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INSTITUTE FOR DEVELOPMENT STUDIES
UNIVERSITY COLLEGE, NAIROBI

Discussion paper No. 34

FROM FEDERALISM TO NEO-FEDERALISM IN EAST AFRICA

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December 1966

This paper was prepared for presentation at the University of East Africa Social Science Conference held at University College, Nairobi, December 1966.

Any views expressed in this paper are those of the author. They should not be interpreted as reflecting the views of Institute for Development Studies or of the University College, Nairobi.
"A Federation of at least Kenya, Uganda, and Tanganyika should be comparatively easy to achieve," Tanganyika's President Julius K. Nyerere wrote in March 1963. "We already have a common market, and run many services through the Common Services Organization -- which has its own Central Legislative Assembly and an executive composed of the Prime Ministers of the three states. This is the nucleus from which a Federation is the natural growth."1

Within a year, however, it had become apparent that an East African federation would not be comparatively easy to establish. Despite a broad aspiration for African unity, experience following decolonization shattered hopes of an easy movement toward regional unification. A sense of national belongingness and national interest emerged rapidly after uhuru. The effects of this outgrowth of national consciousness upon region-building were great indeed. So much energy became consumed by the demands of nation-building that little remained for such less immediate goals as political federation. Borders hardened to some extent into barriers and the fluidity of the colonial period passed. In East Africa, as in West Africa before it, federations proved difficult to construct and harder still to maintain.

Nevertheless, because federation is a response to genuine needs, it seems certain that the desire to found transnational unions will persist in the years to come. Economic inducements such as regional comparative advantage and economies of scale as well as expanded opportunities for interterritorial projects (electric power and irrigation systems), a wider financial base, and a more rational allocation of skilled technicians and managerial personnel are constants -- even if the benefits apply unequally to prospective partners.2 Moreover, it is necessary to broaden the balance sheet by mentioning the wide gamut of non-economic advantages such as increased aid and investment appeal, international influence and leverage, and enhanced military capability. These inducements, even if sometimes more potential than actual, are not likely to disappear with the passage of time; instead, success with industrialization and the mechanization of agriculture as well as increasing involvement in world politics will make national autarchy more and more impossible to effect. Clearly the federation issue is not dead. Since closer unity is a logical response to the needs of long-term stability and development, it is likely to be a recurrent field for inquiry and experimentation among the modernizing countries.

* Parts of this essay are adapted from my article, "The Limits of Federalism: An Examination of Political Institutional Transfer in Africa," which will appear in the Journal of Modern African Studies, Vol.4, No.3.
An examination of region-building in Africa is important not only as a case study of supranational activity but also as an analysis of the relationship between political action and constitutionalism. Federation is seen as an essentially political problem, a bargaining situation involving a legitimate play of interests — territorial and interterritorial. As such, the main political participants in the dialogue can advance perfectly logical and rational reasons for joining or not joining a wide geographical union. At heart, however, political motives are viewed as most central in the decision-making process. Perhaps, then, the federation issue is of the very essence of the human condition. Widespread agreement exists in principle on the benefits of transnational unity; yet men seem to be gripped by immobilisme, frequently placing the highest priorities on short-term interests.

If men fear the unknown and shrink from commitments on a broad scale, logic requires that political analysis search out a variety of alternatives which will reduce integration load factor. It is possible that the plunge into unity can be made less awesome in this manner. Surely where classical federalism fails to satisfy Africa's requirements of stability and development, the investigation of new forms of statecraft is essential. Here is where the political scientists have been lacking in foresight and ingenuity. They have moved behind the events of Africa, offering little insight into the variety of institutional arrangements available for experimentation.

This study seeks to examine both the limited utility of classical federalism under African conditions and the nature of the attempt to innovate and form novel institutional structures. It will show the movement from federalism to neo-federalism not as a failure of will and purpose but as a logical adaptation to the political conditions and pressures of the post-colonial era. Neo-federalism represents the triumph of ingenuity and responsiveness, not the reverse.

How might regional unification be brought about in Africa? Although "federation" seemed to imply a formula for achieving integration, it actually proved to be not one but many designs. Recognition of the existence in East Africa of strikingly different conceptions of what federation comprises is crucial to an understanding of the breakdown of negotiations on unity in that region during 1963 and 1964. As Colin Leys observes: "what Tanganyikans wanted, what the Kenyans were willing and able to agree, and what most people in those countries understood, was not federal government, but unification." For the Tanganyikans and Kenyans, regional unity involved "the concept of a tightly constructed federation." In fact, Tanganyikans were willing to endure the adverse short-term implications of the existing common market arrangement because they assumed that a "close political federation" would reallocate developmental opportunities to the poorer areas. But for the Ugandans, federation inferred a loose plan of interterritorial coordination. Throughout the negotiations on East African unity, Uganda's representatives strove to limit central authority in such fields as foreign affairs, citizenship, external borrowing, agriculture and animal husbandry, higher education, mines, and trade unions. Thus a fundamental divergence existed in conceptions about the nature of federation; these divergencies contributed substantially to the final collapse of the working party deliberations, for they proved too basic to make compromise feasible.

It should be clear at the outset that if one or more prospective partners conceived of federation in loose structural terms, amalgamation along unitary lines was out of the question — unless its advocates resorted to coercive manipulation to achieve their ends. Territorial consciousness developed quickly with independence, leaving all too few nationalists who could espouse President Nyerere's 1962 sentiment expressed in the rhetorical comment: "what is Tanganyika after all — East Africa makes more sense."
understanding and fear of the strength implicit in a transnational unitary government precluded the adoption of a highly centralized polity. Possible schemes of administrative decentralization within a unitary system were not deemed by all to be sufficient safeguards of territorial interests. Since unitary government implied ultimate central superiority, it was not surprising to find some territorial nationalists resisting subordination and demanding a division of competences which guaranteed a limited but effective autonomy.

Unquestionably unitary government had wide appeal among East Africa's opinion formers. In a positive sense, unitary structures were praised for enhancing swift decision-making, facilitating administration, and contributing to nation-building; in a negative sense, such structures were regarded favorably because of their ability to avoid waste, duplication and overlapping responsibilities. In Kenya, members of the Kenya African National Union rejected majimbo (subregionalism), arguing that it created "conflicting pockets of power." In Uganda, Dr. Obote and his colleagues viewed Buganda's federal relationship with the center under the 1962 constitution as an impediment to unity. When introducing the April 1966 Constitution, Obote made a point of terminating Buganda's entrenched powers under the former basic law and creating a unitary system of government in his country. Ironically, the same Dr. Obote who was an ardent exponent of unitary government at the territorial level in 1966 had been an equally ardent proponent of a loose federal system at the supranational level during the 1963/64 deliberations! In acting in this manner, he was consistent in upholding what he saw as Uganda's national interest against the twin forces of Buganda separatism and overcentralization in an East African context.

Even though evoking wide appeal, unitary government was inapplicable to East Africa's circumstances because it lacked the capacity to reconcile the area's stubborn diversities. But could federalism act as a satisfactory alternative? By dividing the power of the state between governments coordinate in nature,10 could federalism provide a workable balancing mechanism between the polar extremes of centralism and separatism? For federalism to be applicable in a given situation, the following five conditions are required:

1. an adequate, geographically-based diffusion of power;
2. an ethos favorable toward federalism;
3. a climate of political tolerance;
4. a sense of community;
5. a myth of potential benefit.

Since some African spokesmen looked to federalism as a means of ensuring economic viability while safeguarding subregional or tribal interests, an adequate, geographically-based diffusion of power became a prerequisite to the maintenance of a lasting equilibrium. Such a tensional type of federalism virtually precluded two-unit arrangements, for the security of subregional interests lay in the fluidity of diverse and overlapping relationships. As James Madison observed in his call for federation following the American war of independence: "Extend the sphere and you take in a greater variety of parties and interests; you make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens; or if such a common motive exists, it will be more difficult for all who feel it to discover their own strength, and to act in unison with each other."11 In Africa as in the United States, enlarging the size of the state, with a resultant increase in social diversity, appealed to many as a means of spreading political power, thereby inhibiting the advent of majoritarian tyranny.
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If two-unit federal schemes have been the easiest to negotiate, they have also proved the most difficult to maintain in any kind of equilibrium. The momentum of politics in the post-decolonization era has revealed centrifugal forces which have either succeeded in overwhelming regional authorities or succumbed to them. The first pattern (Uganda-Buganda 12 and Ethiopia-Eritrea relations) led to unitary government; the second pattern, exemplified by the Malian Federation, led to the split up of the supranational arrangement. In either case what was demonstrated was the fragility of federal arrangements when superimposed on situations where an inadequate diffusion of political power took place on an areal basis.

In East Africa, the inability of federalism to thwart a central leadership determined to gain hegemony was evident in Uganda. Prior to independence, Baganda leaders sought to gain ironclad safeguards for their nation within the larger state. They were keenly aware of the inability of sub-regional guarantees to protect the Ashanti, their counterparts in Ghana, and insisted, prior to ending talk of secession, upon a full federal relationship between their kingdom and the central government. A. Milton Obote, the leader of the Opposition in parliament at that time, recognized the need to work out an accommodation with the politically powerful Baganda and, at the London conference in 1961, accepted Buganda's key demands — federal status and indirect Lukiiko election of its representatives to the National Assembly. Obote's diplomatic coup brought his Uganda People's Congress (UPC) to power in alliance with Buganda-based Kabaka Yekka (KY). Such an alliance of diverse — even antagonistic — interests could only endure as long as each political party lacked the strength to rule alone.

At the outset, the constitutional and political arrangement seemed to augur well for Baganda interests. Unlike the Ashanti, who were politically divided and held somewhat flexible attitudes toward innovation and modernization, the Baganda were united, progressive, and strategically located in the heartland of their country. Yet even these initial advantages proved incapable of preventing the Obote administration from gaining the upper hand. In the constitutional sphere, Obote was able to take advantage of his wide discretion under the basic law to refuse to transfer such services as forestry and police to Buganda authorities. Moreover, conflicts over juridical and fiscal relations were generally resolved in favor of the central government. In the political sphere, the attraction of being on the government side led to a series of defections from the ranks of KY and the Democratic Party which significantly altered the balance of power in the National Assembly.

By 1964, the UPC had drawn sufficient support from its two opponents to oust KY from the cabinet and rule on its own. With KY leaders and supporters joining the UPC in significant numbers as well as locked in internal party conflict among themselves, Buganda unity was gravely weakened and the kingdom was left exposed to new pressures in the constitutional sphere. The final showdown came in 1966 when Obote seized power and suspended the 1962 constitution "to ensure stability, unity and order in the country." On April 15, 1966, parliament adopted a new constitution which abrogated Buganda's entrenched privileges under the 1962 basic law and treated the country as a unitary state. As Obote bluntly told the members of parliament: "there is no federation and there is going to be no federation." The Buganda Lukiiko bitterly criticized the new constitution, and, on May 20, passed a resolution calling on the central government to leave Buganda soil within ten days time. This ultimatum, which was signed by Sir Edward Mutesa, was followed by arrests, disturbances, and, finally, the storming of the Kabaka's palace. Buganda's second secession attempt had failed, confirming, for the moment at least, the unitary nature of Uganda's constitutional system.

If Uganda's experience suggests the difficulty of applying federalism in situations where only one powerful group possessed meaningful autonomy within the system, the Malian experience...
indicates the fissiparous strains of territorial nationalism upon a two-unit federation. As originally conceived, the federation was to consist of the four territories of the Soudan, Senegal, Dahomey, and Upper Volta. However, combined pressure from France's de Gaulle and the Ivory Coast's Houphouet-Boigny caused the two weaker members to withdraw. What was left was a rump federation of two dissimilar neighbors, the Soudan and Senegal, unlike in their ideologies, attachment to French culture, economic priorities, and nature of party mobilization and control. Soudanese and Senegalese leaders strove realistically to play down the impact of these differences by providing in their joint constitution for equal territorial representation in the federal Assembly. In practice, moreover, equality of membership on the federal Council of Ministers was accepted policy, and a balance of interests was implicit in the choice of Soudan's Modibo Keita as Premier and Senegal's Mamadou Dia as Vice-President and Minister of Defense. Nevertheless, such concessions to territorial interests were of limited utility. As William Volta notes:

While such an emphasis on representational parity could go far to allay fears of either side's being systematically exploited by the other, it also could decrease the federal government's flexibility of action....Equally serious, if a repeated pattern of unilateral defection from territorial solidarity developed, one side could enjoy a permanent majority on all issues. 18

That this reduction in the load factors of integration was too limited in the circumstances of a two-unit federation soon became evident. In 1960, Senegalese leaders insisted that the parity principle be applied in working out the division of executive posts after independence. When the more radical and centralist-minded Soudanese refused to support Leopold Senghor's bid for the federal presidency and thereby failed to allay Senegalese suspicions and anxieties regarding their role in the future federation, Senghor and Mamadou Dia organized a military coup which successfully split the federation into two separate parts. The first strains of independence had been sufficient to undo the weak and unproved links between these two West African territories.

Federation is poorly adapted to situations where two power centers are in conflict with one another; however, is it more likely to endure if applied to an area which includes three or more major subregional or territorial groups? To be sure, the greater the number of powerful groups comprising the union, the greater the difficulty involved in negotiating the federal agreement. Nevertheless, overcoming this difficulty of negotiation may be the price of avoiding a structural instability which tends toward the extremes of centralization or separation.

The diffusion of power along federal lines among three or more constituent units has been attempted in Nigeria and planned in East Africa. The Nigerian and proposed East African experiments seemed, at the outset at least, to be propitious. So long as tribal units could act successfully as centers of countervailing power, Nigeria's federalism, with its four, powerfully-based regional governments, seemed to offer favorable circumstances for the maintenance of political pluralism. Nigeria's extensive social diversity and vigorous party competition buttressed this formal spreading of power, laying the foundation for an enduring dispersion of authority within a single state structure. The growth of economic and social interdependence, moreover, appeared to augur well for the political stability of the new state.

And if the territorial units could be utilized as centers of countervailing power, East Africa, with its long history of administrative coordination, possessed objective conditions for unity as favorable as any in the third world. Certainly social, cultural,
political and economic differences existed at the time of the June 5
declaration on federation, but they were small compared to those
elsewhere. Kenya, Tanganyika and Uganda formed a contiguous land mass
area, had been ruled by the same metropolitan power, and had emerged
from colonial rule at roughly similar times. Their leaders shared
common educational backgrounds and a common pan-Africanist ideology;
moresover their experiences together in operating a joint customs
union, common currency and tariff arrangement, and such inter-
territorial services as railways, posts and harbors, and airways
created links which made its proponents optimistic about the chance
for unity. There was little reason to doubt the territorial units' capacity to offer effective resistance to an overweening center,
making a hopeful enterprise of East Africa's supranational experiment
with federalism.

In practice, however, multidimensional federalism has thus far
failed to materialize in Africa since its advocates have been unable
to make productive adjustment between constituent units, whether tribal or territorial. During January 1966, Nigeria's
military abruptly seized power and scuttled the federal system in
the process. Corruption, the Western Region crisis, the treason
trials, and the trade union strikes have all contributed substantially
to the decline of federalism. Upon seizing power, Major-General
Aguiyi-Ironsi issued a decree making the regional military governments
responsible to the central military government under his command; he
immediately showed his determination to establish a unitary system
of government by appointing Francis Nwokedi as Commissioner on Special
Duties, charged with establishing an administrative machinery for a
united Nigeria.20 In summary, then, Nigeria's ethnic-based, multi-
dimensional political pluralism may have propped up federal
institutions for a longer period than did the more limited pluralism
of Ghana or Uganda, but in time even Nigeria's social diversity
proved incapable of sustaining a viable federalism.

If Nigeria's ethnic loyalties complicated the task of bringing
about a significant degree of linkage among regional and central
political leaders, East Africa's territorial loyalties proved at
least as difficult to combine into a common policy. The accession
of all three countries to separate, sovereign independence, as
President Julius Nyerere prophesied in advance of the event,21
created internal political and economic pressures which were
dysfunctional to regional integration. Nation-building as well as
economic planning and development were soon accorded a higher priority
than supranationalism, a tendency reinforced in the political sphere
by the growth of vested interests and the decline of elite linkage.22
Consequently, even if a three-unit 23 East African federation went
far toward satisfying the first requirement of an adequate,
geographically-based diffusion of power, it has failed, much as has
multidimensional Nigeria, to find a sufficient countrywide consensus
to keep these groups in a stable relationship. Under such
circumstances, it does not come as a surprise to find both Nigeria and
East Africa pursuing essentially similar alternatives, namely
searching for new transnational arrangements which are looser than
classical federalism in their construction. In doing this, they
are fully cognizant of the prevailing lack of consensus and they
are moving to reduce integration load factors in an effort to
preserve the most crucial benefits of inter-unit coordination.

The second test of applicability—
an ethos favorable to
federalism—failed such a system to be lacking in appeal in many
quarters. As already indicated, a number of important East
Africans, when thinking of federalism, conceived of a highly
centralized polity. East African negotiations on unity consequently
foundered, for federalist-oriented Uganda refused to surrender
powers to a tightly-constructed supranational state system.

In addition to this basic divergence of conceptions of the
nature of federalism, the attitude of elite groups was also decisive
in the case of East Africa. Quite clearly, federalism evokes little
enthusiasm in Africa as a whole and, as might be anticipated, has
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less appeal for the ideologue than for the pragmatist. Its overlaps, duplications, compromises, excessive legalism, and lack of symmetry offends the ideologically-oriented person, who seems almost instinctively to recoil from proposals for federalism, except, perhaps, at the pan-African level. The outstanding example of this viewpoint is Dr. Kwame Nkrumah, who provoked the ire of East African leaders with his statement that, in effect, regional federations are a form of balkanization on a grand scale. These may give rise to the dangerous interplay not only of power politics among African States and the regions, but can also create conditions which will enable the imperialists and neo-colonialists to fish in such troubled waters. 

Nkrumah's avowed hostility to federalism stemmed in large measure from his bitter battle against Ashanti subregionalist aspirations at the time of Ghana's independence. He successfully headed off attempts to place subregionalist restraints upon his own authority and then went on to raise grave doubts about the utility of federalism elsewhere. Thus he advised Patrice Lumumba against the use of federalism in the Congo, arguing that it inhibited economic development and was tainted with "tribalism" and "neo-colonialism." "...Just at a time when a strong government is necessary," he argued pragmatically in support of his general ideological position, "federalism introduces an element of paralysis into the machinery of State, and slows down the process of governmental action...." For Nkrumah, such a loose form of polity as federalism could be justified only at the pan-Africanist level. 

The ideologues explicit rejection of federalism might have been expected; what did occasion surprise, however, was the pragmatists' lack of enthusiasm for such a system. One must distinguish here between two types of pragmatists: those who viewed federalism as no more than a transitionary step on the path to unitary government, and those who saw federalism, much as Nkrumah alleged, as a disguised form of balkanization. 

In Nigeria, Soudan (now Mali), and Uganda, many leaders sought federalism mainly to ease the transition to unitary rule. They recognized that any attempt to impose a unitary system at the time of independence would result in grave instability, perhaps secession. Therefore they sought to reduce integration load factors by preserving a federal form of government. In doing so, they did not abandon their preference for unitary government. Uganda's Obote conceded a federal relationship to Buganda prior to independence largely to end the kingdom's secessionist claims; however, with a decline in Buganda unity and power, he strengthened the center's hegemony and, in 1966, successfully proposed a new constitution which abrogated Buganda's entrenched privileges and treated the country as a unitary state. On the other hand, when Soudanese leaders pressed for a unitary system "as perfectly logical, indeed historically dictated," the Mali Federation disintegrated. And in Nigeria, a number of politicians linked most intimately with the federal system were to question the long-range desirability of this type of polity. "The time may come," declared federal Prime Minister Alhaji Sir Abubakar Tafawa Balewa, "after understanding one another better, and without one tribe dominating the other, when we can hope for a unitary form of government, but not now." Federalism was seen as a response to Nigerian circumstances -- in particular, the nature of Nigerian fears and the configuration of power within the state -- not a desired end in itself. It was considered preferable to disunity, but intrinsically a second-bast. 

Other African pragmatists looked upon federalism as a means of securing virtually complete subregional autonomy. Thus Katanga's Moise Tshombe not only wished to maximize Katanga's fiscal contributions to the center, advocated a loose form of federalism in
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the Congo. Federal government was not to be a transitional stage on the way to unitary forms but a means of dispersing power on a long-term basis — in Nkrumah's terms, balkanization in disguise. As early as December 1959, Tshombe outlined his party's position on the future Congo constitution. He called for the creation of "sovereign" states which would surrender "a determined part of their sovereignty to a Federal State."31 How much power were the states to surrender? Obviously very little, for Tshombe specified that the competency of the central government "would be limited to questions of general interest to the Congo" and that central authorities would be prohibited from intervening in "interior matters" or in economic affairs, "except within the limits of co-ordination at the national level." 32 The trend of separatist thinking was thus already set which led ultimately to the Tananarive conference where a decentralized constitution was considered by Congolese leaders and a subsequent demand by Tshombe (in the negotiations on the Plan of National Reconciliation) for "a fully decentralized federation."33 As Prime Minister Cyril Adoula emphasized on separatism as an antithesis to the spirit of cooperation and coordination essential to true federalism. "If Mr. Tshombe really wants a federal regime," Adoula wrote, "he must accept all its consequences, including the renunciation of division of foreign currency. To fix a definite percentage beforehand is out of the question."34

In sum, Tshombe's conception of the role of federalism contrasted sharply with Keita's, Obote's, and Balewa's; yet the overall effect of their views was similar. None of the pragmatists (to say nothing of the others) were committed to a lasting form of cooperative federalism, with the result that an ethos favorable to genuine federalism was lacking. As a consequence, the federal principle failed to secure crucial support from the key leaders of Africa — making its application in the decolonization era perilously difficult.

The third test of the applicability of federalism, a climate of tolerance, points up the limits of political institutional transfer. Federalism is, after all, a system accruing from Western liberal values.35 Wrenched away from an environment that accepts the unquestioned worth of political pluralism, constitutionalism, legalism, and compromise, it tends to operate against an alien and inhospitable background. This alienation becomes more poignant when complicated by third world conditions of poverty, illiteracy, and ethnic separatism.

In fact, political life in the developing lands runs counter to the kind of environment conducive to stable federalism. Constitutionalism and legalism at the modern state level are broadly accepted means of reconciling interests in the west. However Africans frequently look upon them with widespread indifference, seeing them as imports dangerous to their countries' modernization. Political pluralism is considered a virtue in many western countries, but in Africa, where a consensus on goals and values is often lacking, it is regarded as a further threat to order and development.36

The political process during and after decolonization, highlighted by a remorseless struggle for power between local elites, complicates the emergence of conciliatory intergroup relations on a multidimensional basis. More often than not the parliamentary system hurriedly thrust upon African states by the departing colonial power is superseded by a single party or no-party presidential system which looksask at critically at the kind of diffusion of responsibilities implicit in federalism. This tendency is reinforced by the great demands implicit in modernization which impose heavy burdens on federal government. In earlier times, when federal schemes were effected in the west, state systems were comparatively stable and citizens made minimal demands upon their governments; the present-day welfare state era, however, places enormous strains on federalism, both in the level of services required and in the nature and extent of citizen participation. The effect of this strain upon region-building is noted by Ali A. Mazrui, who observes that...
...socialism can be inherently parochial when it is concerned with national planning. For in the concept of planning the preoccupation of socialism is with the domestic needs of the individual country and with the control of domestic factors of production. Therefore, as Tanzania has got more socialistic, it has had to become less Pan-African regionally. Impatient to be in full command of its home economy, it has progressively weakened the East African spirit.

The effect of these background conditions on federalism can be seen in the difficulties involved in creating and working federal relationships. The new leaders, inspired by socialism and convinced that western-styled constitutionalism hampers the tasks of modernization, play down the values of western liberalization. This is not to criticize their assessment of their countries needs and priorities, but merely to point out that the effect of these assessments is to create a climate basically unhealthy for federalism.

In addition, the tensions inherent in the political process also run counter to the evolution of elite complementarity. The demographic artificiality and newness of African states as well as the evolution of integral nationalism thwart the emergence of the kind of value framework in which tolerance and diversity flourish. Consequently, political conflicts are too fundamental in nature, with elections becoming something akin to ‘win all, lose all’ battles between adversaries. It is because these conflicts are so basic and the stakes so high that single party or no-party control along centralized lines becomes an accepted feature of political life.

The implications of this for federalism are enormous. Since the crucial actors on the political scene tend to be alike in the manner in which they chafe at institutional or interest group restraints as well as in their conception of politics as something approximating a "zero-sum" game, little flexibility is left for such essential requisites of federalism as compromise and tolerance. Consequently, political conflicts are too fundamental in nature, with elections becoming something akin to ‘win all, lose all’ battles between adversaries. It is because these conflicts are so basic and the stakes so high that single party or no-party control along centralized lines becomes an accepted feature of political life.

The fear, as Adoko NakyGENCYO expressed it, of being thrown into darkness 40 caused Ugandans to draw back from East African integration, unless unity were hedged about with sufficient restrictions to ensure broad freedom of action for the constituent parts. Obote and his cabinet colleagues recognized fully the centripetal tendencies in modern federalism as well as the "zero-sum" gains situation of politics on much of the continent. Only conditions which involved considerably reduced load factors in particular a climate of tolerance and compromise -- might have made a plunge into the unknown a decision of less magnitude, and it is these conditions which were largely lacking in the East Africa of 1963/64.

A sense of community, the fourth requirement, has all too frequently been insufficient to the needs of federalism in Africa.
Precisely because there is nothing natural about most of Africa's multi-tribal or proposed multi-territorial states, the building of a sense of community is one of the main challenges that face Africa's new leadership. Nigeria's serious tribal rioting of 1966 underscores the formidable obstacles to such an undertaking; this violence has led to the weakening of inter-unit economic and political links and the repatriation of many hundreds of thousands of people to their region of origin, emphasizing local nationalism at the expense of Nigerian nationalism. For reasons already discussed, the new African leadership prefers to create a sense of community by the most direct means at hand, with the consequence that it shies away from such reconciliational institutions as federalism out of a fear that concessions to parochialism will inhibit modernization. Under certain circumstances, the unitary, one party or no-party systems to which these leaders are attracted are able to foster elite linkage in tribally or regionally compartmentalized states; nevertheless the persistence of such differences in large socially pluralistic states like Nigeria makes some form of decentralized structural mechanism essential, although not necessarily along classical federal lines.

The nature of inter-unit linkage points up the difficulties in the way of forging a sense of community. A combination of the colonial heritage and low levels of economic development has limited transactions between contiguous sovereign states in eastern and western Africa as well as between regions within such large countries as Nigeria and the Congo (Leopoldville). The effects of the colonial heritage, lack of coordinated planning and slow modernization, are evident in many ways: the arbitrary linguistic divisions, the existence of competing and poorly connected road and rail services, the inadequacy of telecommunications ties, and the special subsidy, tariff and commodity agreements between former metropolitan powers and their African associates. Also, because intersectoral flows between African regions are relatively small, the coordination of the continent's economic efforts is often accorded a lower priority than the maintenance of access into existing high-priced markets in Europe and North America.

Of course, where a strong sense of community preceded the establishment of common political institutions the chances of these joint institutions surviving separatist pulls in an area of low social and economic exchange are enhanced. The importance of such a sense of community is illustrated by the cases of Somalia and Cameroon, where irredentist sentiments proved sufficiently strong to unify peoples artificially separated by the chance factors of colonial occupation. But subsequent events elsewhere in Africa have underlined the great extent to which these acts of integration by impulse are special cases indeed.

Finally, the fifth requirement, a myth of potential benefit, is inadequately satisfied in much of Africa. In assessing the benefits of wide territorial integration, leaders have been all too prone to concentrate, statically, upon the existing situation and to pay little heed to the potential for growth. Such an outlook is as paralyzing as it is one-sided. In addition, the nature of interest group activities in Africa, as compared to those in Europe, gives little impetus to federation. Whereas expectations of rising prosperity lead European interest groups to seek increased transnational coordination, their African counterparts often lack this myth of potential benefit; in the industrial societies of Europe "supranationality and a lively spillover process are able to flourish" because pluralism, free enterprises, and a broad economic interdependence create a transnational framework within which the political actors must operate to a very great extent. By comparison, African politicians are much freer to determine whether or not to enter a federation, because interest groups are neither as powerful nor as transnationally oriented as in Europe. In this sense, Uganda's Obote has greater maneuverability than France's de Gaulle; the former can refrain more easily from committing his country to a
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political federation if he concludes that the risks outweigh the anticipated rewards. And given the politician's full awareness of immediate problems and risks, he is tempted, in setting his priorities, to play down the significance of potential benefits.

Since the federal compromise would seem to have limited utility under post-independence conditions in Africa, it logically follows that constitutional relations will generally have to avoid the reconciliational middle and move to either unitary government or loose inter-unit arrangements. In the case of unitary systems, the ruling elite's preference for such schemes is a response to its two essential challenges to successful administration: the maintenance of national stability and unity and the achievement of modernization. Strong central leadership is viewed by civilian and military elites alike as a prerequisite for modernization. These men chafe impatiently at subregional limitations upon their authority and reject the conflicts and compromises of federalism as wasteful, disconcerting, and even corrupting. They seek order and symmetry, national integrity and rapid strides toward industrialization. Quite naturally, then, concessions to tribal and ethnic autonomy are feared as divisive maneuvers. And wherever the leaders of the independence period made expeditious moves to include subregionalist guarantees in their constitutions in order to speed independence, the men in power of a few years later felt no compunction about breaking such colonialist-inspired safeguards in the name of higher responsibilities.

The obverse of this drive for unitary forms is the fear of centralized power which these forms engender. In certain cases, anxieties on the part of traditional or territorial groups have led to the ultimate non-reconciliational extreme of demands for complete autonomy. But the dangers inhering in such demands were pointed out clearly by Chief Obafemi Awolowo shortly after his release from prison: "the breaking up of Nigeria into a number of sovereign states," he stated, "will not only do permanent damage to the reputation of contemporary Nigerian leaders, but will usher in terrible disasters which will bedevil us and many generations to come."47. Separatism is the "no-win" course of action for all parties involved in such constitutional disputes.

However, many politicians who took cognizance of local fears of an overweening center sought compromise solutions between the extremes of unitary government and total separation. Thus the same Lt.-Colonel Yakuba Gowon who ruled out the breakup of Nigeria as "economically and politically suicidal,"48 also ruled out a unitary system as unrealistic under existing circumstances. "As a result of the recent events and the other previous similar ones," he declared in a nationwide broadcast upon assuming power, "I have come to strongly believe that we cannot honestly and sincerely continue in this wise, as the basis for trust and confidence in our unitary system of government has not been able to stand the test of time."49

Realism, then, required a search for a compromise in the broad area between the extremes of strong centralization and full autonomy for constituent units. The extent of the central government's competence would depend upon a number of factors such as the level of inter-unit transactions, the tenacity of the will to union, the strength of parochial apprehensions, the closeness of elite linkages, and so forth. Supranational associations carried over from previous relationships, bringing with them a history of shared experiences, albeit somewhat painful, may add an imetus to the setting up of more comprehensive and centralized constitutional arrangements. But the experience of the decade following decolonization makes one point quite evident: these constitutional arrangements must be designed, as far as is practicable, to conform to the basic configurations of power in the area or they are not likely to endure the test of time.
mission this point is to tempt grave instability, and perhaps the destruction of the state itself.

At this juncture in history it is possible to analyze the logic behind the trend toward the extremes of unitary government and separatism as well as the reaction, in certain cases, away from these extremes and in the direction of various reconciliational compromises. But it is premature to draw any but the most general conclusions on the nature of the reconciliational models which will be utilisable in modern Africa. As was indicated in the main body of this paper, classical federalism has thus far failed to provide a workable balancing mechanism between the competing claims of parochial and countrywide nationalism. Even in Nigeria, a land of great size and broad diversity of traditional groupings, the protections of federalism proved unsavory. This incapacity to act as a guarantee of subregional interests was in no way lost on Africa's tribal or territorial leaders. They were genuine in their desire for national and international unity, but they were reluctant to pay the price that such unification seemed to entail. Thus while new experiments with classical federalism cannot be precluded especially in Nigeria, the growing awareness of its centripetal implications makes unlikely any large-scale return for the present to experiments with this constitutional form.

But if classical federalism has limited utility, it follows that the urgent need for some type of interterritorial arrangement will have to be met largely by other reconciliational devices. Here it is necessary to point to the creative role that neo-federal arrangements are likely to play in the future. Neo-federalism, an archetype which applies to a wide gamut of supranational relationships which may potentially develop into new forms of federalistic or genuine federal polities, is a useful category for the broad array of transnational institutions emerging in the world today. That Francois Perroux calls "the solidarity of the plurinational infrastructure"50 may be an apt way of describing modern man's answer to the challenge of modernization in an era of mini-nationalism. Surely in today's Africa, to be innovative is only to be realistic.

In neo-federalism, then, we find a creative attempt to preserve the essence of unity in the face of massive centrifugal pressures. In Africa, a number of inter-unit associations exemplify the present-day search for such innovative associations. The French-speaking states of west and equatorial Africa have worked out a number of interterritorial relationships which integrate the sovereign states in a limited way. The Afro-Malagasy Common Organization, successor to the Union Africaine et Malagache, has pursued common political and social as well as economic activities. At the 1966 Heads of State meeting in Tananarive, OCAM statesmen endorsed President Leopold Senghor's inter-African cultural activities and supported studies on the possibilities of a joint insurance company and planning conference. In the past, the OCAM has taken a strong political position on such questions as Ghanaian subversion, participation at the 1965 Accra summit conference, and accommodation with Tshombe's Congo republic. The Central African Economic and Customs Union has progressed slowly in the direction of common developmental policies and fiscal and customs arrangements; significantly, the beginning of construction on a joint oil refinery at Port Gentil, Gabon, was hailed by President Leon Mba as a "brilliant success...which may preview this African unity which we all desire."51 Perhaps most significant of all, the Council of the Entente has provided the foundation for economic, social and political cooperation. Although the Entente has no interterritorial institutions, it boasts considerable achievements in joint diplomatic representation, foreign policies, port facilities, railway links, and solidarity funds. The solidarity fund involves a valuable means of redistributing Ivory Coast wealth to the poorer members of the grouping.52 Senegalese Foreign Minister Doudou Thiam's appraisal of the Entente is interesting.
This is undeniably a flexible type of organization. It takes account of certain realities in present-day Africa, particularly national realities. But there are weaknesses too in the Conseil de l'Entente. Notwithstanding the safeguards written in, certain states fear they may become satellites of the Ivory Coast. Moreover there are difficulties in the organization of common financial arrangements, notably the distribution of the Customs receipts, collected at the port of Abidjan, which belong jointly to several states.

Despite these difficulties, the leaders of the Entente states have spoken most hopefully regarding the future of their grouping. For example, the presidents of the Ivory Coast, Niger, and Upper Volta jointly declared after a meeting in Upper Volta in December 1964 that they envisaged "an eventual fusion of their three countries." In English-speaking Africa the trend is much the same. Once the delegates to the working party on East African federation openly revealed the extent of their differences, a higher priority was placed upon strengthening the East African Common Services Organization than upon political federation as such. From this point onward, a search took place -- and continues to take place -- to find a firm flooring on which a supranational organization of limited competence could be established for the long term. The process of decentralizing some of the more politically sensitive fields of responsibility has been disheartening to the observer. In such areas as currency coordination, university development, military cooperation, the encouragement of interterritorial trade, industrial location, and joint initiatives in attracting tourism, movement has been in the direction of a weakening of links. The key question now is whether the momentum of disintegration can be stopped before running its full course. Can the non-essential be jettisoned and the ship of transnational union be saved with some of its cargo still intact? If this can be accomplished, the decentralizing process should be viewed as a creative, or at least a life-preserving, one.

It is too early to predict whether lasting neo-federal links can be forged in East Africa. Many East Africans have come to pessimistic conclusions, reasoning that the failure of all partners to ratify the Kampala agreement is a bad omen for the unity of the region. Uganda’s Shafiq Arain told the November 1966 meeting of the Central Legislative Assembly that "the Kampala agreement has been made sheer mockery." On the basis of this experience, he predicted "that if there was a way of dividing the Railways and the Post Office in East Africa we would be doing just that." On the brighter side, however, is the serious consideration East Africans are presently giving both to the Philip Commission's report on the future of the East African common market and common services and to the treaty of cooperation between the three countries. Success in these negotiations will be a victory for neo-federalism. Indications are that the draft treaty includes major proposals redefining the role and powers of the East African Central Legislative Assembly and the EACSO Secretariat, relocating a number of the constituent section of EACSO in Uganda and Tanzania, moving the EACSO Secretariat in whole or in part from Nairobi, decentralizing the University's activities, and setting out a new system of economic cooperation. Provided that agreement can be reached on some such cooperation and present uncertainty over the future of East African links can be ended, a quickening of commercial activities can be anticipated.

In the case of Nigeria, the constitutional picture is one of great unpredictability. At the September 1966 national conference on Nigeria's future constitution, Lt.-Colonel Gowon said he believed that the delegates should reject both a unitary system and complete separation. He then advanced four possibilities as practicable...
courses of action:

1. A federal system with a strong central government,
2. A federal system with a weak central government,
3. Confederation,
4. An entirely new arrangement peculiar to Nigeria.60

A combination of the latter two categories, envisaging new decentralized constitutional structures, may well fit the broad description of neo-federalism. Particularly interesting from this standpoint is the fourth category, since such an African-inspired initiative could act as a precedent for other large African states seeking to harmonise similar deep-seated subregional differences.

Although the All-Nigeria Constitutional Conference recommended that Nigeria retain its federal form of government,61 Eastern leaders resisted a return to the former order. At the Lagos conference, Eastern spokesmen proposed that Nigeria should become a confederation of four largely autonomous regions. Eastern Nigeria's Military Governor, Lt.-Colonel Ojukwu, repeatedly denied any wish for secession; at the same time, however, he asserted that "the factors which make for a true federation do no longer exist."62 Anti-Ibo violence had led to a constitutional impasse. Eastern Nigerians spoke earnestly of seeking ways and means for ensuring the continued existence of the "giant of Africa," but their anxieties caused them to shun Lt.-Colonel Gowon's appeals to return to the October constitutional conference. Clearly, unless greater trust emerges at all levels, the sense of community and inter-reliance intrinsic to federalism will be lacking, making the adoption of such a constitutional system difficult indeed. In that event, a reduction in integration load factors will become a creative act, for a looser type of state-form will seem essential to keep the country intact.

In conclusion, the trend from federalism to neo-federalism in Africa is not an indication of failure, but a practical adjustment to the dynamic interplay of forces which were thrust to the surface at the time of independence. The proponents of neo-federalist arrangements may yet demonstrate the way to unity by effecting a lasting reconciliation between general and particular interests at a time when the nature of the political process in the third world makes old formulas suspect. Perhaps a widespread realization that integration tactics, even objectives, have shifted and that political federation is no longer deemed the immediate goal under all circumstances may lead to a healthy easing of tensions. Such a general relaxation might prove productive over the long pull, allowing men to build gradually upon an ever increasing functional interdependence. As Tanganyika's Governor G.S. Symes astutely observed following the failure of efforts in the 1930's to bring about political closer union:

This Government is in complete accord with the recommendation of the Joint Select Committee on Closer Union in East Africa that the several Governments should develop the maximum co-operation that can assure the public interest and promote efficient and economical management of the public services. In so far as Tanganyika is concerned the process of co-operation may prove to have been simplified by the decision that a political or constitutional union of the three Territories is no longer an imminent issue.63

Paradoxically, then, the most effective federalists of the present era may well be those who shun the lures of the political kingdom. Such an approach may lack drama, but results are what matter most.
FOOTNOTES


12. In 1962, full federal status was extended to the western kingdoms and Busoga; however when the Western Kingdoms and Busoga Act of 1963 was approved by parliament, it became clear to all that only Buganda possessed the autonomous functions and powers associated with genuine federal status.

13. It must be recognized that territorial and ethnic groups are not the only possible basis for pluralist politics in Africa. Modern economic interest groups such as trade unions, professional associations, cooperatives, and employer associations are developing rapidly. But these groups do not at present offer a sufficient basis for a diffusion of political power because of their support for the main aims and objectives.
of the political elite and because the weakness of their organizations.


17. Although the merger of Tanganyika and Zanzibar into a single state is an example of successful two-unit integration, it is questionable whether this union can be described as federal in nature. The interim constitution is brief and somewhat lacking in precision. It was a hurried document which left authorities much freedom to shape its form and meaning. Supplement to the Gazette of the United Republic of Tanganyika and Zanzibar, Vol. XLIV, No. 31 (May 1, 1964), pp. 401-425. Furthermore, the Cameroonian experiment with federalism is of limited relevance because centrifugal forces have proved overwhelming in that country. Not only have constitutional provisions assured central leadership but the most important political parties of West Cameroon have now united with single party of the Eastern the Cameroon, President Ahmadou Ahidjo's Union Camerounaise. West Africa, October 1, 1966, p. 111, and Willard R. Johnson, "The Cameroon Federation: Political Union Between English-and French-Speaking Africa," French-Speaking Africa: The Search Identity, William R. Lewis ed. (New York: Walker & Co., 1965), pp. 205-211.


23. As federation became increasingly difficult to negotiate among the three East African territories, national spokesmen commented at times on the possibility of speeding a limited unification by joining two countries only. See, for example, Uganda Argus (Kampala), October 25, 1963, p. 1, and "Speech By The Minister Of External Affairs, Mr. Oscar Kambona On The East African Federation To The National Assembly At the June Sitting," June 23, 1964, Meetings and Discussions on the Proposed East Africa Federation (Dar es Salaam: Information Services of the United Republic of Tanganyika and Zanzibar, 1964), p. 29.


29. Dr. M.I. Okpara, the premier of the Eastern Region, expressed such feelings in 1960. He described the federal system as having many drawbacks (i.e., expense and lack of strength) but at the same time observed that it was "better to have a united country with a federal system of government than to disintegrate. We as a party have not found favour with the federal system of government. We prefer the unitary system where the little tribalist will be eliminated." *Daily Times* (Lagos), March 25, 1960, p.1.


41. Lt.-Colonel Odumegwu Ojukwu, the military governor of Eastern Nigeria, estimated that approximately one million refugees had returned to the Eastern Region alone. *Daily Nation* (Nairobi), November 28, 1966, p.2.
42. For a discussion of the assumption that single party systems foster economic development, see my "Progress and the One-Party State," Transition (Kampala), Vol. VI No. 10 (September 1963), pp. 31-34.

43. In 1965, Tanganyika, which had domestic exports totalling £62,778,000, sold £4,569,000 to Kenya and £1,346,000 to Uganda. Economic and Statistical Review, No. 18 (Nairobi: E.A.C.S.O., 1966), pp. 29-34.


54. West Africa, January 9, 1965, p. 34.


59. In November 1966, Lord Aldington, the chairman of National and Grindlays Bank observed during a visit to Nairobi that large-scale foreign investment in East Africa was being held up because of delay in agreement on the common market. Daily Nation (Nairobi), November 15, 1966, p.1.

60. West Africa, September 17, 1966, p. 1070.

61. On August 8, 1966, Lt.-Colonel Gowon announced steps to ensure a rapid return to the former federal structure. Consequently his plan called for "the immediate modification or nullification of any provision of any decree which assumes extreme centralisation." Daily Times (Lagos), August 9, 1966, p.1.