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Off Shamva Road
P.O. Box 350
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Telephone: ++263 8 677 006 136 | +263 779 279 912
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The Deliberate Continental Integration as a Bulwark against Colonial Influence: The African Experience

STANDA SANI¹

Abstract

This article examines the concept of deliberate continental integration in Africa as a strategic response to the enduring legacies of colonialism and neo-colonialism. It highlights the collective efforts of African leaders and institutions, notably the Organisation of African Unity (OAU) (later named the African Union (AU)), in promoting unity, cooperation and emancipation across the continent. By exploring the historical context and contemporary initiatives aimed at addressing socio-political and economic challenges, the study emphasises the crucial role of legal empowerment and the emergence of conscious African black lawyers. These legal professionals are positioned to reshape post-colonial legal frameworks, integrating indigenous values, while advocating for social justice and equity. The article discusses several recommendations, including enhancing legal education, to incorporate an Afrocentric perspective, strengthening continental integration initiatives like the African Continental Free Trade Area (AfCFTA) and supporting the role of African black lawyers through mentorship and funding. It advocates for public awareness campaigns on legal rights, fostering Pan-African collaboration and implementing affirmative action policies to promote representation and equity in legal professions and decision-making bodies. Additionally, it calls for addressing historical injustices through reparative justice initiatives, leveraging technology for legal access and encouraging international support for Africa's development goals. Furthermore, the study draws

¹ School of Law Africa University, Mutare, Zimbabwe, ORCID: <https://orcid.org/0000-0002-4195-6178>, sanis@africau.edu

parallels with global historical injustices, such as the Holocaust, to illuminate the unique challenges Africa faces in its quest for self-determination and liberation. Ultimately, it underscores the importance of understanding the multifaceted nature of Africa's journey, offering insights for policy-makers and scholars committed to supporting the continent's aspirations for a just and prosperous future.

Keywords: Pan-African collaboration; legal empowerment; Afrocentric perspective; social justice; reparative justice

INTRODUCTION

The legacies of colonialism and neo-colonialism continue to profoundly shape the political, economic and social landscapes of African nations. Despite formal independence, many countries on the continent grapple with the enduring effects of historical oppression, evidenced by ongoing conflicts over land rights, resource allocation and social justice. In this context, the need for affirmative action becomes crucial, as it provides a framework to address the systemic inequalities rooted in colonial injustices. Amidst these challenges, a deliberate and concerted effort toward continental integration has emerged as a strategic framework for African nations. This integration aims not only to foster unity among states, but also to empower them to confront the remnants of colonial dominance, ultimately paving the way for a self-determined future. Key initiatives, such as the AfCFTA) and the African Union Agenda 2063, exemplify this commitment to collaboration and self-reliance, focusing on governance, sustainable development and economic equity.

Central to this transformative journey is the role of African black lawyers, who are essential in navigating and reshaping legal systems historically designed to reinforce colonial power structures. These legal professionals, enriched by a deep understanding of their history and cultural context, are uniquely positioned to leverage the law as a

transformative tool for social and economic change. By advocating for justice and equality, they embody the resilience necessary to dismantle the vestiges of colonialism. Through a comprehensive analysis of these themes, this article aims to provide valuable insights for policy-makers, scholars and the global community, reaffirming Africa's potential to chart its own course amid enduring colonial legacies. The study explores the historical context of colonialism, the significance of affirmative action, the contributions of African black lawyers and the broader implications of continental integration for a just and equitable future.

The legacy of colonialism in Africa has profoundly shaped the continent's socio-political landscape, creating a complex interplay of historical injustices that continue to affect governance, legal systems and social structures. Colonial powers imposed alien legal frameworks, often disregarding indigenous laws and customs. That has led to systemic inequities that persist today. The transition from colonial rule to independence did not fully eradicate these injustices. Instead, many African nations grapple with neo-colonial influences that perpetuate economic dependency and hinder genuine autonomy. Understanding this historical context is crucial for addressing contemporary challenges, particularly the need for affirmative action to rectify these injustices and empower marginalised communities.

In this landscape, the role of African black lawyers becomes increasingly vital. These legal professionals, enriched by a deep understanding of both colonial and indigenous legal systems, are positioned to advocate for reforms that reflect the continent's unique cultural and historical realities. Their work is essential in promoting social justice, ensuring that legal frameworks serve the interests of all citizens, rather than reinforcing existing inequalities. By integrating historical insights with contemporary legal practices, African lawyers can lead the charge toward a more equitable legal system, fostering a renewed sense of African agency and resilience in the face of ongoing challenges.

CONCEPTUAL FRAMEWORK

The conceptual framework of the study examines the interplay between colonial legacies and the pursuit of legal reform and continental integration in Africa. Colonial injustices continue to shape contemporary legal systems, necessitating an understanding of their impact on current societal structures. Central to this framework is the idea of African agency, highlighting the role of African leaders and legal professionals in challenging oppressive narratives and advocating for reform. An Afrocentric legal philosophy, rooted in Africa's cultural heritage, is essential for dismantling these injustices. Additionally, the framework emphasises continental integration as a means of unifying African nations to collectively address shared challenges, thereby enhancing self-determination in legal matters. By integrating these concepts, the framework offers a comprehensive lens for analysing ongoing struggles for justice in post-colonial Africa.

LITERATURE REVIEW

This section discusses the emergence of conscious African black lawyers who are essential for reshaping the legal landscape in post-colonial Africa, addressing the lingering effects of colonial rule and constructing legal frameworks that genuinely serve African societies.

The establishment of the Organisation of African Unity (OAU) on May 25, 1963, marked a pivotal moment in uniting African nations and addressing the enduring legacies of colonialism. This movement emerged from historical and political currents within Africa and its diaspora, reflecting a growing awareness of the need for unity against colonial and neo-colonial challenges (Cupers *et al.*, 2023). Rooted in the late-nineteenth-century Pan-Africanist movement, led by influential black intellectuals like Martin Delany and Alexander Crummel, the initiative emphasised the interconnectedness of Africans and Black Americans, fostering a collective identity essential for unifying efforts against oppression.

Early Pan-Africanists translated their ideals into concrete actions, strengthening ties between the African continent and its diaspora through cultural exchanges and political advocacy. Their initiatives, significantly influenced by Christian theological ideas, promoted educational programmes and organised conferences that highlighted

shared struggles (Marah, 2023). This foundational work not only paved the way for future movements advocating for political and social reforms across Africa, but also nurtured a sense of collective identity among people of African descent which was crucial in the fight against colonialism.

As the OAU took shape, it institutionalised Pan-African ideals, facilitating cooperation among African nations to address pressing issues like colonialism and economic independence. The OAU served as a vital forum for promoting solidarity among member states while amplifying the voices of early Pan-Africanists in broader liberation movements. However, the OAU faced criticism for its policy of "positive neutrality", limiting its ability to address ongoing conflicts within member states (Lawler and Davenport, 2009). Despite these challenges, the legacy of foundational thinkers continues to inspire ongoing efforts toward unity and empowerment in shaping Africa's political landscape.

The consolidation of the Pan-Africanist movement was furthered by influential figures like W.E.B. Du Bois, who identified colonialism as the root of Africa's issues (Mkonza, 2022) and Marcus Garvey, who sought to facilitate the return of Africans to the continent. Various African leaders, such as Kwame Nkrumah and Julius Nyerere, embraced and disseminated Pan-African ideals through a series of congresses advocating for complete independence and economic revitalisation (Chigozie, 2018). Significant gestures of solidarity, such as Ethiopia granting Nelson Mandela a passport, alongside support from countries like Senegal for liberation movements, reflected a broader recognition of the necessity for unity in the fight against oppression. This collective effort underscores the importance of cooperation among African nations in supporting liberation movements across the continent.

The issue of reparations for Africans has gained renewed attention in recent years, prompting important discussions about justice,

historical wrongs and the moral obligations of nations. Drawing comparisons between the Holocaust and historical injustices faced by Africans, particularly in Zimbabwe, reveals disparities in global recognition and the ongoing struggle for justice and reparations. The Holocaust that culminated in 1945, is universally recognised as a horrific atrocity, with laws in place globally to prevent its denial (Shermer and Grobman, 2023). In contrast, the brutal exploitation and violence inflicted on African soil upon the Congolese people under King Leopold II's rule from 1885 to 1908 have not received similar recognition or legal protection. While the global community has taken a firm stance against Holocaust denial, the atrocities committed in Africa, particularly for the Congo, remain largely overlooked, highlighting a disparity in how historical injustices are acknowledged and remembered.

King Leopold II's regime in the Congo was characterised by extreme brutality, with a forced labour system that enslaved men, women and children to extract valuable resources like ivory and rubber. The harsh working conditions and violent coercion led to an estimated eight to ten million Congolese deaths during this period (Rannard and Webster, 2020; Korfiati, 2022). While some estimates suggest that as many as 13 million Congolese may have perished, the lack of accurate records complicates the understanding of the true scale of these atrocities. This staggering figure, while significant, is often overshadowed by the Holocaust's six million Jewish victims, leading to comparisons that can inadvertently diminish the suffering experienced by either group.

Over time, during the egregious rule of Leopold II, international awareness of the atrocities in the Congo grew, culminating in Belgium's annexation of the Congo Free State in 1908 that transformed it into the Belgian Congo. The long-lasting impacts of King Leopold II's rule continue to affect the Democratic Republic of the Congo (DRC) today, as the legacy of colonial exploitation and violence shapes the country's present challenges. Despite this

historical context, there exists a troubling expectation that African nations, including Zimbabwe, should simply move forward and forget the racialised injustices of repression, deprivation and subjugation they endured. This expectation is particularly concerning, given that Zimbabweans endured unimaginable suffering for nearly 90 years before achieving independence through a liberation struggle that resulted in profound loss of life and livelihoods.

In light of this historical backdrop, the African Union – established to address the shortcomings of the Organisation of African Unity (OAU) – is anticipated to take a stand on reparations for historical injustices. In contrast, the United States has officially recognised the need for compensation related to the Holocaust, as evidenced by its 2015 policy declaration (Fittante, 2023). Furthermore, a \$3.5 billion Global Compensation Agreement for farm seizures was signed by Zimbabwe's government in 2020. However, this initiative starkly contrasts the broader expectation for reparations for African nations, suggesting that Africans are often treated as second-class citizens unworthy of the fundamental rights enshrined in the Universal Declaration of Human Rights (UDHR).

Furthermore, the issue of land ownership in pre-independent Zimbabwe illustrates the impact of British colonialism, wherein vast tracts of land were designated to white settler emigrants. A British court in 1919, through the Privy Council, ruled that because pre-independent Zimbabweans lacked a recognised sense of ownership, at best, primitive, could not own the land. This legal precedent not only disregarded the rights of indigenous peoples, but also reinforced the colonial narrative that justified the exploitation of African resources and peoples, perpetuating a cycle of disenfranchisement.

As such, the historical injustices faced by Africans, particularly in the context of reparations, draw critical parallels with the Holocaust. While the world has taken a firm stance against Holocaust denial and recognised the need for reparations, similar acknowledgment for

African atrocities remains elusive. This disparity underscores the ongoing struggle for justice and recognition of the rights of African peoples, who continue to bear the scars of colonial exploitation and violence and it calls for a re-evaluation of how historical injustices are understood and addressed.

In the decades following the wave of African independence movements, the emergence of conscious African black lawyers – equipped with a deep understanding of legal history – has become both a necessity and a demand. This evolution is essential for reshaping the legal landscape in post-colonial Africa, as it addresses the lingering effects of colonial rule and constructs legal frameworks that genuinely serve the needs and aspirations of African societies. Unfortunately, the legal systems inherited from the colonial era have often failed to reflect the diverse cultural, social and economic realities of African countries (Home, 2021). These systems, designed primarily to serve the interests of colonial powers, have long marginalised the legal traditions and practices of indigenous African societies, perpetuating inequalities and eroding community-based justice mechanisms (Ohenhen *et al.*, 2024).

To counter these historical injustices, conscious lawyers play a crucial role in advocating for reforms that embrace African values and perspectives. They ensure that justice is not only accessible, but also relevant to all citizens. These lawyers are tasked with decolonising legal systems, integrating customary laws and fostering a more inclusive approach that recognises local traditions in the pursuit of justice. By bridging the gap between formal legal systems and informal community-based mechanisms, they can help restore trust in the justice system and empower communities to resolve conflicts in ways that resonate culturally. Ultimately, the rise of these legal champions is integral to building a more equitable society that honours the continent's rich diversity, redefining justice to reflect the aspirations and realities of the people they serve.

Moreover, Parashar and Schulz (2021) emphasise the urgent need to confront the colonial legacy and re-establish the legal profession as a powerful instrument for social, economic and political transformation. History-conscious Black African lawyers, drawing on their deep understanding of African contexts, cultures and histories, are well-positioned to facilitate this transformation. They can help decolonise the legal system, while strengthening the rule of law and promoting good governance. In addition, these lawyers have the potential to empower marginalised communities, drive legal innovation and entrepreneurship and nurture a new generation of socially conscious legal professionals. This multifaceted approach not only addresses historical injustices, but also lays the groundwork for a more equitable and inclusive legal landscape.

As African black lawyers ascend to positions of influence and leadership within the legal sphere, they can champion the integration of traditional African legal philosophies, dispute resolution mechanisms and customary laws into formal legal frameworks. This integration not only revitalises and preserves the rich diversity of African legal traditions, but also contributes to the creation of more holistic, responsive and culturally relevant legal systems. Furthermore, the increased presence and voice of African black lawyers can amplify demands for social and economic justice. They can challenge discriminatory practices, advocate for the rights of marginalised communities and ensure greater access to the legal system (Hoag, 2021). Through their expertise and dedication to the well-being of their societies, black lawyers play a crucial role in addressing persistent inequalities and socioeconomic challenges that continue to hinder the progress of post-colonial African nations.

WHY LEGAL HISTORY IS IMPORTANT FOR THE AFRICAN BLACK LAWYER

Understanding legal history is crucial for African black lawyers as it enhances their ability to navigate and reshape the legal landscape meaningfully. Leyh (2021) asserts that understanding the rationale

behind the law is a crucial aspect of legal history and is essential for effective legal practice and interpretation. When lawyers explore the historical context surrounding the development of legal doctrines, principles and institutions, they gain valuable insights that enhance their understanding and application of the law (du Plessis, 2022). Recognising the dynamic nature of the law and how it evolves in response to changing societal circumstances is fundamental to grasping legal history (Teubner, 2022). The law is not a static entity, rather, it reflects the evolving needs, values and priorities of the communities it serves. By examining how the law has adapted over time to address emerging social issues – such as civil rights, economic regulations, or environmental concerns – lawyers can develop a deeper appreciation for its capacity to remain responsive and relevant.

Furthermore, analysing the historical circumstances and debates that led to the formulation of specific laws or legal concepts allows lawyers to discern the original intent and objectives of the legislators, judges or legal scholars who shaped their creation. This understanding of original intent can guide lawyers in interpreting and applying the law in a manner that aligns with its underlying purpose, rather than relying solely on a literal or textualist positivist approach. Without a historical perspective, lawyers risk interpreting and applying the law through a modern lens that may lead to imposing anachronistic meanings or assumptions that were not present when the law was enacted (Balkin, 2020). By grounding their analysis in historical context, lawyers can avoid such misinterpretations and ensure that their application of the law remains true to its original purpose and spirit (Balkin, 2017).

In addition, Darder *et al.* (2023) emphasise that the law is both shaped by and shapes changing power structures within society, as various groups and interests vie to influence its development. Studying the law's historical responses to the struggles of

marginalised communities (Bhat *et al.*, 2023), the rise and fall of dominant political ideologies (Jung, 2023) and the evolution of economic systems can provide valuable insights into its capacity to entrench or challenge existing power dynamics (Saaïda and Saaidah, 2023). Over time, the law's core doctrines, principles and institutional structures undergo continuous transformation, as new interpretations, precedents and reforms are introduced. Analysing these historical changes reveals the law's inherent dynamism and highlights how it can be re-interpreted, reframed and re-imagined to address emerging challenges effectively. Ultimately, for African black lawyers, understanding legal history is not just an academic exercise, it is a vital tool that empowers them to navigate and reshape the legal landscape in ways that are both meaningful and impactful for their communities.

STUDY DESIGN AND METHODOLOGY

The study employs a desktop review methodology to explore deliberate continental integration, legal empowerment and colonial legacies in Africa, synthesizing literature, reports and case studies. It examines how the historical context of colonialism and neo-colonialism shapes contemporary legal frameworks and societal dynamics. The review analyses initiatives like the African Continental Free Trade Area (AfCFTA) and the African Union (AU) Agenda 2063, highlighting their objectives and challenges in promoting unity and sustainable development. It also assesses the role of African black lawyers in legal reform and social justice advocacy, while advocating for an Afrocentric legal philosophy. By contextualising Africa's quest for reparations within a global narrative and identifying current challenges, such as institutional inertia and socio-economic disparities, the study aims to provide a comprehensive understanding of Africa's journey toward integration and justice, serving as a foundation for further research on these critical issues.

FINDINGS

The OAU, established in 1963 (Osadola *et al.*, 2023), played a crucial role in supporting liberation movements and addressing colonial rule through various means, including military support and diplomatic recognition (Dogah, 2022). Through diplomatic, political and economic means, the OAU supported liberation movements and worked towards the independence of African nations.

Moreover, Mabitsela (2023) argues how the OAU offered material support to independence fighters, including firearms and financial assistance. The organisation not only provided military training camps and amenities for these fighters, but also addressed the nationalist issue within an international context. It established a forum for nationalists to express their frustrations, offered refugee camps for displaced individuals and facilitated education for participants in the liberation struggle (Magu and Magu, 2021). Additionally, it campaigned for international sanctions against autocratic governments in southern Africa (Maundi, 1960).

However, the OAU encountered significant obstacles in achieving its goals, particularly against the backdrop of the Cold War (Joshua and Olanrewaju, 2017). Although it carried out several important initiatives – such as assisting liberation movements in toppling colonial governments (Edo and Olanrewaju, 2012), combating racism and apartheid (Demana, 1996) and settling border disputes among member nations (Omovie, 2023) – the OAU's support for liberation movements, to whom it granted associate member and observer status, stands out as one of its finest accomplishments. Arguably, the OAU's attempt to "eradicate all forms of colonialism from Africa", as stated in Article II (1)d of its Charter, was its most fruitful endeavour, allowing several formerly colonised governments to regain their geographical integrity (Dogah, 2022).

In the case of South Africa, the OAU took a strong stance against apartheid, actively advocating for its elimination and supporting the

anti-apartheid struggle. According to Alden and Le Pere (2004), the OAU's efforts included imposing economic and diplomatic sanctions on the apartheid regime, providing support to liberation movements like the African National Congress (ANC) and offering refuge and assistance to South African activists. Similarly, Ade-Ibijola (2014) argues that the OAU played a crucial role in the decolonisation process in countries such as Cape Verde, Angola, Mozambique, Guinea-Bissau, Namibia and Rhodesia (now Zimbabwe). The organisation condemned colonialism, supported liberation movements and facilitated diplomatic recognition for newly independent nations which was vital for affirming their sovereignty and legitimacy on the international stage (Zoubir, 2015).

The OAU's provision of diplomatic recognition involved several key actions. Firstly, it established criteria for recognising newly independent states, ensuring that they met specific conditions related to their sovereignty and territorial integrity. By doing so, the OAU bolstered the legitimacy of these nations in the eyes of the international community. Furthermore, the organisation actively lobbied for the recognition of these states by other countries and international bodies, thereby enhancing their ability to participate in global affairs. This support proved crucial for newly independent nations seeking to establish diplomatic relations, receive foreign aid and join international organisations.

It is essential to acknowledge the collective efforts of African nations and regional organisations like the OAU, along with the sacrifices made by liberation movements and activists within these countries. The removal of oppressive colonial regimes and the achievement of independence were complex processes that involved various factors, including international pressure, armed struggle, negotiations and the resilience of local populations.

In 2002, the OAU was succeeded by the African Union (AU), marking a significant evolution in the continent's approach to unity and

cooperation. While the OAU laid the groundwork for addressing colonialism and supporting liberation movements, the AU was established to enhance and expand upon these efforts. The AU continues to promote peace, security and development across Africa, specifically targeting the evolving challenges and opportunities of the 21st century.

The Lagos Plan of Action (LPA), adopted by African heads of state in 1980, marked a pivotal initiative for promoting economic development and self-reliance in Africa (Ukwandu, 2020). It emphasised the importance of intra-African trade, industrialisation and regional integration as strategies for sustainable growth, encouraging collaboration among countries to resist colonial dominance and foster unity across the continent (Aniche, 2023).

One notable achievement of the LPA was the establishment of the African Economic Community (AEC) in 1991, aimed at creating a single continental market. This plan also facilitated regional economic communities like the Economic Community of West African States (ECOWAS) and the Southern African Development Community (SADC) which implemented policies to boost intra-regional trade and cooperation. The focus on industrialisation led to initiatives developing regional manufacturing hubs, reducing reliance on imports and creating jobs, thereby reshaping African economies.

In contrast, the Lomé Convention of 1975 sought to strengthen cooperation between African, Caribbean and Pacific (ACP) countries and the European Economic Community (EEC) (Drieghe, 2020). While it had positive aspects, critics argued it reinforced neo-colonial dynamics, highlighting the need for equitable partnerships that empower African nations (Sakr, 2020). Subsequently, the Cotonou Agreement in 2000 aimed to enhance the ACP-EU (European Union) partnership by emphasising poverty reduction and sustainable development, although it faced similar criticisms regarding its donor-recipient dynamic (Carbone, 2020).

The Yamoussoukro Decision, adopted by the African Union in 1999, aimed to liberalise air transport services to promote fair competition among airlines (Samunderu, 2023). This decision sought to stabilise African economies from colonial and neo-colonial influences, reflecting a commitment to self-reliance. Similarly, the 2014 Malabo Declaration prioritised agricultural development as essential for food security and economic growth, recognising the need for sustainable practices (Endoh, 2020).

Despite these advancements, challenges remain in implementing the Malabo Declaration. Smallholder farmers face barriers like land tenure insecurity and limited access to finance, compounded by climate change threats (Mkomwa, Kassam and Bwalya, 2022). John Henrik Clarke's advocacy against reliance on colonial governance models emphasises the importance of reclaiming Africa's historical and cultural heritage for sustainable development.

Clarke's influence is evident in initiatives like the African Union's New Partnership for Africa's Development (NEPAD), which promotes homegrown strategies for addressing African challenges. Additionally, educational reforms in countries such as Ghana and South Africa are incorporating African history, aligning with Clarke's call for cultural reawakening.

Kwame Nkrumah's ideas significantly shaped liberation movements, particularly concerning neo-colonialism and self-determination. His assertion that African nations remained under external control after independence resonated with movements in Zimbabwe, highlighting the struggle for economic self-reliance and unity (Odeyemi, 2022; John, Messina and Odumegwu, 2023). His vision inspired organisations like the OAU, promoting solidarity among nations.

Ultimately, Nkrumah's proposals and initiatives from the LPA, Lomé Convention and Cotonou Agreement have significantly influenced Africa's development trajectory. While challenges persist, these

efforts underscore the importance of unity, self-reliance and collaboration in the ongoing quest for economic empowerment and autonomy in a post-colonial context, illustrating Nkrumah's enduring relevance in discussions on African integration and cooperation.

DISCUSSION

Examining Zimbabwe's colonial legal history reveals how the law has functioned as both a mechanism of oppression and a potential tool for liberation, emphasising the need for an Afrocentric legal philosophy. Zimbabwe's colonial history, like that of former British colonies, left deep scars, with the legal system being a key mechanism for maintaining white minority rule and subjugating the Black majority population. Laws and the judicial system were used to entrench racial discrimination, dispossess indigenous Africans of their land and suppress political dissent.

Zvobgo (2014) eloquently captured the intricate and multifaceted role of law in postcolonial Zimbabwe:

“I have fallen in love with law... I know the value of law, especially in Zimbabwe where law needs to be reformed to address the entrenched colonial iniquities that subjected our people to both psychological, material and political terrorism... Law can be a prison but can also be a liberating force. So, we want a lawyer who is always asking, ‘What does it mean to be African?’” (Zvobgo, 2014, September 25)

This quote encapsulates the dual nature of law, highlighting its potential to serve both as a “prison” and a “liberating force”. This duality reflects the complex – and often contradictory – ways in that law has functioned within the Zimbabwean context.

On one hand, the colonial legal system was explicitly designed to deprive, subjugate and repress the indigenous population and entrench white minority rule after political conquest. Legal frameworks were utilised to dispossess Africans of their land, restrict their political and economic rights and suppress any resistance to the

colonial order (Ngqulunga, 2023). In this regard, law operated as a "prison", serving as an instrument of control and oppression. The law was also used for establishing racialised ownership benefitting white settlers, while dispossessing black indigenes of their land and livestock and anything they relied on for their livelihoods. However, Zvobgo (2014) also recognised the transformative potential of law as a "liberating force". He envisioned that, when reformed and wielded by Africans, law could dismantle the entrenched legacies of colonial injustice and facilitate the construction of a more equitable, self-determined society. His insights underscore the necessity of an Afrocentric legal philosophy that confronts colonial legacies while prioritising the liberation and self-determination of the Zimbabwean people.

Zvobgo's remarks (*ibid.*) resonate with a broader movement among African legal scholars and practitioners advocating for the "decolonisation" of law which involves a critical examination of how colonial-era laws and legal structures continue to perpetuate social, economic and political inequalities even after independence. This movement calls for the development of legal theories and approaches that foreground African values, histories and lived experiences. His challenge for lawyers to ask, "What does it mean to be African?", urges a departure from simply inheriting and applying colonial legal frameworks, instead advocating for a re-conceptualisation of the law which is responsive to the unique needs and aspirations of African societies.

Specific colonial-era laws, such as the Land Apportionment Act of 1930, which divided land into areas reserved for white settlers and those designated for Black Africans, have institutionalised land dispossession and severely restricted access to productive land for indigenous populations – dynamics that still contribute to land disputes and economic disparities in contemporary Zimbabwe. Similarly, the Natives Registration Act of 1936 mandated the registration of Black individuals and limited their movement,

reinforcing a system of control that marginalised African communities, with the legacy of such legal restrictions continuing to affect social mobility and access to resources. Additionally, the Native Labour Regulations dictated the terms of employment for Black workers, often enforcing exploitative conditions and low wages, with the historical exploitation embedded in these regulations still resonating today as many Zimbabweans face ongoing challenges related to labour rights and economic inequality.

The imperative for the rise of African black lawyers in post-colonial Africa is a critical issue highlighted by Zvobgo's perspective (*ibid.*). Several key reasons underscore why building an African legal profession committed to decolonisation and social transformation remains a pressing priority.

Central to Zvobgo's perspective (*ibid.*) is the belief that the law is not inherently good or bad, rather, its impact is determined by whose interests it serves and how it is applied. His call for "African" lawyers who critically interrogate the meaning of African identity and liberation reflects a desire to fundamentally reshape the legal system to be more attuned to the needs and aspirations of the Zimbabwean populace. Therefore, through constitutional law, legislation and the judicial process, it is imperative to:

- redress historical land grabs and redistribute resources more equitably;
- enshrine and protect the political, civil and human rights of all Zimbabwean citizens;
- elevate African customary law and legal traditions within the national legal framework; and
- challenge discriminatory laws and practices that continue to marginalise Black Zimbabweans.

Achieving these goals requires not just technical legal reforms, but also a profound ideological and philosophical shift. Zvobgo (*ibid.*) emphasises the necessity to decolonise the very foundations of Zimbabwean jurisprudence – centering African worldviews, values and conceptions of justice within the legal framework. This re-centering is crucial for ensuring that the law serves as a true instrument of liberation rather than oppression, ultimately fostering a more just and equitable society for all Zimbabweans.

The findings underscore the dual role of law in post-colonial Africa, emphasising its capacity for both oppression and liberation. While colonial-era legal frameworks have persisted, continuing to enforce systemic inequalities that marginalise African populations, these same structures are being actively challenged and reinterpreted by African legal scholars and practitioners. This resilience illustrates the agency of African nations to redefine their legal systems in ways that align with their unique cultural values and aspirations, fostering a sense of ownership and relevance within the legal framework. A significant aspect of this transformation is the movement toward the "decolonisation" of law that advocates for a critical reassessment of colonial-era laws to promote social, economic and political equity. Legal professionals emphasise the importance of developing frameworks that foreground African histories and lived experiences, thereby creating a more inclusive legal landscape. However, the challenge of neo-colonialism complicates these efforts, as it aims to maintain the inherited legal regimes which often serve the interests of former colonial powers and their allies, hindering true progress toward justice.

This neo-colonial dynamic is exemplified by the actions of current the U.S. President, Donald Trump, who signed an executive order in February 2025 sanctioning South Africa for its legislative initiatives aimed at addressing historical injustices related to land dispossession. Such interventions are perceived as efforts to protect the interests of those benefiting from existing legal frameworks,

often undermine social justice initiatives that seek to rectify past wrongs. This external influence highlights the challenges that African nations face in their pursuit of equitable legal reforms and social justice.

Despite these obstacles, legal reform efforts in Africa are grounded in practical initiatives aimed at addressing specific injustices, such as land redistribution and the integration of African customary law. This integration is crucial for fostering a legal environment that resonates with local populations and promotes greater trust and engagement in the legal system. Ultimately, the findings affirm that law in post-colonial Africa is not merely a remnant of colonial oppression, but a dynamic force capable of driving social transformation and advancing the self-determination of African nations.

CONCLUSION AND RECOMMENDATIONS

This article explores deliberate continental integration as a strategic response to the enduring legacies of colonialism, emphasising the vital roles of African leaders and Black lawyers in dismantling these legacies to advance social and economic justice. It highlights how unity among African nations addresses critical issues like land rights and sustainable development, while contrasting this with the international community's expectations of Africa's progress despite its complex colonial inheritances. By examining the evolution of law within the African context, the article illustrates how legal frameworks have both perpetuated colonial power structures and served as transformative tools for change. Ultimately, it offers valuable insights for policy-makers and the global community, underscoring the need for collective understanding and support to realise the aspirations of deliberate continental integration, empowering Africa to forge a just, equitable and prosperous future that honours its past, while inspiring resilience and progress for generations to come.

RECOMMENDATIONS

- **Enhancing Legal Education and Training-** To foster a more effective legal system in Africa, legal education should be reformed to incorporate an Afrocentric perspective. This involves emphasising indigenous legal traditions and practices, while equipping law students with the skills necessary to address contemporary challenges, including advocacy for social justice and community engagement.
- **Strengthening Continental Integration Initiatives-** African governments and regional organisations must prioritise the implementation of integration initiatives, such as the African Continental Free Trade Area (AfCFTA). This includes fostering collaboration among member states, enhancing infrastructure and creating frameworks that facilitate trade, investment and the movement of people across borders.
- **Supporting the Role of African black Lawyers-** Increased support for African Black lawyers is essential for advancing legal reform and social justice. This can be achieved through mentorship programmes, funding for legal initiatives and platforms for collaboration among legal professionals across the continent. Enhancing their visibility and influence in policy discussions is crucial for effective advocacy.
- **Promoting Public Awareness and Engagement-** Civil society organisations should engage in public awareness campaigns to educate communities about their legal rights and the importance of legal empowerment. Organising workshops, seminars and outreach programmes will encourage active participation in legal processes and advocacy efforts.
- **Fostering Pan-African Collaboration-** Encouraging collaboration among African nations in legal and policy frameworks can enhance the effectiveness of continental integration efforts. This involves sharing best practices, developing joint legal initiatives and creating networks that connect legal professionals across borders to address common challenges.

- **Addressing Historical Injustices-** African governments should prioritise recognising historical injustices and work towards reparative justice initiatives. Establishing truth and reconciliation commissions, promoting dialogue on past grievances and implementing policies to address socio-economic disparities resulting from colonial legacies are critical steps.
- **Leveraging Technology for Legal Empowerment-** Embracing technology can significantly enhance access to legal resources, information and services. Investments in digital platforms which provide legal education, facilitate communication between legal professionals and communities and improve access to justice for marginalised populations are essential.
- **Encouraging International Support and Solidarity-** The international community should recognise and support Africa's efforts toward legal empowerment and continental integration. This can involve forming partnerships, providing funding for legal initiatives and advocating for equitable trade practices that respect Africa's sovereignty and development goals.

Implementing these recommendations empowers stakeholders to transform Africa's legal landscape into one that is more just and equitable. This proactive approach fosters a vibrant climate of cooperation and empowerment, enabling communities to tackle the enduring challenges of colonial legacies head-on. Together, we can pave the way for a brighter future where justice and equality thrive across the continent.

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