

REVIEW

THE FORGING OF AN AFRICAN NATION: THE POLITICAL AND CONSTITUTIONAL EVOLUTION OF UGANDA FROM COLONIAL RULE TO INDEPENDENCE, 1894-1962

By G. S. K. Ibingira.

The Viking Press, New York, and Uganda Publishing House, Kampala, 1973, Pp. xviii + 332. £10 (U.S.A. Price). Shs. 30/- (Uganda Price).

This is the first full-length published work by the man who was until recently Uganda's Permanent Representative to the United Nations. Although the title may lead one to expect an historical analysis of the making of modern Uganda, the book is really an account of the forces that shaped the Uganda independence constitution. As the author himself points out, those looking forward to a detailed study of Uganda's colonial history will be disappointed. However, the reader need not be discouraged. For, as far as the author's principal aim is concerned—that is, to portray “the various political and cultural pressures associated with Uganda's constitution-making processes”—the book is eminently successful.

Ibingira's work falls into two distinct parts: the period from the imposition of colonial rule at the turn of the century until 1960; and the crucial pre-independence years of 1960-62. Judged purely in terms of the length of time involved in each of these periods, the author's allocation of space seems highly disproportionate: a good two-thirds (or possibly more) of the book is about the latter period. Consequently, the early colonial period and the middle years are only sketchily dealt with. However, the choice of such an emphasis seems understandable: for one thing, the formulation of the Uganda Independence constitution of 1962 was arguably much more directly affected by the “colonial situation” in the latter period than in the earlier. Secondly, having been an active participant himself in the events after 1960, it seems only natural that the author should give us a far larger helping of this part of our history than any other part. He, after all, is on much more familiar ground when discussing the 1960s.

The book begins with a resume of the inhabitants of the land known today as Uganda. The point made in this “introductory comment” is that Uganda historically consisted—and still consists—of peoples of diverse ethnic origins, with varying traditional political systems. Further, these differing social and political characteristics of the peoples had an important bearing upon the evolution of Uganda's constitution. Few—if any—readers will challenge that. However, in this section some scholars may question Ibingira's apparently uncritical acceptance and use of terms such as “Hamites” and “Nilo-Hamites”, which have long since fallen into disrepute for their overly racial overtone. It will be recalled that these labels were conferred upon certain communities in

Eastern Africa by certain scholars who thought that such communities were nearer to "European civilisation" than any other African groups. It will also be recalled, however, that recent studies have demonstrated the negroid origins of those groups formerly referred to as "Hamites" and "Nilo-Hamites", etc. and the unsuitability of these terms.

In the next chapter, which is entitled "The Foundations of British Colonial Rule", we learn that in Uganda—as elsewhere on the continent where she was involved as a colonial power—Britain employed two methods for establishing her rule: the use of force, and the conclusion of what were claimed to be mutual agreements. This section is dominated—understandably perhaps, Mr. Ibingira being a lawyer by training—by a discussion of the legal aspects of the so-called agreements, of the methods of administration adopted following the subjection of the peoples of Uganda, and of constitutional development in general. The chapter ends with a most interesting—and wholly convincing—critique of the famous system of indirect rule. Ibingira's view is that indirect rule, as part of the colonial package, encouraged tribal feelings and conversely discouraged the growth of "national consciousness". Few people familiar with African colonial history in general and Uganda's experience under the British in particular would dispute this.

The argument that the delay in the formation of a Legislative Council in Uganda was the principal reason for the country's "delayed date of independence" is developed in the next chapter. Ibingira then goes on to claim that "the relative lack of bitterness or extreme nationalist feeling" in the political development of Uganda in the colonial period can be attributed to her "Comparatively peaceful history". The militancy of the independence movements in Ghana, Nigeria, and Cameroon, is cited as being in real contrast to the quiescence of the movement in Uganda. While one can see an important difference the tempo of the independence struggles in these countries, one should perhaps take Ibingira's first argument with some caution. Implicit in his "reason" for the delay in Uganda's achievement of independence is the suggestion that the failure of the colonialists to prepare Africans for independence through formal education and political apprenticeship often necessarily had unfavourable repercussions. Professor Semakula Kiwanuka has recently convincingly demonstrated in his *Mawazo* article (Vol. 2 No. 4, 1970) that this need not be the case. "The mere existence of legislative councils", he writes, "had little to do with experience in government".

The next two chapters discuss the beginnings of political awareness and the problems besetting the country on the eve of independence. I agree with the author that the strength of the "nationalism" in each of the British colonial territories was one of the significant forces—if not the most important of them—in driving the colonial authorities from their dependencies. This is an important point since there seems to be a small but growing school of belief that in the case of Uganda at least, independence was given, and not won; that Uganda achieved independence without Uganda nationalism. In my estimation this

this view seems somewhat misleading in that it judges the strength of nationalism merely on the basis of the criterion of: how many rebellions? How many cases of imprisonment of the emergent African leaders? and how much of a blood-bath? But the manner in which nationalism in each colonial territory was expressed obviously depended upon the nature of colonial rule there. Ugandan nationalism could have been potent—as I think it was—within the confines of the Ugandan colonial situation. On the other hand, if one accepts Professor Kiwanuka's argument that apprenticeship in the colonial Legco had more or less nothing to do with experience for use in the post-independence years, then it is hard to agree with Ibingira's virtual equation of formal education with the acquisition of political wisdom (p. 71).

On the constitutional problems faced by Uganda just before independence in 1962, Ibingira is probably at his best. Here, Ibingira the constitutional lawyer appears to be in control for most of the time. Occasionally, however, the expolitician in him obtrudes, and very significantly too. Instances too numerous to mention here are to be found in this chapter and elsewhere which shows the author's disagreement with the former leader of the defunct Uganda Peoples Congress (UPC) Milton Obote. In these instances, there does not seem to be any pretence to impartiality on the author's part. It seems hardly fair to fault him for this. The problems to which he draws our attention can be quickly listed: the Asian minority question; Buganda separatism; the smaller communities' fears of being dominated; and the various demands for federalism. This discussion affords us, among other things, an insight into the reasons why Buganda, along with the three other Uganda kingdoms, appeared rather "difficult" in the period leading up to independence.

The last two chapters of Ibingira's book focus upon the events of 1961 and 1962. After a glance at the general elections of 1961, the author proceeds to examine the constitutional conference of the same year, along with the provisions of the constitution that resulted from that conference. But by far the most fascinating part of these final chapters is the one that deals with the establishment of the UPC-Kabaka Yekka (KY) alliance. Here, we learn, possibly for the first time, that the UPC leadership was initially opposed to the idea of what Ibingira calls a *modus operandi* with Mengo, first brought forward by Ibingira himself. It was, however, Ibingira who, being "utterly convinced of the rightness of this approach" (P. 202), succeeded in persuading his colleagues to support him. (We must note, however, that here—as in several places in the book—we have only the author's testimony for such an important assertion, and no corroborating evidence from any independent source.) We learn, further, that the author was prepared to see Obote evicted from the UPC leadership as early as 1961 if the latter "was going to stand in the way of this alliance and consequently stop the UPC from exercising power. . . ." (p. 202). Quite clearly, the cleavage in the party's top hierarchy was not born overnight in either 1964 or 1965 or 1966 as commonly assumed. Ibingira also shows us that while the UPC itself needed this alliance in order

to acquire power, the Mengo establishment also had her own very good reasons for seeking an alliance with the UPC—the principal one, in the author's view, was the fear by the traditionalist Protestant regime at Mengo of the possibility of the political ascendancy of the Catholics.

The distribution of constitutional powers and rights on the eve of independence is Ibingira's final concern. Here there is much that will fascinate the student of Uganda's constitutional history. For the general reader, however, Ibingira provides interesting glimpses into the issues that were only recently rather familiar items of controversy. Thus, for example, he makes the revelation that just before the lost counties issue was put to the referendum, the then leader of the government actually encouraged both sides in the dispute (Buganda and Bunyoro) to expect victory in the end. Again, however, this point is merely asserted, rather than demonstrated.

Taken as a whole, "The Forging of an African Nation" provides a useful addition to the colonial historiography of Uganda. The summary and conclusion on pp. 284–286 attempts a balance sheet of the colonial period in Uganda. But the author shies away from the fundamental question of whether or not whatever "good" that might have resulted for the country from colonialism was deliberate or merely its unintended product. And his grounds for this stand—that the question is a "moral one" and beyond the scope of his work—seem to me rather flimsy. I do not see anything seriously wrong about stating the obvious: whatever good side-effects accrued for us from colonialism were merely accidental. With his conclusion that the most glaring negative aspect of colonial rule was the failure to foster unity in the country, I am in full agreement. Ibingira adds that one key to fostering such unity is the creation of a sense of belonging among all. "The primary objective," he writes "should be one of sustaining every man's knowledge that he personally is significant within the vast general framework of nation-building". A truly laudable goal, but one which seems likely to elude African states for some time to come.

One cannot end this review without pointing out some rather disturbing aspects of the book. Basically, the problem seems to stem from Mr. Ibingira's ambivalence as to what the book should really be. He tells us that it is neither the work of a political scientist nor a complete historical study. Yet he uses the apparatus normally employed by the scholar who indulges in the very kinds of study he says he is avoiding. It may seem rather pedantic of me to complain, but the foot-noting system in the book leaves a lot to be desired. Some footnotes do not tell us the exact page from which specific quotations are drawn (e.g. ch. 4 note 1); while others do not appear to be of any assistance at all in that the statement cited is not in the original (e.g. ch. 6 note 9). The sources of some quotations are not disclosed—for example the long and important statement attributed to Obote on p. 210 is *not* footnoted; while for a good number of the quotes from certain documents we are not told where the originals are available. It may well be that all this was the fault of the proofreader. But this kind of thing may also seriously compromise the credibility of an author—and a deeply

committed one, at that—who claims to be writing from first-hand experience and official records.

These criticisms apart, I would like to welcome Ibingira's book, and to regard it as the forerunner to yet another work by him, which hopefully will deal with the period 1962–66 more directly. It is too important a period in the history of this young nation to be ignored, least of all by those like Mr. Ibingira who were directly involved in the crisis of 1966. "The Forging of an African Nation" is well worth reading in its own right, as well as for the background it sets for an understanding of 1966.

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