The history of political thought in the African political present

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This is a book about history: the ‘historical turn’ in international law on the one hand, and the ‘international turn’ in the history of political thought on the other. Yet the arguments explored here matter not just because they change the way we understand the past, but because our readings of the past are fundamental to all critical perspectives on the present and the future. In this chapter, I focus on Africa, and what thinking about the history of political thought in mid-twentieth-century Africa means for our understanding of political ordering.

According to a dominant narrative, both popular and scholarly, the states which were established in mid-twentieth-century Africa were imposed from outside. Basil Davidson’s description of the state in Africa in his book The Black Man’s Burden as an ‘alien’ imposition which has never fully taken root has struck a powerful chord.¹ Decolonization and independence, for Davidson, did not constitute ‘a restoration to Africa of Africa’s own history, but the onset of a new period of indirect subjection to the history of Europe’.² In this perspective, decolonization was characterized by continuity as much as change, as ‘[t]he fifty or so states of the colonial partition, each formed and governed as though their peoples possessed no history of their own, became fifty or so nation-states formed and governed on European models, chiefly the models of Britain and France’.³

Recent histories of international law adopt a similar framework in which the independence of most African countries in the mid-twentieth century appears

² Ibid., 12.
as a powerful illustration of a pattern in which, far from marking the dramatic transformation for which nationalist leaders had hoped, independence from colonial rule in the 1960s saw the imposition of Western forms of political organization on non-Western societies, and made little difference to the global political order established under imperialism. Siba N’Zatioula Grovogui, echoing older arguments about the limits of mere ‘flag’ independence, understands decolonization to have been a missed opportunity to ‘fully restore African sovereignty and self-determination’. Instead power was simply transferred from departing colonial elites to their chosen successors who ‘appropriated Western political and juridical idioms, which they attempted to adapt to their own struggle’.

For Grovogui, this is not simply a state of affairs to be accepted. Rather, exposing the ‘shortcomings of decolonization in Africa’ provides the foundations for a critical project in the present. Grovogui argues that alternative visions of political order which failed to prosper at independence should now be picked up by a new generation prepared to take seriously radical pan-African critiques of existing models of the state and of international society, and if necessary to isolate Africa from an international system which has rarely served it well.

This is a powerful call to arms. It rests, however, on a particular historical view of independence: as something that was done to Africa from outside, and in which international society acts upon Africa as an external force. It sets up a normative model of statehood which African states are seen as having failed to attain. As such, while it speaks to a broad truth about the continuation of

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5 Grovogui, Sovereigns, Quasi Sovereigns and Africans, 196.


7 The political scientist Robert Jackson has coined the term ‘quasi-states’ to describe those ‘territorial jurisdictions which were formed under colonial rule and emerged into the light of day by an international legal transaction – decolonization – whereby sovereignty was transferred from European states to indigenous governments’, but which are sustained ‘from above by international law and material aid’: Robert Jackson, Quasi-States: Sovereignty, International Relations and the Third World (Cambridge: Cambridge University Press, 1991), 2, 5. Citing Jackson, Grovogui refers to a consensus among scholars that ‘most former colonies do not possess the requisite attributes of statehood’: Grovogui, Sovereigns, Quasi Sovereigns and Africans, 182.
colonial boundaries after independence, it somewhat jars with our developing understanding of the political thought of decolonization from the perspective of the African intellectuals and politicians who sought to create new political societies in the mid-twentieth century, and of the place of the international in their political thinking. As this chapter will show, the building of new states went hand in hand with new formulations of international society.

The growing body of work on the political thought of decolonization takes as its starting point the need to decentre the nation-state, both in our assumptions about the possibilities open to contemporary actors and in our own analysis. Doing so first means situating the arguments for independent statehood in context, but there are different ways in which this has been done. In this chapter, I shall first briefly set out the problems with a view of independence as characterized simply by the export of a modular form of statehood, and argue that by starting from local spatial and temporal contexts we can better see the ways in which a homology of language masked locally specific arguments over what sort of state should be created. This reminds us that the political thought of the era of decolonization, in Africa and beyond, was a creative process, and one rooted in African realities, even as the borders inherited from the colonial period were, in some cases reluctantly, maintained.

I shall then turn to consider the place of the international in this story. The history of international political thought can be understood as the history of how people in the past increasingly came, in David Armitage’s words, ‘to imagine that we inhabit a world of states’. But the focus on states as the building blocks of international society has often obscured the fact that people have never imagined that they live only in a world of states. In the past as in the present, people have considered themselves not only to be citizens of a state, but also members of wider communities that transcend the boundaries of states. In the twentieth century, such wider communities included religious, regional or pan-African communities, as well as membership of a universal human community. An alternative way of approaching the history of international political thought is therefore to focus on the relationship between these coexisting conceptions. I do so here by combining a history of how individuals might conceive of themselves as citizens or subjects of individual states, subject to the positive law of those states, with one of how they might simultaneously think of themselves as members of a universal

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human community, subject to natural law or, in the twentieth century, to the positive law of new international institutions.\(^9\)

Although the mid-twentieth century marked a new phase in the history of states, this new phase emerged in the context of a new phase in the history of conceptions of a universal human society, as the Universal Declaration of Human Rights seemed to establish in 1948 ‘the universalistic inclusion of all humanity in the set of morally relevant subjects of political concern and action’.\(^{10}\) Recent work by Samuel Moyn and others has sought to downplay the significance of this moment, arguing that the 1940s was characterized as much by the resurgence of the nation state as by the dawn of an era of human rights.\(^{11}\) Yet the novelty of articulating the right to elect one’s own government as a universal right owing to all by virtue of their humanity should not be overlooked. In this sense, the new African nation-states of the mid-twentieth century did indeed have international origins. This is particularly true in states such as Tanzania, the focus of much of my discussion here, which was a United Nations Trust Territory.

After independence, a conception of rights which transcended individual states continued to serve as an intellectual and political resource for political thinkers and actors. Annabel Brett has argued that, viewed from the perspective of early modern Europe, the ‘sharp break between “inside” and “outside” upon which the modern state in theory rests’ was a product of ‘tense negotiation’ rather than a ‘settled conception’.\(^{12}\) We might helpfully think about the mid-twentieth century as constituting a new phase in this ‘tense negotiation’ over the limits of the state and its jurisdiction. This helps us both to understand the contingency of the states established in the past, in Africa as elsewhere, and to identify from where change has come before and from where, potentially, it may come again.

### 8.1 Making Political Society in an International Age

For a long time, the assumption that the nation-state was the natural basis of the international political order dominated approaches to writing the history


\(^{11}\) Ibid., passim.

\(^{12}\) Brett, *Changes of State*, 3, 5.
of twentieth-century decolonization. Since the nation-state was understood as the inevitable end point, the central question to be asked was how colonies came to arrive at the position of being independent nation-states. Until very recently, much writing about African independence and the post-colonial state in Africa followed this pattern. As for other parts of the post-colonial world, the history which tended to be written was either one in which decolonization was constituted by a simple transfer of power from colonial authority to post-colonial elite, or one in which the rise of nationalist movements and euphoria of independence was swiftly followed by disappointment, as post-colonial states proved unable to deliver the promises which had been made to their citizens or to assert themselves internationally. As Jeffrey Ahlman has recently written, ‘[t]he narrative that arose in these world regions was therefore one centered on not only the foundation of the twentieth-century postcolonial nation-state, but, just as importantly, its political, economic, and civic demise’. Held up against a model of the Westphalian state, African states were found wanting, and writing about post-colonial states has tended to focus on explaining their perceived weakness. For the authors of a recent handbook of African politics, for example, the central element of the post-colonial state in Africa which warranted explanation was precisely this weakness, evident both in states’ inability to project their power internally and in their unequal position in the international system.

As we have seen, the critical lesson that has often been drawn, both by scholars and in popular writing, was that the states which had been formed at independence were somehow unsuited to African realities. Yet by the late twentieth century, it no longer seemed so obvious that the global triumph of the nation-state was permanent. The nation-state everywhere seemed to be under pressure from what was labelled ‘globalization’, a catch-all term for a range of economic, political, legal and material challenges to the ability of nation-states to assert exclusive control over their territories. In this context, historians increasingly revisited their earlier assumptions about the naturalness of the nation-state and took up the question of why it was that, by the

mid-twentieth century, it had come to be taken for granted as the core building block of international society.

One answer was to suggest that the globalization of the nation-state was a product of a history whereby ideas first developed by European jurists in the eighteenth century which envisaged an international order made up of free and equal independent states gradually attained global reach. The foundational text here is often taken to be Emer de Vattel’s 1758 The Law of Nations, which redefined ‘independence’ as a positive good. The text travelled the world in the later eighteenth and nineteenth centuries. For David Armitage, while it would be ‘anachronistic to see the origins of a world defined by states as early as 1648 and the Peace of Westphalia which is often held to have inaugurated a “Westphalian order” of mutually acknowledged independent states’, he argues that ‘it is not inappropriate to see events of the late eighteenth-century and early nineteenth-century Atlantic world as an anticipation of what would come to much of the rest of the globe 200 years later’.

The relative uniformity of political languages about states and sovereignty over a long period and across a wide geographical range is certainly superficially striking. As David Armitage has shown, the very words which had been used to claim independence in eighteenth-century America were translated and redeployed to similar ends by anti-colonial nationalists across the world in the twentieth century. Yet the words of the American Declaration of Independence meant very different things in 1940s Indonesia or 1950s Tanganyika to what they had meant in 1770s America, as did understandings of the nature of the international order which those advocating independence sought to join. We should therefore resist the temptation to see the world that emerged in the mid-twentieth century as nothing but the final realization of a process which had begun much earlier, and should think more carefully about the specific context in which mid-twentieth-century arguments for independence were made.

At the same time, focusing only on how we came to live in a world of states obscures a much messier historical reality in which the jurisdiction of states has always coexisted with other sorts of authority. Modern colonial states sought to confine their subjects within individual territories and within empires. Empires were ruled in a way which differentiated between different categories of colonial subjects and, crucially, imperial governors insisted on

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their right to determine who could possess which rights within their jurisdiction.\textsuperscript{19} This they claimed on the basis of a model of statehood which defined statehood in terms of the ability to reject external interference in internal affairs.

Yet the insistence of colonial powers on the rejection of external interference was always a rhetorical claim more than settled fact. As Lauren Benton and Lisa Ford have emphasized, the ability of colonial states to maintain exclusive jurisdiction over those living within their borders was constantly challenged in practice by the movement of peoples across the world, and by the multiple allegiances held both by peoples on the move and those who might not move physically but were nevertheless part of religious, ethnic, national or racial communities which transcended the borders of states and empires.\textsuperscript{20} In the nineteenth century, the porousness of the internal and the external often served to extend the reach of empires. In the twentieth century, it also served as a means of challenging them.

\section{8.2 The United Nations, the Universal Declaration of Human Rights and Sovereignty}

One of the consequences of the Second World War was the demise of the League of Nations and the foundation of the United Nations in 1945. There was of course a great deal of continuity between the two institutions. Many of the same people who had staffed the League of Nations went to work for the United Nations. Both institutions were, on some level, founded on an understanding that the international order was, or would become, one based on nation-states. While the United Nations came to encompass many more states than the League of Nations had done, it was dominated by a small group of powerful countries just as the League had been. Nevertheless, the early 1940s marked the birth of a new way of thinking about the world.\textsuperscript{21}

When it was founded in 1920, the League of Nations marked a new phase in the history of international organization and offered a new way for colonized


\textsuperscript{21} This section draws on arguments made at greater length in Emma Hunter, \textit{Political Thought and the Public Sphere in Tanzania: Freedom, Democracy and Citizenship in the Era of Decolonization} (Cambridge: Cambridge University Press, 2015), ch. 2.
peoples to attempt to circumvent colonial legal structures and reach outside colonial empires to an international body. But at the same time, the League rested on and promoted a particular conception of the international order. In this conception, self-government, and thus full membership of international society, depended on having achieved a standard of civilization which was defined in terms of the culture and institutions of the modern West.

This conception travelled far beyond the League’s debating chambers. For instance, in the pages of Mambo Leo, a periodical published by the Education Department in Tanganyika which played a key role in explaining Tanganyika’s new status as a League of Nations Mandate, the League was tellingly described in 1923 as an association of ‘civilized nations’. Since full membership of international society depended on achieving ‘civilization’, then much discussion in the public spheres of the colonial world focused on what ‘civilization’ meant and how to achieve it. Across the colonial world, a strikingly similar set of ideas about what progress entailed reappear, focusing on hard work, self-improvement and associational culture, though these ideas coexisted with arguments over whether civilization necessarily meant westernization.

Yet alongside a discourse which divided the world into those parts which were deemed to be ‘civilized’ and those which were in progress towards ‘civilization’, a division often by the late nineteenth century understood in racial terms, there was a powerful trend of thought which argued for an international order based on equality. Cemil Aydin has shown how pan-Asian and pan-Islamic thought provided ways of claiming an equal place in the world. In the first half of the twentieth century, pan-Africanist thought increasingly played a similar role in Africa and the Atlantic world. The 1940s marked a key transitional moment in the history of this counter-narrative of thinking and activism demanding equal rights for all, linking this demand to a language of freedom, self-determination and democracy. This shift was embedded in the 1948 Universal Declaration of Human Rights (UDHR). This declaration affirmed the principle that all human beings were ‘born free and equal in dignity and rights’. These rights were owing to all and by virtue of their humanity, not as members of a particular state.

22 The term used was ‘mataifa yenye ustaarabu’. ‘Habari za dunia’ (‘World news’), Mambo Leo, December 1923, 3.
24 Hunter, Political Thought and the Public Sphere in Tanzania, 68.
Although the Declaration increasingly came in the second half of the twentieth century to be seen as overly dependent on a Western tradition of individual rights, at the time it was understood to be a new attempt to articulate a set of principles which could be common to all. In 1947, the recently established UNESCO brought together thinkers from across the world to feed into the process. The explicitly global foundations and reach of the UDHR marked a change from anything which had come before.

An understanding of a right to elect one’s own government as being a universal right, not, as under the League, restricted to those who had achieved a standard of ‘civilization’, was embodied in the foundation of the United Nations Trusteeship Council in 1947 that provided international oversight of those territories which had formerly been League of Nations Mandates. Whereas the mandate system envisaged a long and slow path to self-government, particularly for those territories classed as ‘B’ or ‘C’ mandates, the United Nations had a much shorter time frame in mind. Opening the Trusteeship Council in March 1947, the United Nations Secretary-General articulated this vision of the Council’s role clearly, saying that ‘[f]ull success . . . will automatically put this organ out of existence, since your ultimate goal is to give the Trust Territories full statehood’.26

One part of the history of the 1940s and 1950s was therefore the new articulation of a domain at the international level to which individuals and groups in colonized societies could appeal, circumventing the efforts of colonial states to contain their populations within their borders. For those parts of Africa that had been German colonies and became League of Nations mandates, the League had offered a new site of politics, particularly through the petitioning system. The circumstances in which petitions could be sent to the League of Nations were tightly controlled, and petitions had to come through the mandatory power, if they were sent from the mandate itself. The right to petition the League was employed far more enthusiastically in some mandate territories than others – indeed, very few petitions were received from Tanganyika. Nevertheless, the right to petition opened up a new space. As Susan Pedersen has written, ‘[c]onvention [the League] mattered not because it offered petitioners redress but because it allowed them to enter and speak in a multi-vocal, international arena. It was one of the key mechanisms (publicity

being another) through which a previously binary relationship – colonizer, colonized – was triangulated. 27

The United Nations in turn offered still more possibilities for addressing an international audience. Trusteeship territories were visited every three years by a Visiting Mission, and these Visiting Missions travelled around Trusteeship territories, meeting groups and individuals and receiving petitions. But the international and the local did not only intersect in Africa, they also met in New York, where petitioners could appear before the Trusteeship Council to state their case. Admittedly only a tiny fraction of the colonial world came under the Trusteeship regime; but we should not underestimate its significance. Writing about the relationship between human rights and decolonization in Africa, the historian Meredith Terretta suggests that ‘scholars might consider UN Trust Territories as central, rather than exceptional or peripheral’. 28 In the case which Terretta explores, the appearance of Um Nyobe, leader of Cameroon’s nationalist party, in front of the Trusteeship Council in New York in 1953 was a spur to the party adopting petitioning as a key weapon in their struggle. The impact was dramatic – the number of Cameroonian petitions processed by the Trusteeship Council rose from 16 in 1951 to 505 in 1955. 29 But more than this, Terretta argues that ‘the principles outlined in the UN Charter and the UDHR’ increasingly shaped the Cameroonian political imaginary. 30

In Tanganyika too, the status of being a United Nations Trusteeship Territory shaped the way Tanganyikan intellectuals and activists thought about their place in the world. When the Trusteeship Agreement was reached in 1946, it was translated into Swahili by the Government’s Information Officer and copies were distributed throughout the Territory. 31 Tanganyikans took seriously the idea that the British did not have unlimited sovereignty over Tanganyika, but that the governance of Tanganyika was under international supervision. According to government reports, at the meeting in 1954 which led to the establishment of Tanganyika’s nationalist party, TANU, ‘[t]here was much play with the notion that the territory is

28 Meredith Terretta, “‘We Had Been Fooled into Thinking the UN Watches Over the Entire World’: Human Rights, UN Trusteeship Territories and Africa’s Decolonization”, Human Rights Quarterly 34 (2012), 529–60, at 558.
29 Ibid., 339.
30 Ibid., 342.
governed by the United Nations with Britain acting in a clerical capacity and that the Queen is not the Queen of Tanganyika and should not be referred to as “Our Sovereign”. 32

In turn, TANU sought to make the wider population aware of Tanganyika’s status, publishing and distributing a Swahili-language document about the Trustee Council. 33 They also made productive use of the Universal Declaration of Human Rights. When in 1955 TANU translated the document into Swahili, they sold 3,815 copies in six weeks. 34 When rural disturbances developed in the province of Handeni a year later, the colonial government reported that the Declaration was being used as a basis from which to criticize colonial government policies and to demand that rights be respected. 35 At the same time, individuals and groups took advantage of the Visiting Missions which travelled through Tanganyika and the opportunity to appear before the Trusteeship Council in New York.

The ability to transcend colonial borders and to appeal to the United Nations on the basis of rights owing to all by virtue of their humanity was an important part of the international history of decolonization. But as recent research has emphasized, there is another aspect to the place of the Universal Declaration of Human Rights in the international thought of decolonization. Many of those who responded to UNESCO focused not on the rights of individuals but on the importance of society and the relationships between individuals within societies. The drafting committee itself included people such as Eleanor Roosevelt, whose thinking was firmly situated within an Anglo-American tradition, but also figures such as Charles Malik, Carlos Romulo and René Cassin, whose focus was much more on individuals within society, and on these individuals’ duties as well as their rights. The result, as Samuel Moyn has emphasized, was that the UDHR was ‘a profoundly communitarian document – precisely a moral repudiation of dangerous individualism, albeit one equally intended to steer equally clear of communism’. 36

For the philosopher Jacques Maritain, who played a key role in linking the natural law tradition and a language of human rights in the early 1940s and


33 Lohrmann, Voices from Tanganyika, 63.

34 Ibid.

35 Hunter, Political Thought and the Public Sphere in Tanzania, 153.

went on to play an important role in the creation of the UDHR, man was by nature a ‘political animal’, inclined to form political society. For Maritain ‘[t]he aim of political society, as of all human society, implies a certain work to be done in common’. And this aim was ‘the good human life of the multitude, the betterment of the conditions of human life itself, the internal improvement and the progress – material, of course, but also and principally moral and spiritual – thanks to which man’s attributes are to be realized and made manifest in history’.  

The right to participate in government, and the injunction in the Declaration that the ‘will of the people shall be the basis of the authority of government’, was developed in this context. Creating new states was not an end in itself but an essential step in order to enable human flourishing. Considering this element of mid-twentieth-century thinking reminds us of the positive case for sovereignty, not simply as the removal of illegitimate colonial power but as an argument that only by acquiring the right to choose their own government would it be possible for people to embark on building a better future. It was this transformative potential which made sovereignty so attractive, and which explains why so many people at the time were so invested in it.

This point may seem obvious, but it bears repeating in the light of the disappointments that followed independence in Africa, and the sense that this independence was compromised in practice by the persistent ability of more powerful states, international institutions and corporations to exert their will on weaker states. Despite these later disappointments, independence at the time was not considered as simply the result of a juridical transaction which saw Western forms of political order imposed on non-Western societies. Sovereignty was imagined not simply as a transfer of power from one set of elites to another, but as constituting an exciting moment of possibility, one in which the citizens as well as the leaders of new states were invested.

When we explore the political language of the time in new African states, we are reminded of the nexus of positive terms associated with independent statehood – independence, self-government, sovereignty. For the Kenyan nationalist Tom Mboya, it was the patriarchal metaphor of independence as being able to shut the door on one’s own house which resonated. For others, it was the potential which independence offered to make choices and to build a

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new society. As Martti Koskenniemi has written, this is the realm of the ‘bright side to sovereignty that describes the character of collective life as a project – a set of institutions or practices in which the forms of collective life are constantly imagined, debated, criticized and reformed, over and again’. 39

Independence was thus not an end in itself; it meant the ability to create a new and better society. For the Ghanaian nationalist leader Kwame Nkrumah, writing in 1947, ‘[t]he peoples of the colonies know precisely what they want. They wish to be free and independent, to be able to feel themselves on an equal footing with all other peoples and to work out their own destiny without outside interference and to be unrestricted to attain an advancement that will put them on a par with other technically advanced nations of the world’.

40 Independence mattered to contemporaries because it represented a chance to do something different. For R. Kaminyoge Mwanjisi, Publicity Secretary of Tanganyika’s nationalist party TANU, in a speech delivered on a visit to Kilwa in southern Tanganyika in 1958, ‘[t]he freedom which we demand is not simply that of escaping the shame of being ruled’. Independence meant the ability to do practical things which would make life better for the citizens of the new state. ‘The task of getting water in Tanganyika is not the task of the British Government, they are not hurt by it’, he said. To solve this problem required an independent Government which ‘will take steps to put the problems of the citizens first’. The reason that it would take these steps was that it would be held accountable by its citizens in a way that a colonial government would not, for, he continued, ‘[t]he people will say to their government: “we have paid our taxes, you must remove our problems”’. 41

8.3 SOVEREIGNTY AND THE POST-COLONIAL STATE

If the leaders of new African states understood independence as the basis from which to undertake new collective projects, their challenge after independence was to carry their citizens with them. This is the domain in which we find early post-colonial nation-builders arguing back against those who understood independent statehood in negative terms, as meaning the absence not only of the colonial state but of any state power at all. We hear these arguments at one remove in an article published in the journal Africa in

40 Ahlman, Living with Nkrumahism, 49.
1965, which reproduced a letter sent to a colonial official in 1961 by Gicha Mbee, a resident of Mbugwe in rural northeastern Tanzania.42

In this letter, Mbee describes the discussions which had followed independence in Mbugwe. The older men, he recounts, imagined independence to mean an end to what they saw as the constraints on their lives which colonial rule imposed. At public meetings, they questioned why those who had held power in pre-colonial times had not been restored to their positions, why licences were still needed to hunt game, and why the end of colonial rule had not meant an end to taxation. The problem, Mbee wrote, was that ‘everyone understands Freedom to mean that we shall rule ourselves – this has been thoroughly explained – but the elders and the youths interpret self-rule in different ways, and this has caused misunderstanding and quarrelling’.43 The response of the younger men was ‘to explain the meaning of Freedom under modern conditions’, that is, freedom within the political society.44

In Ghana, where the nationalist leader and first President Kwame Nkrumah had long argued that self-government would only ever be a first step in a more far-reaching project of transformation, Jeffrey Ahlman has recently argued that independence in 1957 provided an opportunity for an argument ‘over the social contract of self-rule’. Nkrumah’s party, the Convention People’s Party, demanded that citizens commit ‘both to the collective struggle against colonialism and to the Nkrumahist nation-building project’ and in return would ‘come to enjoy the social and material benefits national reconstruction had to offer’, benefits ranging from education to full employment.45

In many cases, it was in arguments over taxation and the raising of revenue that social contracts were renegotiated. The expectation of an end to taxes after independence was heard across much of the continent. In response, governing parties and local governments had to make a positive case for taxation and frame the payment of taxes as a duty of citizenship, rather than an illegitimate demand made by the state.46

The rhetoric by which post-colonial state-builders sought to meet these challenges seemed to embrace a vision of the state on the Westphalian model, in which sovereignty entailed the right to reject external interference. They were now able to close the door on their own house and were assertive of their right to do so. New parliaments quickly turned to debating who could and

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43 Ibid.
44 Ibid.
46 Nugent, ‘States and Social Contracts’; Hunter, *Political Thought and the Public Sphere in Tanzania*, ch. 7.
could not be a citizen of the newly independent states, often setting require-
ments that went beyond simple place of birth to encompass more far-reaching
commitments to newly independent states.\textsuperscript{47} While the leaders of the 1950s
had criticized the artificiality and unworkability of the states which had
emerged from the colonial partition of Africa and called for new kinds of
federations, post-colonial states were in practice often reluctant to relinquish
aspects of their newly won sovereignty to supranational bodies. When the
international human rights organizations that had been allies before
independence moved to criticize new laws which endangered the human
rights of the citizens of post-colonial states, they were swiftly told that demo-
cratically elected governments had the right to introduce preventive detention
and similar measures if they judged it essential for the security of their states.\textsuperscript{48}

Yet if we look more closely, we can see that the reason that post-colonial
African states were so anxious to advocate this conception of sovereignty was
precisely because they knew that the picture was more complicated than a
map of sovereign states would suggest. In their speeches at the United Nations,
for example, we can see that they were able to believe simultaneously in the
right of states to reject external interference and in the existence of rights owed
to all by nature of their humanity and membership of a universal human
society which gave them the right to criticize other states’ actions within their
own borders. The United Nations, and the solidarity provided by the Afro-
Asian bloc of newly independent states, provided a forum in which the leaders
of new states actively sought to defend the rights of those living, for example,
under Portuguese rule in Africa or in Apartheid South Africa.\textsuperscript{49}

If we are to understand where critical potential lay in the post-colonial state,
one way of doing so is considering the ways in which appealing to a moral and
political order beyond the state could provide a resource to the citizens of post-
colonial states, just as it had to the subjects of colonial states. To explore this
theme in more detail, I look first at the ways in which international languages
of rights which had been so powerful for anti-colonial activists, particularly in
those parts of Africa which had been Trusteeship Territories of the United
Nations, could be redeployed by those who sought to challenge repressive rule
in the post-colony. Second, I consider the ways in which correspondents to the
Swahili-language newspaper \textit{Baraza}, published in Nairobi but read across

\textsuperscript{47} Ronald Aminzade, \textit{Race, Nation, and Citizenship in Postcolonial Africa: The Case of Tanzania}
\textsuperscript{48} Meredith Terretta, ‘From Below and to the Left? Human Rights and Liberation Politics in
\textsuperscript{49} Ibid.
East Africa, appealed both to older regional forms of governance and to individual connections across the region against independent governments whose concern with building nation-states challenged older flows of people and goods.

8.4 NATION-STATES AND UNIVERSAL RIGHTS AFTER INDEPENDENCE

After independence, new post-colonial states in Africa sought to claim for themselves the ability to determine what rights their citizens could have. As Meredith Terretta has recently shown, when, in 1965, Roger Baldwin of the International League of the Rights of Man tried to persuade the Tanzanian government to rethink its use of preventive detention laws, the Tanzanian response was to insist that while such laws had clearly been illegitimate when enacted by a colonial government, they were of a different nature when enacted by a post-colonial government which was itself an expression of the will of the people.50

But although post-colonial states sought to contain their citizens within their borders, those individuals continued to reach outside the state, often using a language of rights. In Cameroon, the opposition activist Dr Marcel Bebey-Eyidi continued from prison his long-standing correspondence with Roger Baldwin. He lamented the fact that, because Cameroon was now no longer a Trusteeship Territory but an independent state, it was impossible for the United Nations to act ‘due to the principle of “non-interference”’, even as ‘[t]he rights of man are completely violated in our country’.51 And in Tanzania, where opposition became increasingly difficult in the course of the 1960s and 1970s, some of those who found themselves in detention appealed to new bodies like Amnesty International which increasingly sought to support individuals against their governments. The result was growing criticism of Julius Nyerere’s use of preventive detention in Amnesty International reports over the course of the 1970s.52

Anti-colonial activists had challenged colonial rule by reaching beyond the barriers which colonial governments sought to erect and appealing to a set of rights including, but not limited to, the right to choose one’s own government,

50 Ibid., 402.
51 Ibid., 414.
owed to all by virtue of their humanity. The same imaginative potential was open to citizens of post-colonial states too, and in this way the international continued to shape political imaginaries after independence. While African post-colonial states often closed down potential avenues for opposition, reaching outside the state could provide one way of attempting to challenge the actions of those states. But it also provided a way of challenging the claim that sovereignty meant that powers should lie exclusively at the level of the nation-state, and it is to this question that we now turn.

8.5 NATION-STATES AND REGIONAL ORDERS

Comparing maps of late colonial and post-colonial Africa suggests a picture marked by continuity of colonial borders. But what these maps do not show are layers of governance and imagined governance which cut across those borders. Both the French and the British empires in Africa had often in practice been governed regionally rather than straightforwardly as territorial states, so that in addition to imperial legal and political structures, there were also regional structures of government and law. In the case of East Africa, although British attempts in the 1920s to create an East African Federation had failed, more modest efforts to centralize the delivery of key services were more successful. By the time of independence, significant parts of government activity were administered at the East African, rather than the territorial, level, through the East African High Commission which was established in 1948. It is striking how many areas of life came under the High Commission’s auspices, ranging from the economic dimensions of currency and tariffs to transport through East African Railways and Airways to cultural institutions such as the East African Literature Bureau.

As Tanganyika’s independence approached in 1961, the High Commission became the East African Common Services Organization, establishing the principle that services would continue to be developed at the regional level after independence. But nationalist leaders in East Africa were open to the possibility of something more far-reaching. While colonial projects for an East African federation had been bitterly opposed by African politicians, in the early 1960s East African leaders followed post-colonial leaders elsewhere in the world in espousing a willingness to sacrifice their newly won sovereignty in the cause of unity. In Tanganyika, Julius Nyerere even offered to postpone Tanganyika’s independence so that it would coincide with independence for Kenya and Uganda, allowing them immediately to federate. This he would do, he said in a speech, ‘rather than take the risk of perpetuating the
balkanisation of East Africa’.

In June 1963, the leaders of Tanganyika, Kenya and Uganda committed themselves to federation. But the optimism of June 1963 quickly faded and political federation proved impossible to achieve. The East African Community which was finally established in 1967 has generally been seen as a project of limited scope and without great public support, lamented by few when it finally collapsed in 1977. Projects of regional federation therefore seem to have had little traction in national contexts.

But if we look beyond the high politics of federation, a different story can begin to be told. A long-standing history of movement around the region and the existence of English and Swahili as lingua francas meant that newspapers like the Swahili-language Baraza, published in Nairobi from 1939 but read across East Africa and with contributions to its letters pages from across the region, constituted a space for reflection and comment on the downsides as well as the advantages of nation-state building projects and regional integration. The voices we hear in Baraza are those of a cosmopolitan elite, committed to greater unity. Their arguments for closer integration were often pragmatic. Those doing business across borders, for example, complained about the difficulties caused by having different currencies. Yet there were also more positive arguments for regional unity. The editorials in Baraza consistently argued for the East African Community to be a first step towards a closer political union. This argument was, for example, made in the editorial in December 1967 which marked the establishment of the East African Community, and it was sustained through a difficult period in 1971 and 1972 when Idi Amin’s seizure of power in Uganda, opposed by Julius Nyerere of Tanzania, saw the Community effectively cease to function.

As tensions eased in 1972, a powerful Baraza editorial called for greater regional unity as an essential final step in completing the process of decolonization. The editorial repeated calls on East Africa’s leaders to go beyond economic unity and establish a full political union. While the East African Community has often been seen, both at the time and since, as a technocratic project, distant from popular concerns, Baraza claimed to be

speaking for ordinary people who, the newspaper argued, were the ones who suffered from the artificial barriers placed in their way by national borders, separate currencies and restrictions on moving to work or do business in neighbouring countries.  

Political leaders, Baraza argued, had once rejected national borders as artificial creations, imposed by colonial states without consulting the people. Now these same leaders were themselves imposing barriers between peoples. Echoing didactic texts used in schools in the region, Baraza recalled a historical past in which there was no distinction between Kenyans, Tanzanians and Ugandans. The people of East Africa had mixed freely, on a basis of equality, and would do so again once the barriers put in their way by political leaders had been removed. For the editor of Baraza, it was only through creating a united East Africa that full independence would be achieved.

8.6 CONCLUSION

This chapter is about the history of political thought in the African present. In what way, then, might situating the mid-twentieth-century history of state-making in an international context contain critical potential for the present and the future? What can the history of political thought offer to our contemporary dilemmas?

For much of the last fifty years, a dominant popular and scholarly view of African independence has understood it as something conferred from outside, by legal transfer of power. In a reading where decolonization is understood simply as an imposition from outside, it is not only hard to see where change came from in the past, it is also hard to see where change might come from in the future. Yet a view of the post-colonial state in Africa as an imported form, imposed from outside, risks setting up a dichotomy between two extremes.

On the one hand, there is the tendency which we see in much political science writing about contemporary Africa, to focus on explaining and understanding the ‘weakness’ of states, within a discourse that sets up a normative ideal of what a state should be and finds African states wanting. This lends itself to a reading of the past fifty years in which the future course of Africa’s new states was set at independence, taking little account of the change that has happened since independence, and in which future change is hard to envisage. At the other extreme, this same reading of the past can lend itself to an

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58 See, e.g., W.J. Bentley, Civics for Uganda (Kampala: Longmans of Uganda, 1966), 61.
analysis in which change, if it is to come, must come from a radical break from the state forms that were established at independence and the creation of something completely new, though quite what this might look like is seldom spelled out.

In contrast, I have argued here that the state was not simply imposed from outside in mid-twentieth-century Africa. It was reflected on and argued about by people (and not only political leaders) who were consciously making their own history in local and indeed regional contexts. For many contemporaries, the establishment of independent states was not simply an external imposition, it was also an active appropriation. The international was part of the process of state-making; it was in dialogue with conceptions of international society that the state was created. This helps explain the contingent nature of the state and the form it often took in mid-twentieth-century Africa.

In this way, the history of the political thought of decolonization offers an important perspective on the foundation of the modern state in Africa in which the international is an intrinsic part of the story rather than separate from it. We have seen that in the early post-colonial period, the positive argument for creating new political communities not as an end in itself but as an essential precondition for human flourishing was the basis for ambitious projects undertaken by new states to improve the lives of their citizens. Nearly sixty years on from independence, there is now a long history of states seeking to negotiate an effective social contract with their citizens, characterized by moments of success as well as moments of failure.\(^\text{59}\)

But by taking seriously the way in which membership of a state coexisted with membership of an international society in the colonial and well as the post-colonial period, our attention is also drawn to an important intellectual resource for citizens trying to create change from below after independence. If we see the history of decolonization as in part a product of individuals reaching out beyond the boundaries within which colonial states sought to enclose them, to claim rights owing to them by virtue of their humanity, we can better see where change has come from in the past, and where it might come from again.

The rights that people were understood to have by virtue of their humanity, rights which states could not simply take away, continued to serve as a potential means of challenging the power of new post-colonial states, as they had served as a resource to challenge colonial states. In this way, where the ability to effect change in their capacity as citizens of post-colonial states was

\(^\text{59}\) Nugent, ‘States and Social Contracts’.
limited, then appealing beyond the state could be invoked as a strategy. At the same time, a sense of being part of a human community which transcended nation-states provided the basis for an argument to alter political structures to make connections across nation-states possible. While a great deal of work has focused on the failure of federations as political projects in Africa (as elsewhere), visions of political communities which transcended the nation-state continued to play an important role in the political imaginary. Cosmopolitan conceptions of a common humanity provided a language in which to challenge the attempts of nation-states to insist on hard borders and instead seek to re-weight the balance between individual states and supranational communities, as for example in arguing for more powers at the East African level rather than the level of the nation-state.

By putting the African state and international society into the same analytical frame in the period around independence, we can therefore see the state as a contingent form, subject to change over time through human thought and action. And if we understand states to have been made in dialogue, we can better understand how they have changed in the past, and how they might change again.