



UNIVERSITY OF NAIROBI

COLLEGE OF HUMANITIES AND SOCIAL SCIENCES

INSTITUTE OF DIPLOMACY AND INTERNATIONAL STUDIES

MA RESEARCH PROJECT

**THE ROLE OF LEGISLATIVE BODIES IN AFRICA'S REGIONAL
INTEGRATION: A CASE STUDY OF THE EAST AFRICAN LEGISLATIVE
ASSEMBLY**

SUBMITTED BY: JAMES KIPAMBI NTELE

R50/76148/2014

SUPERVISOR: DR. SHAZIA CHAUDHRY

**A RESEARCH PROJECT SUBMITTED IN PARTIAL FULFILLMENT OF THE
AWARD OF A DEGREE OF MASTER OF ARTS IN INTERNATIONAL
STUDIES**

2016

DECLARATION

I declare that, this research project is my original work and to the best of my knowledge has not been presented to any other university for any purpose of examination

.....

Signature

NTELE KIPAMBI

R50/76148/2014

.....

Date

I declared that, this project has been submitted for examination with my approval as the appointed university supervisor.

.....

Signature

DR. SHAZIA CHAUDHRY

.....

Date

DEDICATION

I dedicate this research project to my children Teleu, Sereti, Teriano, Ntele and Shunet. The entire course and in that case my academic achievement so far, should serve as a motivator for them all so that they strive to surpass the level of education I have attained this far. To their mothers, Naomi and Everlyne I owe a duty to both of you; a duty of fulfilling your educational ambitions.

ACKNOWLEDGEMENT

Completion of this research project would not have been possible without the support both moral and material from various people. First God Almighty for blessing me with good health, mental capacity and guiding me through the entire course. Secondly, my university assigned supervisor Dr. Shazia Chaudhry who has been the link between my ignorance and knowledge in research. She has been an effective supervisor, mentor, and guide as exemplified by her dedication, availability and professional advice.

I extend my gratitude to my other lecturers who taught me through my MA studies, therefore enriching my research with the learnt knowledge more so Dr. Martin Ouma who taught me both Social Science Research Methods and Epistemology of Research. I also acknowledge those who pressed me on through artificial challenges which emboldened and encouraged me to go past the glass ceiling. Finally, to my classmates, whom I have richly developed knowledge and I therefore appreciate their encouragement and confidence in me which was displayed when I was assigned class group responsibilities. I also appreciate their positive criticism. Despite the challenges of combining class work, family and work this team has been a very supportive and encouraging one. May God bless you all in your future endeavours.

TABLE OF CONTENTS

DECLARATION	ii
LIST OF TABLES	ix
LIST OF FIGURES	x
ABSTRACT	xi
CHAPTER ONE.....	1
INTRODUCTION TO THE STUDY.....	1
1.1 Background to the Study.....	1
1.2 Statement of the Research Problem	3
1.3 Objectives of the Study	4
1.3.1 Specific objectives	4
1.4 Research questions	5
1.5 Justification of the Study.....	5
1.6 Literature Review	6
1.6.1 Regional Integration.....	6
1.6.2 The East Africa Legislative Assembly	8
1.6.3 Challenges facing the East Africa Legislative Assembly	10
1.6.4 Gaps in the literature review	10
1.7 Hypotheses	11
1.8 Theoretical Framework	12

1.9	Research Methodology.....	13
1.10	Key terms and concepts.....	16
1.11	Chapter Outline	16
CHAPTER TWO		18
REGIONAL INTEGRATION IN AFRICA.....		18
2.1	Introduction	18
2.2	The Advancement of Integration in Africa	18
2.3	Benefits of Integration in Africa	21
2.4	Lessons from Other Regional Legislative Assemblies in the World	23
2.4.1	The European Parliament (EP).....	23
2.4.2	The Latin American Parliament	24
2.4.3	The Central American Parliament (PARLACEN)	25
2.5	Conclusion.....	26
CHAPTER THREE		27
THE PACE OF REGIONAL INTEGRATION IN EAST AFRICA.....		27
3.1	Regional Integration in Africa.....	27
3.2	East African Community.....	28
3.3	Organs of the EAC	30
3.4	The Reforms at EAC	31
3.5	Financial Deepening in EAC.....	32

3.6 Competitiveness of EAC.....	33
3.7 Deepening Integration.....	35
3.8 Conclusion.....	36
CHAPTER FOUR	37
THE EFFECTS OF THE POWERS OF THE EAST AFRICA LEGISLATIVE ASSEMBLY ON REGIONAL INTEGRATION.....	37
4.1 Introduction.....	37
4.1.1 Response Rate	37
4.1.2 Demographic Information	38
4.2 The Pace of Regional Integration in Africa	39
4.3 The Powers of the legislative assembly over the Community’s member states	43
4.3.1 The Mandate of the East African Legislative Assembly.....	44
4.4 The Effects of Powers of the Assembly Over Member States on Regional Integration	48
4.4.1 Role of the Legislature in EA Regional Integration.....	49
4.4.2 Initiatives by EALA to promote Regional integration	53
CHAPTER FIVE	57
SUMMARY, CONCLUSIONS AND RECOMMENDATIONS	57
5.1 Summary	57
5.2 Conclusions	59

5.3 Recommendations	61
BIBLIOGRAPHY.....	64
APPENDICES	68
APPENDIX I: INTERVIEW GUIDE.....	68

LIST OF TABLES

Table 4.1: Demographic Information of the Respondents.....	38
--	----

LIST OF FIGURES

Figure 4.1: Awareness on the laws passed by EALA.....	43
Figure 4.2: Achievement of the objectives of regional integration by EALA.....	49

ABSTRACT

East Africa Legislative Assembly is the legislative arm of the EAC. It's mandated to exercise legislative powers on behalf of the community and therefore has a major role to play in the achievement of the goal of integrating the East African region. Despite the fact that regional integration brings about both the internal and external growth, it is also faced with a lot of challenges that slow down its pace. Although some African leaders do support the process of regional integration, it still lags behind as compared to some regional integrations around the world. Although this slow pace of the process can be attributed to the fact that Africa is comprised mostly of least developed countries, there are other challenges as well. Based on these issues, this research seeks to investigate the role of legislative bodies in Africa's regional integration. Key objectives of this study is to determine the pace of regional integration in Africa; to examine the powers of the legislative assembly over member states of the East African Community and evaluate the extent at which these powers affect the conduct of member states in regard to their commitments to regional integration. Key Questions therefore are; what is the pace of regional integration in Africa? What are the powers of the legislative assembly over member states of the East African Community? To what extent do these powers affect the member states in regard to their commitments to regional integration? The Liberal Inter-governmentalism theory is the main theory used in this study. Different studies been conducted on the effectiveness of regional integration in relation to the accomplishment of the set objectives mostly focusing on the effects of integration on economic growths. In the case of East African Community, the East African Legislative Assembly was established to oversee the formulation of laws that facilitate integration in the East African Community. Nonetheless, there has been no study carried out to establish the role played by the Assembly in achievement of regional integration objectives and hence this study. The research employed the use of the descriptive research design. Descriptive method is applied in the identification and achievement of information based on the characteristics of certain issues and the data collected are quantitative in nature. In addition, the statistical techniques are employed in the process of summarizing information. The study established that several achievements have been realized in EAC. Regional integration process is deepening particularly due to the expanding scope of the legislative instruments, coordination of national economic and social policies, the expansion of trade between EAC countries as well as its trade with the rest of the world. The Assembly has and exercises powers over member states through legislation and oversight of council of ministers. EALA have contributed but not fully achieved the ultimate goal of full integration of the East Africa Community since out of the four pillars of integration, only two have so far been achieved. It is apparent that much work remains to be done to ensure that EALA has both the requisite legal and institutional capacity to steer the process of integration of East Africa.

CHAPTER ONE

INTRODUCTION TO THE STUDY

1.1 Background to the Study

Regional integration is the association between two or more countries coming together with a view to achieve social and economic stability.¹ The said association coalesces into a process characterized by entering into legally binding agreements which spells out areas of collaboration and some of the bodies involved in the coordination process of the involved countries. While as the integration process is economic in nature, it also extends to cover aspects in environmental, socio-cultural and political dimensions. Through economic integration that enables the removal of the trade barriers and tariffs, trade between countries has been made easier. Political integration also involves the act of sending armies from one country to assist another country that is in a state of unrest or conflict.²

Regional integration can be described by taking into consideration three dimensions which are; geographic scope, the depth of integration and the substantive coverage. The geographic scope encompasses the number of countries involved while as the aspect of substantive coverage entails the activity coverage involved in the course of regional integration.³

¹ Schiff, M. and Winters, A. (2003). *'Regional Integration and Development'* Washington D.C.: The World Bank

² Ibid, pg 1.

³ Jackson, J. H. (1989). *'The World Trading System.'* Cambridge. MIT Press

In Africa, regional integration was started in 1970s having been motivated by the formation of the OAU. However, due to existence of drawbacks such as domestic monopolies, small size of the national markets and the constant breaking of the regional commitments and cooperation by organizations, the process of regional integration did not last.⁴ Due to the fact that the overall economic growth of countries in the sub-Saharan Africa is quite low even when comparison is made to the individual states, adoption of regional integration was necessary to help in this.

The East African countries have prioritized regional integration and cooperation. A good example, the border barriers that inhibited smooth flow of trade between countries such as Kenya, Rwanda, Tanzania and Uganda have been lifted hence promoting peaceful coexistence and trade.⁵ This means that it is possible to travel through these countries without requiring a passport but only an East African Identification card. Following the lifting the trade barriers within the East African states, investment, trade and growth have been greatly increased.⁶

In East Africa, the Legislative Assembly has the mandate to serve with regional integration of member states. The mission of this body is to serve as an independent and effective regional parliament that legislates and exercises oversight in the interest nationals of the Community. This Legislative Assembly was formed by the East African

⁴ Niekerk, L. K. (2004). *'Integration in Africa'* Senior Economist, World Bank Country Office in SA

⁵ Fajgenbaum, J., Sharer, R., Thugge, K., and DeZoysa, H. (1999) *'The Cross-Border Initiative in Eastern and Southern Africa'* A paper written for International Monetary Fund

⁶ Wacziarg, R., and K. Welch (2008) *'Trade Liberalization and Growth: New Evidence.'* *World Bank Economic Review*, 22(2): 187–231.

Community to serve as a legislative body for countries that are party to the community namely: South Sudan, Uganda, Burundi, Kenya, Rwanda and Tanzania.⁷

Trade gains and insurance against unseen hazards such as trade wars and macroeconomic instability are among the numerous reasons why countries agree to regional integration. Since intra-regional trade provides positive interactions and peace, some countries join into regional integration to promote security and peace. Therefore, it's evident that this process of regional integration is very significant among countries.

Nonetheless, the process of regional integration has been faced with various challenges. One of the challenges is that of overlapping membership issues that rises as a result of a country being in more than one regional integration body. This issue of overlap in membership issues causes the division of a country's attention and cooperation hence negatively affecting regional integration.⁸

1.2 Statement of the Research Problem

In spite of the fact that regional integration brings about both the internal and external growth, it is also faced with a lot of challenges that slow down its pace. Although some African leaders do support the process of regional integration, it still drags behind as compared to other integrations around the world. Although this slow pace

⁷ East African Legislative Assembly (2016). '*Overview of the East African Legislative Assembly.*' Available online.

⁸ Mathieson, C. (2016). '*The political economy of regional integration in Africa: The East African Community (EAC).*' A report prepared for European Centre for Development Policy Management. Available online.

of the process can be attributed to the fact that Africa is comprised of least developed countries, there are other challenges as well.

The East Africa Legislative Assembly cooperates with the legislative bodies in each member state. The assembly presides over matters such as budgeting, EAC activities, and EAC audits among other reports prepared at the EAC. EALA discusses all issues affecting EAC and advises on the achievement of treaties. Moreover, EALA legislates on the hiring of parliamentary clerks and other staff at EALA and formulate standard operating procedures for the committees of the assembly.⁹

Although the member states collectively make up the assembly that makes the laws, it is such laws that could be the problem to the low prospects of regional integration. It is of paramount importance that EALA execute its mandate effectively because the assembly is both empowered by all the member states and its jurisdiction. This research sought to examine the role of legislative bodies in regional integration in Africa.

1.3 Objectives of the Study

To assess the role of legislative bodies in regional integration in Africa, the use of a case study will be employed that involves analyzing the East African Legislative Assembly.

1.3.1 Specific objectives

- i. To determine the pace of regional integration in Africa

⁹ EALA (2016). *'Mandate and Functions of EALA.'* Available online.

- ii. ii. Examine the powers of the legislative assembly over member states of the East African Community.
- iii. iii. Evaluate the extent at which these powers affect the conduct of member states in regard to their commitments to regional integration.

1.4 Research questions

- i. What is the pace of regional integration in Africa?
- ii. What are the powers of the legislative assembly over member states of the East African Community?
- iii. To what extent do these powers affect the member states in regard to their commitments to regional integration?

1.5 Justification of the Study

The issue of regional cooperation and integration has proven to be attractive due to the large number of scholars and corporate researchers who have shown their interests to it. Although different studies on the effectiveness of regional integration in relation to the accomplishment of the set objectives have produced mixed outcomes especially the impact that has on development, in East African Community, the EALA was created to oversee the formulation of laws that facilitate integration in East African Community. Nonetheless, there has been no study carried out to establish the role played by the EALA on regional integration. This study examined how EALA influences integration in East Africa.

The study will bring into light the achievements and the drawbacks of the EALA in its mandate to enhance regional integration. The study will as serve as an eye opener to

the policy makers on the impact of the laws and regulations on the general public for which they are intended. This study will also be of great significance as a piece of reference to scholars in their future studies on regional integration.

1.6 Literature Review

1.6.1 Regional Integration

The available literature on the influence that economic association between countries has on development has not yet come to a conclusive end thus the topic has continued to be debatable. Some findings on the topic has ranged from being positive or negative, a no or an ambiguous effects. Njoroge¹⁰ established that economic development is enhanced by integration of various countries into an economic block. It is important to note that member countries can reap more benefits by integrating their economies. To increase these benefits, the parties to an economic block should express political goodwill towards common social and economic initiatives. Secondly, augmented effort is needed towards macroeconomic policy co-ordination.¹¹

Muriuki,¹² through the empirical examination on the ways and means by which regional integration affect economic growth, he focused his study on the EAC partner states. In the years 1977-2014, the panel data was carried out for all the EAC partner states. The study found out that foreign direct investments and terms of trade had a

¹⁰ Njoroge, L. M. (2010). 'The impact of regional integration on economic growth: empirical evidence from COMESA, E AC and SADC trade blocs.' *American Journal of Social and Management Sciences*, 1(2): 150-163.

¹¹ Ibid, p 161

¹² Muriuki, T. K. (2015). 'Effects of Regional Integration on Economic Growth of East African Community.' *International Journal of Economics, Commerce and Management*, 3 (11): 1090-1113.

significant positive correlation with Gross Domestic Product growth. However, the limitation experienced during the calculations of the study is the missing data for some of the selected countries. Kenya had complete data but carefulness is needed when some countries are having missing data that may lead to incorrect results and wrong conclusions.

In contrast, Vamvakidis¹³ show that following a policy of broad liberalization would result into a faster growth rates compared to when countries are participating in regional integration agreements (RIAs) as such agreements are averages associated with slower growth rates. He ascribed this notion to the fact that regional integration arrangements may make countries reduce efforts towards liberalization of their own economies.. Torstensson¹⁴ argued that the main factors that promote growth of economically integrates countries are the transfers of technical knowledge and availability of investment opportunities. On the contrary, Badinger¹⁵ found that the rate of growth of countries in European Union was not influenced by the integration. A similar study by Vanhoudt¹⁶ did not find any differences in the rate of economic growth between member states and non-member states in OECD. Therefore, the effect economic integration on the development of the economy has not been concluded through empirical studies.

¹³ Vamvakidis, A. (1999). 'Regional Integration Arrangements or Broad Liberalization: Which Path Leads to Faster Growth?' *IMF Staff Papers*, 46(1): pp. 42-68.

¹⁴ Torstensson, R. (1999). 'Growth, Knowledge Transfer and European Integration' *Applied Economics*, 31, pp. 97-106.

¹⁵ Badinger, H. (2001). 'Growth Effects of Economic Integration-The Case of the EU Member States (1950-2000),' *IEF Working Papers*, 40.

¹⁶ Vanhoudt, P. (1999). 'Did the European Unification Induce Economic Growth? In Search of Scale Effects and Persistent Changes.' *Weltwirtschaftliches Archiv*, 135(2), pp. 193-219.

Muthoga¹⁷ established that the integration of the financial sector had significant effect on intraregional trade in the EAC. The recommendations given by the study was that EAC coordinating committee boost effectiveness in bank supervision aimed towards achieving uniformity in the financial sector. However, the study failed to establish the distributional effects of regional financial integration and whether regional imbalances vanish with regional financial integration. The main hindrances to economic development in within regional blocks in Africa are lack of good economic policies, uncertainties in the political environment, the effects of colonial governance, civil unrest and lack of strong systems of governance.¹⁸

1.6.2 The East Africa Legislative Assembly

One of the legislative organizations formed in East Africa is the Legislative Assembly. The EAC Treaty, particularly Article 9 formed the basis of EALA. The Assembly is comprised of members from each country in EAC. EALA form committees to implement its legislative mandates in EAC. The mission of the assembly is to perform legislative, representation and oversight roles in order to facilitate the integration in the region.¹⁹

¹⁷ Muthoga, S. (2013). 'The Effect of Regional Financial Integration on Intra-Regional Trade in the East African Community.' *Journal of Emerging Issues in Economics, Finance and Banking (JEIEFB)*, 2 (6): 888-908.

¹⁸ Collier, P. and O'Connell, A. (2004). Explaining Africa Economic Growth: Opportunities and Choices, AERC Growth Project Synthesis, Draft Chapter 2, August. Burnside, C. and Dollar, D. (2000). Aid, Policies and Growth. *American Economic Review*, 90(4): pp. 847-868.

¹⁹ The East Africa Legislative Assembly (2016). 'Mission, Vision and Values of EALA.' Available online.

Despite the important role played by the assembly towards integration of EAC economies, it sometimes fails thus causing the deficit in the operations of the assembly. When failures in the assembly are realized, it may cause a serious impact considering that there are five states involved in its formation hence the assembly is deemed to have failed democratically. Therefore, each member state is allowed to choose nine representatives. The selection of the representatives by each member state does not take into consideration the distinct population sizes of the member countries. For instance, Kenya and Rwanda are given an equal number of representatives despite the total population size of the two nations, which are 40 and 10 million respectively. The assembly gives emphasis on equality rather than the proportional representation²⁰.

EAC intends to promote integration of markets in East Africa, customs, politics and money. It is with the assumption that regional integration will bring about economic benefits for all its member states that the process is carried out. However, the assumption is based on a theory and its practicality is not an assurance. It is of great importance to note that it is only certain conditions does cooperation yield desirable macro-economic effects.²¹

²⁰ Muthoga, S. (2013). 'The Effect of Regional Financial Integration on Intra-Regional Trade in the East African Community.' *Journal of Emerging Issues in Economics, Finance and Banking (JEIEFB)*, 2 (6): 888-908.

²¹ Hofmeier, C. R. (2009). 'Regionale Kooperation und Integration,' Mir A. Ferdowsi (ed.), *Afrika – ein Verlorener Kontinent?*, 213-247.

1.6.3 Challenges facing the East Africa Legislative Assembly

A major challenge faced by EALA is the internal political insecurity. In case of internal insecurity it is very difficult for a government to focus on other significant matters especially those that do not affect the country directly. The process of integration is also negatively affected by insecurity especially where investors and citizens of other nations are scared away. For instance, the process of regional integration was adversely affected by violence that erupted after elections in the year 2008.

Overlapping membership is another challenge that has continued to augment in the process of regional integration. The five countries in the East African Community are also members of other regional organizations, which as a result divide their attention to the setback of some organizations. The cause for the overlapping membership is that most countries are driven at leaping out more benefits from their existence in several organizations especially in this era where regions and entire Africa is evolving in regional and international trade.

1.6.4 Gaps in the literature review

The existing literature show different outcomes from studies on the link between integration and the development of economies in regional economic blocks. While as one group of studies²² point out that regional integration induces economic growth, another

²² For example: Njoroge, L. M. (2010). The impact of regional integration on economic growth: empirical evidence from COMESA, E AC and SADC trade blocs. *American Journal of Social and Management Sciences*, 1(2): 150-163. Muriuki, T. K. (2015). Effects of Regional Integration on Economic Growth of East African Community. *International Journal of Economics, Commerce and Management*, 3 (11): 1090-1113.

group of empirical studies indicate that the association between regional integration and economic growth is insignificant. As such, the inconclusive findings from the previous empirical studies²³ have granted importance to the continuation of research on the topic of regional integration.

It is important if East Africa was to embark on achieving the United Nations Millennium Development Goals and eventually realize the UN Sustainable Development Goals. However, regional integration may remain a far-reach goal for the East Africa especially at this time when its legislative assembly does not fully support and therefore handicaps the process of regional integration. Nonetheless, most literature addresses regional integration and the experienced problems with the member states instead of the assembly. It is with this concern that this study seeks to explore whether the EALA influences the rate of economic growth of EAC member states.

1.7 Hypotheses

The study therefore seeks to examine the following null hypotheses:

H₁: There is a slow pace of integration in East Africa

H₂: The East African Legislative Assembly has no power over member states of the East African Community.

²³ For example: Vamvakidis, A. (1999). 'Regional Integration Arrangements or Broad Liberalization: Which Path Leads to Faster Growth?' *IMF Staff Papers*, 46(1): pp. 42-68. Torstensson, R. (1999). 'Growth, Knowledge Transfer and European Integration.' *Applied Economics*, 31, pp. 97-106. Badinger, H. (2001). 'Growth Effects of Economic Integration-The Case of the EU Member States (1950-2000).' *IEF Working Papers*, 40. Vanhoudt, P. (1999). 'Did the European Unification Induce Economic Growth? In Search of Scale Effects and Persistent Changes.' *Weltwirtschaftliches Archiv*, 135(2), pp. 193-219.

H₃: The powers of the East African Legislative assembly have no influence on the conduct of member states in regard to their commitments to regional integration.

1.8 Theoretical Framework

The Liberal Inter-governmentalism theory is the main area that is encompassed in the theoretical framework for this study. The theory of Liberal Inter-governmentalism was created by Moravcsik²⁴. This theory is characterized by three phases namely; national preference formation, interstate bargaining and institutional choice. In the first phase, the question of whether geographical or economic interests push countries to unite into regional integration emerges. In the second stage, the concept of interstate bargaining arises and the efficiency of the negotiations is examined. The results of the interstate bargaining could be manipulated by the value of the coalitions and unilateral policy alternatives. Opportunities or what Moravcsik refer to as “package deals”.²⁵

In the real world, institutions perform vital roles in the integration of nations, which differs from the perspective of the theory community that affirms that they have a less significant role. Furthermore, there is the existence of delegations by member states and pooling that induces the integration process.²⁶ The theory community views member states of a regional community as unitary rational actors who are mandated with the responsibility of controlling the process of integration. Despite the accuracy of this theory, there has been criticism on the grounds that it takes no consideration the

²⁴ Moravcsik, A. (1993). Preferences and Power in the European Community: A Liberal Intergovernmental Approach, *Journal of Common Market Studies*, Vol. 31, No. 4, pp. 473-523

²⁵ Moravcsik, A. (1998). *The Choice for Europe*. Ithaca: Cornell University Press

²⁶ Pentland, C. (1973). *International Theory and European Integration*. London: Faber and Faber Limited.

significance of commissions in various fields bearing in mind that legislative and commission institutions are the back bone of regional integration.²⁷

The theory affirms that it is the economic interests that drive nations to join in regional integration. The theory holds relevance for the East Africa Community whose main objective is economic integration that raises economic growths of member states through regional trade. According to the theory, there is also the existence of pooling and delegations by member states that affects the integration process. The formation of EALA as a legislative institution for EAC traces its foundation on the argument laid by the theory of Liberal inter-governmentalism with the aim of promoting the integration process. During the process of legislating on laws, individual EALA legislators has to take the interest of the individual states and the EAC economic block as well.

1.9 Research Methodology

The current study will employ the use of the descriptive research as its research design. According to Saunders, Lewis and Thornhill²⁸, the descriptive method is applied in the identification and obtainment of information based on the characteristics of certain issue and the data collected are quantitative in nature. In addition, the statistical techniques are employed in the process of summarizing the information. In order to ensure relevance and accuracy of data collected on the population selected by the study,

²⁷ Rittberger, B. (2005). *Building Europe's Parliament: Democratic Representation Beyond the Nation-State*, Oxford: Oxford University Press.

²⁸ Saunders, M., Lewis, P. & Thornhill, A. (2003). *Research Methods for Business Students*, 3rd Ed, Prentice Hall.

the use of descriptive design will come in handy. Zikmund²⁹ affirms that the use of the descriptive research is aimed at providing information on the attributes of a population or a certain phenomenon. According to Mugenda and Mugenda³⁰ descriptive research design can be depicted as empirical and systematic inquiring that denies the researcher the direct control of autonomous variable because the inherently cannot be manipulated. Moreover, the description of the descriptive studies by Mugenda and Mugenda³¹ posts that descriptive studies are concerned with the how, where and what of a phenomenon thus they are more focused on building a profile on that phenomenon.

Having targeted a total of 20 respondents, the study selected 10 respondents from the members of EALA and the other half from members of the ministry of East African Corporation Affairs. The research study will employ both the use of primary and secondary data. In order to collect accurate primary data, interview guide will be used for the research. According to Maholtra, questionnaires are very significant tools for data collection. This is because when open questionnaires are used in a study, there is high chances of collecting new ideas while as closed questionnaires ensure that respondents are restricted to a particular categories in their responses thus increasing accuracy of information. The reason why the interview guide has been chosen for this study is that they yield highest cooperation, provide high response quality, maximizes the advantage of interviewer presence and has lowest refusal rates.

²⁹ Zikmund, W.G. (2003). *Business Research Methods* (7th Ed.) Fortworth, TX, Dryden Press.

³⁰ Mugenda, O. M. and Mugenda, A. G. (2003). *Research Methods: Quantitative*. Nairobi: Nairobi: Acts Press.

³¹ Ibid

Interviews will be administered to the top management of the Ministry of foreign affairs while as questionnaires will be issued to the employees in the same ministry. The staff from the ministry will form the population from which data will be collected because such staff is more likely to be familiar with EAC and EALA. The sources from which the secondary data will be collected include; public documents in the ministry' library, published books, journal articles, the World Bank, the United Nations and EAC reports on matter for the relevant concepts and prevalent opinions.

By the use of descriptive statistics, SPSS will be used to analyze the quantitative data collected whereby the results will be presented through standard deviations, means and frequencies. To achieve this, the responses will be tallied up, computation of percentages of variations in responses will be done, description and interpretation of the data will be carried out systematically according to the study objectives and assumptions using statistical package for social sciences (SPSS). According to Mugenda and Mugenda, SPSS is software for managing, analyzing and displaying data, which is made up of comprehensive and integrated computer programmes. The qualitative data will be arranged according to the forthcoming themes and then analyzed statistically. The conceptual content analysis method will come in handy in the analysis of the interview guides because they are qualitative in nature. Mugenda and Mugenda affirm that the use of the content analysis is significant because it allows a researcher to study the current information aiming at ascertaining factors that elaborate a specific phenomenon.

1.10 Key terms and concepts

Regional integration - the association between two or more countries coming together with a view to achieve social and economic stability

Legislature -The organ of the government that is responsible for enacting laws.

Legislative body- authorities who make or amend or repeal laws

1.11 Chapter Outline

Chapter Two discuss the pace of regional integration in Africa. The chapter is structured into: the evolution of regional integration in Africa, benefits and challenges in regional integration in Africa, challenges associated with regional economic integration, regional legislative assemblies in Africa and comparative analysis and lessons from other regional legislative assemblies in the world.

Chapter Three discusses regional integration in Africa, establishment of EAC, the reforms at the EAC, financial deepening in EAC, external competitiveness and constraint to EAC integration.

Chapter Four presents study findings on the effects of powers of the East African Legislative Assembly over member states on regional integration. The chapter is structured in line with the study objectives which included the examination of: the pace of integration in Africa and East Africa, the powers of the East Africa Legislative Assembly over member states of the East African Community and the extent at which

these powers affect the conduct of member states in regard to their commitments to regional integration.

Chapter Five presents the summary, conclusion and recommendations.

CHAPTER TWO

REGIONAL INTEGRATION IN AFRICA

2.1 Introduction

This chapter discusses regional integration in Africa. The chapter is structured into: advancement of integration in Africa, the gains from integration, regional legislative assemblies in Africa and a review of legislative assemblies in other parts of the globe.

2.2 The Advancement of Integration in Africa

The efforts to achieve a sustainable economic growth has seen Africa increasingly focused on regional integration especially because of the existence of a consensus that through amalgamating its economies and combining its capacities, energies and endowments, the African continent can prevail over its challenges towards development. As a result of deeper integration, Africa will accomplish sustained and vigorous economic growth, boost eradication of poverty, ease of movement of merchandise, improvement of the infrastructure, come up with appropriate policies, synchronize economic activities and improve peace and security within and between regions.³²

Africa has had a renewed interest to create strong regional economic integration as mean to facilitate the pace of development of countries on the continent through creation trading blocs. The instability of power supplies and the rises prices of fuel has made

³² Biswaro, J. M. (2011). *The quest for regional integration in Africa, Latin America and beyond in the twenty first century: experience, progress and prospects: rhetoric versus reality: a comparative study.* Brasília: Fundação Alexandre de Gusmão, p 12.

African countries to undergo hardship due to lack of international competitiveness and inadequate scale of production. Besides, there has been hindrances to the flow of commodities across countries which serve as a major drawback to the growth of economies on the continent. Mengesha noted that Africa is still deeply rooted in soaring levels of poverty, command low shares of total trades across the world. The anticipated success of establishing a strong regional economic integration provides hope for Africa to enhance economic growth and development.

Hartzenberg³³ stated that one of the motivations to increase the desire for the African leaders to integrate Africa formed the rationalization for the Lagos Plan of Action (LPA) that purposed to increase self-adequacy and reduction of dependency on the Western countries by bringing together the African states. Countries on the African continent agreed to increased integration as a means to promote synergies on economic matters as well as address common challenges in the region.

The pace of integration among African countries was facilitated by enactment of the Constitutive Act (2000) which laid down laws governing the process of integration. This initiative by the AU shows its determination in advancement of stability in the region in regard to of social and economic promoting issues. Unlike its predecessor, the AU as stipulated by the aforementioned examples refrains from interfering with the internal

³³ Hartzenberg, T. & Kalenga, P. (2007). 'A Deeper Regional Integration Agenda for SADC.' *In: Bösl, A. et al. (eds.), Monitoring Regional Integration in Southern Africa, Yearbook Vol. 6 – 2007.* Stellenbosch: Trade Law Centre for Southern Africa.

affairs of Member States, but continues to exercise its power granted by the Member States.³⁴

Countries that are party to legislative assembly at the AU relinquish their power to the assembly in order to allow legislation of laws that can advance the agenda of the AU. The member countries are not allowed to interfere with the operations at the assembly. Each country is under obligation to express good will and support towards achievement of the development goals of the AU. Similarly member countries are required to implement resolutions passed by the AU. The decisions are made out of a consensus and where not possible, decision-making are dependent upon two-thirds majority on matters unlike the procedural ones that are only passed by few members.³⁵

In order to ensure effectiveness in the execution function, the Council must possess powers bestowed on it by member countries. This is evidence in the fact that quotas are granted to the Council to enable it deliver on the process of making decisions o areas such as trade between countries and improvement of markets on the continent. Therefore, participation of experts is welcome in the process of integrating countries in Africa. There is great importance to closer integration as envisioned by the Pan African Parliament (PAP).³⁶

The members of PAP advocate for issues that improve development in their respective countries. It therefore follows that citizens are not allowed to elect members to

³⁴ Biswaro, J. M. (2011). *The quest for regional integration in Africa, Latin America and beyond in the twenty first century: experience, progress and prospects: rhetoric versus reality: a comparative study.* Brasília: Fundação Alexandre de Gusmão, p 12.

³⁵ Constitutive Act of the AU 2000, art 13.

³⁶ Constitutive Act of the AU 2000, art 17.

the parliament. The PAP is only allowed to exercise consultative and advisory powers in its first term of formation, but in line with the provision of Article 11, protocol envisions that the PAP be granted legislative powers as stipulated by the Assembly. Until this is done, the PAP has no empowerment to execute legislation on issues of common interest.³⁷

There are strong forces of desire and motivation to integrate African economies on the regional and eventually continental levels. Such forces are shared among the international development partners and African elites. Consequently, appropriate policies and actions have been taken to help achieve the objectives of various regional blocs. There has been increase in the commitment of leadership in various countries towards integration. The main driving force is to economically empower peoples on the African continent.³⁸

2.3 Benefits of Integration in Africa

Several benefits have been realized from the economic association between countries in Africa. The benefits include ease of movement of commodities, streamlining custom unions between neighboring countries, promotion trades in capital markets, information exchange between countries and formulation of regional trade policies. Each of the member states has recorded an increment in their revenues since the launch of the customs union. The confidence and comfort brought about by such development continue

³⁷ Demeke, T. (2004). 'The New Pan-African Parliament: Prospects and Challenges in view of the Experience of the European Parliament.' *African Human Rights Law Journal*, p4.

³⁸ UNECA (2004). 'Assessing Regional Integration in Africa I, Communications Development Incorporated.' Washington D. C., USA

to inspire the member states in spite of the earlier doubts. Nonetheless, since the region has given a priority to the establishment of the common market, the situation has been reversed.³⁹

In addition to the advantage of acceleration in growth and development, economic integration has other universally acknowledged benefits such as lowering the risks associated with investment, cutting down on expenses involved in opening and running businesses, expanded markets for goods and services, efficient allocation of resources, pooling the resources and increasing the levels of manufacturing products.⁴⁰ However, it is unchallengeable that for such benefits to be achieved, strong economic policies should be made and fully implemented. Moreover, regional integration can assist in the preparation for an effective framework for the coordination of policies and regulations. The economic ties between African countries will be strengthened in the future to enhance resolution of conflicts arising on the continent.⁴¹

The association between Africa nations protects them from adverse effects of global economic challenges such as changes in prices, flooding of local markets with imports from other countries outside the continent. Integration also help African countries to enhance their balance of trade.⁴²

In order for both the partner countries to obtain adequate economic benefits, there should be the elimination of tariffs that mostly hinder smooth flow of trade between

³⁹ United Nations Economic Commission for Africa (2010). *'Assessing Regional Integration in Africa IV: Enhancing Intra-African Trade.'* Addis Ababa, Ethiopia, Economic Commission for Africa.

⁴⁰ Ibid.

⁴¹ Carbaugh, R. J. (2004). *'International Economics, 9th edition. Australia.'* Thomson South- Western.

⁴² UNCTAD (2003). *'The Least Developed Countries Report 2002: Escaping the Poverty Trap'*. Geneva.

countries. Furthermore, if increased accessibility to another market is dependent on one's own market, African countries should consider the establishment of trade reforms. As such, it means that adjustment will be much easier where import sectors contract while as the export sectors expand.⁴³

2.4 Lessons from Other Regional Legislative Assemblies in the World

2.4.1 The European Parliament (EP)

The EP, similar to the national Parliaments of all EU part states, is chosen by all inclusive suffrage; be that as it may, not at all like most European Parliamentary administrations, the 'European government' does not exude from any lion's share spoke to in the EP. The EP likewise has supervisory controls over EU administrators and offices, and settles on the selection of enactment together with the Council of Ministers by method for the co-choice strategy. The EP can introduce request for commissions; address Commissioners on any issue identifying with a typical arrangement, pass resolutions, and hold hearings.

Since 1979, the EP has been chosen by the European people groups at regular intervals, as indicated by a dissemination of seats that generally mirrors the demographic weight of every state. An arrangement of relative representation for EP races, The constituent elements, together with the dynamic strengthening conceded by each progressive bargain change and the overflow impacts of qualified greater part voting in

⁴³ Manone, R. M. (2008). *'The Importance of Regional Economic Integration in Africa.'* Masters Thesis University of South Africa, p 11.

the Council, changed the EP into the main supranational parliamentary get together on the planet that appreciates synchronous equitable authenticity, basic leadership skills and the ability to cut down a "legislature" (the Commission). In it, European Parliamentarians have the possibility of sharpening their political aptitudes in a persuasive, supranational environment – regardless of the fact that they are oftentimes enrolled from the positions of senior government officials or gathering nonconformists, either as a brilliant parachute for retirement or as a commonly helpful game plan to take out interior rivals.⁴⁴

2.4.2 The Latin American Parliament

The Latin American Parliament (PARLATINO) serves the Latin America and the Caribbean regions. Its fundamental objectives are the resistance of vote based system, the advancement of territorial coordination and the reinforcing of collaboration among Parliamentarians and parliaments crosswise over Latin America. It has legitimate identity and a financial plan gave by the signatory states. Its official dialects are Spanish and Portuguese. The PARLATINO Assembly is made out of national appointments sent by the part parliaments.

The Parliament's fundamental chronicled merits have been to give a reference point to majority rule goals and Parliamentary strategies amid the dim time of Latin American autocracies; its primary inadequacies have conceivably begun in its not having a place with any critical, all the more including association. PARLATINO has however

⁴⁴ Bardi, L. (1996). 'Report: Transnational Trends in European Parties and the 1994 Elections of the European Parliament.' *Party Politics*, 2/1: 99-114

been defamed for being an insignificant typical instead of agent parliament much like EALA. It is fit for facilitating thought on local and between territorial issues yet has no prospect of steadily turning into a decisional organ. It needs both political criticalness and social roots.

2.4.3 The Central American Parliament (PARLACEN)

PARLACEN was founded by the Central American presidents with a view to putting a conclusion to customary contentions and encourage popular government and peace in the area. The Parliament was set up in October 1991 when it got together initially met in Guatemala City, which would turn into its perpetual area. The authoritative abilities of PARLACEN are constrained to proposition, investigation and suggestion. With respect to voting techniques, PARLACEN settles on choices by supreme greater part, aside from where building up or changing inner statutes is worried: for this situation, a qualified lion's share is required. The nation individuals accommodate the parliamentary spending plan on an equivalent premise.⁴⁵

From the above illustrations, it can be noticed that all Parliaments however provincial are connected to their national Parliaments and choices made at territorial level are felt at the national level. One reason is on account of agents at the territorial Assembly have establishes in the National Assembly. Again these choices at local level are consulted by delegates of individual national gatherings and not superimposed. They in this manner are not "battled" at the local level and in that capacity the harmonization of

⁴⁵ Ibid

territorial laws is fruitful, however not without difficulties. EALA ought to likewise receive such frameworks to guarantee more prominent lawful and arrangement amicability at the EAC supranational level.

2.5 Conclusion

The association between countries in regard to social and economic matters is of great importance in Africa. This association is important because countries in Africa are faced with high levels of poverty and low rates of economic advancement. Africa needs to recognize that territorial monetary mix is the most ideal approach to quicken Africa's development and advancement plans. This is vital, in light of the fact that many countries in the world encounter economic hardship due to recessions hence the need to revive trade at national and regional levels. The presence of legislative assemblies in the region ensures that laws and regulations on economic and social associations between countries is enhanced.

CHAPTER THREE

THE PACE OF REGIONAL INTEGRATION IN EAST AFRICA

This chapter reviews the progress made towards integration of countries that are members of the East Africa Community (EAC). Consideration here is directed at regional integration in Africa, establishment of EAC, reforms and institution structures in the EAC, financial deepening in EAC, external competitiveness and constraint to EAC integration.

3.1 Regional Integration in Africa

Political, monetary and territorial budgetary combination has been a piece of African methodology to conquer discontinuity, underestimation and enhance the mainland's position in the worldwide political economy. Local groupings have been a piece of this incorporation and there are a greater amount of such endeavors in Africa pretty much as there are in numerous parts of the world.⁴⁶ The mission for African regionalization has been spurred by the requirement for both political and financial reconciliation as a method for tending to issues affecting the continent.⁴⁷

Several Regional Economic Communities (RECs) have been formed in Africa. They include: Common Market for Eastern and Southern Africa (COMESA), East African Community (EAC), Economic Community of Central African States (ECCAS),

⁴⁶ United Nations Economic Commission for Africa, (2011). 'Continental integration agenda - state of play,' *Sixth Session of the Committee on Trade, Regional Cooperation and Integration*, Addis Ababa, Ethiopia

⁴⁷ Ibid,pg 4.

Economic Community for West African States (ECOWAS), Intergovernmental Authority for Development (IGAD), New Partnership for Africa's Development (NEPAD) and Southern Africa Development Community (SADC).⁴⁸

3.2 East African Community

Tanzania, Kenya and Uganda have delighted in a long history of Economic coordination: custom union amongst Kenya and Uganda in 1917, which was joined by the terrain Tanzania in 1927. The fall of EAC in 1977 was attributed to a number of factors. To start with, Kenya pulled in more private capital inflows in respect to alternate nations in the locale, which prompted it turning out to be more industrialized. Second, EAC countries adopted different political statement after independence with Tanzania opting for communism while Uganda and Kenya becoming capitalists. However, EAC was re-built up in 1999 after fruitful transactions and the marking of the arrangement by the Heads of States of the three nations. Rwanda and Burundi became members of the EAC in July 2007.⁴⁹

Advance has been made in changing exchange among the part states by building up a custom union. The East Africa Custom Union (EACU) started operations in 2005 after the marking of the convention setting up it in 2004. As a method for tending to previous exchange awkward nature that came about to the crumple of the old EAC, part nations set out to apply the guideline of asymmetry in the disposal of inside tax, though

⁴⁸ Ibid, p9.

⁴⁹ Mvungi, E. (2002). *The draft treaty for the establishment of the East African Community: A critical review.* Dar es Salaam University Press Ltd.

the merchandise from Uganda and Tanzania were to enter Kenya obligation free, while the two nations were to force a tax at diminishing rates on those imports from Kenya for a long time. The convention building up the East African Common Market was marked in 2009 and came into constrain on July 1, 2010. The foundation of the traditions union and the normal market has kept on clearing route with the expectation of complimentary development of merchandise and enterprises, and work inside the area.

The intra-EAC exchange stays low, regardless of the way that EAC part nations have throughout the years, since the recovery of the custom union in 1999, put more endeavors in concocting approaches and methodologies to build exchange and trade among the part states. The principle objective for changing the EAC into a coordinated monetary and political substance is supported by the craving for the EAC accomplice states to achieve maintainable and evenhanded development and advancement prompting enhanced ways of life of the general population through expanded aggressiveness, esteem included generation, exchange and venture.⁵⁰

The EAC accomplice nations sanctioned the Common Market Protocol, with the point of expanding exchange among part states. Different strides taken by EAC nations to advance exchange among the individuals incorporate; prompt disposal and steady decrease of duties, evacuation duty proportional charges on inner exchange, exclusion of those items, building up and keeping up a Common External Tariff (CET) and end of all non-tax hindrances (NTBs) including which was effectively executed through foundation and Operationalization of the National Monitoring Committees (NMCs) on NTBs in all

⁵⁰ EAC (2010). *Trade Report 2008. East African Community Secretariat.* Arusha, Tanzania

accomplice states. The NTBs to be disposed of or diminished were ordered into the accompanying eight groups: custom documentation methods, migration techniques, bulky assessment prerequisites, police barriers, shifting exchange directions among the EAC nations, differing unwieldy and exorbitant traveling systems in the EAC nations, duplication of capacities inside organizations required in custom activities and business enlistment and permitting.⁵¹

3.3 Organs of the EAC

As a Regional Economic Organization, the East African Community is involved just five of the thirteen East African Countries, that is; Kenya, Uganda, United Republic of Tanzania, Burundi and Rwanda. The third article of the EAC Treaty allows for the addition of new member to the community. According to development by method for enrollment of the group where at article 3(2) accomplice states may, upon such terms and in such way as they may decide, consult with any outside nation the giving of participation to or relationship of with the Community or support in any of the Community's exercises. South Sudan and Sudan have officially connected to be considered for participation in EAC.

The Summit comprises of the Heads of State or Government of the Partner States meets in any event once every year and may hold exceptional gatherings at the demand of any individual from the Summit. The residency of office of the Chairperson of the Summit is one year and the workplace of the Chairperson is hung on pivot among the

⁵¹ Mvungi, E. (2002). *The draft treaty for the establishment of the East African Community: A critical review.* Dar es Salaam University Press Ltd.

Partner States and choices are landed at by agreement. The Summit gives general bearings and stimulus with regards to the improvement and accomplishment of the targets of the Community, considers reports submitted to it by the Council as accommodated by the Treaty, it likewise surveys the condition of peace, security and great administration EAC.

The Co-appointment board of trustees comprises of changeless secretaries in charge of EAC issues in accomplice States and it is accused of the duty of submitting to the Council reports and suggestions on matters identifying with the EAC especially concerning the execution of the EAC Treaty. The sector panels are specially appointed in nature and are set up by the co-appointment board of trustees on need premise. The EACJ is the primary judicial organ of EAC. The EAC additionally has a Counsel, who is the central legitimate guide of the Community. At long last, EALA is the fundamental authoritative organ of EAC and it will frame the principle center of this section.

3.4 The Reforms at EAC

The major changes that have taken place at the EAC include harmonization of the budgetary processes, improvement of trade between member countries, expansion of the financial market and financial institutions, improvement of infrastructure, ease of movement of people and commodities in the region, exchange of knowledge and skills.⁵² The improvement of energy sector and the transport has been on the rise and various undertakings have been started, including at the provincial level. Specialized and also

⁵² McAuliffe, C., Saxena, S. C. and Yabara, M. (2012). 'The East African Community: Prospects for Sustained Growth.' *IMF Working Paper*, WP/12/272. Available online.

financing challenges have, be that as it may, constrained advance in conveyance as such.⁵³

EAC nations have gained nonstop ground in enhancing human capital, yet stay well beneath managed developments, except for Kenya. The social and economic conditions have improved in EAC. Kenya has reliably been maintained on the developments, both as for wellbeing conditions and instruction, giving the nation a relative preferred standpoint as far as human capital. EAC has not been successful in supporting development in two imperative territories for managed development: (i) residential budgetary profundity by and large connected with high household investment funds, EAC nations are exceptionally subject to outside reserve funds; and (ii) outer intensity EAC nations are less aggressive with little and undiversified fares.⁵⁴

3.5 Financial Deepening in EAC

The budgetary extending in EAC is happening at a moderate pace. The expansive cash to GDP is not as much as a large portion of the levels in nations with supported development. Kenya has increased availability of capital to business through the rise in credit institutions. This advancement agrees with the disintegration of the monetary adjustments, demonstrating the likelihood of swarming out by people in general part. Nevertheless, high rates of interest remain a hindrance to growth businesses in EAC.

⁵³ World Economic Forum (2010). *'The Global Competitiveness Report 2010–2011.'* Geneva, World Economic Forum.

⁵⁴ Isaksson, A. (2007). *Determinants of Total Factor Productivity: A Literature Review.'* *Research and Statistics Staff Working Paper 2/2007*, Vienna: United National Industrial Development Organization.

Access to fund for maturing little and medium-measure ventures (SMEs) has been constrained to the (generally unregulated) casual money related part.

3.6 Competitiveness of EAC

Basic elements including broadening and administrative expenses of working together better clarify the outside intensity of EAC nations as talked about underneath. Taking a gander at fare structures, fares of Kenya, Uganda, and Tanzania are generally very much differentiated, somewhat on account of made products fares to the provincial accomplices. Despite the fact that a typical market is set up, nontariff hindrances are still high in the district; and basic gauges and blended directions are yet to be settled upon. While EAC individuals have grasped showcase steady approaches at the more extensive level and frequently set up legitimate structures neighborly to financial specialists, business overviews demonstrate that authorization is dangerous. Speculation motivations are awkward and regularly endeavor particular. Such hindrances oblige venture and fare levels, as well as hamper private interest in base, promote expanding expenses; and they discourage advancement, and therefore yield and fare enhancement. Besides, change endeavors have not been firmly planned at the local level, decreasing to some degree their effect. Evacuating these residual impediments could encourage speedier fare development for the district.⁵⁵

Another challenge to competitiveness of the EAC has been shortage of food. The Horn of Africa encountered a serious dry spell and starvation in 2010/2011 in which

⁵⁵ McAuliffe, C., Saxena, S. C. and Yabara, M. (2012). 'The East African Community: Prospects for Sustained Growth.' *IMF Working Paper, WP/12/272*. Available online.

millions confronted craving and several thousands were dislodged. The main factor contributing to low food production is the changes in climate leading long periods of draught.⁵⁶ Low income in households and unequal distribution of wages also hamper development in EAC.⁵⁷

Different difficulties confronted by EAC incorporate extending monetary markets and assembling local funds, enhancing outer aggressiveness—to build sends out—and facilitate creating physical and human capital. The EAC has been financed fundamentally by outside investment funds, primarily contributor gifts. The levels of household reserve funds and monetary extending in the EAC are much lower contrasted with nations with reasonable development. So also, commitment of fares to development has been genuinely restricted in EAC with broadening current record shortages, contrasted with nations with reasonable development.⁵⁸ Keeping up macroeconomic dependability low expansion and monetary shortages—is critical for all EAC nations. Monetary shortfalls in the EAC have ascended as of late in accordance with arranged financial jolt strategies despite the worldwide subsidence.⁵⁹

⁵⁶ Society for International Development (2012). *The State of East Africa: Deepening Integration, Intensifying Challenges.* Kenya: SIID.

⁵⁷ Ibid

⁵⁸ McAuliffe, C., Saxena, S. C. and Yabara, M. (2012). 'The East African Community: Prospects for Sustained Growth.' *IMF Working Paper, WP/12/272*. Available online.

⁵⁹ Ibid

3.7 Deepening Integration

East Africa's local joining procedure is extending as far as the growing extent of the laws, arrangements and directions that are offering impact to the choices and deliberations on associations between countries.⁶⁰ Integration is extending in the monetary and business area. Exchange between the EAC nations and the area's exchange with whatever is left of the world has extended because of its import-devouring financial development execution. Some of this has originated from inside the district as firms put crosswise over fringes in such ranges as concrete generation, budgetary administrations, tourism and assembling. Monetary framework that include streets, rail and ports-is likewise being mutually arranged and created and is pulling in financing due to its local nature and purpose.

Reconciliation has been developing in the security field, most strikingly as nations take an interest in peacekeeping and against military unrest in the member states as is the case in Somalia and civil unrest experienced in Burundi. EAC countries have contributed troops to aid in the peacekeeping efforts in the troubled nations. In this regards, Kenya has sent military troops in Somalia to counter terrorism activities by Alshabaab terror network.

⁶⁰ Society for International Development (2012). *The State of East Africa: Deepening Integration, Intensifying Challenges.* Kenya: SIID.

3.8 Conclusion

EAC combination is as of now progressing, however basic hindrances remain. Evacuating them ought to end up a need. A period bound procedure to take out non-duty boundaries would give organizations a chance to profit from the local normal market and set them up for rivalry in more extensive markets. The improvement of regular guidelines and orchestrated controls would enormously upgrade the business environment and encourage lawful authorization. Provincial coordination of speculation advancement and expense change would confine intraregional motivating force rivalry and pull in financing for bigger ventures.

More profound local mix can cause the EAC to helpfully accomplish its key strategy needs. The instrument of local reconnaissance went down by proper merging criteria could be utilized to commonly guarantee reasonable macroeconomic administration by the individuals. Money related mix would permit the pooling and assembly of rare local reserve funds and proficient designation of such investment funds. All around planned territorial framework activities could conquer bottlenecks of physical base and energize productive utilization of contributed assets. Free development of merchandise, administrations, and capital would upgrade rivalry over the area, in this manner boosting profitability and yield development.

CHAPTER FOUR

THE EFFECTS OF THE POWERS OF THE EAST AFRICA LEGISLATIVE ASSEMBLY ON REGIONAL INTEGRATION

4.1 Introduction

This chapter talks about the outcome of the study in line with the set objectives. The main objective was to study the role of legislative bodies in Africa's regional integration, the East African Legislative Assembly used as a case study. The study specifically examined the rate of Africa's regional integration, the power of the legislative assembly over the EAC member states and the extent to which these powers affect the conduct of member states in regard to their commitments to regional integration.

4.1.1 Response Rate

The study targeted a sample size of 20 respondents. In response, a total of 15 questionnaires were returned. This translated into a response rate of seventy five per cent (75%). The discrepancy rose from the inaccessibility of some respondents due to their busy work schedules. This response rate was adequately representative of the target population thus allowing generalization of the study findings to the population. According to Mugenda and Mugenda, a response rate is considered adequate for analysis and reporting if it is 50%; it is considered good if it is a 60%, while a response rate of 70% and above is rated as excellent.

4.1.2 Demographic Information

Table 4.1 illustrates the respondents' demographic information in terms of organization, age, and position.

Table 4.1: Demographic Information of the Respondents

		Frequency	Percent
Organization	Ministry	9	60
	EAC/EALA	6	40
	Total	15	100
Age (Years)	18-25	2	13
	26-35	4	27
	36-45	6	40
	46-55	3	20
	Total	15	100
Position	Member	3	20
	Staff	12	80
	Total	15	100

The study findings in Table 4.1 indicated that a majority (60 percent) of the respondents was from the Ministry of East African Corporation Affairs and 40 percent were from members from EALA. The study findings show that majority (40 percent) of the respondents were between 36 and 45 years old followed by 27 percent between 26

and 35 years, 20 percent between 45 and 55 years and 13 between 18 and 25 years. a majority (80 percent) of the respondents were staff and 20 percent were members.

The demographic information indicated that the data collected captured different types of employees at the East Africa Legislative Assembly in regard to organization, age, and position. The respondents were able to provide correct and comprehensive information on the role of legislative bodies in regional integration in Africa.

4.2 The Pace of Regional Integration in Africa

The first objective of the study was to assess the pace of integration in Africa. The respondents were asked to describe the nature of East Africa's regional integration. This study established that there is noticeable progress towards strengthening integration among East African Countries. There had been progress in regard to harmonization of laws by EALA, enhancing economic integration and closer political association and deliberations. There has been increase in trade amongst EAC and also with other parts of the world mainly through export of agricultural products. Besides, EAC member states have been cooperating in improvement of peace as well as stability in the region as well as combating security threats posed by terrorism. The cooperation in security is evidenced by peacekeeping missions in Burundi, Somalia and South Sudan and the fight against Al-shaabab militia in Somalia by AMISOM forces which have troops from Uganda, Kenya and Burundi.

EAC aimed at achieving full integration by implementing four stages of integration as follows: a regional common market, custom union monetary union and political federation. The protocol establishing EAC custom union was signed on 30th

November 1999 and protocol establishing EAC common market was signed on 30th November 2009. These two are already in operation. Though the protocol establishing EAC monetary union was signed on 30th November 2013, modalities of its effective implementation are still underway. Also underway are preparation for negotiation of political federation by partner states. This being the last stage in regional integration in East Africa, discussions are still at the early stages in readiness for appropriate legal framework for the establishment of a political federation.

EAC member states have come up with various reforms in the EAC market which include liberalization of the capital markets, harmonizing budgetary systems and the management of public funds, building capacity and reforming financial institutions like the East African Development Bank. Trade reforms in terms of the formation of the customs union as well as making the common market protocol operational have contributed to the elimination of a considerable number of tariffs and non-tariff trade barriers across the region.

The EAC lacks sustainable growth in domestic financial markets due to low domestic savings and external competitiveness and lack of diversification of exports.

Another challenge has been economic categorization of economic performance of EAC member states. Kenya has been categorized as having a stronger economic performance and has been rated as a middle income economy. This means that its exports to the European Market will attract higher tariffs if it does not sign the Economic Partnership Agreement (EPA) between the EU and EAC. Tanzania and Uganda declined

so sign the EU-EAC EPA on the ground that it did not favor their local manufacturing industries especially following the exit of Britain from European Union.

Compliance to the international standards is a prerequisite in global trade. Statistics shows that failure to comply with international standards hinders access to major deprives international markets by producers from and has contributes to the African share of the global market (3% in 2010 and projected to 4% in 2030).⁶¹ This calls for increased cooperation between the infrastructural development organizations and the policy makers (African Union and RECs) to ensure effective legislations for resource mobilization to strengthen the quality of infrastructure in the region.

The EAC's Customs Union was formed in 2005 and its Common Market was founded in 2010 to promote trade in the region and enable easy movement of people across EAC.

According to Honorable Daniel Fred Kidega, Speaker of EALA:

“Integration arrangements achieved early in the operations of EAC included: The East African High Commission between 1948 and 1961, the East African Common Services Organization from 1961 to 1967 as well as the East African Community (1966-1977). As at the time of its collapse, the Community had made great strides and the benefits to the people were immense including free

⁶¹ Statement by Honourable Daniel Fred Kidega, Speaker of EALA

movement of people, opportunities for employment and viable institutions that provided effective and efficient services to the citizens of the region.”⁶²

EALA is supportive of the integrative pillars and it provides the connection between people and institutions in East Africa. Honorable Daniel Fred Kidega, Speaker of EALA added that:

“Integration continues to proceed apace with major achievements recorded including the entry of Rwanda and Burundi in 2007, and that of South Sudan this year. EAC has an operational Customs Union and efforts are underway to ensure full realization of the pillars of Common Market and Monetary. EALA is I the process of bringing stakeholders together in efforts to inaugurate a road map towards realization of an EAC political federation.”

The process of African integration calls for sustained dialogue, collaboration, confidence building and learning between and among member states. Complimentarily and not competition is the way to keep such dialogue alive. The effectiveness and sustainability of Africa and citizen participation in development initiatives relies on continuous political will, maintenance of peace and security, development of indigenous capacity for investment as well as good governance.

⁶² Statement by Honorable Daniel Fred Kidega, Speaker of EALA

4.3 The Powers of the legislative assembly over the Community's member states

The next specific objective of this study was to scrutinize the powers of the legislative assembly over the Community's member states. The respondents were invited to respond whether they are aware of the Laws so far passed by the East African Legislative Assembly. Figure 4.1 illustrates the responses to the study.

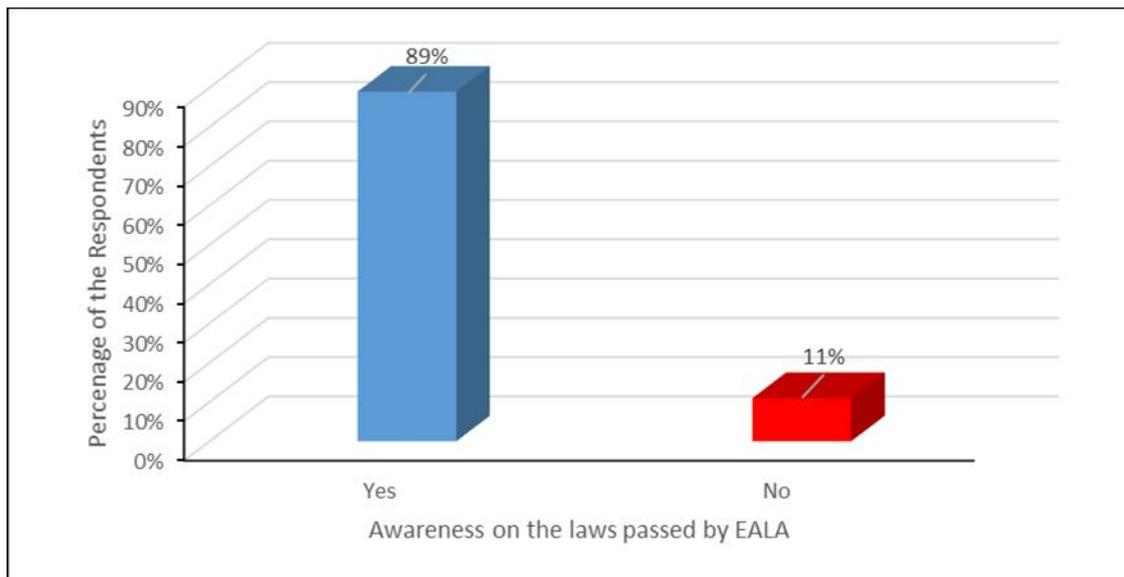


Figure 4.1: Awareness on the laws passed by EALA

The study finding in Figure 4.1 shows that majority (89%) of the respondents were aware of the laws passed by EALA while 11% were not aware of the laws. The respondents cited laws such as The East Africa Community Competition Act, 2006; The Lake Victoria Act, 2007; amongst others (appendix ii).

According to Honorable Daniel Fred Kidega, Speaker of EALA:

“As the regional Assembly, EALA plays an important role in the integration process as a legislative, representative and oversight body. EALA has enacted over 40 Acts and passed over 50 Bills, 16 resolutions and 26 reports. The laws enacted supersede national laws and any dispute and controversy is heard and determine by the East African Court of Justice.”⁶³

4.3.1 The Mandate of the East African Legislative Assembly

This section presents both EALA’s current and envisioned mandate and roles.

4.3.1.1 The Legislative Mandate

EALA passes laws that govern the East African Community. The first and inaugural Assembly passed 19 Acts while the Second Assembly passed 35 pieces of legislation. One particular commendable step by the 2nd Assembly, whose term was between 5th June 2007 and 5th June 2012, was the holding of public hearings of bills that were conducted throughout the region.⁶⁴ However, even though the public hearings may help to boost reception and appreciation of the activities of the Community among the citizenry, they fall short of the democratic threshold for public participation.

Another area of concern is the autonomy and exclusivity of EALA’s legislative power. The doctrine of separation of powers has not been expounded in the EAC treaty.

⁶³ Statement by Honorable Daniel Fred Kidega, Speaker of EALA

⁶⁴ This activity forms part of the EALA 2011-2012 Strategic Plan and has won accolades from the president of Kenya Mwai Kibaki see the speech by HE. Hon. Mwai Kibaki, during a state address to the EALA at parliament buildings, Nairobi on 17th April, 2012

For instance, the Council is empowered by Article 11 (6) to delegate legislative powers by the summit to the council or secretary general; Article 14(3) (b) gives power to the Council to commence and present Bills to the assembly; Articles 123 (6) confers power to the Summit to start the process of formation of a political federation.⁶⁵ These powers bestowed on the Summit and the Council usurps the mandate of the EALA.⁶⁶

Importantly however, is the notable power of a member state to withhold assent to a community bill thereby killing such a bill. Article 63 of the EAC Treaty present assenting of bills passed by EALA to the Heads of State summit and further states that should a single head withhold assent, then this move makes the bill to lapse. This provision makes EALA legislation and EAC laws open to abuse by Countries that may be mischievous or hell-bent to slow integration process. This provision also takes from EALA the ultimate legislative mandate. The best scenario would be to give EALA all requisite powers to legislate; so that they have the reversionary right and final determination in terms of making of the Community laws. This way no single Nation can hold the community at ransom by refusing to assent to any single community bill. It is proposed that the current period of 3 months given for assent of bills by the summit be maintained. So that a Bill that has not received assent within three months as provided for in the Treaty from the date it was passed by EALA should be referred back to the Assembly Speaker with a memorandum explaining why it was not

⁶⁵ EAC Secretariat 2002, Article 123(6) and (7)

⁶⁶ Adar, (2008) Federalism and East African Community Integration Process: The Role of the East African Legislative Assembly, Paper prepared for presentation at CIGI/GARNET conference on: Mapping Integration and Regionalism in a Global World: the EU and Regional Governance outside EU, 17-20 September 2008, Bordeaux, France

assented to, and the members may debate it and either pass it as it is, or with amendments and in a majority vote, as ultimate representatives of the citizens of East Africa, finally decide on its fate, i.e. be able to overrule/ overturn decision of a the summit.

Should an Individual state be withdrawing assent while the rest or majority are in agreement with it in terms of article 63 (4) of the EAC treaty, then after a period of three months, instead of such bill standing as having lapsed, it should be taken as having been assented to and take effect as part of EAC laws.

4.3.1.2 Oversight Mandate

The IPU has proposed a kit that sets out various tools that a parliament can apply to exercise its oversight role.⁶⁷ These include,

- a) effective use of Committee systems for investigation purposes and compelling accountability
- b) the use of questions and motion debates in the Chamber to hold the executive accountable
- c) use of sanctions including votes of no confidence
- d) establishment of independent oversight audit institutions such as ombudspersons and supreme audit institutions

EALA only makes use of Committee system and flooring of questions to Executive, that is, the Council of the Ministers of the Community. Nevertheless, the rules are quiet on the repercussions of failure to respond or when an unsatisfactory answers are

⁶⁷ Yamamoto, H. (2007). Tools for Parliamentary Oversight: A comparative Study of 88 National Parliaments, IPU.

given to questions; it is not even listed as an ‘out of order’ act under the Rules. In other words the Council is under no legal duty to answer or appropriately respond to priority questions raised by the Assembly.

The Assembly does not have power to impose or propose imposition of sanctions; neither does it have a mechanism for passing of votes on no confidence. A legal framework that will enable EALA recommend economic, social or political sanctions, for any member states for breaches of EAC laws should be enacted. EAC treaty ought to be amended to provide for a legal framework within which the EALA can pass a vote of no confidence against senior public and state officers of the EAC.

4.3.1.3 Advisory Mandate

This is a role that EALA has over time exercised by way of passing of resolution for the use of the other organs of the Community.⁶⁸ The value served by the advisory role of EALA is to assert subtle pressure on decision making organs of all players in the process of integration and in the affairs of the Community.

However, EALA has been criticized for shying away from using the advisory tool in critical such as the protracted dispute between Uganda and Kenya over the Migingo Island on Lake Victoria. Whereas the matter is of critical importance being that it involves a boundary dispute between two major partners in the Community, the Assembly has remained alarmingly silent.

⁶⁸ Permitted by Rule No 35 of the EALA Procedure Rules, 2003

4.4 The Effects of Powers of the Assembly Over Member States on Regional Integration

The third objective of the study was to assess the extent to which powers that EALA has over member states affect their conduct in regard to their commitments to regional integration. The respondents stated that all the laws passed by EALA have had been adopted. Countries in EAC are in the process of harmonizing their domestic laws with those passed or enacted by EALA as Acts enacted by EALA have precedence over domestic laws.

The respondents were asked whether there were instances where these laws passed by EALA were return by all or one member state with proposals for amendment. All the respondents stated that no member country has ever returned laws passed by EALA for amendment.

The respondents were asked whether legislation passed by the EALA have been implemented by member states. All respondents agreed that EAC member states have implemented laws passed by EALA, this taking into consideration those that are in the process of harmonizing their domestic laws to conform to those passed by EALA.

The respondents stated that there were examples of evidence at national/state level of implementation of these laws. For example; the EAC One Stop Border Post Act, 2013 has been implemented through construction of One Stop Border Post in Namanga. The East African Community Competition Act, 2006 has been implemented after successful establishment of the East Africa Competition Authority.

4.2.1 Role of the Legislature in EA Regional Integration

The respondents were asked to indicate whether the objectives of regional integration had been achieved in view of the achievements of the East Africa Legislative Assembly. Figure 4.5 depicts the findings of the study.

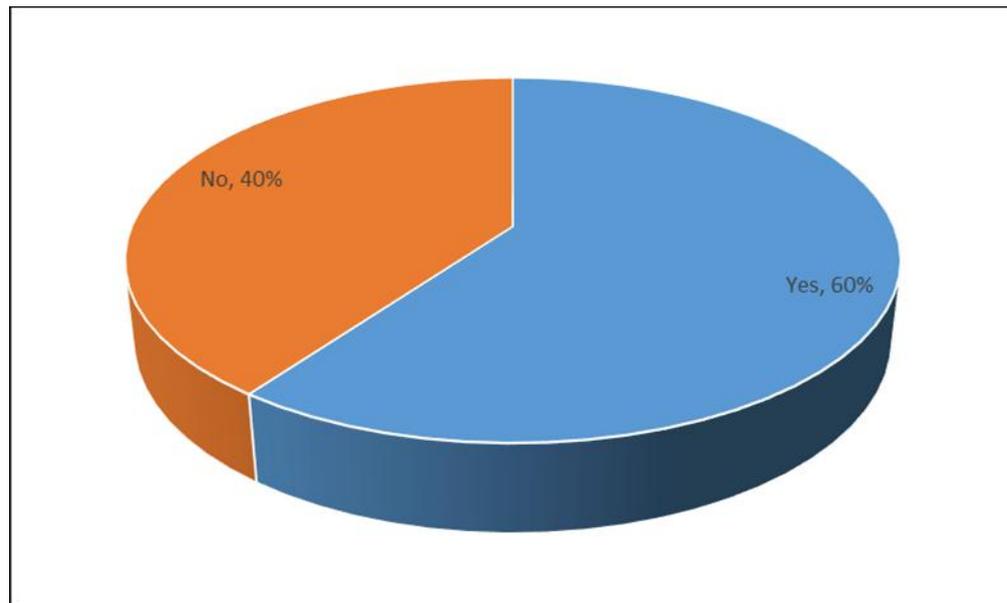


Figure 4.2: Level of Achievement of the objectives of regional integration by EALA

On the basis of the study findings in Figure 4.2, majority (60%) respondents affirmed that the achievements of the East Africa Legislative Assembly so far had not contributed to the achievement of the ultimate objectives of East Africa's regional integration. They acknowledged that the protocol establishing Customs Union and EAC Common Market have been signed. Necessary legislation to operationalize these

protocols, have already been passed, assented to and implemented nationally and regionally. According to Enock Musiime, a Research Officer at EALA:

“The East African Community is now a Single Customs Territory and applies a Common External Tariff (CET) due to implementation of EAC Customs Management Act.”

The protocol that established the monetary union was ratified on 30th November 2013 but modalities of its effective implementation are still underway three years on. In regards to political federation, the respondents stated that preparations are also underway for negotiations among partner states for the establishment of a protocol for achievement of a political federation.

The respondents were further asked whether the laws passed by EALA play a part in fast tracking regional integration in East Africa. All (100%) stated that the laws passed by EALA play an important part in hastening regional integration in EA.

The respondents stated that the EALA is capacitated and legally mandated to create legislations/laws that enable a political federation but realization of the federation is hampered by lack of ruling class' determination to implement the formulated laws. Needless to say, the existence of EALA is key in the realization of political federation in East Africa. This was emphasized by Honorable Daniel Fred Kidega, Speaker of EALA, who stated that:

“I would like to appeal to the EALA to push on with its transformation agenda into a legislative body capable of passing laws to influence national

governments. Such would enhance the integration process in the entire continent and the eventual harmonization of African legislations.”

Similar opinion was echoed by Enock Musiime, a Research Officer at EALA, who observed that:

“It still too early for EALA to enact laws regarding political federation because preliminary preparations for the negotiations a political federation by Partner States are underway.”

EALA attaches great importance to the Tripartite Agreement and the proposed Continental Free Trade Area to facilitate convergence on regulatory measures, and enhance trade facilitation. EALA is supportive of the transformation necessary for African countries to achieve the ambitious targets of the global Agenda 2030 and Africa's own Agenda 2063, and specifically motivate such country based visions including Kenya's Vision 2030, Uganda's Vision 2020 & 2040, Burundi's Vision 2025, Rwanda's Vision 2020 Tanzania's Vision 2025.

The role played by regional Legislatures in regional integration is an issue that has in the recent past received increased attention from scholars, writers and commentators alike although there are a few writers who have authored works that specifically touch on the efforts by the EALA in integration of the East African

Community. Karuuombe⁶⁹ gives an excellent account of the need to have Parliament as a front runner in regional integration.

Section 4 Article 8 EAC Treaty states that the laws passed by EALA shall supersede similar or existing laws within individual State Nations. This means that Community legislation passed at the East African Assembly ought to take precedence over similar or existing one's in state legislatures. A position that will prove useful for the eventual stamping of legislative authority by the EALA, however, a persisting hurdle with respect to implementation of this progressive provision is the lack of a framework for harmonization of community laws with national laws and a monitoring and evaluation mechanism.

EAC is informed by the collapse in 1977 of an earlier effort at regional integration and the challenges to be overcome being lack of proper checks and balances between the organs of the EAC, a weak EALA, differing political ideologies, lack of a proper framework of implementation and harmonization of East African laws, lack of a proper institutional structure of engagement between the East African Parliaments and Individual State legislatures enabling those legislatures to interrogate policies and laws of the community and create active citizen awareness thereby enhancing their domestication.

⁶⁹ An Article published in the Monitoring Regional Integration Yearbook 2008

4.4.2 Initiatives by EALA to promote Regional integration

The study established that EALA has undertaken a number of initiatives to promote EA's regional integration. The below initiatives were cited by respondents.

Sensitization of the EAC citizens: As part of its mandate, EALA has been undertaking sensitization of various publics since March 2016. The sensitization activities targeted the civil society, private sector, women and youth groups and Parliaments in fulfillment of one of the principles of the Community; that of "people-centeredness".

EALA has played a great role in restoring peace following the disputed presidential elections in Burundi by holding public hearing forums spearheaded by the assembly's committee on Regional Affairs and Conflict Resolution in response to a petition by various civil society organization on the deteriorating situation after elections.

Inter-Parliamentary Games: Inter-Parliamentary games are an integral part of EALA and indication of the close collaboration between the Parliaments in EAC. The games are held annually and include: soccer, netball, tug of war, volleyball and golf. There have been requests to broaden the sports disciplines to be more accommodating to the legislators. There have been proposals flouted such as swimming, marathon and indoor Board games.

East African Parliamentary Institute: another innovation of the EALA is its desire to see establishment of a regional Parliamentary Institute to provide a forum for training members of parliament and staff in matters of Parliamentary practice to widen and

deepen interaction. This discussion has been on-going since April 2004 and the following progress has been made: the East African Parliamentary Institute (EAPI) Bill, 2011 was assented to and the Council of Ministers has agreed to operationalization of the Act. Its enforcement is expected to see a vibrant institution that shall enhance capacity building for Parliamentarians, staff and stakeholders.

Improvement of infrastructure: various initiatives been undertaken at the regional level to champion stronger quality Infrastructure within the EAC. The signing of an MoU between the EAC and ARSO that gives the EAC an opportunity to strengthen quality infrastructure within the region is one such example. Further the adoption of the ARSO-RECS guidelines for cooperation on issues of quality infrastructure at the ARSO-RECs (EAC, COMESA, SADC, ECOWAS) following series of consultations are other areas.

Funding to the EAC is increasingly becoming a challenge. According to Honorable Daniel Fred Kidega, “*partner states have been facing serious challenges in remittances. The donor component has drastically reduced with little remittances and this is largely resultant from challenges in Europe.*” In order to cushion this aspect, the EAC sought for an Alternate Financing Model (Alternate Financing mechanism) in which Partner States were to contribute a portion of their annual tax collection (0.5%).

For regional integration to succeed policies must be people-centered and any results must be tangibly, felt and seen. The study recognizes that one of the causes of the collapse of the previous regional integration arrangement including the first EAC

(1967-77), was the low level of involvement of stakeholders in their activities. EALA must at all times embrace citizens' participation in the democratic governance processes.

The current state of affairs demonstrates that EALA is at an early stage of development and is still behind in terms of exercising the roles that full-fledged Legislatures undertake in other developed democracies. In order for EALA to attain its maximum potential, its links to the Parliaments of member states should be strengthened. Deliberate efforts by member states to cede power to EALA constitutionally would result in EALA mandate being constitutionally entrenched.

This arrangement has worked for the European Parliament where there is legislative arm (the European Parliament), executive functions are performed by the European Commission and judicial functions performed by the European Court of Justice. On the other hand, the PARLACEN and PARLATINO are more or less ceremonial Assemblies but play a big part in the cultural aspect of the integration of the regional blocs they represent. Deliberate efforts should be made to make EALA more participative and events involving all member states should be sponsored and attended by members of EALA as well as EAC Summit members.

From the foregoing analysis, it is apparent that much work remains to be done to ensure that EALA has both the requisite legal and institutional capacity to drive the process of integration of East Africa. As a result, the hope of an East African Federation remains a disjointed project with no clear mandate or tangible strategic direction. In order for a society such as that in the East Africa region to function

successfully as a socio-political and economic unit, a properly functioning legislative organ is critical with clear roles and powers conferred by a treaty. Unless these incapacitating issues are decidedly and urgently dealt with through a meticulous review and improvement through amendments of the EAC Treaty, integration will remain a delusion long into the future.

CHAPTER FIVE

SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

This chapter will confer the researcher's summary, conclusions conclusion of the study and recommendations by the researcher. The said chapter aligns with the study's set objectives of; examining the tempo of Africa's regional integration, the authority of the EALA over member states of the EAC and the extent to which these powers affect the conduct of member states in regard to their commitments to regional integration.

5.1 Summary

The study captured data from 15 respondents who comprised 20% legislators and 80% members of staff of both East Africa Legislative Assembly and the the Kenyan ministry of EAC Affairs.

The study's first objective was to assess the momentum of Africa's regional integration. The study established that several achievements have been realized in EAC. Some of these achievements include free movement of people, services and goods and viable institutions that provided efficient and effective services to the people of the region. A operational Customs Union, Common Market and there is desire to ensure the Monetary Union is also achieved. The study further established that this regional integration process is deepening particularly due to the expanding scope of the legislative instruments, coordination of national economic and social policies, the expansion of trade between EAC countries and with other regions and corporation in the security field.

EAC countries have initiated an array of market oriented reforms which include building capacity and reforming financial institutions. However, complete realization of integration have been hindered by challenges such as inadequate infrastructure, elevated levels of poverty in member states, poor health conditions, food insecurity, inequitable distribution of wealth, political conflicts, continued existence of non-tariff trade barriers, slow pace of financial deepening and failure to harmonized trade regulations among EAC member states.

The EAC falls short of sustained growth in domestic financial depth due to low domestic savings and low external competitiveness due to small and undiversified exports.

The next objective was to scrutinize the powers of the assembly over EAC member states. This study found out that EALA has passed over 50 Bills, 16 resolutions and 26 reports. Nevertheless, majority (89%) of the respondents were aware of the laws passed by EALA. As a legislative arm of the EAC, EALA is expected to pass laws that govern the affairs of the Community.

The third objective of the study ventured into the assessment of the extent to which powers of EALA over Member States affect the conduct of member states in respect of their commitments to regional integration. Majority (52%) of the respondents stated that the achievements of the East Africa Legislative Assembly had not contributed to the achievement of the desired goal of integrating the East Africa. The respondents stated that the laws passed by EALA have had mixed reception by member states.

The study established that EALA has undertaken a number of initiatives to promote integration within the community which include: sensitization of the EAC citizens, public hearing on conflict in Burundi, inter-parliamentary games, and improvement of infrastructure.

5.2 Conclusions

The study concludes that East Africa region has made significant progress towards regional integration by enhancing free movement of people, opportunities for employment and viable public institutions. EAC has a fully-fledged customs union and has deepened integration in regard to the expanding scope of the laws, policies and regulations, coordination of national economic and social policies, the expansion of trade between the EAC countries and other regions of the world.

Regardless of development made on regional integration, EAC has not fully realization the benefits of integration due to challenges such as inadequate infrastructure, high levels of poverty in member states, poor health conditions, food insecurity, inequitable distribution of wealth, political conflicts, high nontariff barriers in the region, low pace of financial deepening and harmonized regulations.

The study concludes that EALA has legislative, oversight, advisory and representative mandate. As a legislative organ of the Community, EALA is expected to pass laws that govern the affairs of the EAC. EALA has passed over 50 Bills, 16 resolutions and 26 reports. Nevertheless, member states are yet to fully implement laws enacted by EALA which in turn slow down the pace of integration of EAC.

EALA has at its disposal the potential to herald the East African Community to the long awaited integration, however, a combination of a fairly weak mandate, poor internal democratic culture, a lack of structured interaction with partner states' national governments, a lack of adequate resources, have culminated in making the Regional Assembly fall short of expectations with respect to its contribution to the EAC integration journey. Little can be achieved out of the integration process without putting in place a robust, independent, properly structured and effective EALA that has financial freedom, legislative and representative power and that has mechanisms for ensuring harmonization of community laws.

For regional integration to succeed policies must be people-centered and any results must be tangibly, felt and seen. The study recognizes that among some of the identifiable reasons which contributed to the collapse of the regional integration arrangement of the first EAC (1967-77), was the little intensity in the involvement of stakeholders in their Community's activities. EALA must at all times embrace citizens' participation in the democratic governance processes.

The current state of affairs demonstrates that EALA is at what can be called a developing stage and in the right direction towards achieving the roles a full-fledged Legislature plays in democratic setups. In order for EALA to attain its maximum potential, its links to the Parliaments of member states should be strengthened. Deliberate efforts by member states to cede power to EALA constitutionally would result in EALA mandate being constitutionally entrenched. This has worked for the European Parliament. On the other hand, the PARLACEN and PARLATINO are more or less ceremonial Assemblies but play a big part in the cultural aspect of the integration of the

regional blocs they represent. Deliberate efforts should be made to make EALA more participative and events involving all member states should be sponsored and attended by members of EALA as well as EAC Summit members.

From the foregoing analysis, it is apparent that much work remains to be done to ensure that EALA has both the requisite legal and institutional capacity to drive the process of integration of East Africa. It therefore follows that, the hope of an East African Federation remains a disjointed project with no clear mandate or tangible strategic direction. Unless these incapacitating issues are decidedly and urgently dealt with through a meticulous review and improvement through amendments of the EAC Treaty, integration will remain a delusion long into the future.

5.3 Recommendations

The study recommends the following measures aimed at strengthening EALA and facilitating its contribution to regional integration.

Member states should strive to elimination wasteful and resource straining membership in overlapping regional blocs. There should be clear benefit for a state to join any regional bloc based on the state priority needs and strategic or economic interests.

Securing irreversible commitment amongst member countries of EAC to the assent and implementation of laws enacted by EALA without undue delay is necessary. The member states should therefore strive to maintain confidence in one another and also in the capacity of the EALA to enact laws that benefit the entire region and not disadvantage any part thereof.

Proper public participation amongst all stakeholders and citizens of each state should always be undertaken on the mandate and authority of the assembly and the community as a whole. This needs to be undertaken prior to joining any regional block and continuous civic education should be maintained at regular intervals.

There should be initiated mechanisms for capacity building of policy formulators at national level to ensure coordinated policy formulation at each states level that does not conflict with each other and which therefore enables easy coordination at regional level and therefore making its implementation even at state level to be uncomplicated. This process involves proper human resource and institutional capacity-building which should encompass planning, public policy analysis and or formulation, implementation and monitoring and evaluation.

Member states should create a comprehensive program that facilitates the community's resource mobilization to ensure that the operations of the assembly and or the community as a whole is not hindered by inadequacy of resources be it financial, human capacity and or institutional strengthening. Besides, departments at EALA and the community as a whole should observe astute utilization of the scant public resources allocated to them.

Development, harmonization and integrating of best practices from national legislative can improve implementation of laws passed by EALA. Harmonization of legislation in member states would reduce the risks of differences in the impact of EALA laws among member states. The concept of supremacy of EALA laws over national laws should be seen to operate within the community.

Proper diplomatic consultations should always precede enactment of any law to ensure commitment and consensus before the same is passed. This will enable seamless implementation of the laws upon enactment.

BIBLIOGRAPHY

- Adar, (2008). Federalism and East African Community Integration Process: The Role of the East African Legislative Assembly.
- Bardi, L. (1996). Report: Transnational Trends in European Parties and the 1994 Elections of the European Parliament, (1996) Party Politics, 2/1: 99-114
- Bates, R.H. (2005). Political In security and State Failure in Contemporary Africa. Harvard University CID Working Paper 115, p4. Bloom, D. and Sachs, J. (1998). Geography, demography, and Economic Growth in Africa. Brookings Papers of Economic Activity, 2: pp. 207-73.
- Biswaro, J. M. (2011). The quest for regional integration in Africa, Latin America and beyond in the twenty first century: experience, progress and prospects: rhetoric versus reality: a comparative study. Brasília: Fundação Alexandre de Gusmão, p 12.
- Carbaugh, R. J. (2004). International Economics, 9th edition. Australia. Thomson South- Western.
- Collier, P. and O'Connell, A. (2004). Explaining Africa Economic Growth: Opportunities and Choices, AERC Growth Project Synthesis, Draft Chapter 2, August. Burnside, C. and Dollar, D. (2000). Aid, Policies and Growth. American Economic Review, 90(4): pp. 847-868.
- Demeke, T. (2004). The New Pan-African Parliament: Prospects and Challenges in view of the Experience of the European Parliament. African Human Rights Law Journal, p4.
- EAC (2010). Trade Report 2008. East African Community Secretariat, Arusha, Tanzania.

- EALA (2016) EALA Strategic Plan 2010 – 2012. Available at <http://www.eala.org/documents/view/eala-strategic-plan-2010-2012>. Accessed on 23rd August 2016
- East African Legislative Assembly (2016). Overview of the East African Legislative Assembly. Available at <http://www.eala.org/assembly/category/overview>. Accessed on 30th August, 2016.
- Fajgenbaum, J., Sharer, R., Thugge, K., and DeZoysa, H. (1999). The Cross-Border Initiative in Eastern and Southern Africa. A paper written for International Monetary Fund. Available at <http://www.imf.org/external/np/cross/>. Accessed on 30th August, 2016.
- Isaksson, A. (2007). Determinants of Total Factor Productivity: A Literature Review, Research and Statistics Staff Working Paper 2/2007, Vienna: United National Industrial Development Organization.
- John H. J. (1989). The World Trading System .Cambridge. MIT Press.
- Manone, R. M. (2008). The Importance of Regional Economic Integration in Africa. Masters Thesis University of South Africa.
- Mathieson, C. (2016). The political economy of regional integration in Africa: The East African Community (EAC). A report prepared for European Centre for Development Policy Management. Available at <http://ecdpm.org/wp-content/uploads/ECDPM-2016-Political-Economy-Regional-Integration-Africa-EAC-Report.pdf>.. Accessed on 30th August, 2016.
- McAuliffe, C., Saxena, S. C. and Yabara, M. (2012). The East African Community: Prospects for Sustained Growth. IMF Working Paper, WP/12/272. Available at <https://www.imf.org/external/pubs/ft/wp/2012/wp12272.pdf>. Accessed on 22nd August 2016.
- Moravcsik, A. (1993). Preferences and Power in the European Community: A Liberal Intergovernmental Approach, *Journal of Common Market Studies*, Vol. 31, No. 4, pp. 473-523

- Moravcsik, A. (1998). *The Choice for Europe*. Ithaca: Cornell University Press
- Mugenda, O. M. and Mugenda, A. G. (2003). *Research Methods: Quantitative*. Nairobi: Nairobi: Acts Press.
- Muriuki, T. K. (2015). Effects of Regional Integration on Economic Growth of East African Community. *International Journal of Economics, Commerce and Management*, 3 (11): 1090-1113.
- Muthoga, S. (2013). The Effect of Regional Financial Integration on Intra-Regional Trade in the East African Community. *Journal of Emerging Issues in Economics, Finance and Banking (JEIEFB)*, 2 (6): 888-908.
- Mvungi, E. (2002). *The draft treaty for the establishment of the East African Community: A critical review*. Dar es Salaam University Press Ltd.
- Njoroge, L. M. (2010). The impact of regional integration on economic growth: empirical evidence from COMESA, E AC and SADC trade blocs. *American Journal of Social and Management Sciences*, 1(2): 150-163.
- Pentland, C. (1973), *International Theory and European Integration*. London: Faber and Faber Limited.
- Rittberger, B. (2005), *Building Europe's Parliament: Democratic Representation Beyond the Nation-State*, Oxford: Oxford University Press.
- Saunders, M., Lewis, P. & Thornhill, A. (2003). *Research Methods for Business Students*, 3rd Ed., Prentice Hall.
- Schiff, M. and Winters, L. A. (2003). *Regional Integration and Development*. Washington D.C. The International Bank for Reconstruction and Development/ World Bank and Oxford University Press.
- Society for International Development (2012). *The State of East Africa: Deepening Integration, Intensifying Challenges*. Kenya: SIID.

- Society for International Development (2012). *The State of East Africa: Deepening Integration, Intensifying Challenges*. Kenya: SIID.
- UNCTAD (2003). *The Least Developed Countries Report 2002: Escaping the Poverty Trap*. Geneva.
- UNECA (2004). *Assessing Regional Integration in Africa I, Communications Development Incorporated*, Washington D. C., USA
- United Nations Economic Commission for Africa, (2011). *Continental integration agenda - state of play,* Sixth Session of the Committee on Trade, Regional Cooperation and Integration, Addis Ababa, Ethiopia
- Vamvakidis, A. (1999). *Regional Integration Arrangements or Broad Liberalization: Which Path Leads to Faster Growth?* IMF Staff Papers, 46(1): pp. 42-68.
- World Economic Forum (2010). *The Global Competitiveness Report 2010–2011*, Geneva, World Economic Forum.
- Yamamoto, H. (2007). *Tools for parliamentary oversight: A comparative study of 88 national parliaments*, IPU.
- Zikmund, W.G. (2003). *Business Research Methods (7th Ed.)* Fortworth, TX, Dryden Press.

APPENDICES

APPENDIX I: INTERVIEW GUIDE

A. Background Information

1. Age
(years).....
2. Gender
Male [] Female []
3. Category of Employee
Legislator [] Administrator []
4. For how long have you served in the Kenya Police force?
Less than 5 years [] 5-10 years [] Over 10 years []

B. East African Legislative Assembly and Regional Integration

1. How would you describe the nature of regional integration in East Africa?
.....
2. Are you aware of the Laws so far passed by the East African Legislative Assembly?
 Yes No

If yes, would you list some of these laws?
.....
3. In view of the achievements of the East Africa Legislative Assembly's so far, has the objectives of regional integration been achieved?
 Yes No
Explain
.....
4. How have these laws been received by member states? i.e. have all these laws been assented to by the heads of state of member states?
.....

5. Are there instances where these laws have been return by all or one member state with proposals for amendment?

Yes No

Explain

.....

6. Have laws passed by the East Africa Legislative Assembly been implemented by member states?

Yes No

Explain:

.....

7. Are there any examples of evidence at national/state level of implementation of these laws?

Yes No

Explain:

.....

8. Do you think these laws play a part in fast tracking regional integration in East Africa?

Yes No

Explain:

.....

9. The final stage in the East Africa Community is a political federation. Is the EALA capacitated and legally mandated to create legislations/laws that enables a political federation?

.....

.....

10. In your opinion what should be done to improve the pace of regional integration?

.....