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General premises on Social Security in Africa

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Summary

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I. Two contrasting realities: national and regional social security on the African continent

1. The weak insurance coverage of countries on the continent.

The 2020s, in which we now find ourselves, have turned the situation in Africa upside down from a political and economic point of view, with social security beginning to be taken seriously. To understand the scope of this turnaround, we must take into account two fundamental premises and a time frame: the premises are the economic and legal ones resulting from the Second World War, and the time frame taken into account is that between the end of of the 20th century and the 2020s. We need to bear in mind that

the Second World War, which ended in the middle of the 20th century, destroyed a legal and economic order that revolved around the European empires and created a vacuum that, during the post-war period, gave way to a much more complex order that would bear its first fruits later, in the 21st century. But even today, the data remains reluctant to open up to the new reality, so that many scientific analyses cling to it and neglect what is already an emerging structure, fragile but with a future.

1.1. The geopolitical evolution towards African unity

Let us begin with 19th-century Africa, fragmented into tribes and rootless peoples, where humanity had nevertheless emerged and where thriving civilisations had prospered many centuries earlier, with the pharaohs. The colonial powers had landed long ago, but they were still fighting among themselves to seize their victims, who at the same time showed their disunity.

For centuries, the African continent had had the misfortune of coexisting with other continents that had overtaken it in progress and had immediately proceeded to invade its soil to plunder its territories and inhabitants. In the beginning, it was the Arabs who, accustomed to the deserts of their homeland, had no difficulty in accessing the immense Sahara and beyond, to the Sahel, where they discovered three of the most precious and at the same time bloody riches in memory: ivory, gold and slaves.

As on other occasions, the Arabs crossed the great expanses with their caravans and brought the precious ‘goods’ to European countries, while interposing themselves between the two poles, as they had already done with regard to the East.

At the end of the 15th century, Portugal led the consistent march southwards by European countries, skirting the west coast of Africa and thus reaching the very origins of the continent's wealth[2]. These were located far away, in the Great Gulf of Guinea, in territories that at that time were so graphically named the Ivory Coast, the Gold Coast and the Slave Coast, now Ghana, Côte d'Ivoire, Benin and Togo. A string of countries would follow, coasting southwards in the occupation of the entire continent: Spain, France, England, the Netherlands, Belgium, Germany, Italy, Turkey, Russia, Austria-Hungary, Denmark, Sweden-Norway[3], which would descend on both sides and penetrate inland until they reached the heart, the great Congo River, where for some time the cruelest occupation of all ruled, that of King Leopold of Belgium [4].

A continent fragmented into hundreds of small domains fighting each other – ‘a thousand tribes, a hundred kingdoms’ – suddenly suffered the arrival of the powerful Western states, which penetrated it and unified it into large chunks, which they subjected to their discipline and whose exploitation enriched them on the world market. They impoverished Africa, kidnapped its natives, devastated its territory, although in return they gave it a unified organisation, a few international languages and an advanced culture with which everyone could understand each other. Above all, they acted on the basis of their own enrichment in the creation of a structured economy that would serve as the foundation for the new countries.

In the 19th century, the situation of oppression reached its climax, although competition between European countries to expand their possessions also intensified, in what has been called the ‘scramble for Africa,’ an unprecedented tension that Chancellor

Bismarck attempted to resolve at the Berlin Conference at the end of that century (1884-1885), which led to an agreement on the division of Africa that was poorly enforced.

It is striking to what extent conflicts can mark turning points where a way out finally becomes visible. The stormy settlement of European powers over centuries - especially France in the west and the United Kingdom in the east - came to an abrupt halt with the First World War, which destroyed the European powers, and especially with the Second World War (1939-1945), when they attempted to resolve the conflict that had not been completely settled in the First World War, and in the process annihilated each other and were left exhausted, impoverished and weakened. In the second post-war period, between 1950 and 1975, no fewer than forty African countries gained independence from their respective colonial powers, which were exhausted and ruined. There were almost 54 countries that would make up the current landscape of the continent, and this mass of new countries gained independence, not so much because of the strength of their democratic movements, which also[5], but because of the decline of the colonial powers, unable to maintain their dominance. The Europeans had destroyed each other and had to cede leadership to the depleted countries themselves, some of which already had strong trade union and popular organisations, although in most cases random power groups with particular interests prevailed.

1.2. The political and legal impetus of international organisations.

The Second World War had triggered the political process of independence as an indirect effect. There remained another factor, the ideological-legal process, which also emerged during the Second World War. I am referring to the international idea and the internationalist process.

Important international institutions had already emerged after the First World War, specifically the League of Nations and the International Labour Organisation, in which the negotiated and dialogued solution to problems between countries began to be tested. However, that period suffered various crises of multiple origins – the 1929 crash, above all – which hampered progress and led to the Second World War. After the war, international organisations similar to the League of Nations were set up, but they were strengthened by the strong encouragement of America in the liberal aspect of the Roosevelt doctrine, which was very different from the other aspect of that same president, the big stick. The UN, the United Nations, emerged powerful with a dual level of dialogue (assembly and permanent council) and a much more robust international doctrine, which, now, would ensure that international principles prevailed over unilateral decisions in most cases. This was aided by other organisations and institutions of the same level, the World Bank, the World Trade Organisation, etc., which issue declarations and conventions along the same lines, the overlap of which allows us to speak of a unified set of principles that assume the value of legal mandates – that is, enforceable and not merely ethical – and to be applied by the national courts of different countries by virtue of what has come to be called the ‘conventionality test’[6]. Alongside these, although with the legal value of international conventions, it is worth highlighting the so-called ‘Fundamental Conventions’ of the International Labour Organisation, ten of the organisation's 200 agreements, initially focused on freedom of association, free labour, equal treatment on the basis of gender and the prohibition of child labour [7], until 2022, when Conventions 155 and 187 on occupational safety and

health were added to this elite group, thereby incorporating an important aspect of social security into this framework.

2. Internal tensions in Africa at the end of the 20th century

However, the influence of the international element cannot be limited solely to the aforementioned institutions. Its strength also lies in the internationalist evolution of the economy, politics and technology, and in the standardising effect of knowledge. First television and then the internet put us in real-time contact with everything that is happening around us, and Marshall McLuhan's global village imposes itself on us with its presence. News that took months to reach from one continent to another until the 19th century now reaches our homes in a matter of minutes, even from the most remote places. Information also reaches the majority of citizens thanks to technological advances in individual terminals[8].

In the temporal space where today's Africa is being forged, a succession of circumstances for and against have forced a general *deconstruction* throughout the world, particularly in the world of work, which began with advances in factory automation, continued with robotisation, followed by digitalisation and is currently moving towards digital intelligence, without us yet seeing how far we can go.

For our purposes of African unification, there are some specific movements that are of interest to us here.

On the one hand, the internationalisation of the elements that form part of trade, not only capital and goods, but also the human element, in the relevant phenomenon of supply or value chains and other equally significant ones. This not only facilitates the movement of capital to where it can obtain the maximum profit, but also of goods and workers themselves, in an intense change that is currently being disrupted by a neo-isolationist doctrine that harms both parties.

However, if we take a closer look at the continent that interests us, during what we might call a period of transition spanning the entire second half of the 20th century, we must take into account the contradictory trends that we will see below.

2.1 The strange residual link with the colonial countries

This freedom obtained through attrition, this frustration with which the former colonial powers handed over power to hastily constituted indigenous powers, had two types of consequences in the new Africa that emerged in the second half of the 20th century.

On the one hand, ties with the former colonial power were not completely severed, as was the case almost simultaneously with the Spanish Empire in America. In Africa, European administrations maintained ties of convenience with the indigenous administrations to which power was handed over and which in many cases were ‘manufactured’ or at least influenced by the former. There are undoubtedly examples of full autonomous initiative, such as in South Africa, Algeria, Egypt and others, but even when liberation is achieved through bloodshed, the ideas and culture of the colonial power that has dominated a country for centuries remain in the new institutions despite everything. Such is the case, for example, in the former British, French and Portuguese

dominions, where the English, French and Portuguese languages are still today the primary vehicles of cultural transmission.

What is more, the very geopolitical entities that emerged during those years owe their existence to the domination and exploitation of the foreign power, since before its arrival there was no sense of connection between the dozens of organisations of all kinds, family, tribal, ethnic, etc., that now comprise them. This fragmentation or dispersion can be seen on 19th-century maps, such as the one we have already seen of Africa immediately before the great continental partition of 1884-1885, mitigated only by the trade corridors opened up on the continent by Muslims and other groups for the transit of goods, notably gold, slaves, ivory, etc., in which lingua francas were spoken before European domination.

Colonial rule imposed a simplification of borders in accordance with the ruling powers, and this is the map that has basically remained to this day, with subdivisions made by the invading powers themselves:

Connections with the colonial powers still exist in some sense today. In particular, France and the United Kingdom have maintained strong cultural ties, whether through the ‘Francophonie’ or the ‘Commonwealth’, as well as through bilateral trade agreements where we can see the complementarity that has remained between both sides of the relationship. Such a connection, which we could call Africa's special cultural and economic link with Europe, is maintained today through supranational institutions, in particular the European Union and its Economic Partnership Agreements with the four parts into which the continent has been divided, as well as the continued support given to initiatives in the ‘young’ continent, such as the development of the African Union itself, or the initiatives of international organisations such as the ILO, often financed by European bodies, especially British ones.

2.2 The reappearance of old discord

Religious, ethnic, tribal and family differences, among others, which had been somewhat dormant during colonial rule, have returned with a vengeance in the form of large-scale hostilities. Whereas occupation by foreign powers had usually been based on balancing out indigenous enemies, the old conflicts are resurfacing with a vengeance under the new circumstances. The forced migration of entire peoples, the persecution of ethnic groups or tribes that have been enemies for centuries, and the demonisation of different religions are now supported by modern weapons and the backing of new foreign powers seeking to occupy the rich “empty” spaces of the continent. The presence and interventionism of neocolonial powers continue to this day, as noted by the 39th African Unity Summit in Addis Ababa in 2026[9], which cited China, Russia, the United States and the United Arab Emirates among them.

An example of this new foreign presence can be seen in the type of exploitation known as ‘galamsey’ in the gold-rich country of Ghana, where independent prospectors flood and poison riverbeds using modern machinery lent to them by the new Chinese ‘colonisers’[10].

On the other hand, coups d'état by armed militias, in many cases also with the help of a powerful new ally, have once again reached a regrettable peak, with reciprocal killings,

and when, in our own day, attempts are made to intervene in a civilised manner by not recognising or ostracising forceful governments, denying them aid, the effects have a direct impact on the most disadvantaged populations. This has been the case with what have been called ‘inhuman sanctions’ against the military governments of Niger, Mali and Burkina Faso by one of the regional federations that emerged in the process of African unity, ECOWAS[11]. These coups d'état continue to this day, as has happened in Gabon [12].

A third example of the extrinsic weaknesses of the process comes from Sudan, where what could constitute a new African state has emerged in the eastern part of the continent due to the reappearance of old discord[13].

2.3. The Faustian pact and the emergence of neoliberalism.

At the other end of the continent, in Senegal, what has been considered a new pact with the devil in the form of the International Monetary Fund[14] is being repeated for the umpteenth time. The Fund continues to pursue the same harsh and conservative policy in these countries that it has previously implemented in countries on other continents, such as Greece and Argentina, which has exacerbated the crises rather than helping to overcome them. Undoubtedly, the Fund must also ensure its own survival and the credit granted by its members – through the UN – but the consequences have been catastrophic for the future of these countries, and it seems that in recent years it has softened its demands and, to a certain extent, has initiated a more countercyclical policy within its coordinates [15].

The limitations and rigidity of these international loans have led, on the one hand, to the creation of central African banking institutions, but also to the realisation that even these institutions cannot do much to help the continent's weak economy, caused by the large-scale export of raw materials to be processed in industrialised countries and thus acquire their final value outside Africa: the colonial design of trade continues, and inter-African trade accounts for only 15 per cent of the region's total trade[16]. Hence the geostrategic importance of continental unity, whose main objective is to strengthen the indigenous economy, and specifically to increase economic traffic between member countries.

According to Ludwam Dirar, the actions of the International Monetary Fund must be viewed in a much broader context in order to be properly assessed. At the height of the Fund's intervention, with loans to numerous African countries, the continental integration projects that had begun with the colonial emancipation movement declined and gave way to neoliberal policies that reduced spending on education, health and other areas. Under its influence, African integration enshrined trade liberalisation and abandoned emancipation[17].

In our view, this broad neoliberal push does not prevent at least part of the international advances in social protection and the labour movement, in the sense already explained above, of labour as one of the essential elements in the internationalisation of the economy. If free trade between countries were simply reduced to the movement of capital and goods, or even if it also extended to freedom of establishment, something would be missing that would cause the purpose to fail, as the free movement of workers in the broadest sense is also necessary to drive other factors where necessary.

Companies cannot yet be run by artificial intelligence, and without the hands that move and manage these other elements, the intended liberalisation will fail.

Before delving into the unification process, it is worth summarising the social security situation in individual African countries.

3. The situation of social security in African countries.

The individual landscape of African countries is so varied that it seems impossible to construct a unified picture, with all its imperfections. There are very poor countries and very rich ones, advanced and backward ones, with nothing in common.

If we wanted to simplify matters, we would have to distinguish between the peripheral countries and those in the centre, a very broad centre that would include the Saharan, sub-Saharan and central countries of the continent, up to and including the Democratic Republic of Congo. Poverty seems to be concentrated in the centre of the continent, even in countries that are intrinsically rich but have been depleted by colonial occupation. With regard to the countries on the periphery, there are also significant differences between the important French-speaking bloc and the no less important English-speaking bloc: the former is less stable, with clashes within the Muslim north and divisions within the Saharan bloc, which do not occur in the latter, which is more solid. Finally, the countries of the east of the continent and their organisations have greater organisational and financial capacity than those of the west, despite substantial exceptions.

3.1. The abysmal shortcomings

There are few studies on this subject, as is usually the case for this continent, but they agree on the poverty of the personal and material aspects of national social security systems, with percentages well below those of other continents. Although today all African countries offer some coverage and even constitutional declarations in favour of advancing social protection for the population, the reality is considerably meagre, as it is limited to coverage of the formal sector - leaving out the huge number of informal workers in each country - and, even more so, to a formal sector that barely extends beyond the sphere of civil servants. Thus, in sub-Saharan Africa, pension coverage is limited to 16.9 per cent of the working population, although it reaches 36.7 per cent in North Africa, contrasting in any case with the 90 per cent achieved in Europe and the United States[18]. On the other hand, more recent reports indicate that the population not covered by pension schemes, whether public or private, ranges between 80-90 per cent of the total.

There is certainly a trend towards better structured systems, for example in line with the multi-level model proposed by the World Bank, where there is an opening towards welfare for the needy population. However, shortcomings remain, not only due to financial difficulties and poor administration, but also due to the high percentage of young people without sufficient employment, together with the enormous mass of informal workers outside the regular contribution system. The interference of the COVID-19 pandemic at the beginning of the 2020s does not allow for a proper assessment of the scope of the evolution in otherwise estimable studies[19].

A good summary of the whole African problem in terms of social security is provided by Marius Olivier in his study on the acceptance of social security in Africa[20], for whom:

a) It would be advisable to achieve an appropriate conceptual framework that covers, within the framework of social security, the coverage of complementary risks (*covariate)* and immediate needs (as opposed to the strict coverage of future needs or risks), and the concepts of the extended family and gender neutrality in Africa.

b) Address the possible loss of benefits in the event of transition between schemes, both within and beyond borders.

c) The need for social and economic factors to reinforce each other.

d) Overcoming the fact that social security in Africa covers only the formal sector, which exacerbates differentiation.

e) Finally, setting appropriate standards at national and regional level.

The order of the issues seems erratic, but it is not. An appropriate conceptual framework would mean including social needs beyond the contingencies covered by ILO Convention 102 of 1952, the minimum standard for social security, which in reality masks a "European" requirement for regularised workers and work contingencies, as a logical response to the ancestral origins of social insurance in medieval guilds. This leaves out all the most common situations of need in Africa, and the World Bank's distinction between levels does not provide a complete picture of what the population needs. A broad concept of social security, in the sense of social protection, would echo experiences such as school meals in various African countries, or the fact that the retirement pensions of a high percentage of elderly people are redirected to feeding their grandchildren.

This is related to the section below.

3.2. The conceptual evolution of references

Not only must we take into account a broader view of social security and the concepts that underpin it, from the contingencies covered to the groups of people protected, due to the different social and productive realities of countries and continents. It is also a question of the fact that traditional references have undergone a substantial evolution that requires a comprehensive reassessment of the landscape.

Let us begin with the primacy of the employment contract and the concept of the contract itself. Until this century, situations prior to the employment relationship, such as vocational training, or those bordering on it, such as cooperativism, social work, and all those that were referred to as grey areas on its borders, remained in limbo, at best being considered as special employment relationships, only to be quickly forgotten.

The situation began to change when information technology spread rapidly in companies and remote working gained unprecedented momentum. Studies such as those by d'Antona in Italy on 'work without adjectives'[21], or those by Freedland on the

‘personal employment contract’ [22] broadened the perspective and incorporated self-employment as a natural bias in the field of labour law. For D'Antona, as for Freedland, it is the *personal* nature of the service that gives rise to the protection of the legal system, from which that protection must be extended to all forms of service, whether subordinate or self-employed[23].

Simultaneously, or perhaps in an intertwined manner, the indications of employment, by virtue of which labour law and social security law were activated in specific employment relationships, changed from rudimentary physical signs of dependence - subjection to schedules, obedience to instructions, work in someone else's workplace, etc. to the more sophisticated signs of integration into someone else's organisation, where the worker's autonomy was not at odds with protection from the sphere into which they were integrated.

Hybrid formulas have subsequently emerged, such as those of economically dependent workers (‘trade’) or ‘lavoro agile’, not to mention the ‘zero hours contract’, while the entire labour system expanded its scope with increasingly broad definitions of flexibility.

Social Security has not lagged behind in the evolution described above. We would say that it has even taken the initiative in this regard, incorporating new and flexible figures, or at least self-employed workers and small business owners have had their place in the protection system from very early on, as has been the case with other figures of similar importance who are outside labour law but have a special social security regime, such as civil servants in their various branches[24].

Hence, the incorporation of more difficult figures that had come to form a frontier of social security systems, such as the informal sector of the economy, must be considered a pending issue for the modern discipline. An area as slippery as this type of worker, who cannot be easily pigeonholed due to their irregular nature, can hardly be considered within the classic parameters of ILO Convention 102 (1952), as they do not contribute, do not hold regular employment, do not appear in surveys, and their activity is often not even classified as work. But in the Americas, Asia and Africa, they represent the majority of the population in need, who eke out a living from marginal and multiple jobs. Given this inaccessibility, states have implemented highly original assistance mechanisms—sometimes very traditional ones—such as school meals or subsidies for needy families from fixed budgetary funds, which, once exhausted, end coverage unless they are renewed, and without a subjective right to payment as in orthodox social security.

Such magical realism social security means, in most countries on the three continents, a need that is as widespread as or greater than the classic or European model, and requires study and respect from academia[25]. It coexists with orthodox social security systems, but its implementation is more common than the latter, given that the orthodox system often covers only the formal sector of a few companies, frequently only civil servants. It should come as no surprise, that behind some of the significant advances in this unknown field are, once again, international organisations, as has been the case, for example, with the policy adopted by Indonesia to cover the health needs of the poorest 40% of the population through an annual contribution from the State that covers the cost of the Social Health Service..., at the request of the World Bank[26].

III. Africa's unitary political structure, a miracle with many holes

We have just seen the extent to which various impulses are leading to internal convergence on the continent, despite the many obstacles. And so, since the Second European Post-War, we have witnessed a faltering process of unification, in which we can distinguish two periods of different speeds, to the extent that we could speak of a period of formation of unity and another of its development. There would be a third period, of continental free trade, where we can already speak of the reality of Free Trade Agreements, which is beyond the scope of this analysis, where we limit ourselves to the background.

1. The period of the Organisation of African Unity.

The first period, that of formation, covers the first fifty years, from 1945 to 2001. The colonies were liberated or came to be liberated by their colonisers in record time, as we have seen, and these new entities not only united along the broadest lines of the imposed structures, but also immediately sought pan-African cooperation to escape the miserable consequences of colonial emptying[27]. We are talking about a newborn continent, with hybrid and faltering structures closely attached to the European experience, both colonial and the new experience of unification of the old continent around the economy[28].

The Charter of the OAU, Organisation of African Unity, was signed as early as 1963 in Addis Ababa, and already envisaged the various regional organisations that bring together territories based on their inherited affinities, leading them to seek unity and solidarity among the new African states and to intensify cooperation, for which purpose they would ‘coordinate and harmonise’ their general policies, particularly in the areas of economics, education, health, technical, defence and security policies (Art. 2). Under moderate leadership, the OAU also declares in its Charter, Art. 3, its acceptance of existing borders, respect for, or non-interference in, internal affairs, the peaceful resolution of conflicts and the absolute condemnation of political assassinations and subversive activities by neighbouring States or any other State.

The principle of non-interference thus allowed military coups to take place while the necessary intermediate structures and objectives were being defined. The so-called *Lagos Plan* of 1980 sought with greater determination to promote internal cooperation in order to minimise links with colonial countries by supporting regional affinities and free trade agreements

[30]. At almost the same time, the *African Charter on Human and Peoples' Rights* (or Banjul Charter) of 1981 proclaimed a second strand of ‘peoples' rights’ and provided for a generous range of social protection rights, such as health protection (Art. 16), family assistance (art. 18), and protection for the elderly and disabled (art. 30), while creating the African Commission on Human and Peoples' Rights to oversee compliance with these rights[31].

2. Second period of African Unity.

With the new century, the Organisation of African Unity was replaced by a more energetic framework, the African Union, whose Founding Act bears the date of 2001.

Coups d'état and corruption have led to the abandonment of the principle of non-interference, and Article 4 of the Act proclaims the intervention of the organisation in cases of war crimes, genocide or crimes against humanity. Good intentions do not, however, achieve significant practical results, and we have already seen the disastrous consequences for the poorest sections of the population of sanctions against the military elites in power, while attempts at mediation and arbitration have also been ignored.

But in practical terms, the African Union has achieved some success in some of its policies, specifically its efforts to end forced displacement, both internal and cross-border, an enormous problem that in turn generates dramatic migratory flows. In the fight against those who cause these flows, the AU has the support of the European countries most affected, such as the United Kingdom, Italy, France and Spain, with very different approaches that we will not go into here[32]. The African Union's policy in this regard does not stop at the fight against forced displacement. It also seeks to streamline customs controls and rid border crossings of corruption. The free movement of workers benefits from this.

For its part, the structure of regional units is being consolidated through its legalisation in what will be called Regional Economic Communities, within a unitary structure called the Continental Free Trade Area, created in 2017. However, the evolution towards unity at the top, as a pyramidal structure under the supreme leadership of the AU, is encountering significant obstacles that suggest a long period of division between the regional units, as the regional economic blocs are reluctant to lose their decision-making power[33]. Crucial decisions that were left to the last minute are now meeting with resistance when it comes to implementation, as is the case, for example, with the setting of a rate for the financing of the African Union, established in 2015 at 0.2%, but ten years later only 17 of the 55 member states pay it, while 64 per cent of the funding comes from external donors, mainly from the European Union and China[34].

It is precisely this dependence on funding from international organisations that has currently emerged as the main threat to the development of the African Union.

The nationalist and isolationist policy of the United States has resulted in its withdrawal from important organisations or, which has had the same effect, the suspension of its substantial contributions, as in the case of the ILO, or the paralysis of its most sensitive bodies, as in the case of the World Trade Organisation. Some authors conclude that the economic dependence of the African Union at a time of cutbacks, undermines good intentions[35].

There is no doubt that these reflections are accurate. However, there are at least two arguments that relativise this assertion and may lead to a more optimistic approach.

Firstly, dependence on external subsidies seems to be directed at the African Union, but regional organisations that are reluctant to cede their powers are nourished by more direct ties with the economies of their respective territories, at least in the most buoyant regions of Africa. The European Union, so close in the model it serves as a reference, can provide the quasi-federal image that the southern continent needs to chart its course.

Secondly, we must not lose sight of the fact that the unifying movement responded to a pragmatic and not exclusively idealistic spirit, which is mainly reflected in the

formation of those regional unions aimed at addressing economic needs similar to those that led to the birth of the European Coal and Steel Community in 1951 and blossomed into the current European Union, following the principle of utility and with a very significant chapter on Social Europe.

This practical spirit finds its best expression in regional unions, where important free trade agreements have been signed that deserve careful study. But their analysis belongs elsewhere.

FOOTNOTES

[1] Professor of Labour Law and Social Security (emeritus) at the University of Seville, Fama Award for Research Excellence from the same university. President of IASP-AIPS.org and IERI.es. Honorary doctorate from several universities.
[2] They had completed their Reconquista a few years before the Spanish did, and continued across the African continent in search of gold, slaves and ivory, which flooded the markets of Lisbon and Seville. They reached the Gold Coast (now Ghana) in 1471. Their success inspired the Spanish Catholic Monarchs' adventure in the New World in 1492.
[3] Even a young and powerful United States, which had no colonies on the continent, attended the Berlin Conference, despite theoretically championing anti-colonialism.
[4] Immortalised by the Polish writer Joseph Conrad in *Heart of Darkness,* 1899.
[5] For example, trade unions in Zambia, South Africa, Zimbabwe and Tanzania promoted independence, according to DIRAR, Ludwam, 'The African Continental Free Trade Area: Trade Liberalisation and Social Protection', *Afronomics Law* 19 (2019), online. For the author, in South Africa 'the labour movement was central to colonial liberation'.
[6] Although the concept was first introduced by the Inter-American Court of Human Rights (Organization of American States), it later appeared in rulings by the Court of Justice of the European Union and the Spanish Constitutional Court.
[7] 'The ILO Declaration on Fundamental Principles and Rights at Work adopted in June 1998 highlights this set of fundamental principles at work with the support of the international community. The Declaration covers four main areas to establish a minimum floor necessary in the world of work': ILO, *The Fundamental Conventions of the International Labour Organisation*, Geneva 2002, p. 10.
[8] The conversion of information into a democratic and democratising lever becomes even more powerful in colonised countries, to which the situation described by Rafael DUMETT in 'El espía del inca' (The Spy of the Inca), 2022, on the role of the *chaski* couriers in the Inca empire, using an encrypted system of knots to inform the emperor of news from his empire, while his subjects lived in the greatest ignorance.
[9] NARANJO, José, 'Internal conflicts and interference by the great powers weaken Africa', *El País*, 16 February 2026. The 39th African Union (AU) Summit was held in Addis Ababa, Ethiopia, on 14-15 February 2026, focusing on the theme 'Ensuring sustainable availability of water and safe sanitation systems to achieve the goals of Agenda 2063'.
[10] See Abdulai ABDUL GAFARU, Lars BUUR and Paul STACEY, 'Party Political Campaigning and the illegal extraction of Gold in Ghana,' *World Development* 192 (2025); Ana CARBAJOSA, 'Gold fever poisons the African El Dorado,' *El País*, 24 October 2024: 'The soil is pregnant with gold, but poverty is appalling,' says the author: savage extractivism and ecological catastrophe because the mines are infected with mercury. Traces of mercury, cyanide, lead, cadmium and nickel are detected in 'drinking' water.
[11] ECOWAS, Economic Community of West African States, or CEDEAO. The temporary expulsion of these countries had an impact on the economic aid received by these states, which was basically directed at the needy population. Furthermore, when the suspension period ended and they were offered readmission in January 2025, these dictatorships refused to rejoin and formed their own union. ECOWAS/CEDEAO asked member states to continue to allow citizens of these countries the rights of free movement, residence, and establishment without the need for a visa. See 'ECOWAS announces the formal withdrawal of Mali, Burkina Faso and Niger from the organisation,' *Swissinfo*, 29 January 2025. On the causes of the coups in the three countries, see Goberna, 'Burkina Faso, Mali and Niger leave ECOWAS: rise of Pan-Africanism?', 28 January 2025, online: this article links the uprisings of the three emerging dictatorships with the cause of continental unity: thus, for Mali, it would be the limitations suffered in the process of autonomy due to resilient French dependence; in Niger, it would be caused by

foreign interference in its uranium mining industry; and in Burkina Faso, by the Pan-Africanist renaissance and the doctrine of Thomas Sankara.
[12] *Africanews,* 'Central African bloc suspends Gabon over coup', 5 September 2023.
[13] Thus, ESPAÑOL, Marc, 'Rebel advance cements internal fracture in Sudan,' *El País*, 1 December 2025.
[14] Tricontinental Institute, 'Africa's Faustian pact with the International Monetary Fund,' dossier 88 (2025). The pact consists of the granting of loans by the Fund in exchange for control over the Senegalese economy. Senegal, independent since 1960, signed the first of these agreements with the IMF in 1979, and has since signed twenty other agreements in the 46 years that have passed.
[15] The Institute cited in the previous note harshly points out that "It was a Faustian pact that all African countries signed at some point in their history. Those that lacked public finances, [or] had poorly financed central banks, [or] had little control over their raw materials, and had very low levels of industrialisation, faced an arduous task after independence: building the integrity of their national economies and regional trade networks. They remained integrated into a neocolonial structure, reinforced by IMF interventions. And they were discouraged from allocating their resources to human capacity development or the industrial base of their economies." (*op. cit.,* online).
[16] For example, in most African countries, roads and railways were designed to transport minerals and agricultural products to shipping ports, not to cities on the continent: African Development Bank, African Union and United Nations Industrial Development Organisation. *Africa Industrialisation Index 2022, State in Burden Debt 2024. Africa and Dynamics Debt Vulnerability*, Cairo 2024, online.
[17] DIRAR, Ludwam, 'The African Continental Free Trade Area: Trade Liberalisation and Social Protection', *Afronomics* 19 (2019), cit.
[18] ILO, *World Social Protection Report 2014-15,* online.
[19] ILO, *World Social Protection Report 2024-2026*, Geneva 2025.
[20] OLIVIER, Marius, 'Acceptance of Social Security in Africa', ISSA/Africa/RC/Lusaka/2, online.
[21] 'Lavoro senza addiettivi'. See D'ANTONA, Massimo, *Diritto del lavoro di fine secolo: una crisi d'identità?", Rivista Giuridica del Lavoro e Previdenza Sociale* 1998, I, now in D'ANTONA, *Opere,* pp. 221-222.
[22] In numerous publications, of which we cite, for example, FREEDLAND, Mark, 'The Personal Employment Contract', Oxford University Press, 2006; FREEDLAND, Mark, and CONTOURIS, Nicola, *The Legal Construction of Personal Work Relations*, Oxford University Press 2011; FREEDLAND, Mark (general editor), *The contract of employment*, Oxford University Press 2016.
[23] RUSCIANO, Mario, 'Il pensiero di Massimo d'Antona sul diritto al lavoro' (Massimo d'Antona's thoughts on the right to work), *Biblioteca '20 maggio',* 1/2014, p. 542.
[24] See the reflections on this subject, in the sense expressed in the text, by WYNN, Michael, and PAZ-FUCHS, Amir, "Flexicurity outside the employment relationships? Re-engineering social security for the new economy", in WESTERWELD, Mies, and OLIVIER, Marius (eds.), *Social Security outside the realm of the employment Contract,* Monograph Book 31 May 2019, chap. 2, pp. 30-57.
[25] Analyses of this issue, and more specifically of compliance with its coverage, are very scarce. See, for example, WESTERWELD Mies, and OLIVER, Marius (eds.), *Social Security outside the realm of the employment contract*, cit., in particular Chapter 1, by OLIVIER, Marius, "Social Security Protection for informal economy workers: developing world perspectives", pp. 1-29.
[26] See in full PUNGKY SUMMADI, 'Social Protection in Indonesia: Opportunities for Reform during the COVID-19 Pandemic', *Discussion Paper* 05/2025, htpp//IASP-AIPS.org.
[27] At that time, the staunchest advocates of Pan-Africanism were Heile Selassie of Ethiopia, Nasser of Egypt, Nkruhma of Ghana, Senghor of Senegal and Julius Nyerere of Tanganyika. For its part, the United Nations supported the OAU's movement for unity and independence both economically and ideologically. Prior to this, the Union of African States had existed for six years (1958-1962).
[28] European Coal and Steel Community (ECSC), founded in Paris in 1951 by six European countries. It was succeeded by the more ambitious – despite its name – European Economic Community (EEC) with the Treaty of Rome in 1957, also by six European countries.
[29] United Nations, *Treaty Series,* n. 6947. 'Charter of the Organisation of African Unity. Done at Addis Ababa on 25 May 1963', 70 (1963), pp. 70 ff. Cf. BEVERTON, Alys, 'Organisation of African Unity (1963-2002)', *BlackPast.org,* 10 May 2009.
[30] With the support of the United Nations Economic Commission for Africa (UNECA), the OAU adopted the Lagos Plan of Action in 1980, promoting regional economic integration and creating Regional Economic Communities (RECs).
[31] Influenced by the Universal Declaration of the Rights of Peoples (Algiers, 4 July 1976) and by international tribunals against war crimes (Russell Tribunal, I and II) around 1975. See PPT (Permanent Peoples Tribunal), 'Alger Declaration', on its website.

[32] One of the most recent, for example, has been the organisation of two major regional conferences in Entebbe and Kampala (Uganda) in 2025 on social protection governance and labour migration, led by the East African Community with financial support from the UK Foreign Commonwealth and Development Office (FCDO) and organisational support from the ILO's 'Better Regional Migration Management' programme. See ILO, 'The East African Community advances towards Regional Frameworks in Social Protection and Skills Mobility', *Newsroom*, 23 June 2025.
[33] In this regard, NARANJO, José, 'Internal conflicts and interference by the major powers weaken Africa', op. et loc. cit.
[34] SOLER, 'Financing of the African Union', in África Mundi, *Guide to Understanding the African Union,* 21 April 2022, online, partially agrees in stating that the budget depends mostly on external donors such as the United Nations or the World Bank, and less than 40 per cent of members pay their annual dues. China financed the new headquarters of the African Union, as reported by the BBC, 'New African Union headquarters opens, fully funded by China', 28 January 2012.
[35] NARANJO, José, op. et loc. cit.