

LITERATUR

G. S. Ibingira

African Upheavals Since Independence

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Since the mid-sixties much has been written on political instability in Africa as coups, army rule, civil war and violence of all kinds have been the unfortunate fate of the continent. Ibingira's book is a personal retrospection on the causes of these failures of twenty-odd years of independent existence.

It must be noted at the outset that the title of the book »African Upheavals since Independence« does not quite cover the contents. In fact, the book is on upheavals in Uganda only, with some comparative material from Ghana and Nigeria. Other countries are hardly touched upon. But having said that, Ibingira is well placed to write a book thus limited. He served in the Ugandan government as a member of parliament, minister of justice, minister of state, secretary general of the Uganda People's Congress (UPC) and ambassador to the UN. He is now an »outsider«, having resigned from government service in January 1974 and presently a legal consultant to the UNDP.

In the author's opinion the most crucial causes of Africa's postindependence instability are twofold. The first cause he finds to lie in the defects of the colonial legacy. Most notable was the failure of colonial powers to combine ethnic groups with compatible characteristics. Aggravating this shortcoming was the failure to give Africans meaningful, sustained long-term training in wielding political power. In general, »there was no well-conceived, systematic preparation of the colonies to shoulder the responsibility of nationhood.« The second basic cause has been, according to Ibingira, a strong preference for autocratic rule, practiced against a background of heterogenous societies. This autocracy, manifesting itself in what the author calls »winner-take-all« philosophy of those who inherited power from the colonisers, has alienated many groups within the state by making them feel excluded from the new state structures.

Although Ibingira dwells mainly on its shortcomings, he mentions two important positive aspects of colonial rule: the introduction of a set of values and ideals that had successfully governed a metropolitan society (liberty, justice, representative government), and the inculcation of a sense of orderly government. Most shortcomings and problems were created by the excessive delay of colonial powers in meaningfully involving Africans in learning how to govern a modern, multiethnic state. This proposition is illustrated with examples from the colonisation and decolonisation processes of Uganda, Ghana and Nigeria.

Although the shortcomings of colonial rule cannot be denied, Ibingira sometimes weakens his argument by the implication that some of the ill effects of colonial rule were intentional, which often they were not, and by contradicting criticism. Suffice it to men-

tion one example of such a statement here. On page 17 one reads: »The most effective way to divert the attention of African leadership was to accord exaggerated importance to local governments and thus make them appear good enough to attract the educated and enlightened African leaders«, and on page 19 it is stated: »Yet local government is an invaluable ground for training people in the art of government, both local and national. If colonial rule had assured democratic and effective local governments from the beginning, this might have helped to offset the destabilizing effect of an inexperienced central government after independence.«

After losing the first general election in 1961 to the Democratic Party (DP), which formed the internal self-government, the UPC resolved to form an alliance with the traditional leadership in Buganda in order to defeat the DP and deny its inheritance of the independence government. This alliance was to appreciably determine the nature of the Independence Constitution and the subsequent course of Uganda's stormy postindependence history. This was the link from the colonial legacy to the winner-take-all politics of Milton Obote.

Ibingira comes to similar conclusions for Nigeria and Ghana. The Federation of Nigeria was fated by its colonial experience to a rough postindependence period due to the inherent imbalance where the least developed region had assured ascendancy, to the primordial pull of ethnicity, and to the native leaders' lack of experience in sharing power and administering Nigeria jointly. In Ghana, although the colonial experience had put diverse ethnic groups together, colonial rule ensured that each group maintained its precolonial identity, with minimal intergroup/interethnic dealings, especially in matters of government.

It is particularly the discussion of the politics and practices of winner-take-all and their consequences, especially in relation to Uganda, which makes Ibingira's book so interesting. By »winner-take-all« the author means the belief and practice where those politicians who inherited power on independence in plural states proceeded by all means, available or contrived, fair or foul, to concentrate all power, resources, jobs, and patronage in their Lands and for their supporters for all time, to the detriment of groups of different political, religious, ethnic, or regional background within the state. In Ibingira's view, the greater cause of this practice lies in the interaction of defective colonial legacies and the self-interest of the leaders. The author has witnessed the play of winner-take-all by Obote in Uganda from the first row of seats. Here the book becomes an appalling testimony. At the heart of the Ugandan revolutions of 1966 (Obote) and 1971 (Amin) was the insatiable desire for a monopoly of power by the UPC leadership. While Obote was outwardly espousing a democratic system, »he was privately preparing to use brutal illegal force, not against the colonialists, who had already agreed to leave anyway, but against any Ugandan political party other than the UPC that inherited power.« Ibingira recalls that Obote categorically told him he had made preparations to overthrow the DP government by force if the UPC lost the preindependence elections in April 1962; and after becoming Prime Minister, Obote would often confide in some of his close colleagues that he would never under any circumstances relinquish power voluntarily. Facing the

possibility of a challenge from the DP and the Kabaka Yekka (KY), he chose force rather than persuasion and political contest to deal with it. This ideology explains the attempts at imposing a one-party state which, given the relative strength of the parties, was destabilising; the fear to hold elections; the monopoly and misuse of security forces; needless conflict with Buganda; etc. Eventually this led to escalating conflict within the UPC. Ibingira notes that it turned out that the opposition against Obote within the party was so strong that it controlled not only the Central Executive Committee but more than three-quarters of the regions. No answer is offered, however, to the question how a civilian leader could possibly remain in power under those circumstances.

The immediate cause of the 1966 revolution perpetrated by Obote was the Ocheng motion in Parliament, charging Obote with having clandestinely involved the Ugandan army in the Congo conflict and, together with the then deputy Commander of the army, Colonel Amin, with making arrangements to seize power and to abrogate the constitution. On 22 February 1966 Obote had the ministers arrested and he announced the suspension (and later, the abrogation) of the constitution. The Republican Constitution of September 1967 gave Obote unrestrained executive power: power over security matters and over legislation, control of local government, self-perpetuation in office. He was removed in 1971 by the man he made, Idi Amin.

In Ghana the winner-take-all practices were characterised by a rapid overconcentration of executive power, the elimination of opposition parties, and the emasculation of the judiciary and the legislature. All this was accompanied by a repressive police system under which thousands of citizens were detained without trial. Here again, when reading the account, one wonders how a civilian like Kwame Nkrumah could wield so much power and why his own party did not effectively oppose him. And in Nigeria, despite the presence of powerful regional parties and the absence of a monolithic one-party state, the winner-take-all philosophy was applied with the devastating effects we know.

In a final part Ibingira looks to the future. He proceeds first to an examination of two preeminent post-independence developments: the one-party system and military rule. The failings of military rule are illustrated »at their worst« by the regime of Idi Amin in Uganda.

The basic principles set forth by the author cannot be but somewhat disappointing. As far as leadership is concerned, the desire to hold power indefinitely should be combated, notably by the provision that the leader should serve for a limited, specified term of office. Other principles: recognition and acceptance of diversity, acceptance of the idea of responsible opposition, construction of a sound, viable constitution, guarantees for basic human rights, the provision of »catch-up« programs for backward areas, an emphasis on common interests, the promotion of meaningful regional cooperation, and the development of an enlightened foreign policy. Here the author goes clearly back to rather theoretical approaches; these remedies were indeed known in the »sixties too but not applied. Ibingira concedes that some may argue that the guidelines he advocates are too idealistic and incompatible with the »real world«. His reply to that objection is that he has lived and operated in that »real world« at a high level for two decades and »my experience

convinces me that without a serious commitment to such goals, as opposed to merely paying them lip service, we provide the necessary foundations for continued upheavals.« A book written on this subject by someone like Ibingira puts the reader before a dilemma. On the one hand, Ibingira has of course much more information than an academic scholar can possibly gather. On the other hand, those who know so much of the inside are (or have been) also players of the game, and so the danger of bias is ever present. Thus is it clear, for instance, that the author is not President Obote's friend, to say the least. Therefore one cannot help wondering to what extent everything written is fair or whether political sidepurposes are involved. These are just questions; I have not found instances of factual misrepresentation, but I do not know enough about Ugandan political history to be a judge of that.

It is unfortunate that the book has no index; and the concentration of all footnotes at the end, though understandable for financial reasons, is no service to the interested reader. At any rate, Ibingira's book is a definite contribution to knowledge about political instability and revolution in Africa. Accounts of this sort should be written by »retired« leaders, if they have the luck to live, of other countries.

Filip Reyntjens

Philip Kunig

Das völkerrechtliche Nichteinmischungsprinzip. Zur Praxis der Organisation der afrikanischen Einheit (OAU) und des afrikanischen Staatenverkehrs

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Obwohl es nicht an Literatur zum vielbeschworenen »Nichteinmischungsprinzip« mangelt, ist bis heute unklar geblieben, inwieweit diesem Prinzip eine völkerrechtliche Verbindlichkeit zukommt. Kunigs Arbeit ist ein bemerkenswerter Versuch, zur Klärung dieser Frage beizutragen.

Kunig hält es für wenig sinnvoll, das Nichteinmischungsprinzip abstrakt zu definieren. In der Tat ist mit einer allgemeinen Definition wenig gewonnen. Zu Recht bemüht sich Kunig deshalb darum, aufgrund einer Analyse der bisher aufgetauchten Konfliktlagen typische Fallgruppen zu bilden, und zu ermitteln, welche Bedeutung das Nichteinmischungsprinzip für die einzelnen Fallgruppen hat. Dabei werden von vornherein alle Akte ausgeklammert, die dem Gewaltverbot des Art. 2 Nr. 4 der UN-Charta unterfallen oder die territoriale Souveränität verletzen.

Kunig kommt zu dem Schluß, die Staatenpraxis zeige, daß das Nichteinmischungsprinzip juristisch insgesamt eine sehr viel geringere Rolle spiele als gemeinhin angenommen: Es verbiete universell lediglich die Unterstützung einer aufständischen Bürgerkriegspartei und subversive Verhaltensweisen. Auch die afrikanischen Staaten hätten (als Gruppe