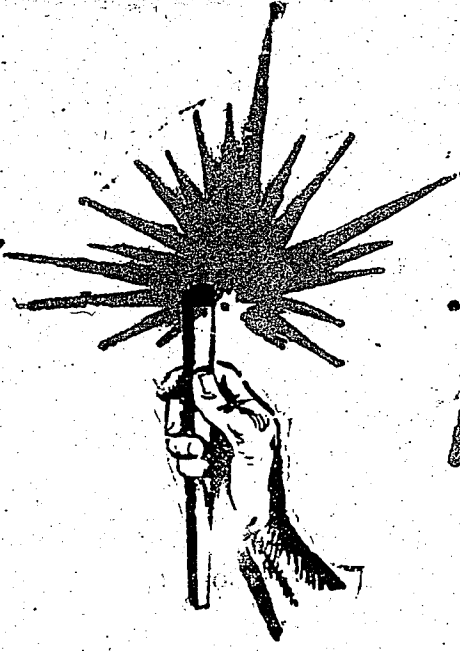


# THE SPARK



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## PROBLEMS OF PHILOSOPHY:

# What "The Observer" Should Know

### EDITORIAL

## Criticism and Self-criticism

IN the controversy in the Ghana Press initiated by Professor Abraham's article two points have been raised—the role of the press and the charge of its "unsober adulation" of Kwame Nkrumah.

There is some danger that these real issues may be obscured in side issues.

The first side issue consists in attributing motives to participants in the discussion. This arises, in our view, from a failure to understand the aim of criticism and self-criticism.

One paper has imputed certain motives to Professor Abraham. It is always easy to accuse the critic of motives of ambition, jealousy, or the arrogance of the young towards the old—easy because such motives may mark human conduct. It is equally easy to reply that the criticised are motivated by sense of prestige, by hurt vanity, or by the contempt of the old towards the young. For these too are common traits of human conduct.

In our view neither of these attitudes gets us anywhere. Indeed, because they concentrate on the subjective motives of a criticism, they distract us from asking the only question that matters—the question to which there is an objective answer, namely, is the criticism true, or even partly true? For if it is false, and can be shown so, then the malevolent critic will not succeed in making his criticism stick. But if it is true, or even partly true, then the correction of the mistake criticised and the analysis of its causes will reduce the likelihood of its repetition. There is nothing here but gain.

The fundamental point about criticism and self-criticism is not whether the critic feels better for 'having got it off his chest' or whether the subject of criticism feels worse for having his vanity hurt, or—in the case of self-criticism—whether he feels good because he has said: 'I was wrong'. What matters is not whether anyone FEELS better, but whether he IS better, that is, whether he has learned and as a result works more fruitfully.

The aim of criticism is to help ourselves towards better work. If a journalist who is hard-working and devoted has yet made a serious mistake, a BALANCED criticism attempts to evaluate the positive as well as the negative aspects, the strengths as well as the weaknesses of his work. In demonstrating where he is wrong this evaluation tries to preserve and strengthen his good qualities, for these are the only basis from which to overcome the weaknesses. If a worker is able but vain, one attempts to show that with modesty instead of vanity, the ability would shine even more brightly. Criticism and self-criticism are therefore not luxuries; they are the very meat and drink of any vital movement.

If we accept this discourse on criticism and self-criticism perhaps we can soberly examine the two points raised by Professor Abraham.

Last week, in taking our stand, we said the role of the press in Ghana should be to ensure that as many as possible are given an opportunity to know what our policies are. Left to depend on other sources our people will pick up only a garbled version of our programme.

This week our discussion centres around the

THE London weekly, "The Observer" of May 3, carried a review of "Consciencism" by Mr. Colin Legum, the paper's authority on African and Commonwealth Affairs. Mr. Legum's review bristles with irrelevant excursions into speculations about the 'Lenin of Africa', about "a mass political movement organised on a continental basis" and the part to be played in this by "The Spark" which "has silently dropped its own policies and enthusiastically embraced Osagyefo's revisionism".

On "Consciencism" as a philosophy the crux of Mr. Legum's view is that it is a revision of Marxism, different from both the Moscow and Peking renderings of Marxism. Says Mr. Legum, "in Consciencism, Nkrumah revises Marxism to give it a particular reference to Africa's needs and traditions... His new philosophy offends against many canons of European and Chinese Communism".

To illustrate his point Mr. Legum cites two points where he holds this 'revisionism' has taken place, namely the class struggle and the road to socialism.

It is a complete misrepresentation of Consciencism for one to argue that it is merely a revision of Marxism. The charge of revisionism comes in only when adherents of a philosophy are arguing about what the philosopher really meant when he wrote. This certainly is not the case with Consciencism. Nowhere in the 120 page work do we come across any attempt to unravel what Marx or Lenin really meant when they wrote on a particular topic.

### CONTRADICTIONS IN AFRICAN SOCIETY

Rather, the greater part of Consciencism deals with the circumstances of Africa about which Marx and his European disciples had said pretty little. It tries to show how out of the many-sided contradictions that make up present day African society, a new socialist society could be built by applying the basic principles of Marxism. Seen in this light, Consciencism is an enrichment of

Marxism. It is correct, as Mr. Legum points out, that Consciencism does not place great store by the orthodox concept of the class struggle as a straight fight between capital and labour. It does not follow from this, however, that Consciencism denies the existence of classes in Africa today; nor does it follow that Consciencism denies the truth that the determining factor in social change is the conflict between social-economic forces.

Consciencism holds that the contradictions in present day African society are many and complex. The capital-labour contradiction is only one of these contradictions. Others are the contradictions of slavery, of feudalism, of nationalities, of religions, etc. And Consciencism holds that the progressive aspects of these numerous contradictions jointly constitute the force that will propel Africa towards socialism.

It is because of this fact that Consciencism prefers

to designate these forces as "positive action" instead of using the older and narrower term, the "proletariat".

This view does not deny the existence of the proletariat (the labour aspect of the capital-labour contradiction). It holds that the proletariat is but one of the many forces working for social change in Africa. Hence the proletariat is a detachment of the revolutionary army in Africa. It is a component of "positive action".

### "POSITIVE ACTION"

Now Consciencism is essentially Marxist in its definition of "positive action": "In any given society, positive action are those social forces that pull in the direction of a new and more just social order. Furthermore these forces are largely (though not wholly) economic and are discovered by making a "statistical analysis" of "such facts as production, distribution, incomes, etc" (p.100).

The view-point of Consciencism here is most helpful in two distinct ways. Firstly, it provides a theoretical explanation for the historical fact that many countries have followed the socialist path of development even when capitalism, in these countries, had not reached its zenith of development. Examples are North Korea, North Vietnam, China, the Soviet Union itself and the East European countries. The examples of Ghana, Mali, Algeria, Cuba also spring to mind.

Secondly, the profundity of Consciencism on this point helps Marxists in the less developed countries of the world to grasp the truth that the smallness of the proletariat class (a direct result of colonialism and neo-colonialism) does not mean the non-existence of revolutionary forces of tremendous power in these countries. This realisation will help Marxists to see that an obsession with the proletariat alone, in the newly emergent countries, will tend to divide the revolutionary forces and could

lead to the isolation of the orthodox Marxists themselves.

Mr. Legum's second point in support of the view that Consciencism is "a revision of Marxism" is that Kwame Nkrumah "rejects the view that revolution is a necessary condition for the final achievement of a socialist society". This standpoint is completely alien to Consciencism.

Consciencism argues that traditional African society was based on the principle of group responsibility for the individual. It holds that this is also the basic idea underlying a socialist society. Hence, it concludes, the transition from communalism to socialism is by way of reform "because the underlying principles are the same".

But, Consciencism asserts, present day African society is NOT traditional African communalism. It is "a new society enlarged by Islamic and Euro-Christian influences". These influences have brought economic classes into Africa and have given us slavery, feudalism, colonialism and neo-colonialism all of which are a negation of socialism because these societies are based on the "alienation of the fruit of labour from those who with the toil of their body and the sweat of their brow produced this fruit" (p.76).

### TOWARDS SOCIALISM IN AFRICA

Therefore the transformation from present day Africa to socialism constitutes a negation of the basic idea on which present day African society is built. The change cannot be by way of reform but through revolution because, according to Consciencism, "reform is a tactic of self-preservation" (p.74). Hence the clear cut conclusion:

"Revolution is thus an indispensable avenue to socialism, where the antecedent social-political structure is animated by principles which are a negation of those of socialism, as in a capitalist structure (and therefore also in colonialist structure, for a colonialist structure is essentially ancillary to capitalism)" p. 74.

Mr. Colin Legum must have come to his untenable conclusion after reading at p.74 that "from the ancestral line of communalism the passage to socialism lies in reform, because the underlying principles are

the same". But he goes off the rail when he seems to argue that present day African society is still communalism. Consciencism holds unequivocally that present day African society is no longer a communalist society, thanks to "Islamic and Euro-Christian influences". And it asserts, equally unequivocally, that "the passage from a non-communalistic society to socialism is a revolutionary one..." p.74.

### "THE SPARK"—A CONSCIENCIST HARBINGER

From the above, it is pretty obvious that The Spark, far from abandoning its stand in the past year, as Mr. Legum asserts, was in fact paving the way for Consciencism. The crux of the ideological debate in which we have engaged in the past year or so is that there can be no "African socialism". In the course of this debate we even quoted from the unpublished manuscripts of Consciencism (see our issue of September 13, 1963). We held and still hold the view that there can be only one socialism, namely scientific socialism.

But we also hold that being scientific consists not in a carbon-copy reproduction of socialism in any particular country but rather in the correct application of the principles to different "social milieu".

The African "social milieu" is quite different from that which gave the world the writings of Marx, Engels and Lenin. Consciencism accepts the basic principles of scientific socialism but applies them to a new social milieu. The result is a change in emphasis here and there, particularly in the approach to socialism; but the fundamental principles are preserved.

This is why we hold the view that Consciencism constitutes an enrichment of Marxism and a noteworthy contribution to scientific socialism.

If this is so, then The Spark has merely been the harbinger preparing the way for the arrival of Consciencism. Herein lies the explanation for the fact which apparently baffles Mr. Colin Legum, namely that The Spark has "enthusiastically embraced" Consciencism.

by Julius Sago

second issue—the charge of "unsober adulation" of Kwame Nkrumah.

It is the view of a section of the press that "History shows that in the early days of building a new nation all virtues and the highest ideas are mobilised behind a single person who is the concrete expression of the aspirations of the people". We profoundly believe that this is true of Ghana but it is vital to state why. Kwame Nkrumah is General Secretary of a Party, which he emphasises, "represents the ordinary common folk who wanted social justice and a higher standard of living". It is because he regards the essential forger of the political revolution as a strong well-organised broadly-based political party knit together by a programme that is accepted by its members who also submit themselves to the party's discipline; it

TURN TO BACK PAGE

# Should we rely on the Liberation Committee?

THE slow progress of the African liberation struggle since the Heads of State conference in Addis Ababa calls for an urgent re-appraisal of the work of the African Liberation Committee, popularly referred to as the Committee of Nine. Misconceptions and unrealism are plaguing this Committee appointed last May by the Heads of State Conference. These ills threaten to set at nought the noble ideals of the Organisation of African Unity (O.A.U.).

An important reason why the African Revolution has been surging unrelentingly forward is the unlimited bonds of solidarity and brotherhood which bind the African peoples together. Ideally, these characteristics find expression in the belief that any semblance of colonialism on the continent detracts from the sovereignty of the independent African States. Practically, moral and material assistance and support rendered dependent states by independent African States demonstrate these traits.

So far as colonial rule extended over all Africa, the practical expression of these intrinsic African characteristics was rendered impossible. The numerous resolutions of African nationalists remained the dreams they really were. But the attainment of national status by some progressive African States in the late fifties reversed this handicap.

These states, armed with a clear, concise knowledge of the arts and crafts of colonialism and the strategy to overcome them knew how much colonial peoples needed the support and assistance of their brothers in their uphill fight against imperialism and colonialism.

Thus the first conference of Independent African States, which met in Accra in April, 1958, called for the immediate termination of colonial rule in Africa. At the same time, it pledged its support and solidarity to dependent peoples in their fight for liberation.

Since then the momentous First All-African People's Conference has sat in Accra. So have several other important conferences and activities been held on the African continent—all of them geared towards the total eradication of colonial oppression. To the extent that the history so far recorded by the African Revolution spells out in bold letters the role of brotherly support and assistance as an invaluable factor in the success of the African liberation struggle.

Let us look at the changes that have occurred on the African liberation front and the rate at which these changes have taken place.

## FOREIGN DOMINATION

Before 1950 practically the whole of Africa was under foreign domination. Even the four states which boasted any semblance of self rule were rigidly controlled by foreign interests. Egypt was under the sway of British and French capital. South Africa, much as it is today, wallowed under a despotic white clique of domiciled foreign capitalists. Ethiopia was controlled by Britain and Liberia by U.S. business.

In 1955 Sudan became free. Ghana gate-crashed the African scene in 1957. That single event gave a new life to the liberation movement and the slow march to self-rule in Africa gathered a new, brisk tempo. And at double fast pace, one state after another has passed through the flood-gates of African freedom opened wide by Ghana.

Guinea followed the trail in 1958, swelling the total number of independent states to nine. Thirteen African states obtained their

independence (at least nominal independence) in 1960 alone. By the time of Addis Ababa in 1963, their ranks had risen to thirty-two.

The full scope of these changes are laid bare when their geographical and demographic dimensions are considered. For our purpose, we shall look only at the area lying between the Sahara and South Africa where the most profound changes occurred. This is necessary in order to obtain an idea of the rate of change as well.

In 1954, only 18 million people spread over 450,000 square miles of land in this area were not under colonial rule. By the end of 1959, these figures had risen to 37 million and 1,500,000 square miles respectively. The appropriate figures in 1961, however, were 90 million and 4,500,000 sq. miles respectively. In 1960 alone, 53 million, or almost three times more people than in 1954 became free.

## FACTORS FOR INDEPENDENCE

Many important factors accounted for this great upsurge to independence. One of these was the increased effectiveness and consciousness of mass political parties in the various countries. All these parties wielded a common, radical policy, i.e., the overthrow of imperialist rule—and all of them reflected direct, piquant programmes. Another was the change of tactics in the imperialist armoury itself—a change which sought to perpetuate colonial rule by creating neo-colonial client states in Africa.

Of all these factors, however, the most important and direct one made by other African states was the unsparring gestures of support and solidarity extended to dependent states by the already independent ones—moral and material assistance as well as encouragement by the force of example.

The entire bulk of assistance almost came from the former radical African group of Casablanca States, namely, Ghana, Guinea, Mali, Egypt, Morocco, and later Algeria. A second bloc, the Monrovia Group, was also in existence. Some of its members, like Tanganyika, rendered aid to some liberation movements. But to a large extent, members of the Monrovia Group, riddled as they were with neo-colonialist pull-backs, did little more than pay lip-service to the general idea of rendering support.

But Addis Ababa came. And for the first time after the First African Independent States Conference in Accra, all African independent States reached unanimous accord over all issues which were discussed. Pro-

gressive world opinion hailed the conference.

In its Charter, the O.A.U. "convinced that it is the inalienable right of all people to control their own destiny", and "Conscious of the fact that freedom, equality justice and dignity are essential objectives for the achievement of the legitimate aspirations of the African peoples", pledged in Article III (d)

"To eradicate all forms of colonialism from Africa". To make this possible, the Heads of State Conference set up the African Liberation Committee of Nine States. The Committee was charged with the following duties:

To harmonise all aid for

In doing so due account could be taken of the requirements, priorities, etc. of individual countries. Duplication of aid could also be prevented.

However, the way the Dar-es-Salaam based Committee of Nine has so far implemented its mandate leaves much room to be desired. The Committee's approach is fraught with mistakes. These mistakes stem from an acute lack of understanding of the psychological make-up as well as the actualities of imperialism. And affected, as it were, with this gnawing inability, the Committee is bound to be shortsighted and therefore incapable of

by

Ekow Eshun

At least four defects readily stand out in this approach. In the first place, real genuine independence means the cessation of economic exploitation and political suppression of a colonial people by the colonial power. Hence genuine independence is invariably the result of a leap, a revolution. Independence is not given to, but taken by a colonial people. This is a crucial lesson of the national liberation movement. To ignore this lesson is to indulge in arrant unrealism.

In the second place, the spoliation of colonies by colonial powers is essential for the upkeep of the latter's economy. Handing

Corporation of South Africa).

In the third place, imperialism has no friends. Nor does imperialism know any law where its privileges are threatened. We must not forget the extreme extent of French brutalities in the Bizerta episode at a time President Bourguiba was considered General de Gaulle's best friend in Africa.

In the fourth place, assuming even that a colonial power agrees to hand over independence, it only does so on its own conditions. Its conditions are necessarily those which guarantee the maintenance of its privileges. In other words, even where negotiation is possible and successful, the African country concerned can hope for no more than nominal independence. It will become a client state.

Independence by negotiation is an unrealistic approach. Imperialism grants a colonial people their independence only when it has its back to the wall; only where no alternative is open to it. Independence is of the people. The people have to take it.

## ARMED STRUGGLE

The second fundamental misconception, closely allied to the first, is the half-hearted provision by the Committee for armed struggle. The Committee's opinion of armed struggle is described in its first official Report as follows:

1. Subversive action creating an atmosphere of insecurity for the foreigners; 2. with an economic incidence—sabotage is to be translated into political action. This means to help with possible contacts; negotiations being held; possible negotiation.

This attitude means, for example, that what happened in Algeria or what is currently going on in Angola is ruled out. It is not easily clear why, since arms are to be used and are available, the struggle cannot be an open conflict. This approach only speaks of deep-rooted fear of the might of the opposition even before the military engagement.

Having stated the formulations the freedom fighters would adopt in actual combat, the Committee of Nine proceeded to give the details of the size and equipment of each formation. To reveal such strategic information is to be most indiscreet. The consequence is that the enemy knows well beforehand the strength and weakness of the freedom fighters. The colonialists must be well ahead and better off!

This situation must be correlated with developments recently undertaken by colonising powers. In March this year South Africa voted a record £105 million for defence expenditure, a hopping 25 per cent increase on the previous year's. Verwoerd continues to reiterate his readiness to fight to preserve white domination.

Southern Rhodesia is increasingly spending on defence (the £9 million defence budget for the Central African Federation last year largely went to Southern Rhodesia). And so is Portugal, from where Salazar continues to ship boatloads of soldiers to his African colonies to bolster up his unreasonable claim that "Angola is a Portuguese creation and cannot exist without Portugal".

From all this we get a

picture of a colonial power mighty and fully poised for a military showdown. The distasteful fact is that while the colonial powers are able to assess the size and strength of the liberation forces, the latter only have a hazy idea of the mighty, perhaps insurmountable strength of the opposition.

## NEIGHBOURING STATE POLICY

No army could be more greatly handicapped psychologically—all due to the faulty judgement of the Committee of Nine.

The third basic misconception of the Committee lies in its decision to "apportion specific responsibilities to member states of the Committee in co-operation with such independent African states as are having contiguous boundaries with or existing in close proximity to areas to be liberated from colonialist domination."

Some of these responsibilities, mentioned in page 14 of their Report are: "to provide convenient and non-expensive purchasing possibilities for equipment to be found on the spot; to allow the establishment of food stores, armament stores, first-aid institutions, schools, mess-halls and centres for re-orientation, to help manage housing and transit camps, repair shops and parking vehicles."

Not less than three complications can arise from this provision. The first is the strategic position in which the neighbouring country finds itself to control activities of the liberation movement. This is possible in two ways:

In the first place, where the neighbouring country is a neo-colonialist state there is the possibility of external interference in the affairs of the liberation forces by the colonial power against whom it is fighting.

## MILITARY COMPLICATION

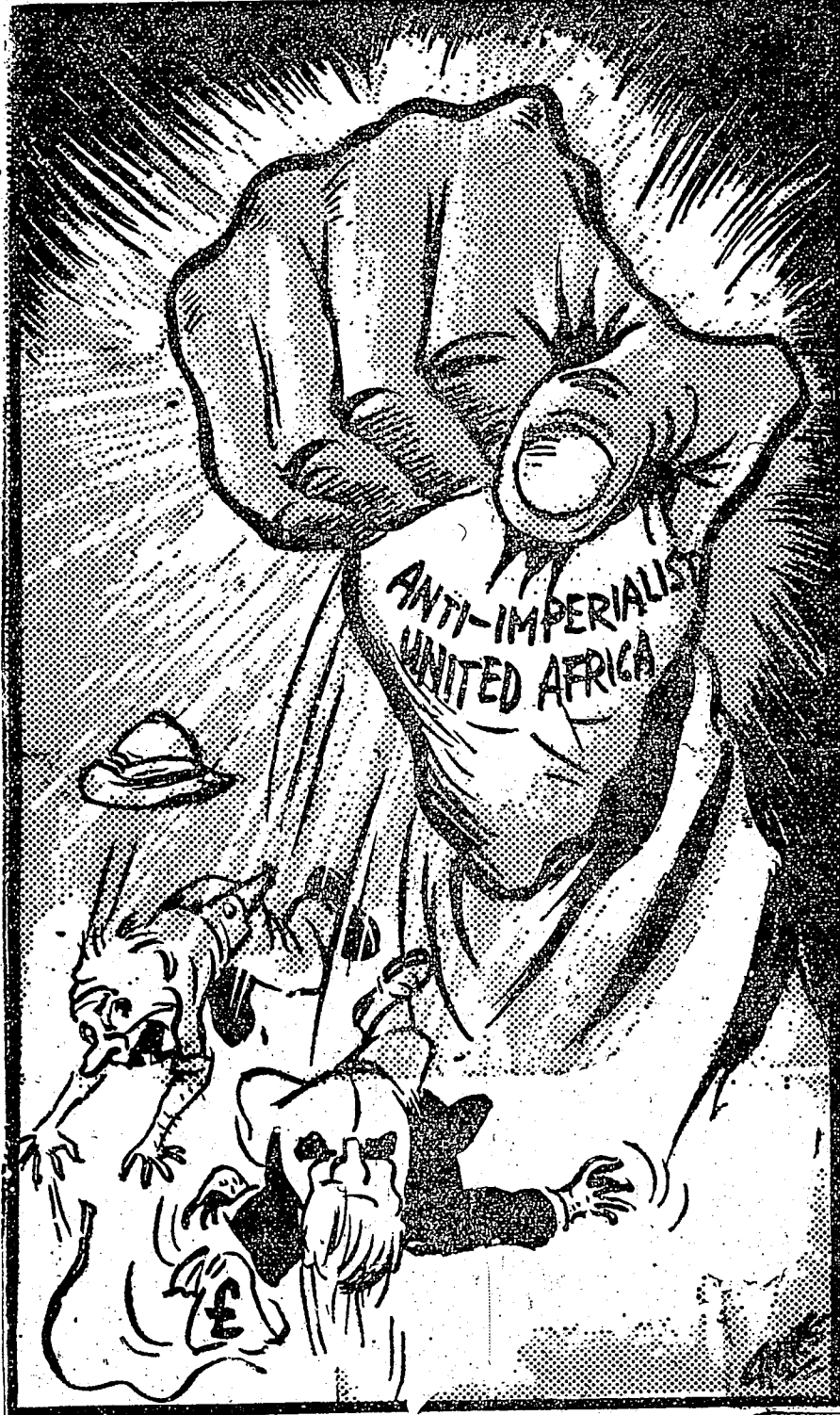
Here we need remind ourselves that the interests of the imperialists are usually inter-related. Even if the exploitation of a colonial territory is mainly carried out by the colonising power, hardly does a single foreign power operate in a colonial country.

In Angola, for example, British, American, Belgian, Portuguese and other interests exist side by side. Thus through their allegiance to common interests, the imperialist power, being assailed by the liberation forces can exert remote influence, first through the neo-colonialist power holding sway on the scene which then transmits through the neighbouring African client state itself.

Two, where the neighbouring state does not agree with the leadership of the liberation struggle, it can seriously render its activities nugatory.

The second complication consists in the explosive nature of military commitment which the Committee's decision carries. Assuming the colonial power attacks the military installations and posts established in the neighbouring country by the liberation forces, as occurred, for example, when Portugal attacked a Senegalese town for harbouring Portuguese Guinean freedom fighters. Should the neighbouring state retaliate? And if it did, should all other African states also hit back?

Continued on page 4



UNITY PUNCH!

liberation movements in Africa and to operate a special fund set up for assistance to liberation movements.

This move received loud acclaim of all Africa. At least three reasons were accountable: One, hitherto all assistance to dependent countries came from only a few progressive countries. By coming together larger funds would be available since assistance could be solicited from all African states.

Two, assistance to dependent countries had been hitherto available from different sources ( blocs as well as individual countries). This would now be centralised. Three, with centralization, there could be fair distribution of assistance to all liberation movements.

adopting any appropriate strategy, for its difficult and unenviable task. And what goes for its strategy is entirely founded on misconceptions and delusions.

## NEGOTIATING FOR SOVEREIGNTY?

We may discuss at least three of these misconceptions.

Firstly, the Committee of Nine thinks it possible to negotiate for national sovereignty. It says that where the colonial power accepts the principle of independence for its colonies, independent African states which have special relationship with the colonial power concerned should use their good offices to hasten the achievement of independence.

away their colonies is also fact the destruction of their economies.

For example, without her colonies, Portugal will always show an unfavourable balance of payments in her foreign trade. (We may here note that the Anglo-Portuguese Diamond Company possesses concessions making up over 90 percent of the entire territory of Angola. This monopoly derived from Angola over \$4,667,530 net profit in 1958 alone at a time its Invested Capital stood at \$10,293,000. A similar picture is derived from other countries in Central and South Africa where there is a good sprinkling of huge Western corporations like the Rhodesian Selection Trust and Harry Oppenheimer's Anglo-American

# LEGAL ANALYSIS OF THE O.A.U. CHARTER

JUST a year ago, at exactly 1.26 a.m. on Sunday the 26th of May, 1963, thirty-one Heads of the Independent African States who had been meeting in Addis Ababa announced that they had finally agreed on the terms of a treaty which would bind them in an organisation to be known as the Organisation of African Unity.

At the time this achievement was received with tremendous enthusiasm in many African circles. In its editorial marking the occasion *The Spark* called it: "The new voice of Africa which echoes the best tradition of the African Revolution since the historic 1958 Accra Conference of Independent African States." *The Spark's* enthusiasm emanated from four sections of the Charter:

In Article 3 paragraph 6 the 31 Heads of State declared their—"absolute dedication to the total emancipation of the African territories which are still dependent."

In the Preamble they declared their—"determination to fight against neo-colonialism in all its forms."

In Article 2 paragraph (d), they declared their determination—"to eradicate all forms of colonialism... from Africa."

Again in the Preamble, the 31 African Leaders expressed their responsibility—"to harness the natural and human resources of

our continent for the total advancement of our peoples in all spheres of human endeavour."

On the major issue of "African Unity", the only reference appeared in the Preamble in this form—"that all African States should henceforth unite so that the welfare and well-being of their people can be assured."

Without any clarification as to the future existence of the different political groups, they expressed their desire to set up the Organisation of African Unity (O.A.U.) which would—"promote the unity and solidarity of the African States."

To these ends they agreed on the list of activities they wanted to harmonise namely in the field of policy, diplomacy, economy, education, culture, health, sanitation and nutrition, science and technique as well as defence and security. As to how this type of African Unity was to be brought to life, the Charter was completely silent.

Let us now examine how the Organisation of African Unity was to be brought to life and directed.

Firstly, it must be observed that the Charter was to come to force when it had been ratified by two-thirds of the signatory States.

Unlike certain international organisations, the O.A.U. did not set up an effective centre of authority, vested with the responsibility for the functioning of the organisation as a whole. It merely set up two principal organs (the Assembly of the Heads of State and

the Council of Foreign Ministers) as well as the Specialised Commissions, the Commission of Mediation, Conciliation and Arbitration, and the Secretariat.

The competence of the Assembly of the Heads of State was to be equivalent to the competence of an organ whose purpose is primarily deliberative. This is the first significant aspect of the Assembly of Heads of State.

The Council of Foreign Ministers was granted even far less. Most of the results of its deliberations were made subject to the approval of the Assembly.

In order to see the Charter in its right perspective, let us examine the various organs one by one.

Firstly, the Assembly of Heads of State.

The functions of the Assembly were clearly laid down in the Charter. Significantly, however, the power to make recommendations and to take decisions was neither specified nor differentiated. In other words, they can only be found from the description of the functions of the Assembly.

According to Article VIII, the Assembly of Heads of State and Government is the supreme organ of the Organisation. And its functions are as follows:

(1) To discuss matters of common concern to Africa with a view to co-ordinating and harmonising the general policy of the Organisation (Article VIII);

(2) To review the structure, functions and acts of all the organs and any specialised agencies which may be created in accordance with the present Charter (Article VIII);

(3) The power to appoint the Administrative Secretary-General of the Organisation and his Assistants (Article XVI and XVII);

(4) To approve the regulations governing the functions and conditions of service of the Secretary-General, his assistants and the Staff;

(5) To approve the Protocol on Commission of Mediation, Conciliation and Arbitration (Article XIX);

(6) To establish the specialised Commissions;

(7) To decide questions which may arise concerning the interpretation of the Charter (Article XXVII);

(8) To decide on the adherence or accession to the Charter (Article XXVIII);

(9) To approve amendments to the Charter in conformity with the procedure prescribed by Article (XXXIII).



Milton Obote—Uganda

The main purpose of an organ like the Assembly is essentially as a forum for discussion. Through the discussion however a conclusion must be reached. On the strength of Article X of the Charter, such a conclusion must be registered in the form of a resolution.

"All resolutions shall be determined by a two-thirds majority of the Members of the Organisation." (Article X)

Although Article X then proceeds to elaborate on the voting procedure, it does not say categorically what a resolution is, in the context of this O.A.U. Charter.

From all this, it can be deduced that in the context of the O.A.U. Charter, resolutions would be recommendations to the Members of the Organisation, as in the case of resolutions adopted by the General Assem-

ply of the United Nations. Although such a resolution may be adopted by the specified two-thirds majority, it does not impose upon Members any legal obligation. Thus any Member that dissents is free to continue to dissent. However, although the resolutions which have the character of a recommendation are not legally binding, they do provide an important instrument for bringing the weight of public opinion of the Continent of Africa and indeed of the world to bear upon the members of the O.A.U. In particular, the right to discussion and recommendation comprising "matters of common concern to Africa" gives the Assembly a blank cheque to tackle matters of far-reaching consequences in the political, military and economic spheres of Africa.

There are three provisions on the powers of the Assembly, interpretation of which deserves special attention. These are:

1. Decisions on questions which may arise concerning the interpretation of the Charter (by two-thirds majority).
2. Decisions on the admittance of the new Members (by simple majority).
3. And the power to approve amendments to the Charter (by two-thirds majority).

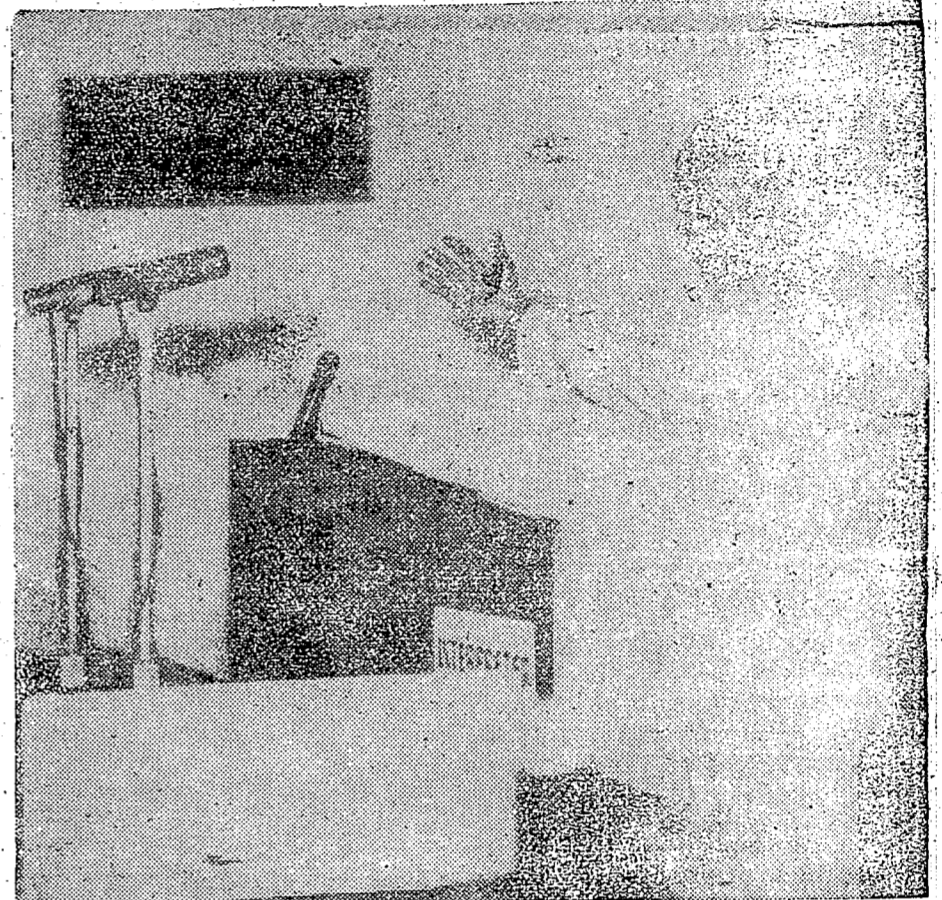
The resolutions adopted on these matters are clearly legally binding on all Members including those who cast dissenting votes. While the nature of the decision on the admission of the new member is rather straightforward and can hardly create a real problem, both the interpretation of the Charter and the power to make amendments may well become provisions of far-reaching importance.

On the question of interpretation the Charter clearly leaves the door open for a great deal of manoeuvres which could either lead to the strengthening or the weakening of the O.A.U. Even more important is the provision on amendments. This may have a tremen-

dous influence on the future development of the Charter of the O.A.U.

For those African States who are committed to a more integrated type of African Unity, how could the interpretation and amendment clauses be used in practice? First of all, it is a fact that the Charter through the provision on Amendments prevents an immediate remedy to its weakness by the imposition of a time factor which insists that one year must

"Less than six months have elapsed since Addis Ababa and the course of events has already overtaken us. We must take care that it does not overwhelm us completely. If there has been an ebb on the full tide of continental unity which launched the Addis Ababa Charter, we must attribute it to pressure on the client states and to a general stepping up of imperialist intrigues throughout Africa... If we look closely, we will see no progress, but rather slackening of the high resolves and practical measures which we enunciated at Addis Ababa." —Kwame Nkrumah (14th November 1963)



Immediately after the Addis Ababa Conference of African Heads of State we said the charter of African Unity was a newly-won concept. It was not a mere sentimental yearning for a nondescript something in the misty future. We said on the contrary it was a bold and real programme made of clearly enunciated principles.

In less than six months after the signing of the charter it became quite obvious that the course of events in Africa had already overtaken it.

The charter has been in existence for a year. In the following article, a writer gives a legal analysis of it, basing some of his conclusions on its operations during the year.



Ahmed Ben Bella—Algeria

our continent for the total advancement of our peoples in all spheres of human endeavour."

On the major issue of "African Unity", the only reference appeared in the Preamble in this form—"that all African States should henceforth unite so that the welfare and well-being of their people can be assured."

Without any clarification as to the future existence of the different political groups, they expressed their desire to set up the Organisation of African Unity (O.A.U.) which would—"promote the unity and solidarity of the African States."

To these ends they agreed on the list of activities they wanted to harmonise namely in the field of policy, diplomacy, economy, education, culture, health, sanitation and nutrition, science and technique as well as defence and security. As to how this type of African Unity was to be brought to life, the Charter was completely silent.

Let us now examine how the Organisation of African Unity was to be brought to life and directed.

Firstly, it must be observed that the Charter was to come to force when it had been ratified by two-thirds of the signatory States.

Unlike certain international organisations, the O.A.U. did not set up an effective centre of authority, vested with the responsibility for the functioning of the organisation as a whole. It merely set up two principal organs (the Assembly of the Heads of State and

the Council of Foreign Ministers) as well as the Specialised Commissions, the Commission of Mediation, Conciliation and Arbitration, and the Secretariat.

The competence of the Assembly of the Heads of State was to be equivalent to the competence of an organ whose purpose is primarily deliberative. This is the first significant aspect of the Assembly of Heads of State.

The Council of Foreign Ministers was granted even far less. Most of the results of its deliberations were made subject to the approval of the Assembly.

In order to see the Charter in its right perspective, let us examine the various organs one by one.

Firstly, the Assembly of Heads of State.

The functions of the Assembly were clearly laid down in the Charter. Significantly, however, the power to make recommendations and to take decisions was neither specified nor differentiated. In other words, they can only be found from the description of the functions of the Assembly.

According to Article VIII, the Assembly of Heads of State and Government is the supreme organ of the Organisation. And its functions are as follows:

The Host,  
His  
Imperial  
Majesty  
Haile  
Selassie I  
Emperor  
of  
Ethiopia



elapse before the amendment is even considered by the Assembly.

The crux of the matter is of course the requirement of a two-thirds majority. The present form of this rule in the Charter seems tailored to the purposes of those member States of the O.A.U. who are against a coherent and integrated type of United Africa. It is a fact that the reactionary States constitute more than two-thirds of the entire Organisation of African Unity. In these circumstances the O.A.U. organs could be used by these reactionary States for the purposes of strengthening the forces of neo-colonialism in Africa. In international law, there is nothing wrong with the principle of two-thirds majority. It is in its application however that it can be used for reactionary purposes. The best example of this is illustrated by the Organisation of American States. It has been the political and economic weight of the United States which although possessing formally only one vote has easily commanded two-thirds majority vote of its Latin American client States on any issue before the O.A.S.

It was indeed because of the realization by the Soviet Union how the rule of the two-thirds majority could be used in the U.N. by the forces of imperialism that they insisted on the creation of the Security Council, the five permanent members of which should have at their disposal the power of a veto. This is what has actually saved the socialist states in the United Nations from being manipulated and being overwhelmed by the Western majority.

It is an irrefutable fact that the Western powers have many client States in Africa. That these States are in the majority in the O.A.U. is also a fact. It follows therefore that the two-thirds majority rule in the O.A.U. Charter could be easily utilized for advancing the interests of the

Western powers, and against the interest of the African people.

II. The Council of Ministers  
The functions of the Council of the Foreign Ministers are stipulated by Article XIII of the Charter as:

1. Responsibility of preparing conferences of the Assembly (Article XIII (1)).
2. Implementation of the decision of the Assembly of Heads of State and Government (Article XIII (2)).
3. Co-ordination of inter-African co-operation in accordance with the institutions of the Assembly and in conformity with Article II (2) of the present Charter that is in following fields:
  - a. political and diplomatic co-operation;



Modibo Keita—Mali

- b. economic co-operation, including transport and communication;
  - c. educational and cultural co-operation;
  - d. health, sanitation and nutritional co-operation;
  - e. scientific and technical co-operation; and
  - f. co-operation for defence and security. (Article XIII (3)).
4. Consent to the regulations of the Specialised Commissions (Article XXII);
  5. Consent to the budget (Article XXII);
  6. Consent to the re-

ceipts of gifts, bequests and other donations made to the Organisation. (Article XXX);

7. Power to decide on the privileges and immunities to be accorded to the personnel of the Secretariat in the respective territories of the Member States (Article XXXI).

In performing its duties the Council is supposed to take "cognisance of any matter referred to it by the Assembly." (par. 2 of Article XIII (2))

The Charter gives no indication as to how the Council is to go about its duties. Again the only outcome of the Council's deliberations is the resolution, legal substance of which is not specified. However, the limited powers of the Council suggest that the resolutions are merely recommendations without any legal obligation on the Members of the Council. Furthermore, they have to be submitted for the approval to the Assembly due to the provision of Article XIII making the Council responsible to the Assembly.

III. The Specialised Commissions

The interesting feature of the Specialised Commission is that in Article XX they are called specialised commissions while Article VIII of the Charter speaks about specialised agencies. There is, of course, a distinct difference between the two institutions in international law. This is too well known for any further elaboration.

Article XX gives the power to the Assembly to establish "such Specialised Commissions as it may deem necessary" and it enumerates the following ones:

1. Economic and Social Commission;
2. Educational and Cultural Commission;
3. Health, Sanitation and Nutrition Commission;

Continued on page 4

## EDITORIAL

CONTINUED FROM PAGE 1

Criticism and  
Self-Criticism

is because he tells us to do as he does himself, learn from the people, start with what they know, build on what they have; it is because of this that in Ghana the people, the Party and the leader are united, mutually acting and interacting and developing while moving forward to socialism.

A man who conducts himself in this way deserves the admiration, love, respect, and authority he receives. Let us leave it to the individualism of capitalist society to praise 'the great man' who imposes his aims on the people, and against the people, and by force of will. Let us leave the 'charismatic personality' to those foreign journalists who interpret all history in terms of such 'great' men. But let us see as the real heroes of Africa, those who have based their lives and work on the creativity and struggles of the African people. Let us all join—and foremost the Press of Ghana—with those heroes in eliminating every practice, every habit of mind which will retard the self-confidence and energy of the people in the historic task they have undertaken.

We think that the introduction of security issues rests upon a misunderstanding of Professor Abraham's 'ivory tower'. No one can doubt that the aims of the enemies of the African Revolution make security measures imperative. If they had actually resulted in a situation where the President was unable to go among the people, could never talk to or listen to them, these enemies would have achieved something. But in fact, as any reader of the Ghanaian Press can observe, the President has been out and about a great deal. He can visit and be visited by all sections of the Ghanaian people. There appears to be no contradiction between adequate security measures and intimate contact between the President and the people.

We should not worry unduly about the antics of the foreign journalists who have turned their years of experience in 'Kremlinology' towards similar yarns about Flagstaff House and the Castle. The Ghanaian people will recognise lies in one sphere as in the other. Whatever the President does, these people, a disgrace to their profession, will spread any lie which they think can retard or confuse the forces of the African Revolution.

Hence we believe these are side issues. What Professor Abraham was drawing attention to was not some supposed 'isolation' of Kwame Nkrumah from the people, but the dangers of 'unsober adulation'.

Perhaps we may end the whole debate which amounts, on the whole, to a sufficient example in the use of criticism and self-criticism.

We may now harmer on the correct relation, the maintenance of which the success in the next vital seven years depends:

No one has stressed more than Kwame Nkrumah himself "the tremendous, herculean tasks before us—which call for all our attention, all our brains—in our greatest mission yet, the building of a socialist Ghana, and the laying of the foundation for the political and economic unification of Africa." He speaks of "a battle for economic freedom and advanced social progress more exacting than the struggle for political emancipation." Nor does he try to gloss over or underestimate the obstacles. He trusts the people's ability to respond, and therefore he tells us the truth.

In the earlier struggle for independence he had likewise told us the truth about the historical aftermath of colonialism. All people wish to be free. "A people long subjected to political domination, however, does not find it easy to translate that wish into action. Under arbitrary rule, people are apt to become lethargic. Their senses are dulled. Fear becomes the dominant force in their lives... Those who had to lead the struggle for freedom must break through this apathy and fear. They must give active expression to the universal longing to be free. They must strengthen the people's faith in themselves and encourage them to take part in the freedom struggle."

Coming to the building of the new state after independence, he continued, "At the present time low nutrition, a deficient sense of responsibility, the fear of being out of work, govern the rate at which work is performed. These factors are the environmental effects of historical circumstances. Tribal customs and taboos, followed by the autocratic paternalism of colonialism have held in leash the sense of initiative and responsibility which develops in a freer society." (Africa Must Unite, 1963, page 102-3). "The building of the new state requires the whole hearted support and self identification of the people and the widest possible response to the call for voluntary service" (op cit. page 103).

Our efforts must reflect the aspirations of our people and mobilise the immense latent talent and creative energy of the people. Anything, therefore, which hampers that mobilisation diminishes the force with which the people fight for their aims.

## O.A.U.

Continued from page 3

4. Defence Commission;  
5. Scientific, Technical  
and Research Commission.

However, the question of the relationship between the Specialised Commissions and the other institutions of the Organisation, namely the Assembly and the Council were not clarified. As a matter of fact it became a topic of lengthy discussions with rather different conclusions. All the Five Specialised Commissions have met; the Defence Commission in Accra, the Economic and Social Commission in Niamey, the Educational and Cultural Commission in Leopoldville, the Health, Sanitation and Nutrition Commission in Algiers.

## PITFALLS IN CONCILIATION COMMISSION

At all the meetings of the Commission there were long debates concerning the competence of the Council of Ministers over the work of the Commission.

Some of the Ministers refused to acknowledge that their Commissions were "answerable" to the Council of Ministers as well as to the Assembly of Heads of State and Government. Because of this opposition the Economic and the Educational Commissions decided by a majority vote in their Rules of Procedure that they would be answerable only to the Assembly but that they would submit reports to the Council of Ministers.

IV. The Commission on  
Mediation, Conciliation  
and Arbitration.

Article XIX of the Charter says:

"Member States pledge to settle all disputes among themselves, by peaceful means and to this end decide to establish a Commission of Mediation, Conciliation and Arbitration, the composition of which and conditions of service shall be defined by a separate Protocol to be approved by the Assembly of Heads of State and Government. Such Protocol shall be regarded as forming an integral part of the present Charter."

The impractical nature of this provision was exposed at the first major test of the African Unity after Addis Ababa Conference—in the Morocco and Algeria border dispute. The dispute revealed that the machinery evolved at Addis Ababa was not strong enough in itself to act as an immediate extinguisher of hostilities in Africa. It is true that the efforts of both Emperor Haile Selassie and President Keita of Mali led to the mediation at Bamako in the spirit of Article XIX of the Charter. There it was agreed upon in terms of the cease fire that the border dispute will be submitted to the O.A.U. Foreign Ministers. All that was missing was the vital link which would have made that mediation compulsory and inevitable irrespective of the wishes of the combatants.

The Draft Protocol which was circulated among the Member States by the Provisional Secretariat in February for comments does not strengthen the Charter with the view of providing the missing link.

The Draft was an odd mixture of two distinct procedures for settlement of disputes (mediation and conciliation as opposed to arbitration). It was very vague on the selection of the mediators, conciliators, and arbitrators and on the way in which they are expected to perform their duties. There was no provision for a liaison with the bodies of the O.A.U., namely the Council of Ministers and the Assembly of Heads of

State.

The outcome of the deliberations of the Drafting Committee which sat in Cairo in April 1964 is not yet known. It is rather doubtful whether its final version will provide for an effective machinery for the settlement of disputes which have been so badly damaging the African Unity.

The very name of the Head of the Secretariat which according to Article XVI is an "Administrative Secretary General" shows how the Heads of State were anxious to curb the powers of the General Secretariat and its Head.

This trend was further pursued at the Dakar Conference of the Foreign Ministers in August 1963 where the Regulations governing the functions of the General Secretariat were adopted. Only real administrative duties were entrusted to the Administrative Secretary-General who is not even entitled to attend "ex-officio" all meetings of the Council of the Foreign Ministers.

Due to the failure to appoint the Administrative Secretary-General, the General Secretariat actually has not been set up. The provisional Secretariat consisting of Congo (Brazzaville), Ethiopia, Ghana, Niger, Nigeria, Uganda and U.A.R. has been functioning with very little success. It has not been working effectively because some members felt that they had not been allowed to play a more active and effective role in the Secretariat, especially during the conferences of the Specialised Commissions and the Council. Some members even boycotted a number of the meetings of the Secretariat. This emphasis upon the role to be played by countries rather than individuals in the Secretariat has made the provision of Article XVIII on the functions and conditions of services of the Secretariat look highly artificial.

COMPATIBILITY OF  
POLITICAL GROUPS  
WITH THE CHARTER

The Charter of the O.A.U. has vast political implications. One of these goes to the very root of the problem and shows the Charter in its full perspective. Before the Summit meeting in Addis Ababa we were told that the purpose of the meeting was to bring about a rapprochement between the different political groups in Africa, namely the Casablanca group, the Monrovia group and the Brazzaville group.

Some of the leaders felt that by signing the Charter, the groups were dissolved. In his closing speech the Prime Minister of Uganda, Milton Obote said "We have therefore agreed and are firmly resolved to renounce the Casablanca and Monrovia Charters. Instead we have adopted and signed for the first time in the history of Africa one Charter to guide our cause and action."

(CIAS/GEN/INF/44 p.2). Similarly Dr. Kwame Nkrumah, President of Ghana said: "We should be happy that at long last by the adoption of this Charter, we have seen the end of the various groupings and regional blocks."

(CIAS/GEN/INF/39) There was no explicit provision in the Charter itself to this end. But this does not mean after all that the two Leaders were wrong in their assumption. After all the Signatory States in the Preamble expressed their desire clearly "that all African States should henceforth unite so that the welfare and well-being of their proposals can be assured."

The different views on this issue came up in a heated debate at the Meeting of the Council of Foreign Ministers at Dakar held in August 1963. The result of the discussions was a resolution on "Regional Groupings" (Council Resolutions 5, 10.8.1963).

SURVIVAL OF  
GROUP INTERESTS

This resolution was not a satisfactory way of resolving the issue. It only confirmed the existence of the regional groupings subject however to the following criteria:

- Geographical realities and economic, social and cultural factors common to the States;
- Co-ordination of economic, social and cultural activities peculiar to the States concerned.

President Leopold Senghor of Senegal at a Press Conference held in Lagos on 16th April, 1964 during his State visit to Nigeria declared:

"The UAM has now disappeared politically. But it still functions in the technical, economic and scientific co-operation fields."

(Daily Express (Nigeria), Thursday 16.4.64).

What had indeed happened was that the Brazzaville group survived under

the cover of a regional grouping in the technical sense. On the other hand the Monrovia group was successful in having their views sustained by the Charter of the O.A.U. And since the Charter is the document upon which the present concept of African Unity is based, there is no need for them to keep an organic unity in a form of a separate political group. The political existence of the U.A.M. was based on the economic, technical and scientific arrangements between some of the former French colonies. Therefore to talk about the political disappearance of the U.A.M. whilst insisting on



Leopold Senghor, Senegal

the continuing existence of its economic and technical aspects is inconsistent and illogical.

As for the Casablanca Bloc it was in fact the only political grouping which ceased to exist both politically and technically. Herein lies the essence of the so-called rapprochement reached at Addis Ababa.

Compared with the Union of African States composed of Ghana, Guinea and Mali which came into existence on 1st July 1961, the Charter of the O.A.U. is a considerable step back. There are no provisions on joint foreign policy, defence and economy in the O.A.U. Charter which could compare even slightly with the similar provisions in the Union of African States.

When compared with the Casablanca Charter, the O.A.U. Charter almost contradicts the former. The progressive provisions of the Casablanca Charter establishing "strict observance of a concerted diplomacy", organisation of a system of joint defence, a common set of directives relating to economic planning and even working out of a common domestic policy were excluded from the O.A.U. Charter.

## LIBERATION COMMITTEE?

Continued from page 2

Actually neither of these two possibilities is likely to occur. What will probably result is a hot debate in the U.N. followed with policing by U.N. troops. In the final analysis, the presence of a U.N. police force will render impossible further offensive by the liberation forces.

Above all, a fundamental criterion for the success of liberation wars and revolutions is that they should be staged within and not without the territory concerned. Even if supply posts may be erected outside the territory, the base of the struggle must of necessity be installed inside the territory.

It has been shown that the approach of the Committee of Nine is seriously riddled with defects entirely irreconcilable with what the realities of the African liberation struggle demand. There is little doubt that these shortcomings dam rapid progress and that they account to a large measure, for the slow progress of the national liberation struggle in recent times. If this tendency is left unchecked the liberation struggle will be bogged down to a standstill.

We must note, however, that while the Committee of Nine displays this crass inability to come to grips with its task, the colonising countries are not sitting and staring. They have become more business-like. They are constantly making new moves to entrench their positions.

We may look at these moves from three main angles. The first of these is the hurried attempt by the colonising powers to forge a common attitude in anticipation of the united will of the whole of Africa that was imminent to emerge from Addis Ababa.

Just before the Heads of State Conference quickly arranged meetings were held by these powers, between Roy Welensky, then Prime Minister of the since-defunct Central African Federation, and Verwoerd on the one hand; Franco of Spain and Salazar on the other hand.

It will be noted that the former pair, both colonial powers resident within Africa, share similar problems in the continent, whilst the latter pair, now constituting the two largest colonising powers in Africa and both residing abroad, also face similar problems. It is remarkable that these two meetings produced statements proclaiming the solidarity of the

participants.

The second move, coming shortly after Addis Ababa, consists in the simultaneous attempts by all the colonial powers, except Southern Rhodesia, to appease African opinion. Under this heading, gestures are made either to assure African states that their colonial policies are well-meant or that they are preparing their colonies for self-determination. Thus,

1. South Africa undertakes its biggest fraud yet by creating what it terms an "independent" Transkei. Verwoerd also glibly talks of the possibility of offering development aid to African States should they lose their hostility towards apartheid South Africa.

2. Spain embarks on an experiment to give its "overseas provinces" in Africa what it describes as "economic-administrative autonomy".

3. While Portugal maintains its rigid attitude to its colonies ("There are no Angolans but only Portuguese from Angola"), it gives audience for the first time ever to an African delegation whose declared intention was to press for independence for Portuguese colonies. At the same time Portugal appoints the first African to the important post of secretary-general of Portuguese Guinea.

MAINTENANCE OF  
COLONIALISTS' POSITIONS

The third of these moves

covers the activities of Southern Rhodesia and South Africa. These moves run counter to the attempts to appease African opinion. The moves see Southern Rhodesian whites in a frantic bid to perpetuate the injustice of white rule by seeking complete independence in order that they will be firmly installed in power. The seriousness of their attempts may be gauged by the speed with which Winston Field, suspected of moderation, was removed and his replacement by a more reactionary racial supremacist, Ian Smith.

Besides, both South Africa and Southern Rhodesia have increased their defence budgets and are busily preparing themselves for any armed onslaught.

Over the past year independent African States have been exceptionally active on the international scene. At Lake Success in New York, in Vienna, Rome, Geneva, London, etc., Portugal and South Africa especially have un-

dergone a harrowing strain. There is little doubt that they have been badly shaken.

In the continent itself, however, the two trends discussed above have been the basic factors determining the present state of the African liberation movement. These are the inability of the Committee of Nine to measure up to its task, which in turn has enabled the colonising countries to stick their roots more deeply into the African soil.

In South Africa, while the economy grows more buoyant (in 1963 the favourable balance of visible trade was £63.8 million compared with £32.2 million in the previous 12 months), Verwoerd's gestapo keep vigil over an all-time high number of prisoners. Heroes of the African Revolution like Mandela, Sobukwe and Walter Sisulu continue to suffer persecution. As more and more hideous legislation flow out to entrench apartheid, so does South Africa continue to sharpen its military preparedness.

In Southern Rhodesia, the 250,000 minority European group has been making determined efforts to maintain its hold over the 3,600,000 African majority. While African political parties are banned and the imprisonment of African leaders has become commonplace, the extreme die-hard racists have gained control of state power. Meanwhile, Britain still acquiesces in the sins of the white folk.

Portugal still sticks to its guns and does not show any sign of revising its wild claim that its African colonies are in fact overseas extensions of Portugal. And though the freedom fighters continue to harass, progress has been negligible.

Spain, though feigning good faith, is nevertheless still the impeccable colonialist it has always been.

Next week will be a year since Addis Ababa. In the sphere of national liberation we have done very little in areas South of the River Zambesi. It looks as if events have already overtaken the African liberation movement. The noble ideal of the O.A.U. "to eradicate all forms of colonialism from Africa" seems ever remote from reality.

It is obvious that this trend will continue so long as the Committee of Nine persists in its misconceptions and delusions. Progressive opinion everywhere is asking: Whither the Committee of Nine?