferential economic relations with the European Community/Union.⁵² It was from an economic perspective, for example, that the 1980 Lagos Plan of Action of the Organisation of African Unity (OAU) envisaged that an African Common Market, leading to an African Economic Community, would be created by the year 2000.⁵³

⁴⁸ Quoted in Cowen, 1986, p. 50.

⁴⁹ See, for example, G. Martin, 'Africa and the ideology of EurAfrica: neo-colonialism or Pan-Africanism', *Journal of Modern African Studies* 20(2) 1982.

⁵⁰ Nkrumah, during the early 1960s, opposed association with what became the EC on the ground that it was designed to keep African populations 'solely as workers in rural areas', thereby 'to make us hewers of wood and drawers of water'. The European Common Market, he argued, marked 'the advent of neo-colonialism in Africa'. Neo-colonialism entailed the 'continuation of the same old imperialist relationship of the European rider on the African horse', the same metaphor which was used generally in the African objection to the official justification of the Central African Federation, that of multiracial 'partnership'. Quoted in Mailafia, 1997, p. 52; Martin, 1982, p. 229.

⁵¹ See, for example, T. Shaw, 'The revival of regionalism in Africa: Cure for crisis or prescription for conflict?', *Jerusalem Journal of International Relations* 11(4) 1989.

COMESA, constituted by 20 countries in 1994, replaced the Preferential Trade Association for Eastern and Southern Africa (PTA) which was founded in 1981; SADC, embracing 14 countries, replaced the former Southern African Co-ordination Commission (SADCC).

⁵² Martin, 1982, p. 234.

⁵³ *Ibid.*, p. 236; Mailafia, 1997, pp. 14, 28–9.

As 2000 approaches, regional co-operation of a Pan-Africanist nature has been little more than a will o' the wisp. Evidence, albeit from 1993, shows that neither intra-African *recorded* regional trade flows nor the share of intra-African trade in the total trade of African countries have changed significantly from what they were before the new forms of regional co-operation appeared from the late 1970s. While the trade impact of regional co-operation has been negligible, there is some evidence to suggest that regional associations have played some part in trade *policy* convergence between neighbouring states.⁵⁴ As we shall also see below, the impact of regional co-operation seems to be little different from that which Lomé preferences and provisions have had in promoting ACP-EC/EU trade. Although trade is only one element of co-operation, and while there are a complex of forces determining the extent to which the contemporary forms of regional co-operation can realise a potential for economic development, the question that arises is the extent to which the politics of regional association is consonant with the general economic rationale which seems to govern the emphasis put upon regionalism in the EU proposals for negotiating Lomé V for 2000.

The DG 8 Guidelines propose that, apart from a general agreement with all ACP countries, it is the intention of the Commission to conduct separate negotiations with blocs of countries within the framework that has been roughly established by the newer forms of regional co-operation. 'Regionalised economic integration agreements', the authors write, 'would consolidate the ACP countries' access to the European market and introduce an element of reciprocity for EU exports. Such agreements would be a key step on the way to overall liberalisation.'⁵⁵ As we will make clear below, the EU demand for a reciprocal trade regime represents a major break with the Lomé convention. In line with the attempt to break with the post-colonial past, including what was implied by the model of clientage and the symbolic reward of reciprocity, DG 8 proposes that Lomé V should differentiate between ACP regions according to the 'the level of development, constraints and capacities' that determine what degree of reciprocity can be afforded by each. And, in referring to an 'enhanced economic partnership', through which development aid would be applied as an adjunct to the trade agreement with each region, the Guidelines envisage the 'gradual establishment of a free-trade area in accordance with WTO

Likewise, it was primarily on economic grounds that regional co-operation featured strongly in the 1989 Economic Commission for Africa's Alternative Adjustment Framework, the alternative plan of action to Structural Adjustment Policy as determined by the IMF and World Bank.

⁵⁴ See M. Vehnamäki, 'Regional co-operation under the Lomé Convention' in M. Vehnamäki (ed.), *Finland and the Future of the Lomé Convention*, University of Helsinki Institute of Development Studies Report B 29/98, 1998; F. Foroutan, 'Regional integration in Sub-Saharan Africa: past experience and future prospects' in J. de Melo and A. Panagariya (eds.), *New Dimensions in Regional Integration*, Cambridge: Cambridge University Press, 1993. Foroutan's evaluation has been summarised in P. Collier and J.W. Gunning, 'Trade policy and regional integration: implications for the relations between Europe and Africa' *World Economy* 18(3) 1995, p. 401; H.-B. Solignac Lecomte, 'Options for future ACP-EU trade relations', ECDMP Working Paper 60, Maastricht, 1998. Lecomte, p.15, has used IMF trade statistics to show that intra-regional trade in 1995 accounted for 11.5 per cent of all SADC trade; 8 per cent for the EAC; and 3.3 per cent for CARICOM.

⁵⁵ DG 8, Guidelines (1997), p. 25.

rules' upon the basis of the creation of 'highly integrated economic areas'.⁵⁶ Regional co-operation appears, therefore, as a stepping stone towards the exposing of all ACP countries to international free trade instead of one towards the creation of the Economic Community of either Pan- or EurAfrica.

If it is asked why the intermediate stepping stone of a 'highly integrated' regional economic area, a regional economic community, is necessary for ACP member states in the global re-orientation of policy, then the answer lies in the insurance principle of Lomé discussed above. To bear the risk of change associated with investment in making production conditions internationally competitive, protection has to be afforded through compensation to what is taken to be a potential population of producers at large. Regional co-operation involves the dissolution of the Lomé trade regime of preferences in favour of making aid increasingly apply at the regional level where larger populations are made to share the risks of globally orientated trade and investment.

The colonial history of regional co-operation highlights the question, especially for small territories ranging from Fiji to Gambia, of what is economically necessary to secure political independence. Once the relation between the political and economic is inverted, as in much of the recent EU reasoning about Lomé V, then the political serves merely as some means to enjoin the association of what are presupposed to be independent states into economic communities for the purpose of economic development. Two important points arise out of this political injunction for co-operation. The first point can be made by virtue of the example of the EC sponsorship and strong support for SADCC. In this case the injunction to regional association seemed to work because the latter was directed at an 'external' political imperative against apartheid South Africa and the form of co-operation served as an 'internal' conduit for disbursing programmed project aid. After apartheid, however, South Africa has come to overwhelm the SADC, provoking other member states to effectively disassociate from this regional authority.

The second point is that when co-operation is driven by the coupling of political contingency with particular business interests at work within the region in question, then the political injunction does not in itself necessarily create the stepping stones that facilitate the entry of small countries into globally-defined international markets. This is especially so when co-operation is also driven by the interest of one or more dominant states within the region such as Nigeria for ECOWAS, Kenya and Zimbabwe for the COMESA, or Kenya and Uganda for the present-day revival of the old East African Community. In these cases, as for others in Africa, political contingency has increasingly become a matter of armed warfare between member states of the same and/or overlapping economic areas. The following report, in August 1998, illustrates the point graphically:

⁵⁶ Ibid., pp. 24–5.

A year ago the United States government was touting the idea of an African Renaissance spearheaded by key countries which – if not exactly democratic – at least avoided the excesses of corrupt old-style African dictatorships. Uganda, Rwanda, the Democratic Republic of Congo, Angola Eritrea and Ethiopia would form a cohesive, progressive African bloc, with South Africa as the region's diplomatic power.

However, the report continued:

The last three months have seen it all unravel. First, Ethiopia and Eritrea went to war. Now, Rwanda and Uganda have turned against the Congo, provoking Angola and Zimbabwe to wade in and defend [President] Kabila. President Nelson Mandela called a summit last weekend, but the most important players did not turn up; he begged for a ceasefire and no one listened.⁵⁷

Furthermore, it is the business interests of those who hold state power in countries entering into regional associations that may well provide the impetus for co-operation.⁵⁸ While a private business interest may well lead to the social outcome of development infrastructure of the kind which regional co-operation furthers, it makes the insurance principle of Lomé highly problematic in that there is no social guarantee that the political injunction to co-operate serves to protect the population at large.

3. Trade and Aid

3.1 Trade

Lomé trade provisions were designed to provide tariff and quota free access for ACP exports to the Community without requiring that ACP member states necessarily provide reciprocal access to European exporters. However, the literature on Lomé abounds with analyses showing that the Convention has had little or no impact on ACP-EC/EU trade flows or their share in the total trade of the two groups. Table 1 shows the extent to which the share of EC/EU imports from the ACP group has declined during the period of Lomé. Likewise, there has been little change in the share of ACP imports from the EC/EU over the same period, though exports from the Community/Union to the ACP area as a whole have not declined relatively as much as in the other direction.⁵⁹ The analyses of trade flows shows that there has

⁵⁷ 'They came to save Kabila – not to save his people', Observer (London) August 30 1998.

⁵⁸ The sets of alliances in evidence during the current warfare in the Congo (DR) may well reflect this phenomenon.

⁵⁹ The overall EC export share, of roughly 40 per cent, in ACP imports showed no significant overall change between 1975 and 1984. Intra-EC changes of shares to particular ACP countries were significant, especially the substitution of French for British exports to the then vital Nigerian market. After 1984, the same pattern pertained, with further marginal substitution noted as the EC–9 expanded to the EC–12 and then EU–15 group of member states. However, the ACP as a significant market for EC/EU exports as a whole has been minimal. In 1976, the

been some impact at the margins but that, overall, the impact of the Lomé trade regime has been swamped by that stemming from production conditions within the ACP group and by the effects of general European and international trends in trade policy. It is hardly surprising then that the DG 8 Guidelines make the bald statement that 'EU-ACP trade co-operation has not really fulfilled its objectives'. Furthermore, when it is said that the 'ACP countries' trade performance has generally been disappointing and Community businesses have shown relatively little interest in them', the implication is that the delinking of, say, sub-Saharan Africa from Europe has happened by default.⁶⁰ Except for at the margins, containing a few selected imports of food and raw materials which included Nigerian oil until the 1990s, any general neo-colonial interest in the ACP has been minimal.

Table 1: Share of EC/EU imports from selected regions, 1976–1994

Region	1976	1980	1985	1990	1994
percentage share					
ACP	6.7	7.2	6.7	4.7	2.8
Asia	4.2	5.9	6.5	11.0	13.1
Latin America	5.3	5.1	6.5	4.6	5.4
Mediterranean	6.1	6.1	8.1	6.5	6.1
All 'developing countries'	44.8	42.4	34.7	31.2	34.2

Source: Eurostat – ODI, 1996⁶¹

As table 1 indicates, the ACP share of total EC imports did significantly increase during Lomé I (1975–1979), a period when the values of food and oil exports, the latter overwhelmingly from

ACP area accounted for three per cent of all EU exports. This proportion fell to two per cent in 1985 and less than 1.5 per cent in 1992.

J.Moss and J. Ravenhill, 1987; 'The evolution of trade under the Lomé Conventions: the first ten years' in C. Stevens and J.V. van Themaat (eds.), *Europe and the International Division of Labour: new patterns of trade and investment with developing countries*, London: Hodder and Stoughton, 1987, p. 119; Eurostat – ODI, 1996.

⁶⁰ DG 8 Guidelines (1997) p. 22.

A number of commentators have repeated the refrain that 'without the trade and aid favouritism afforded ACP states by the EEC under Lomé, a bad situation would have been made worse'.

I.V. Gruhn, 'Lomé Convention renegotiations: a litmus test for North-South discussions' in R.Boardman, T.M. Shaw and P. Soladatos (eds.) *Europe, Africa and Lomé III*, Lanham Md: University Press of America, 1985, pp. 21, 31; also, J. Ravenhill, 'Europe and Africa: an essential continuity' in Boardman, Shaw and Soladatos, 1985, p. 55.

While the refrain about 'things may have been worse' might be so, it is the reversal of the earlier EC/EU expectation that 'things could get better' which counts here.

⁶¹ Reproduced from M. Voutilainen, 'Economic issues and trade preferences under the Lomé convention' in M. Vehnamäki, , 1998, p. 12.

Nigeria, rose sufficiently to make it seem that the Lomé trade regime had some potential to create trade. However, even during this period EC imports of non-oil materials and manufactures from the ACP were largely unaffected by Lomé preferences. Thereafter, with the possible exception of some food exports such as sugar, bananas, beef and horticultures, Lomé made no significant difference to the structure of ACP exports to the EC/EU.⁶² But perhaps the most obvious unfulfilled intention of the original Convention was the failure of export diversification. Despite the mutually expressed intent to change the structure of exports from ACP countries to the EC/EU, little progress has been made in the transition from primary to secondary product exports. Contrawise, it was after 1985, during the periods of Lomé III and IV, when priority was given to agriculture within the ACP area, that manufactured imports rose so rapidly from Asia, and East Asia in particular, to the EC/EU.

Among the reasons accounting for the failure of the Convention to increase the value of ACP exports to the EC/EU the following are apposite. First, even during Lomé I roughly 70 per cent of ACP exports would have entered EC markets on a duty free basis because they were covered by pre- Lomé preferences. From Lomé II onwards, the significance of the Convention's trade provisions was outweighed by the EC's Generalised System of Preferences (GSPs) together with the reduction in its Common External Tariff (CET) which followed successive GATT rounds of international negotiations aimed at the gradual elimination of trade protection. To this extent, WTO rules are merely the culmination of a process through which privileged preferences of the Lomé type have been eroded. Secondly, ACP exports to the EC/EU have been subject to 'rules of origin' procedures, normally requiring that between 40 and 60 per cent of the value of imports are added within the country of origin. Together with the effects of the special quota agreements over textiles, for example, exceptions to duty-free entry into the EC/EU have made the transition away from primary product exports less easy than it might have been. Thirdly, EC/EU consumption patterns, in addition to enlargements of the Community, have put structural limits on the expansion of the value of ACP exports to the EU. It is unlikely that the Community could have unilaterally acted to prevent sustained falls in commodity prices during the 1980s and 1990s. Horticulture, fruit, and wine products may have been exceptional insofar as there is some evidence that trade was created when ACP imports were substituted for domestic EC/EU production and relatively lower prices led to an expansion in the quantity of consumption. Likewise, if tourism is to be regarded as an 'export', some ACP countries have managed to penetrate the European market with some degree of success.

⁶² From a welter of various analyses, and in addition to the above references, the following has been useful: J. Moss and J. Ravenhill, 'Trade developments under the first Lomé convention', *World Development* 10(10) 1982 and in Stevens and van Themaat, 1987; D.K. Brown, 'Trade preferences for developing countries: a survey of results', *Journal of Development Studies* 24(3) 1988; K. Aristoteles, *Europe and Africa: a critical appraisal of the trade effects of Lomé I, II, and III*, Ohio State University PhD dissertation, 1993; Voutilainen, 1998; M. McQueen, C. Phillips, D. Hallam, A. Swinbank, 'The export record of the ACP countries and the role of trade preferences' (chapter 2 of *ACP-EU Trade and Aid Co-operation Post-Lomé*), paper for Summit of ACP Heads of State and Government, Libreville, 1997 (<http://www.oneworld.org/acpsec/gabon/cwealth/chap2rev.htm>).

However, these exceptions also prove the rule that import substitution has been trade-diverting for ACP exports since, as table 1 shows, non-ACP countries were the beneficiaries of substitution.

Last, but not least, one powerful reason why ACP states have been unable to expand exports to the EC/EU through diversification has been the lack of intent and/or capacity on the part of those who rule state formations to carry through an industrial policy. During the same period that the late-industrialisers of East Asia, for example, carried through policy to this end, the economies of virtually all ACP member states have floundered around the official perpetuation of an agrarian bias of development.⁶³ At the same time, the private interest of ruling classes, groups and those of influence in and around the state have dictated market interventions to promote profit making in activities which do not in themselves secure the basis for internationally-competitive industrial diversification. The impact of the absence of an industrial policy was re-intensified during a period when international terms of trade turned so markedly against oil and other industrial raw material importing countries and saw ACP member states, especially in Africa, faced with a fundamental constraint of import finance.⁶⁴ It has been this financial gap, inhibiting the import of the prerequisites for industrial diversification, which has been regarded as the major proximate factor restraining both development and reinforcing ACP aid dependence on international agencies, including those of the EC/EU.

3.2 Aid

Lomé, as we have made emphatic above, is fundamentally a means by which the EC/EU has paid the insurance premium necessary to mitigate the risks of development through international exchange. Whatever the payment of the premium is called, whether 'development co-operation' or 'assistance', it has always taken the form of economic aid, namely the transfer of resources from one official source of agency to another. As we also mentioned above, the expected worth of the premium, or what is committed as aid, is limited by the willingness of the donor to pay. Under the Convention, the EC/EU has a contractual obligation to pay. However, the overall amount paid to ACP member states, whether as a whole or severally, is not necessarily determined by what, from an ACP standpoint, is *needed* to be paid. Rather, the amount paid is ultimately determined by what the EC/EU member states, severally and collectively, deem that they can *afford*.

Table 2 below shows that, apart from the period of Lomé II, there has been an increase in the absolute volume of EC/EU resources committed to aid. Although Lomé aid resources, especially as assembled through the European Development Fund (EDF) and European

⁶³ On the issue of agrarian bias in general see M.P. Cowen and R.W. Shenton, 'Agrarian Doctrines of Development: 'Part I' and 'Part II' *Journal of Peasant Studies*, 25(2) and 25 (3), 1998; *Doctrines of Development*, London: Routledge, 1996.

⁶⁴ See, for example, Ravenhill, 1988, pp. 186, 196–9.

Investment Bank (EIB), have formed a relatively small proportion of the total aid of EC/EU member states to their ACP counterparts, the increase in the volume of aid after 1986 has occurred during a period when, for whatever reason, the European member states' budgets have been under fiscal stress. In view of the priority that is given to domestic spending commitments, the question of whether the EC/EU can afford to pay the insurance premium on the part of the ACP is largely a matter of politics within Europe. The commitment on the part of member states to commit resources to the EDF and EIB, rather than to bilateral aid programmes or those of the International Financial Institutions (IFIs), is as much a matter of the extent to which the government of a state regards itself as *communautaire* with respect to the Community of Europe as it does with respect to the 'community of the poor' in the South.⁶⁵

Table 2: Committed EC/EU aid to ACP countries, 1958–1996

	1958 ¹ Rome Treaty EDF1	1964 Yaoundé I EDF2	1971 Yaoundé II EDF3	1976 Lomé I EDF4	1981 Lomé II EDF5	1986 Lomé III EDF6	1990 Lomé IV EDF7	1996 Lomé V EDF8
<i>eua/ecu million</i>								
Total re- sources ² (at current prices)	581	730	918	3462	5049	8500	12000	14625
(at constant prices)	534	530	464	1021	913	1224	1377	
<i>eua/ecu</i>								
EDF per capita (at constant prices)	9.7	7.7	5.8	4.1	2.6	3.0	2.8	

Sources: Grilli, 1993, table 1.7, p.33; *Courier*, Jan-Feb 1996.

Notes

1. This and all other years refer to when each EDF arrangement came into force, normally for a five-year period.
2. 'Total resources' refers to EDF grants and loans, including STABEX, SYSMIN, and EIB loan capital.

⁶⁵ EDF and EIB resources have represented roughly one-half of EU aid; the rest comes from the EU budget as negotiated through the Council. For EDF 7 and 8, about one-half of the share of funding was accounted for by France and Germany. Taken together, this was slightly more than their share of the EU budget. DG 8, Understanding European Community Aid, Brussels, 1998. (<http://www.europa.eu.int/comm/dg08/publicat/odi/eu/ofoc.htm>).

Table 2 also shows a decline in the real worth of aid per person, perhaps the most important unit of resources for the ACP member states, committed by the EC/EU over the period from EDF I, which stemmed from the Treaty of Rome, to EDF 7 and 8. This step-wise decline in the unit of aid has proceeded most sharply during the 1980s and 90s, precisely when the emergence of mass poverty in Africa has been so startling. Given the question of affordability, doubtless much can be made of the point that the real worth of aid has stabilised since 1986 at roughly three ecu per person. However, there is also little doubt that the gap between what is deemed to be affordable and what is deemed to be needed – the deficiency in the insurance premium – has also grown immeasurably. On empirical grounds, the declining worth of aid can be described simply as the result of the increase in the number of associated states from 20 or so during EDF 1 to over 70 in the present Lomé as well as to the increase in the population within ACP member states whose human reproduction rates have led, in many cases, to a doubling of populations every 15 years or less. However, it does not follow that an explanation for the increasing deficiency of the insurance premium can simply be read off from an empirical account of the reason why need has increased. To do so would mean a chase of population by aid resources that even the most minimally minded Malthusian would find objectionable. Nor, given that it is the scale of relative poverty which calls forth a related increase in the insurance premium, should it be expected that what can be afforded can be simply inferred from an increase in need within the Lomé area on the grounds of increases in population.

Table 3: Regional distribution of EC/EU aid disbursements, 1986–1995

	1986–7	1988–9	1990–1	1992–3	1994–5
	<i>percentage shares</i>				
ACP	63	61	53	48	43
Asia and Latin America	11	12	11	12	10
Mediterranean and Middle East	14	11	17	12	11
CEEC and NIS countries ¹	0	1	13	20	28
Other and unallocable	12	15	6	8	8

Source: DG 8, *Understanding European Community Aid*, Brussels, 1998, table 1.2
(<http://europa.eu.int/comm/dg08/publicat/odi/eu/ofoc.htm>)

Note

1. Refers to former Central and Eastern European countries of Comecon (CEEC) and the Newly Independent States (NIS) of the former Soviet Union.

Apart from intra-EU politics, it is the relation between the Community/Union and non-ACP areas of the world that has played a part in making Lomé appear increasingly remote and as a residual to meeting other needs for aid. There has been so much comment on the panoply of frescos surrounding the EU that any more here would be gratuitous.⁶⁶ However, the worth of Lomé aid cannot be abstracted from the interest of the EU in committing aid to where it has the kind of need which was spelt out in the DG 8 Guidelines as elements of global interdependence. Table 3 shows the extent to which EC/EU aid has moved closer to the European continent, especially after 1989 when the massive build-up of aid to the former Soviet republics and countries of the Eastern bloc has been at the expense of the ACP area. We may be on safe ground in supposing that the opening of markets in the East played some part in inducing infrastructural aid but, equally, the commitment to aid is also to be explained by what are taken to be threats of armed conflict on EU borders, migration to the Community/Union, drug trafficking and environmental degradation. It is interesting that these same proximate factors of European 'insecurity', and those which stand for what the problem of mass poverty makes manifest, appear in the Guidelines for negotiating Lomé V. In other words, the justification for the perpetuation of the Convention for the South takes a political perspective which is drawn from that of the East, namely the European hinterland which now seems closer to the EU than the post-colonial area of the ACP. It is this light that aid can be said to have become highly conditioned insofar as it a European political perspective, as expressed by the EU which sets some limit to the insurance premium as the effective principle of Lomé.

Table 4: Sectoral allocation of EC/EU aid commitments to ACP countries, 1986–1995

	1986–7	1988–9	1990–1	1992–3	1994–5
	<i>percentage shares</i>				
Programme aid ¹ (of which SA)	17 (6)	29 (11)	30 (8)	26 (15)	24 (10)
Productive sectors ² (of which rural)	29 (18)	35 (19)	18 (9)	21 (11)	12 (4)
Food aid ³	1	7	18	11	12
Humanitarian aid	2	3	5	5	13
Economic infrastructure	16	15	18	15	20
Social infrastructure	5	6	6	12	8
Other and unallocable	18	5	5	10	11

Source: DG 8, *Understanding European Community Aid* (1998), table 3.3.

⁶⁶ See, for example, Grilli, 1993, p. 344ff.

Notes

1. Includes funding for Structural Adjustment (SA), Stabex and Sysmin.
2. Includes cross-sectoral funding for rural development.
3. Defined as 'developmental'.

The change in the portfolio of possible 'instruments' through which aid is delivered provide a further reason for why Lomé has become highly conditioned as a result of a European political perspective. Table 4 firstly shows that the project element of aid, through which development finance is invested in directly productive industries and economic infrastructure, has been diminished in favour of programme aid. Together with food aid, which has loomed large in EU budgeted aid, programme aid was partly designed to enforce policy conditions which counter accusations that EC/EU aid has been used to construct 'cathedrals in the desert', the renowned 1982 aphorism of the Edgard Pisani, the then EC Commissioner for Development Co-operation who strove to 'strike a balance between rigid conditionality imposed by financing bodies', such as the IFIs, 'and the irresponsibility of non-conditionality'.⁶⁷ Pisani's view was that a new direction in EC-ACP relations, giving added stress to interdependence, should make them non-political in that instruments of aid would be politically neutral. If policy dialogue with each ACP member state over macroeconomic policy, especially in meeting the import gap on the external account, was designed to be a non-political process, then it was highly charged by a political perspective.

Akin to what was to later govern the regional distribution of aid, this political perspective of a non-political aid process stemmed from the idea that the Community of Europe had its own immediate interest in the conditions of development of the South. Beginning with the Ethiopian famine and the like of the early 1980s and continuing with the ravages of war, state dismemberment and genocide, especially in Africa of the 1990s, a second shift in balance of Lomé instruments occurred when food and humanitarian aid, as shown by table 4, came to take up a larger proportion of commitments. According to Pisani, who paved the way for Lomé III, with its conjunction of policy dialogue and a sectoral emphasis upon the rural of development, the responsibility for what were taken to be the publicly obvious failures of development had to be shared between the ACP and EU member states. Conditions of development certainly entered the politics of intra-European institutional tussles, such as those between DG 8 and other DGs within the Commission, and among the Commission, the Council and the Parliament, over the volume and direction of development aid resources. However, more generally, the question of what was to be afforded as an insurance premium for protection against what development might bring in the future, with ACP member states determining what the conditions of development might be, was subsumed by one arising out of a popular European interest in welfare, made conscious of distress in the South. Therefore, the present conditions of development were deemed to require immediate compensation of a kind which made aid conditional in the sense that it was accountable to a European imperative for relief. It

⁶⁷ Quoted in *Ibid.*, p. 110.

was the perception that conditions of development had undermined the belief in the insurance principle of aid which partly made the premium appear to be less affordable for the ACP area. This dimension of 'conditionality', namely what makes development aid a matter of how the conditions of development are perceived outside the South, should be kept in mind as we turn to the more usual way of understanding conditionality as a set of prescriptive conditions which are imposed upon a 'recipient' of aid by its 'donor'.

4. Conditionality

As we showed in our account of Lomé principles, conditionality has been always a necessary part of the Convention. Trust, spawned by the obligations of earlier colonial and neo-colonial association, necessarily implied unconditionalities such as that it was the duty of the EC to provide aid to the ACP while it was the duty of the ACP to promote development. However, once the trust relation which created the Convention was set out in a contractual form, it followed that its articles legally conditioned the Convention. We are not concerned here with the legal conditioning of Lomé, much of which is governed by treaty and thus international economic law. Rather, we are interested in policy conditionality which falls into the two broad areas of economic and political prescriptions that become linked on grounds of policy and according to the case-by-case approach through which conditionality has been imposed.

Conditionality, it has been argued, 'can only be said to have been *effectively* exercised only if a recipient country undertakes a policy change it would not have undertaken by itself, that is, without the pressure made to bear upon it by the donor. In all other cases, policy change cannot be called the result of conditionality – only common agreement, or negotiation'.⁶⁸ Lomé arose out of process of negotiation and, as such, was the result of the unconditionalities arising from a relation of trust. However, the trust relation between the EC and ACP partners which established the contractual form of development cooperation made conditionality an implicit condition for the insurance principle and all that was afforded by way of trade preferences and aid. The existence of an implicit condition, namely that it was the duty of ACP member states to promote development, followed from the kind of unconditionality mentioned earlier. When it became apparent early in the Lomé I period that development was not being promoted as expected, then this implicit condition was made increasingly explicit in the form of a set of policy prescriptions set out by the EC in successive Lomé negotiations. The explication of conditions for the continuance of aid finance – economic conditionality – took many forms. However, none of these forms, it is important to note, could be divorced from the political of conditionality.

⁶⁸ P. Uvin, 'Do as I say, not as I do': the limits of political conditionality', *European Journal of Development Research* 5(1) 1993, p. 68. This standard formulation of conditionality seems to have originated in A.O. Krueger and V.W. Ruttan, *The Development Impact of Economic Assistance to LDCs. Volume 1*, University of Minnesota for USAID and the Department of State, 1983, pp. 2–3.

As late as 1989, we reiterate, Lomé IV principles were still being restated as those of 'equality between partners, respect for their sovereignty, mutual interest and interdependence' and 'the right of each State to determine its own political, social, cultural and economic policy options'. For negotiating Lomé V, in 1997, the ACP group's heads of states continued to declare that 'solidarity, sovereignty and equality between partners' were the cornerstone principles of the Convention.⁶⁹ Previous acknowledgement of the existence of the *right* of each state to pursue its own economic policy options stemmed from what was presumed to be unconditional about the sovereignty, or 'ownership', of economic policy. Yet, once the ownership of economic policy was attached to a particular interest which exercised state power *within* a state, and the option in question was determined by that interest, then the political conditions of sovereignty were called into question.

Political conditions of sovereignty, especially when drawn from the analogue of the individual right to self-determination, include presuppositions about the responsibility for incorporating the interests of 'others' in determining policy options. The interests of 'others' may be that of internal others or may be that of other states including the interests of those of the EC such as the conditionality implied by the obligation of ACP states to promote development. Moreover, when one particular interest dominates state power to pursue its 'own' ends without regard to the interests of internal others, then its sovereign power is contested by other interests within the state in question. Where class power as the collective representation of interests determines policy options, then policy cannot be said to be neutral in the sense that state sovereignty constitutes some singular and unconditional source of ownership over all possible options. In such a circumstance, no matter to what extent state power is held exclusively and exercised absolutely, 'sovereignty' becomes diffused. Conditionality here becomes doubly political since the issues involved in a political settlement between class interests are called into question.⁷⁰ More specifically, it is the state formation that is called into question. One word, *corruption*, has come to be used to sum-up the general effects of what makes for such a diffusion of sovereignty. Corruption has been taken to mean the absolute pursuit of a particular and private individual or collective interest through the holding and exercise of state power. When the rights and responsibilities of 'ownership', together with those of the patron-client relation, are thus corrupted, the economic and political of conditionality become inseparable.

4.1 Economic Conditionality

Lomé was made possible, it has been suggested, because its principles permitted ACP member states to adopt their own strategies and policy options for development.⁷¹ Strategies and policy options refer to a range, and different levels, of intentions about the means and ends

⁶⁹ ACP Heads of State, Libreville Declaration (1997).

⁷⁰ For political settlement, which does not mean agreement, see M. Khan, 'State failure in weak states: a critique of new institutionalist explanations in J. Harris, J. Hunter and C.M. Lewis (eds.) *The New Institutional Economics and Third World Development*, London: Routledge, 1995, p. 77.

⁷¹ See, especially, Green, 1980.

of development. During the 1970s, for example, the maximal range of strategy was supposed to have involved an official choice between a socialist and capitalist path of development. At this level of intention, Lomé practice was said to be both unconditional and unnegotiable insofar as the right of an ACP member state to pursue one or other path of development was not open to an authoritative source of questioning on the part of the EC. While the ‘choice’ of socialism, as it was adopted by the majority of ACP member states in one guise or another, was not questionable at the outset of Lomé I, by the mid-1980s, when various socialist experiments in policy had for the most part unravelled, Lomé practice was then said to have become conditional. At ‘lower’ levels of policy intention, the EC/EU increasingly asserted its right to question issues ranging, among others, from whether ACP member states should give priority to agriculture rather than industry; taxation against state borrowing; free trade instead of protection; the accelerated deregulation, de-nationalisation and liberalisation of markets and enterprises; sectoral state expenditure planning in place of project-focused development programmes. After Lomé III, the key phrase of *policy dialogue* signalled a shift in the EC/EU stance towards conditionality. In many ways, the DG 8 proposals for Lomé V can be seen as the culmination of a process by which the EC/EU has sought to co-determine the common course of policy action for an era in which capitalism is not questioned.

Policy dialogue, in itself, did not necessarily mean conditionality as it was defined above. To be conditional, dialogue, through negotiation or the search for ‘common agreement’, had to be backed by a sanction that would make the ACP member state ‘partners’ commit themselves to policies which they would not undertake of their own accord and without the loss of potential aid which the sanction entailed. Secondly, policy dialogue was proposed as an alternative to *leverage*, the earlier practices of the IFIs, and the IMF in particular, which imposed automatic conditions upon the recipients of loan finance without necessarily searching for a common agreement between the lender and borrower. Yet, the distinction between policy dialogue and leverage became hazy because both carried the implication that the donor was inducing the recipient to adopt particular policy options. In other words, although the recipient might intend to change a policy, and thereby be free from the formal criterion for conditionality, as long as effective change could only happen by way of an inducement, the option in question can be said to have been levered-up by conditions which were attached by the donor to induce a change in policy.

It is thus significant that policy dialogue appeared in Lomé III together with the induced change in policy towards agriculture when the Commission, following resolutions and declarations in the Parliament and Council, gave policy priority to food production and security in the ACP area and, as table 4 above shows, channelled aid in this direction.⁷² A consequence of policy dialogue in conjunction with giving priority to agriculture was that the Commission, instead of

⁷² See P. Raikes, *Modernising Hunger: famine, food surplus and farm policy in the EEC and Africa*, London: James Currey, 1993.

ACP member states as was the practice hitherto, now initiated rural development project proposals. This change in practice spread to a change in conditions of macroeconomic policy. During the early 1980s, for example, DG 8 distanced itself from Structural Adjustment Policy (SAP) as induced by the IFIs. Claude Cheysson, the earlier European progenitor of Lomé, like Pisani after him, had remarked that 'Lomé would not be Lomé if it concerns itself with adjustment. Lomé is for development.'⁷³ Yet, by the end of the 1980s, and as economic conditionality entered directly into Lomé IV, the extended sectoral approach adopted by the Commission required that an ACP member state enter into a World Bank SAP agreement as a condition for EC loan finance.⁷⁴ A process of accelerated conditionality that occurred during the 1980s was made possible because of economic conditions within the ACP generally. Due to the factors that we mentioned above in relation to trade, the need for aid was increased to substitute for the failure of export revenues to meet the gap on the external account of the majority of ACP member states. Thus, when the aid gap, between what was deemed by the ACP to be needed and what was decreed by the EC member states to be afforded as aid, also increased, conditionality became a means of rationing aid resources as much as prescribing policy change in general.

In the literature on economic conditionality, a critical distinction is often made between the compulsion of enforcing policy change through a sanction, especially the withdrawal of loan finance, and the incentive that should be offered to induce change by encouragement. Despite differences in political and ideological persuasion, there seems to be broad agreement among various critics of conditionality that the incentive to policy change should always be preferred to compulsion. Thus, for the majority of critics of the IFI model of conditionality who also uphold a socially positive dimension of development, the EU incentive to induce change as a 'special' donor should minimally follow the lines of adapting Lomé programmes 'to the different situation' in each ACP member country and should 'be sensitive to its social conditions, culture and environment' as well as improving 'the social and economic well being of the population as a whole, reinforce long-term development efforts and be realistic, flexible and adapted to a country's management capacity' while softening 'negative social effects' of conditionality from the outset.⁷⁵ Given the country case-by-case approach, if particular member states do not adapt or transform policy according to this constructivist purpose, it is not clear what might befall their populations, other than that compulsion is turned away from the model which has attached conditions to short-term macroeconomic aggregates and towards those associated with direct measures for poverty alleviation.

⁷³ Quoted in Mailafia, 1997, p. 98.

⁷⁴ See, among much else, Grilli, 1993, pp. 341–352; Stevens, 1989, pp. 342–5; Ravenhill, 1988, pp. 201–7.

⁷⁵ Raffer and Singer, 1996, p. 97.

In paraphrasing this text from the Lomé IV Convention, Raffer and Singer take it to be implied criticism of IFI conditionality.

For critics who mainly espouse incentives to induce market-orientated policy reform, and object to IFI conditionality as a form of 'paternalism', the objection to compulsion rests upon the view that policy is a promise rather than a 'owned' commitment to reform. As Paul Collier and his associates have argued along neo-liberal, anti-regulative lines, sovereign recipient states should 'own' policies while donors would broadly select Lomé-type programmes for recipients according to their economic performance, especially as expressed by the outcomes of real GDP growth rates. Countries with the 'best' economic performance would then attract private capital investment thereby securing conditions for general social improvement.⁷⁶ Little seems to be said about what would happen to the worst performers, other than through the implications of another perspective that Collier and his associates have advanced for negotiating Lomé, and which we briefly mention below.

In starting from the premise that total EU aid finance sources, let alone Lomé aid programmes, are fixed to a degree which cannot match the flexibility which the incentive approach to Lomé requires, any form of conditionality entails selectivity. Whether implicitly or explicitly, as in the neo-liberal view, selectivity means that there are losers among ACP member states. And since conditionality entails selectivity, it therefore has become one foremost means among many to distribute a fixed resource of aid finance.⁷⁷ From the standpoint of the insurance principle of Lomé, conditionality may have been designed to entrench the relation between the payment of the premium and the extent to which the spread of risk is attached to expected economic performance among ACP member states. Yet, the experience of conditionality has also been to wrench the premium from risk for any particular country since virtually all member states' policies have come to converge upon imposed EU conditions in their attempts to consciously preempt de-selection from aid finance. It is in the light of the experience of conditionality, among other factors, that the DG 8 Guidelines for negotiating Lomé V, as well other perspectives, have stressed *differentiation* as a distinctive item on the agenda for negotiation.

As we saw above, the DG 8 proposal to make 'differentiated' trade and aid agreements a major aspect of Lomé V arises out of the Commission's view that regional groupings, through free trade associations, offers the best prospect of making Lomé conform to WTO rules. Since one major contentious WTO rule at odds with Lomé principles has been that of non-reciprocity with regard to trade, the authors of the Guidelines propose that regional agreements would 'introduce an element of reciprocity for EU exports' as 'a key step on the way to overall

⁷⁶ P. Collier, P. Guillaumont, S. Guillaumont and J.W. Gunning, 'Redesigning conditionality', *World Development* 25(9) 1997.

⁷⁷ This point is rarely made in the Lomé literature. One exception is T.W. Parfitt and S. Bullock, 'The prospects for a new Lomé Convention: structural adjustment or structural transformation?', *Review of African Political Economy* 47, 1990, p. 109, also see T. Parfitt, 'The Decline of EurAfrica? : Lomé's mid-term review', *Review of African Political Economy*, 67, 1996.

liberalisation'.⁷⁸ Each regional grouping, therefore, would negotiate a separate agreement with the EU over the period 2000–2003 and after an overall agreement for Lomé V had been reached with the ACP.⁷⁹ Regional agreements would be one main way to take into account the degree to which different regional groups could be expected to relinquish the Lomé principle of non-reciprocity. DG 8's regional proposal has attracted much critical comment, including the view that regional differentiation may not be compatible with the different treatment generally awarded, including the WTO, to the relatively large group of least less developed countries (LLDCs), a significant number of whom are non-ACP member states.⁸⁰ While it might be expected that criteria for differentiating between groups of countries would be inconsistent with each other, it is the more general perspective of differentiation that is at issue here.

In their *Libreville Declaration*, the ACP Heads of States declared their foremost intent to 'strengthen the unity and solidarity of the Group and retain it as a geographical unity' while also subscribing 'to the principle of positive differentiation and adaptation of cooperation policies and actions to the needs and specificities of individual countries and regions'. Or, in both welcoming EU support for regional cooperation and insisting that the Union 'maintain non-reciprocal trade preferences and market access in a successor agreement', the ACP declaration revealed the extent to which differentiation, inherent in economic conditionality, sits so uneasily inside the historically given framework within which the ACP has acted as a form of political association.⁸¹ By giving differential emphasis to both landlocked states, in Africa, and small island states, of the Caribbean and Pacific, as well as giving priority to LLDCs of the existing ACP group, the geographical turn of Lomé on the part of the ACP group is one alternative way of expressing the historical reluctance to admit to DG 8's premise that 'post-colonial days' are over.

Ambiguity towards differentiation, on the part of the ACP group as a whole, lies in the fear that regional groupings will be one simultaneous step towards global integration with another towards the disintegration of the ACP in favour of north-south trade blocs along the pattern of the North American Free Trade Association (NAFTA). Thus, Caricom, like the association of Pacific islands ACP member states, would be associated with the EU differently from those of African regional free trade associations. This prospect of the end of Lomé carries with it the implication that, for Africa at any rate, the older regional perspective of EurAfrica would appear

⁷⁸ For a summary of the economic impact of WTO rules on Lomé, see M. McQueen, C. Phillips, D. Hallam, A. Swinbank, 'ACP-EU relations in a changing world economy' (chapter 1 of ACP-EU Trade and Aid Co-operation Post-Lomé), paper for Summit of ACP Heads of State and Government, Libreville, 1997.

⁷⁹ DG 8, Guidelines (1997), pp. 24–5.

⁸⁰ See, for example, ECDPM, 'What future for ACP-EU trade relations?' Lomé Negotiating Brief 1, Maastricht: ECDPM, 1998, Institute for Development Studies, University of Sussex, 'Lomé: from model to misfit but is a better deal on the cards', Development Research Insights for Policymakers 24, 1997.

⁸¹ ACP Heads of State, Libreville Declaration (1997).

The debate over differentiation was also played out at an ACP workshop held in Brussels during April 1997. See ACP Secretariat, 'Conclusions of the workshop on ACP perspectives on future ACP-EU cooperation' (ACP/28/040/97), Brussels, 1997.

in a new guise. In a series of policy proposals, Collier and his free-trade proselytisers have taken this perspective to its logical extreme by using NATFA as a template for how regional associations would be one-step towards trade and monetary integration with the EU. At the centre of their proposals lies the conviction that it is only through north-south trade and monetary integration that the risk of private investment in the South will be minimised. In thereby eschewing the significance of the Lomé aid insurance principle, with its premium payments cast as vestiges of colonial paternalism, the free traders, as mentioned above, have also recast the conditionality of development. Far from abjuring conditionality, Collier and his associates have asserted that free trade areas, with reciprocal arrangements, act to make it possible for policy reform to be locked in through commitments to deregulate trading and monetary interests which confer profitable but resource-inefficient advantages to politically vested business interests.⁸² These free trade proposals have been regarded with some enthusiasm in influential quarters.

Thus, we have been informed that, according to the EU Commission, regional groupings through free trade associations are of benefit to the ACP group because they 'lock-in' economic reforms in 'providing reforming governments with a good excuse vis-à-vis domestic vested interests and lobbies to implement unpopular measures'. Thus, the EU would 'play the role of an agency of restraint or reform anchor for ACP countries. This means that the threat of sanctions/retaliations by the EU would deter governments from breaking commitments made under free trade agreement (by reinstalling barriers to imports from Europe)'.⁸³ Given the external political implausibilities of the injunction for regional cooperation, as mentioned earlier, and the expressed ambivalence of the ACP group towards the perspective of differentiation, together with changes in the international economic climate during 1998, it is hardly surprising that DG 8 should have recently softened its earlier stringent insistence on the paramountancy of free trade associations as an element of conditionality.⁸⁴ One other reason for scepticism may also be the realisation that 'reforming governments', especially in Africa, do not face vested interests as if they were separate from the ruling agency of government. Corruption, as we mentioned, is what binds the economic to the political of conditionality and it is towards what any 'agency of restraint' has to confront that we now turn.

4.2 Corruption

While a public interest in corruption has become pervasive in the North as much as the South during the 1990s, with the EU Commission itself allegedly insinuated in corrupt practices, it

⁸² For example, P. Collier and J.W. Gunning, 'Trade policy and regional integration: implications for relations between Europe and Africa', *World Economy* 18(3) 1995; P. Collier, P. Guillaumont, S. Guillaumont and J.W. Gunning, 'The future of Lomé: Europe's role in African growth', *World Economy* 20(3) 1997. For an application of this perspective to South Africa, see C. Jenkins and W. Naude, 'Reciprocity in trade relations between South Africa and Europe', *Development South Africa* 13(1) 1996.

⁸³ Lecomte, 1998, p. 9.

⁸⁴ *Ibid.*, p. 10.

has been especially regarded as both one major cause for poor economic performance and the barrier against inducing economic reform in the ACP group.⁸⁵ Economic conditionality has been used, especially during the 1990s, as a means to induce governments to act against corruption. Contrawise, the attempt to induce economic reform through incentives has been resisted because the incentives for economic gain are less than those which corruption offers for those holding public office at the highest levels of the state and who are responsible for making decisions about economic reform. Put most simply, corruption is the use of a public office to promote a private benefit. For corruption to have a specific meaning, it presupposes that an economic sphere, in which active, private and individual self-interest is paramount, is distinct from that of a public, political sphere of life. If a principle of public life, and the office that goes with it, is public service, then corruption is said to have undermined the principle by which state resources are mobilised and distributed.

The problem that arises is when corruption is regarded as a system of government rather than merely a procedure through which the social potential of a public benefit is appropriated by individual holders of public office, usually in the form of a bribe or graft. In his classic 1968 account of the problem, Stanislav Andreski wrote that the 'use of public office for private enrichment is the normal and accepted practice in African states and the exceptions are few and not inconclusive'. While he was very conscious of showing that 'there is no justification to regard venality as something peculiarly African' and 'the impunity thereto as typically European', Andreski insisted that the 'newly independent African states provide some of the closest approximations to pure kleptocracy that have been recorded'. Kleptocracy, he continued, constitutes 'the main fount of inequality and exploitation' in Africa.⁸⁶ One implication following from Andreski, and which he was inclined to make, has been to underwrite an emphasis which has been put upon community and civil society as an alternative means, to that of state development, by which development should be carried out in Africa.

In his seminal 1975 article on the two publics in Africa, Peter Ekeh claimed that the indigenous African bourgeoisie, as a class, was reared in the '*civil public*' realm, that of government

⁸⁵ During October 1998, to take the latest example, it was reported that the 'lid threatens to blow off the simmering stew of Brussels scandals ... with the European Commission under pressure to establish an independent body to investigate frauds and mismanagement, rather than conduct internal enquiries which are then kept secret'. 'Threat to block EU budget over fraud', *The Guardian* (London) October 5 1998.

More generally, during the past two years, an exceptional welter of material has appeared on corruption. Texts, especially collected editions of essays, include the following: J. Girling, *Corruption, Capitalism and Democracy*, London: Routledge, 1997; K. A. Elliot (ed.) *Corruption and the Global Economy*, Washington D.C.: Institute for International Economics, 1997; M. Levi and D. Nelken (eds.) *The Corruption of Politics and the Politics of Corruption*, Oxford: Blackwell, 1996; P. Heywood (ed.) *Political Corruption*, Oxford: Blackwell, 1997. For further back, also see R. Klitgaard, *Controlling Corruption*, Berkeley: University of California Press, 1988.

For an overview of Africa, see R. Williams, *Political Corruption in Africa*, Aldershot: Gower, 1987, also, S.P. Riley 'The political economy of anti-corruption strategies in Africa', *European Journal of Development Research* 10(1) 1998. The issue of this journal was devoted to corruption.

⁸⁶ S. Andreski, *The African Predicament: a study in the pathology of modernisation*, London: Michael Joseph, 1968, pp. 94, 106, 107.

institutions created by the colonial administration and extended into the post-colonial period. However, it was the *'primordial public'* realm of indigenous institutions, 'groupings and ties', namely the 'native sector', which governed the private morality of individual Africans who assumed post-colonial state power. The Western educated African did not completely escape the 'native sector'. Indeed his greatest difficulty was, and remains, the simultaneous adaptation to two mentally contraposing orders. One solution to this problem formulated by the educated African is to define one of these orders in *moral* terms and the other in *amoral* terms. The 'native sector' has become a primordial reservoir of *moral* obligations, a public entity which one works to preserve and benefit. The Westernized sector has become an *amoral* civic public from which one seeks to gain, if possible in order to benefit the *moral* primordial public. Ekeh's economic conclusion was that 'the individual's relationship with the civic public is measured in material terms – but with a bias': 'While the individual seeks to gain from the civic public, there is no moral urge to give back to the civic public in return for his benefits. Duties, that is, are de-emphasised while rights are squeezed out of the civic public with the amorality of an artful dodger.' And, then, the holder of public office in the civic public extracts largesse to distribute it within the primordial public where duty is made paramount by the sanction of 'community'.⁸⁷ This perspective of the problem of corruption has become pervasive in general argument about the African perspective of the predicament of the African state and society.⁸⁸

Ekeh's own prescription was to alleviate corruption by bringing morality into the civic public. During the 1980s, a different view has asserted the authority of the primordial public by regarding it as synonymous with civil society. By thereby turning civil society into the idea of the community, it is easy to see why African 'communities' should come to be seen as the repositories of values which anchor social action generally. When filled with the content of ethnic identities, in particular, the primordial course of social action then comes to determine the grounds of political action. Much confusion has then centered on distinguishing between when the ethnicity of tribe is to be regarded as a beneficent rather than maleficent force for development.⁸⁹

Another implication that follows from Andreski's conception of 'kleptocracy or corruption as a system of government' is that corruption is the systemic means by which the primary accumulation of capital can be secured through the state apparatus as a whole. When those who rule the state regard state resources and institutions as an arena for the appropriation of private benefit, then the purpose of public office is corrupted. Ekeh's 'dialectical acme' of

⁸⁷ P. P. Ekeh, 'Colonialism and the two publics in Africa: a theoretical statement', *Comparative Studies in History and Society* 17(1) 1975, pp. 92, 100, 107, 110.

⁸⁸ To give just one example here: Michael Bratton ('Beyond the state: civil society and associational life in Africa', *World Politics* 51(3) 1989, pp. 413–4) noticed the connection between what he called Goran Hydén's 'pathbreaking insights' on the 'uncaptured peasantry' and 'the economy of affection' and Ekeh's earlier perspective. Hydén was a very significant figure at the interface between the academy and international donor agencies.

⁸⁹ See, for example, A. Campbell, 'Ethical ethnicity: a critique', *Journal of Modern African Studies* 35(1) 1997.

corruption, as he called it, can be then stood on its head since active individual self-interest is what generally gives reason for the bourgeois interest in state power. It is not so much that the figurative African bourgeois is mentally disorientated by simultaneously occupying two public positions as that an indigenous class of capital has been formed through the straddling of its individual persons between the two orientations, that of public service and business, during the course of both the colonial and post-colonial history. Colonial government circumscribed the racial limit of the civic public, to generally keep African aspirations for property and business, confined within the primordial public. Post-colonial government, therefore, made the domain of state power one of an uncivil public because active self-interest and the state authority of the civil public, or civil society, ran together.⁹⁰

There is no disputing the point that largesse is grabbed within the uncivil public realm of unaccountable state power. Nor do we contend that largesse is not used to 'perpetuate and benefit', if not create and extend, the communities of the primordial public. What we do argue, however, is political action in, and for, the primordial public is based upon self-interest developed within the uncivil public realm. This is why the attitude of those who rule so many ACP member states are ambivalent towards the largesse which Lomé affords by virtue of the transfer of resources according to the insurance principle. Whereas the donor's premise of aid is that social insurance is to be distributed through public service, the official recipients, by way of the above account of corruption, take it to be the potential source of revenue to serve both a private economic and public political interest in the civil and primordial publics. By this reckoning, the 'patrons' of largesse within their own domains are not prepared to be the 'clients' of Lomé unless the largesse appears on the terms which permit their active self-interests to be expressed. These terms include the implicit understanding that as 'equal partners', the ACP 'patrons' have the right to create rights, involved in the 'ownership' of development cooperation resources, over the resources generated by the insurance principle. For the EU to declare war on corruption is tantamount to curbing the internal patrimonial rights which accompany the external relation of clientage that is meant to inhere in Lomé.

The DG 8 Guidelines for negotiating Lomé V bring corruption to the fore thus:

Like the rule of law, good governance is crucial to social development and alleviating poverty as it is to building up investment and the private sector. In the revised Lomé Convention, this concept, now a leitmotif in the international debate on development aid, refers to the transparent and responsible management of a country's resources (human, natural, economic

⁹⁰ For the Kenya case, see M. Cowen and S. MacWilliam Indigenous Capital in Kenya: the 'Indian' dimension of debate, Helsinki, Interkont Books 8, 1996 and M. Cowen and M. Ngonyi, 'Preludes to the 1992 and 1997 elections in Kenya: Reconciling reform within a chain of events', University of Helsinki Institute of Development Studies Working Paper 10/97, 1997.

An overview of similar approaches to this implication of corruption can be found in E. Harsch, 'Accumulators and democrats: challenging state corruption in Africa, *Journal of Modern African Studies* 31(1) 1993.

*and domestic and external financial resources) for the purposes of economic and social development.*⁹¹

The authors of the Guidelines then make it clear that good governance ‘encompasses fighting corruption and is fostered by participate approaches’, including agreement on the ‘principles’ which the EU and ACP ‘partners’ might decide to include in a common endeavour to fight corruption. For itself, DG 8 set out ‘three lines of action’ to deal with corruption. Preventive measures, such as legal procedures, special programmes and the ‘inclusion of a good governance clause in every cooperation agreement’ may have been intended as the courses of action which took economic conditionality to the limit within the existing Lomé principles of equality and sovereignty.⁹² However, in themselves, the intended actions against corruption regard corruption as if it were a question of procedure rather than the systematic form of government within an appreciable number of ACP member states. It is for this reason that economic conditionality, ending with an injunction to good governance, presupposed and further opens up the conditionality of the political, where a change in the form of government is sought to fight corruption.

4.3 Political Conditionality

Political conditionality is, in short, the attempt to induce or enforce democratic practices upon a state regime or regimes that are deemed to be undemocratic. The criteria for democracy have normally followed liberal democratic precepts including multiparty electoral processes as well as freedoms of speech, assembly and association. While these precepts have been set out as principles or ideal norms stemming from a universal conception of human rights, democratic practice can also be interpreted as a set of procedures which make possible what has come to be called ‘good government’. While ‘good *governance*’ carries with it a presupposition that democratic practice is necessary for good economic performance, we assume here that good *government* should be regarded as a principled end in itself. If liberal democratic precepts do stem from a set of principles, then improved economic performance, however understood or measured, does not necessarily follow from their practice.

Whether by way of ideals or procedures, liberal precepts of democracy are to be distinguished from those of popular democracy. Popular democracy rests upon, in addition to liberal precepts, what David Beetham has called a process of ‘collectively binding decision-making’ wherein ‘popular control and political equality’ are ideals governing the extent to which democratic process can be said to be realised.⁹³ It will be immediately noticed that it is the principles of popular democracy which are those that have governed the Lomé Convention.

⁹¹ DG 8, Guidelines (1997), p. 13.

⁹² Ibid., p.13; also, COM (97) 192 of May 21 1997 where the principles of action to fight corruption are laid out in detail.

⁹³ D. Beetham, ‘Conditions for Democratic Consolidation’, Review of African Political Economy 60, 1994, p. 159.

Political conditionality has been made problematic by the contention that the wider meaning of democratic practice, that of the Convention, has been obviated by the one-sided attempt to induce or enforce liberal democratic procedures of good government, let alone good governance, upon ACP member states whose status is to be regarded as the political equal of those of the EC/EU group and who are meant to be engaged in collective decision making with them.

Olave Stokke concluded his fairly recent exposition on the 'Core issues and the state of the art' of political conditionality by stating that 'Good government can be enforced from outside only in exceptional cases'.⁹⁴ One of his two cases of the enforcement of good government, West Germany, is instructive because the second world war was the foremost historical reason for the construction of the EC/EU, the same Community which has attempted to enforce 'good government' upon ACP member states, especially the African members of the Group.

If, as according to Stokke, good government has been enforced only exceptionally from outside, then it has been through war and as a result of the military occupation and administration of the country in question. The attempt to enforce good government through war and military occupation has featured strongly in the post-colonial experience of Africa and the Caribbean. Of present ACP member states, Grenada, Haiti and Somalia have been invaded by the military forces of the United States which sought to replace 'bad' with 'good' governments or install governments where states had disintegrated. UN military peacekeeping missions have operated, often with strong representation by EC/EU member states and sometimes alongside UN civil missions, in a number of other countries. Of the former colonial powers, France has intervened by military means across a range of francophone African states. Belgium has intervened in the former Zaire and in the African intra-lacustrine states, while Britain acted in 1964 against a military coup in Tanzania and put down a contemporaneous army mutiny in Kenya. More recently, attempts to enforce good government in Africa through military means have become an intra-ACP affair. Examples include the action of Tanzanian forces in Uganda that brought an end to the Amin regime; that of Ugandan forces in Rwanda after the 1994 genocide and ensuing Rwandan intervention in the former Zaire less than two years later; ECOWAS intervention in Liberia; and, most recently, war by Nigerian forces against 'the lumpenproletariat warlords' of Sierra Leone. In most of these cases, the intervention of African military forces in neighbouring states have been given open or at least tacit support by United States and/or EC/EU member states. However, as the cases of Rwanda and the former Zaire illustrate, EU states have been sometimes divided between one or other of the contending military forces. In particular, France appears to have pursued an interest akin to the old dispute between the regionalists and globalists of the first Lomé that has conflicted with that of British and other member states positions in the region.

⁹⁴ O. Stokke, 'Aid and political conditionality: core issues and state of the art' in O. Stokke (ed.) *Aid and Political Conditionality*, London: Frank Cass, 1995, p. 82.

Warfare, which has proceeded apace in Africa in the 1990s, is highlighted here because it and other military action is often ignored or regarded as something other than what is intended by the use of the term political conditionality. This oversight is often due to administrative and academic conventions that de- and compartmentalise 'international relations' in which the discourse about and evaluations of war games feature critically as sanctions in the art of diplomacy. The discourse of war is separated from that of 'international development' in which people of a more generally pacifist disposition gather to do good works throughout the world. More substantially, it is generally little appreciated that war and its outcomes are the pursuit of political conditionality by other means. While *political conditionality* suggests that the political is a means, through dialogue rather than war or elections rather than violence, to achieve conditions of good government, *conditionality of the political* indicates that the political is the end of whatever means are undertaken to achieve good government.

The recognition of the importance of warfare highlights the reality that the conditionality of the political is normally about attempts to enforce a change in the ruling regime of the state or territory in question. War is necessarily an affair carried out against existing ruling power and the extent to which a war is won *normally* determines whether a given political regime of the vanquished survives or not. Political conditionality, on the other hand, is far more ambiguous. It may be inferred that acts of the political are intended to induce a regime change, but the conditions by which change is enforced make no explicit reference to a change of regime. For Lomé, whose principles place such a premium on state sovereignty and self-determination, this point is vital because these principles were basic to the trust relation that was implicit in the founding of the Convention, its continuation, and extension. Furthermore, the proposed new political contract as the putative motif for Lomé V as intended by the EU Commission, reinforces this trust relation as the general condition for why the perpetuation of the Convention can be contemplated.

One generally impression given by literature on the experience of political conditionality during the 1990s ranges from highly qualified scepticism to downright objection. Gordon Crawford provides one relatively mild example of objection to Lomé conditionality takes when he argues that:

It is somewhat ironic and disappointing that respect for human rights and democracy, for which there is almost universal support, should have played such a key rôle in tilting the balance of power away from the South.

After making the point that Lomé continues to serve as the template for development cooperation, Crawford continues:

The commitment to human rights and democracy could be implemented through joint decision-making agreements, with clear operational criteria and procedures, and a system for

*monitoring and evaluating performance where necessary. A basic prerequisite, however, would be precisely what appears to be lacking: a continued EU commitment to the founding principles of partnership, equality and mutual respect.*⁹⁵

An example of the sceptical view comes from Stokke who concludes generally that 'self-sustained development cannot be created or driven from the outside', and more specifically, that if encouragement for development is 'not attuned to endogenous processes, intervention may even be detrimental to those objectives. The same applies to pressures from outside intending to create good government'.⁹⁶ Another example of the conventional wisdom maintains that political conditionality 'is not and cannot be effective, contrary to the beliefs of both its advocates and critics'.⁹⁷ In other words, neither war, nor any other means of political conditionality will achieve the conditionality of the political when the historical conditions for the case in question are not conducive to the end in view. In view of the above, it is necessary to examine how and why political conditionality became part of Lomé conventions.

4.4 Human Rights and Multiparty Elections

Human rights first became a contentious issue during the 1978/9 negotiations for Lomé II when the EC Commission attempted to incorporate Articles 3 and 5 of the Universal Declaration of Human Rights as a preamble to the Convention. Although the issue first arose due to gross human rights abuse in cases such as Idi Amin's Uganda, which embarrassed the EC as a donor, Green suggests that this proposal was a 'throwaway' ploy designed to ward off economic demands made by the ACP group negotiators.⁹⁸ Be that as it may, human rights clauses appeared for the first time in the Lomé III convention negotiated during the mid-1980s. This was the period during which human rights abuse was heightened for a number of African states, including the significant cases of Kenya and Ghana. However, the Lomé III clauses formally certified that the EC regarded South African apartheid as an affront to human dignity and opposed racial discrimination in Europe against students and immigrants.⁹⁹ It was not until Lomé IV, and especially its mid-term review of the mid-1990s, that human rights and democratic procedures formally entered into the Convention as part of an *essential elements clause* 'allowing the partial or total suspension of the convention in the event of serious violation of the principles of democracy, human rights or the rule of law'.¹⁰⁰ Yet, by this time, the kind of

⁹⁵ Crawford, 1996, p. 516.

⁹⁶ Stokke, 1995, p. 82.

⁹⁷ Uvin, 1993, p. 68.

⁹⁸ Ravenhill, 1980, p. 48; Green, 1980, p. 17.

⁹⁹ C. Stevens, 'ECP-ACP: from Lomé III to Lomé IV' in H. Färber et al, *African Development Perspectives Yearbook 1989*. Volume 1: human dimensions of adjustment, Berlin: Schelzky & Jeep, pp. 337–8.

¹⁰⁰ Raffer and Singer, 1996, p. 100.

It was only in March 1991 that the EC adopted a policy of political conditionality when the then DG 8 presented a report to the European Parliament advocating 'the integration of our development assistance in an external policy promoting democracy, the state of law, and respect for human rights'. Three months later, the Council concurred and aid to 20 countries, virtually all ACP member states, was reduced or cut. It was, however, the Parliament

human rights abuse that was so prevalent across a range of ACP member states during the 1970s and 80s had largely receded while formal advances in liberal democratic procedures, including the holding of multiparty elections, had been registered for most ACP member states.

It might seem that Lomé political conditionality was applied after the horse has bolted rather than when it was affronted. If there is any 'irony' in the application of the political clauses of the Convention, it is that, from the point of view of opposition movements within ACP countries, they have been so long delayed in their application to the state regimes that undertake Lomé negotiations. At the 1978/9 negotiations, we are told, ACP states regarded the EC human rights proposal, among others, as 'hostile to their interests' and 'perceived as unwarranted interference in areas of ACP sovereignty'.¹⁰¹ By 1997, the ACP heads of state were able to freely declare that they attached 'considerable importance not only to the fight against poverty that besets our peoples, but also to the development of a society where human dignity is paramount. We, therefore reaffirm our commitment to the values of democracy, good governance, the rule of law and respect for human rights'.¹⁰² The fact that it took 15 years or so to put the conditionality of the political into the Convention may be partly the result, rather than a cause as is suggested by Crawford, of the shift in the balance of power against ACP state regimes vis-à-vis the EC/EU.

If the balance of power between the two Lomé groups has shifted away from the ACP group then this has been for the reasons of economic conditionality addressed above. Yet, part of the process by which economic conditionality has come to be enforced owe much, as we have also seen, to the increased power of non-EC/EU donors and the IFIs in particular. As, over the course of time, the relative economic dependence of the ACP on the Convention has weakened, the influence of the IFIs on EC/EU policy formation has increased, especially as far as setting the terms of political conditionality is concerned. The objection to conditionality on the part of the EC/EU has usually involved or implied some contention that the associative relation that inheres in Lomé and its tradition of EurAfrica should make the Convention different from the relation that binds ACP member states to the IFIs. From the political perspective of negotiating Lomé V, it is therefore worth bearing in mind the view of Crawford, quoted above, that political like economic conditionality should be subject to Lomé principles, including the co-determination of procedures resting on principles of equality, partnership and mutual respect.

rather than Commission that took the initiative in acting upon the conditionality of the political. See Uvin, 1993, pp. 66–7.

¹⁰¹ Ravenhill, 1980, p. 48.

¹⁰² ACP Heads of State, Libreville Declaration (1997).

The obvious charge that the heads of state included a number of whom paid scant practical regard at home for what they were formally signing abroad misses the point that unlike two decades previously, they now considered that they had to sign up to what they hitherto found so repugnant.

It is the 'sovereignty' of the partner in question, especially that of a relatively non-democratic member state, that is the problem when the agency of the state appears as a partner co-determining the means by which democratic practice is to be encouraged. Thus, *political conditionality* has a very specific meaning in that it holds to the view that democratic principles cannot be enforced or induced but encouraged according to a negotiated agreement with the very partner who is responsible for why the conditionality of the political arises in the first place. It is here that the difference between a political settlement and agreement arises to explain why political conditionality took so relatively long to arrive in the Lomé convention.

One hallmark of political conditionality in Africa has been the advent of multiparty politics and elections through which, it was hoped that democratic practices could be embedded in one-party, authoritarian state structures. According to various reform movements which appeared in most African countries from the late 1980s, authoritarian one-party regimes were to be succeeded by 'the restoration of democracy' or 'multiparty democracy', the platforms from which the first opposition parties were mostly launched to contest the multiparty elections of the early 1990s. Simultaneously, from the standpoint of international donor agencies, including the EC/EU, political liberalisation was regarded as a condition for economic liberalisation with both presented as means for improved economic performance, growth and development.

Internal opposition movements within ACP member states, often alongside violent political action, ensured the conditions for political settlement which then made it possible for conditionality to appear as a means to negotiate conditions for human rights and multiparty politics.¹⁰³

After nearly a decade of the new 'wave of democracy' in Africa, it is now possible to evaluate the extent to which multiparty politics and elections have achieved the intended purpose of political liberalisation. For both internal and external agencies of reform, multiparty elections were not merely about a contest between two or more political parties which offered the basis for rational choice on the part of a figurative individual voter. Elections were to serve as a means of change in regime, involving a different approach to state government, or what has been called 'governance'. As an alternative to violent change, through a coup or revolution, elections were to legitimate a change in regime and make a new regime, through successive elections, accountable for policy. It is from these standpoints that issues of human rights and multiparty research findings are to be addressed. Recent research has shown that incumbent regimes, whose ruling parties won the first multiparty election during the 1990s, have learned to live with multiparty politics. Or, to put it the other way around, opposition parties have found it difficult to

¹⁰³ See Khan, 1995, p. 77:

Khan argues that it is 'the balance of power between classes and groups' affected by state institutions and which determines change within the state that amounts to a political settlement. Therefore, insofar as this balance varies from case to case, the point is that the effective application of conditionality, when informed by the same precepts, will also vary across ACP member states.

win parliamentary and presidential elections during the new 'wave of democracy' in Africa.¹⁰⁴ Secondly, there is marked variation in the degree to which elections have been keenly fought. Some recent multiparty elections have been as closely and keenly fought as the first multiparty elections of the 1990s. Others have been marked by voter apathy. Yet, thirdly, whatever the extent to which incumbent regimes have been to face off opposition parties during elections, it has generally been the case that multiparty elections have both widened and deepened the space for public political activity and expression.

Generally, multiparty elections have extended the area for public political activity insofar as they have emerged out through political reform which was partly led by the demand for freedoms of political expression. While there have been cases in which gains won in the early 1990s have been reversed (Nigeria, Zambia), reversals have been contested through sets of institutions, including the media, which have come to form the political basis of the much vaunted 'civil society' in Africa. In other cases (Kenya, Ghana), it has been the prelude to elections when electoral and political reform has been progressively furthered and often violently so. It is this finding which suggests a limited 'democratic break' between the one- and multi-party periods, and one, which it is so often asserted, has provided the political space for an arena of civil society to become the programmatic hope, especially of international donor agencies, for the embedding of liberal democratic practices as well as curtailing corruption in the ACP area generally.

4.5 Civil Society

The DG 8 Guidelines opened with the claim that the construction of the European Community rested on the same foundations as those envisaged for the new political contract of Lomé V:

*The participatory and transparent method adopted by the Commission in the discussion of a policy so tightly bound up with the building of Europe has laid the foundations for a new and open partnership, in which civil society, businesses, social players and local authorities all have an active role.*¹⁰⁵

Civil society is presented as a key issue. Thus, when the authors of the Guidelines turned to poverty alleviation by putting it at the cornerstone of the 'new partnership' of the envisioned Lomé V, through an 'integrated approach' combining the economic of markets with the social

¹⁰⁴ Research was conducted through the Elections in Africa project of the Institute of Development Studies, University of Helsinki between 1996 and 1998 for 14 countries. There was no case in which opposition parties won a general election or significantly gained at other elections studied as part of this project. This finding contrasts with the fact that the first multiparty elections, at the beginning of the 1990s, changed the ruling party for as many as 14 out of the 35 former one-party regimes. See M. Cowen and L. Laakso, 'Elections in Africa: a provisional overview of the IDS project', University of Helsinki Institute of Development Studies Unpublished Paper, June 1998; M. Bratton and N. van de Walle, *Democratic Experiments in Africa: regime transitions in comparative perspective*, Cambridge: Cambridge University Press, 1997.

¹⁰⁵ DG 8 Guidelines (1997), p. 3.

dimension of economic growth, they immediately raised the idea civil society. 'Political backing for a framework conducive to equal opportunities and the emergence of an active and organised civil society', the authors wrote, 'will be part and parcel of such an approach'.¹⁰⁶ Two interrelated implications of civil society can be gleaned from the guidelines. The first, arising from the integrated approach towards poverty alleviation, is that civil society stands for what can reconcile the freedom of private enterprise with the social impact of untrammelled economic growth upon employment, the provision of basic services, such as health and education, and the environment. Civil society, accordingly, both validates the freedom of private enterprise from state regulation while it is through civil society that the unemployment, deficient social provision, a degraded environment and discrimination against women are to be countered. A strong implication of this meaning of civil society is that it is the means by which social order is regulated.

Secondly, when referring to 'institutional development', the Guidelines affirm that DG 8 intends to 'back the organisation of civil society and strengthen social players':

*Cooperation could help them gather their forces – without undermining their quest for new methods of representation and dealing with the authorities – and encourage exchanges of experience, in particular on a South-South or regional basis. Besides[,] human rights associations, trade unions, consumer associations..., trade associations, producer associations, women's associations, youth organisations, children's organisations and environmental protection movements will benefit.*¹⁰⁷

Thus, it is implied that 'the organisation of civil society' consists of a number of associative organisations whose relation to each other is established by their common membership of what is presumed to be an entity that is called civil society. In proposing the organisation of an active civil society, the implication is that associations, when of civil society, are deemed to be independent of the state whereas the organising of civil society is implicated in the authority of the state. From the quote given above, DG 8 pleads that 'political backing' be given to the framework in which civil society is active and organised. Elsewhere in the Guidelines, it is clearly stated that the 'emergence of civil society', along with 'opportunities for all members of society' must be fostered in a 'political environment' and that 'there must be recognition and backing' for the two implications of civil society – the relation between that of private enterprise and the social dimension *and* its constitutive organisations.¹⁰⁸ Since it is the state which awards recognition to both, the Guidelines only reveal the contradiction that has long been part of the concept of civil society.¹⁰⁹

¹⁰⁶ Ibid., p. 4.

¹⁰⁷ Ibid., p. 20.

¹⁰⁸ Ibid., p.16.

¹⁰⁹ As shown in Cowen and Shenton, 1998.

This logical contradiction, between the voluntary associating of people in organisations of civil society and the plea that the ACP member states permits an political environment in which civil society can be actively organised, poses any a number of practical difficulties for implementing the new political contract proposed for Lomé V. Were it to be supposed that real content could be given to the abstract conception of an active and organised civil society, the following difficult problems, among others, immediately arise. The first is that there are an infinite number of associations that have the potential to be of civil society. Churches and religious movements, ethnic or tribal associations, social movements, and political organisations and parties are not mentioned in the DG 8 list of associations. Yet, throughout the ACP area, the 'missing' associations have often been the most-self conscious organisations of civil society, upholding the motif of 'the civil society' against ruling state regimes in the cause of political and social reform. From the 1980s, as during the colonial period, these were often the associations which attempted to force intransigent state regimes to engage in the kind of reforms that make possible the new political contract as envisaged by DG 8. Insofar as these associations were in opposition to ruling state regimes, it is not difficult to explain why they do not appear in a list designed to persuade ACP member states of the virtues of a new political contract.

A second difficulty is that whether or not associations are in opposition to state regimes or sponsored by them, associative organisations are more often than not formed through an antagonistic relation to each other. If their relation between each other is one of inherent conflict, then the presumed common membership of what is called civil society only makes sense if the same 'civil society' mediates between organisations and regulates conflict. However, it is the authority of the state that stands in the name of civil society to regulate conflict. The language of 'participation', 'transparency' and 'stakeholding', so prevalent in the kind of approach advocated by DG 8, is used as part of a plea to make state agency mediate conflict as *if* it was part of civil society rather than a singular source of authority which imposes its own political will, and particular interest, upon the people of a territory at large. The difficulty is that, other through the conditionality of the political, an external agency such as the EU does not possess the internal force that a state employs to mediate conflict and thereby determine which interest will prevail over another within the organised conception of civil society.

Thirdly, the idea of civil society has been invoked as the major means to fight corruption, and especially so as a system of government. As we showed above from the experience of Africa during the multiparty period of the 1990s, elections in themselves have not guaranteed a change in a state regime, and especially one that leads to a different system of government. Political conditionality remains as *conditions* for 'good government' and not what be guaranteed as the end of both the same and 'good governance'. Likewise, as we have seen, economic conditionality may have been the means to realise the conditions for economic development through the pre-conditions of good governance. But there has been no assurance that the

precepts of liberal democracy and/or development can be conditioned by the application of either political or economic conditionality towards particular ACP member states in question.

Experiences of the 1990s, especially in Africa, tell us that the democratic 'break', which has been achieved by the conjunction of internal and external pressures for political reform, has opened up the two implications of civil society in such a way that corruption as a system of government has been as much reinforced as curtailed by the openings of freedom for enterprise and political expression. The associative forces of ethnicity and religion, to name but two of the 'missing' associations of civil society mentioned above, have come to the fore during the period of multiparty politics. Ethnic and other forms of associative action, thereby, have thereby played no small part in the way which ruling state regimes have learned how to accommodate themselves to the new wave of political democratisation in Africa and elsewhere. Last, but not least, the injunction for 'decentralised democracy', as evidenced by the succouring of civil society organisations to provide social services, in place of the incapacities of central government to do the same, has only aggravated the tension that inheres in the ethnic and religious conflict and which, in part, has been opened up by the internal and external pressures for political and social reform.

None of the forgoing is to suggest that the conditionality of the political, especially as enforced by economic conditionality, has been misguided by either intention or the unintended consequences of what was intended by way of setting out conditions for confronting authoritarian and corrupt state regimes within the ACP area. Rather, we point to the general difficulty involved in making civil society the key to the new political contract, as envisaged for Lomé V, by suggesting that the cart of political democracy cannot be simply be put before the horse of economic development. Given the admitted limitations of Lomé to enforce a course of economic development within the ACP area, the substitution of political for the economic conditions of development is not likely to carry much historical weight unless it is appreciated that, sooner or later, the state will be forced to play a developmental role throughout the ACP area to confront the scourge of mass poverty. 'Civil society', along with much that goes by the name of the new political contract, may then be appear as an adjunct to what makes a new era of state development possible.

5. Conclusions

1. Community between the EC/EU and the ACP group, and especially its African member states, has rested on the surprisingly durable fiction that the Lomé contractual Convention was made between sovereign equals. Since its codification in Lomé I, this fiction of communitarian equality grew out of a necessity to recognise the formal independence of what were colonial territories when European imperial rule ended. Recognition was necessarily rooted in the process of negotiating treaties that governed trade and aid relations between formal equals.

However, formal equality has always been belied by the substantial *raison d'être* of Lomé – that of development in the ACP area. The need for ACP development, as expressed by both partners to the Convention, was matched by an understanding that the ACP member states were only able to make development possible with the assistance of the EC/EU member states through a common agreement. To this extent, Lomé has also rested on a presumed inequality between two groups of states. Paradoxical though it may be, it has been the existence of the space between formal equality, as set out in the principles of Lomé, and the inequality inherent in its developmental premise that has figured large in the creation and longevity of the Lomé relationship.

2. In the first part of this paper, we have explored aspects of the space between the principle of equality and the developmental premise of inequality. In particular, we attempted to show how the EC/EU effectively paid, through Lomé instruments, an insurance premium to ACP member states to protect them from risk which inheres in the export trade of primary products and raw materials. Latterly, the insurance principle has become one of social insurance with the aim of acting against the startling increase in mass poverty within the ACP area generally.

3. We have shown the radically diminished significance of the trade element in the Lomé relationship. Trade, after the Treaty of Rome and Yaoundé Convention arrangements, has both been at the heart of the Lomé Convention and has made it distinct from the myriad of other international aid-centred relationships. Once Lomé became a mainly aid-oriented agreement, it lost its distinctiveness. Furthermore, the emphasis upon aid also undercut the rationale for Lomé as a treaty between equals, each of whose member states had the formal right to choose their own paths of development. The aid-orientated basis of Lomé IV, which started in 1990, merely confirmed the final demise of socialist experiments in development within the ACP area.

4. We have also drawn attention to the content and use of one of the foremost analyses of Lomé, that of 'collective clientalism'. In so doing, we have shown why the Lomé 'patron-client' relation is ambiguous, especially by noting that it has become less possible for ACP member states to confer upon the EU the symbolic reward of 'being good' in return for donating material aid in the name of development. With the looming difficulties of areas closer to the European home, and with the growing importance of Asian and Latin American economic interests for EU member states, the ACP sanction of threatening to withdraw their symbolic reward now no longer carries whatever force it once did. Since a growing proportion of aid to the ACP area is advanced for purposes of humanitarian relief and poverty alleviation, the ACP group appears to become more of a supplicant than a client.

After four decades of political independence for most states within the ACP area, the formal need to recognise the member states as equals has diminished. This end of a period of history, together with the weakened capacity of the ACP group to threaten withdrawal from the

Convention, makes it possible for the DG 8 to declare that the 'post-colonial' days are over. Instead of a distinctive economic relation with the ACP group that was established upon the post-colonial premise of political equality, the EU Commission, as expressed through DG's Guidelines for renegotiating Lomé, now envisages a new political relation, named 'contract', which is premised upon the economic role which the group occupies as a supplicant. The purpose of the new political contract, on the EU side, is to make ACP member states aware of their responsibilities for development by effectively threatening the abolition of Lomé as a distinctive set of instruments for delivering aid. Conditionality has been the means by which the EC/EU has exercised its threat in the past and is likely to do more so in the future by putting the 'differentiation' of ACP member states centre stage in the DG 8 Guidelines for negotiating Lomé V.

5. The history of the attempts to enforce the economic conditionality of development aid by the World Bank and the IMF, from the early 1980s on, indicates that economic conditionality cannot be enforced without the correlate of political conditionality. By bringing political conditionality to the fore as part of the new political contract, the intention of the Commission is to suppose that political reform, through inducing democratic practices, will bring about change in the system of government which, especially in Africa, has made ACP member states economic supplicants of the EU. By acting for good government and thereby against corruption, in the name of good governance, the aspiration is to make political conditionality serve as a means for making economic development possible without dependence upon the older 'post-colonial' Lomé instruments for delivering aid. Instead of a generalised economic approach towards the ACP group as a whole, the new design for Lomé seems to envisage that member states will be selected according to criteria, with the political foremost among others, in rationing the given amount of aid which the EU as a whole deems can be afforded for a new Convention.

6. The key question here is whether and/or how aid can be made an effective sanction against corruption or reward for good government and/or good governance. It remains to be seen whether, in an increasingly aid-centred relationship between donors and supplicants, sufficient sanctions are available for enabling the EU Commission to enforce its vision of economic and political conditionality no matter how desirable the ends of may be in themselves.

While democratic multiparty elections may be deemed as a good end of government, in and of themselves, we have pointed out that there is no necessary connection between the implantation of formal liberal democratic practices and the elimination of corruption. Nor, given the ambiguities of what actually constitutes the civil societies of many ACP member states, especially the African ones, can it be presupposed that there is any necessary connection between the fostering of civil society and the lessening of corrupt practices. Nor is it clear that the regional dimension of a new Lomé, as proposed by DG 8, is on the cards. Recent events in Africa, particularly those arising out of recurrent warfare in the Great Lakes and Horn of Africa

regions, illustrate that possibilities for effective regional associations appear to be very remote during the immediate future.

A new Lomé, as envisaged by DG 8, seems to follow the contours of general foreign policy as exercised by the United States and virtually all EU member states towards conflict within the ACP area. Whether severally or collectively, African states, for example, are enjoined to take responsibility for both internal political reform and external conflict prevention, including armed force where necessary. Yet, economic aid is used as a sanction to determine which courses of reform and conflict prevention are allowable. To exercise responsibility, on the part of any one or more ACP member states, also means the right to determine particular courses of action, including making war in the role of 'peacekeeping', which may be objectionable to the Commission and other EU agencies. We have showed in this paper that tension, between the sovereignty of responsibility and the accountability towards the EC/EU for what responsibility practically entails, has always been inherent in Lomé. A new Lomé does not ultimately diminish the tension as long as, for whatever reason, the EU also recognises its own responsibility for development within the ACP area.

7. Much comment on the experience of Lomé IV, following similar evaluations of earlier conventions, suggested that the 'end of Lomé' was in sight. Equally, the bulk of proposals for what happens after Lomé IV seems to have lost sight of the prediction that the millenium will appear without Lomé. ACP member states, together with both northern and southern NGOs, have affirmed the principles of Lomé and pressed for their continuation in a new convention. The EU, contrary to what was expected during the 1990s, has not turned its back on the ACP. Since it has always been the case that only about 10 per cent of total EU aid, including that of its member states, is channelled through the Convention's instruments, the end of Lomé would not mean the end of aid. However, the end of Lomé would make it more difficult for the Union to enforce the political accountability of aid, including the overwhelming proportion of that which does not enter contractually into the Convention. This is ultimately what the new political contract, as proposed for Lomé V, is all about.

An EU withdrawal from Lomé would make it more difficult to employ sanctions, irrespective of whether reasons of humanitarian outcry within the EU member states might follow from a withdrawal of aid. Or, withdrawal would make it more difficult to enforce action in the name of the express reasons why DG 8 is searching for the new political contract – refugee flight, the spread of cross border epidemic disease, and the growth of narcotics trade. If the EU, and its member states, were able to intervene directly, in particular ACP member states and areas, for these reasons, as well as those in the cause of internal political reform and 'resolving' external conflict, then the principles of Lomé would be redundant. It is by way of a reluctance to assume a new form of colonial responsibility that the ending of 'post colonial' days cannot be accompanied by the end of Lomé.

