

# War on Idi Amin: Toward A Synthetic Theory' of Intervention

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On November 1, 1978, the then President of Uganda, Idi Amin, announced that his forces had raided and annexed 710 square miles of Tanzania territory (Bukoba) in retaliation for an alleged previous Tanzanian invasion of Uganda. This incursion was confirmed by President Nyerere of Tanzania in a nation-wide radio broadcast on November 2, 1978. There was great destruction of property and displacement of about 40,000 people. An additional 10,000 inhabitants were unaccounted for in the region.<sup>1</sup> In the months that followed, between 40,000 and 50,000 Tanzanian troops crossed the north-western border into Uganda, occupying Masaka and Mbarara towns of southern Uganda.<sup>2</sup> They were accompanied by Ugandan guerrilla groups.<sup>3</sup> The military campaign to unseat Idi Amin was thus underway. On April 11, 1979, Kampala, the capital city of Uganda, was captured and a new government composed of former Ugandan refugees was installed on April 13, 1979.<sup>4</sup>

Since 1979, Tanzania's involvement in Uganda has attracted much discussion in the fields of international relations and law. Unfortunately, however, the quality of the debate has tended to verge on the obvious: Idi Amin was a tyrant and had, therefore, to be overthrown.

Commendable as Tanzania's victory may be, the country's success in toppling Idi Amin has obviously retained an aura that helps to deflect a much more needed critical analysis of the theoretical approaches, which have been adopted thus far, to explain Tanzania's foreign policy on the Ugandan question. The presumed favour which Tanzania has done to Africa (by ousting a brutal regime) also helps to divert scholarly attention from consideration of the meaning of the Uganda conflict in world politics, namely the powerlessness of small states in their relations with major powers in the international system.

This paper intends to provide readers in international relations with an adequate basis for sound political reasoning and interpretation of foreign policy on the question of military intervenism in Africa and the relative autonomy of small states in the international system. Two approaches have so far been advanced:

(i) the 'legalist' approach which supports Tanzania's inherent right of self-defence derived from custom and conventions on relations between states; and (ii) the 'moralist' perspective which looks at Idi Amin as a despot and, therefore, deserving to be overthrown, regardless of the clauses in the United Nations or Organisation of African Unity Charters.

I shall argue that neither of these explanatory modes alone provides an adequate explanation for Tanzania's actions. Instead, primary attention must be paid to the role of regional (i.e. East African) and world politics by demonstrating their significance for the issue being considered. I will characterise this approach as synthetic. It is intended to identify some of the misconceptions about Tanzania's involvement in Uganda and to provide a credible explanation for that entanglement. Whether to intervene militarily in Uganda and, if so, how and to what extent must

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surely have been an agonising decision for the Tanzanian leadership (since Amin's coup of 1971), mainly because of the domestic chiefly economic, regional African and international implications of such entanglement. However, in retrospect there are several reasons for thinking that, in the relationship between Uganda and Tanzania since Amin's coup of 1971, a decision for military intervention was almost inevitable at a particular conjuncture. Against this background, then, this essay attempts to suggest some limitations in the legal and moral analytical perspectives that have so far been taken in the discussion on Tanzania's intervention in Uganda which led to the overthrow of Amin's dictatorial regime in April, 1979.

Section one of this essay deals with the argument based on the intrinsic right of self-defence as per custom and convention (that is the 'legalist' position) based on Article 51 of the United Nations Charter. General international law is relevant to this discussion, in part because both Tanzania and Uganda are signatories to the Charter of the United Nations. They are also parties to other instruments of international law, such as the 1951 Convention Relating to the Status of Refugees; the 1967 Protocol Relating to the Status of Refugees; and the OAU Convention Governing Specific Aspects of the Problems of Refugees in Africa.<sup>6</sup> Section two discusses in turn the 'moralist' thesis, demonstrating its limitations in the context of Tanzanian-Ugandan relations. Section three provides a comprehensive approach — a synthetic approach. This section should not be conceived as an alternative perspective as such; points in sections one and two may still be relevant to section three. All that is asserted here is that explanations based on law and morality cannot stand by themselves in the context of Tanzanian-Ugandan relations.

## CONVENTIONAL EXPLANATORY MODES RESTATED

**The Legalist Position: Right of Self-Defence.** The use of force has not been completely outlawed in international law. Historically, efforts to prevent resort to war in the relations between states have always taken the form of doctrinal restriction on the use of force, confining it to support of the law or existing international policy. Accordingly, parties to an armed conflict have always been judged on the basis of whether or not each of them meets the requirements for justification to resort to war as an instrument of national policy.

Usually, the injustice to one side becomes the basis for the justice of the other

It is attempted then to distinguish between heroes and villains, devils and Saints — the doctrine of *bellum justum* advanced by the classical Roman writers, for instance.<sup>7</sup> They maintained that war was *justum* only on certain conditions, namely it must originate in a *justa causa*. To ensure that a *justa causa* existed, the tenet had historically been subjected to internal checks. Thus, Thomas Aquinas, for instance, maintained that the belligerents must be animated by the right intentions — the common good for example — to punish the law breakers. Hugo Grotius regarded self-defence, the protection of property and punishments of the wrongs inflicted on one's citizens, as *justa causa*.

The period following the First World War was characterised by an increase in ideological and technological intensity of warfare. Ironically, however, this period is usually regarded as one in which the international community attempted to minimise warfare.

Therefore, rules of collective security and self-defence, for example, attain a new lease of life. They were intended to express the idea that an aggressive

war or military venture could be prevented or repulsed by the threat of, or actual, war of self-defence or collective security.<sup>9</sup> Reflecting this policy, the founding fathers of The League of Nations divided military activity into three categories, namely, the prohibited, the permitted and the prescribed.

In retrospect, war and the potential for war remained an integral part of the balance of power system; a means used, in the last resort, to correct or protect the balance of power — a vehicle of national policy. In the Covenant of The League of Nations, the general objective was to discourage states from using force in redressing grievances among themselves: principles of collective security and pacific settlements of disputes were to a large extent deprecatory of the balance of power system at the time. A member state could resort to war, without necessarily breaking any of its obligations under the Covenant of The League of Nations, if it first submitted the dispute to arbitration or to judicial settlement or to inquiry by the Council; or if it waited for three months after the arbitrator's award, the court's decision or the council's report, as the case might be; or if it did not make war on a state complying with the award.<sup>10</sup>

The Paris Pact (Briand-Kellogg Pact) of August 27, 1928, called upon member states to condemn recourse to fighting for the solution of international conflicts and renounce it as an instrument of national policy in their relations with one another, except in the exercise of self-defence or where hostilities were undertaken in the pursuance of some collective international policy.<sup>11</sup> Two Articles of the Pact are worth citing here:

Article I

The High Contracting Parties solemnly declare, in the name of their respective peoples, that they condemn recourse to war for the solution of international controversies and renounce it as an instrument of national policy in their relations with one another.

Article II

The High Contracting Parties agree that the settlement or solution of all disputes or conflicts, of whatever nature or of whatever origin they may arise among them, shall never be sought except by pacific means.

In the United Nations Charter, Article 2(4) prohibits the use of force in international relations:

All members shall refrain in their relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purpose of the United Nations.<sup>12</sup>

However, Article 2(4) is usually read in conjunction with Article 51 of the Charter, which reaffirms the inherent right of self-defence against aggression:

Nothing in the present charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by members in the exercise of this right of self-defence shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present charter to take at any time such action as it seems necessary in order to maintain or restore international peace and security.<sup>13</sup>

Article 1 (a-b) of the United Nations General Assembly Resolution 3314 (XXIX) of 14/12/1974 defines aggression as:

... (the) use of armed forces by a state against the sovereignty, territorial integrity or political independence of another state, or in any other manner inconsistent with the purposes of the UN.

Article 3 (g) of the resolution extends the definition of aggression to include, *inter alia*:

The sending by or on behalf of a state of armed band groups, irregulars, or mercenaries which carry out acts of armed force against another state of such gravity as to amount to the acts listed in Article 1 and 3g, or its substantive involvement.

And Article 5 of the same resolution 3314 (XXIX) continues:

No consideration of whatever nature, whether political, economic or military or otherwise may serve as a justification for aggression....<sup>14</sup>

As members of the Organisation of African Unity, Tanzania and Uganda are also bound by core clauses in the Charter of the OAU — Articles 3(2), and 3(3) and 3(4). Article 3(2) calls upon member states to adhere to the principles of 'Non-interference in the internal affairs of states'. Article 3(3) advocates:

Respect for the sovereignty and territorial integrity of each state and for its inalienable right to independent existence.

And Article 3(4) binds the OAU members to the principle of

Peaceful settlement of disputes by negotiation, mediation, conciliation or arbitration.<sup>15</sup>

Nonetheless, in Africa, as in other developing areas, perspectives based on general international law must be treated carefully. These states are on record for condemning international law in its present form as a product of the European state system. In 1977, President Nyerere captured this conception of the developing countries when he said:

The present international and legal structure has developed gradually out of the interaction between the different nations of Europe, and then the different nations and the British Dominion....In this process the countries which are now known as the Third World were not involved....<sup>16</sup>

Nyerere's statement about international law notwithstanding, African states do occasionally resort to the international law-determining agencies; they also invoke legal arguments to justify their policy position or to denounce those of their opponents.<sup>17</sup> One might even contend that in areas such as territorial integrity and sovereignty, African states benefit from observing specific norms of international law. Adherence to these rules of law serves Africa's interest in maintaining the continent's independence in a world of military giants. But this is not the main point advanced here.

The aim is to say that the legitimacy of international law is more often contested by these developing countries; "that there is a defective consensus concerning the acceptability of the standards of legitimacy incorporated in the law".<sup>18</sup> Given Africa's partial acceptance of general international law, scholars might well be advised to supplement their analyses of African affairs with continental or regional law. For, as Ali Mazrui aptly argues;

African diplomatic thought tends to distinguish between two basic forms of supranational arrangements: Continental supranationality in politics (and) global supranationality in economics.... International law, as it stands now seems to be intended to govern relations between States in general and makes no distinction between continental locations of States. But in politics, African diplomacy appears to recognise two levels of law: one is indeed that of international law to govern relations between nations. The other is a kind of Pan-African law to govern relations between African States themselves.<sup>19</sup>

The United Nations Charter, the 1948 Universal Declaration of Human Rights, the 1966 International Covenant on Civil and Political Rights, to mention only a few of these legal instruments, propaganda for war, hostility, violence or incitement to discrimination, for instance, are forbidden. On the Pan-African plane, the OAU Charter and the Conventions on Refugee Problems in Africa are merely some of the examples that one might cite to illustrate the development of African continental jurisprudence.

Article 2(1) C of the Charter of the OAU is one of the fundamental pillars of Pan-African *corpus juris*. It defines the purposes of the Organisation as to defend the sovereignty, territorial integrity and independence of the African states. The principle of territorial integrity is reiterated in Article 3(3) of the Charter. Generally speaking, therefore, the purpose and principles of the Charter constitute an independent basis for the contention that armed expeditions directly undertaken by member states of the OAU or indirectly supported through exile groups as well as other kinds of subversive activities are strictly prohibited, amongst independent states. It is in this context, for instance, that member states of the OAU have in theory undertaken, by the terms of Article 3(2) of the Convention on Refugees, 1969, not to permit foreign citizens who have taken asylum in their territories to attack any member state of the OAU; perform any activity likely to cause tension between member states; or to make use of arms, press or radio. It is clear from the provisions of general international law and Pan-African law, that if a state is attacked, it will resort to self-defence. In fact, this is a matter of common sense which does not need justification on the basis of any written law. Self-defence is an inherent right, and it is clearly instinctive in nature.

In the current debate about Tanzania's intervention in Uganda, the exposition of self-defence has been used to justify that involvement: having been invaded by enemy troops, Tanzania had the right of self-defence, including the overthrow of the enemy regime. The elucidation rightly suggests that Amin's invasion of Tanzania, in November 1978, was an act of aggression.

**Intervention as Aggression.** The principal theme contained in the definition of aggression — and hence the right of self-defence — is that aggression is oppressive intrusion. As a trespass<sup>20</sup> into another state, intervention signifies both a radical departure from conventional relations as well as a transgression of conventional law. The targets of obtrusion are, presumably, the people and the authority in power in the victim state: the act of interference is directed at either changing or maintaining the authority in power or its policies.<sup>21</sup> Intervention can assume many forms: economic, diplomatic and/or military. But generally, international law either permits or condones a state's diplomatic or economic actions designed to influence the policies of another state, provided both the policies as well as the ends sought in the policy actions are permissible under law.<sup>22</sup>

Two questions arise here: (a) Can one contemplate a situation in which Amin's regime could equally claim the inherent right of self-defence, that is justify its own invasion of Bukoba on the basis of self-defence? (b) Does the principle of proportionality of conduct apply to one who pursues the right of self-defence?

In September 1972, about 1,500 armed Ugandan exiles advanced towards Kampala after occupying the towns of Kyatera, Kokuro, and Kalisiza.<sup>23</sup> They had "invaded" Uganda from the Tanzanian side with, at least, the tacit support of the Tanzanian government. Indeed, Tanzania's official statement about this armed in-

ursion, however, was that, "forces of a people's army inside Uganda had taken over a military camp at Kisenyi"<sup>24</sup> The government denied any association with the movement. The denegation was both predictable and inevitable. As Mathews rightly points out, "Intervention by its very nature is secretive. Successful or not in attaining their objectives, states that intervene are usually unwilling to admit the part they played."<sup>25</sup> Nevertheless, the official statement was a pointer to the support which the insurgents enjoyed at the hands of the Tanzanian government. It was perhaps indicative of Tanzania's own approval of the campaign to overthrow the military junta of General Idi Amin. In the period that followed, between 1971 and 1973, the degree of hostility between Tanzania and Uganda culminated in brief military engagements by their armed forces on their common border.

There are those who maintain that the events which resulted in the 1978-1979 Tanzania-Ugandan war were in part similar to the 1971-1973 confrontation: insurgents were first dispatched into Uganda for sabotage and similar acts; and in the series of exchanges that followed with Uganda's security forces, Uganda's troops were ordered to occupy a portion of Bukoba, Tanzania. According to this reasoning, Amin's Uganda could equally claim and justify its own raid of the Tanzanian territory on the grounds of self-defence<sup>26</sup> The proponents of this view go further: they claim that the principle of self-defence invoked by Tanzania in justifying its involvement in Uganda, like any other legal principle, may well be understood if examined in its historical context.

Historically, the rule of self-defence is closely related to the so-called Webster formula arising out of the Caroline incident USA v UK (1837). Accordingly, self-defence must involve:

Nothing unreasonable, or excessive; since the Act justified by the necessity of self-defence, must be limited by that necessity and kept clearly within it.<sup>27</sup>

The Webster formula involves the notion of proportionality of conduct, reaffirmed by the Naulila incident (1914), *Portugal v. Germany*, International Arbitration (1920), and similar subsequent cases in international law. Hence critics of Tanzania suggest that there was no proportionality of conduct on its part, even if the reason of self-defence is fully accepted as a justification for its involvement in Uganda. Overthrowing a ruler in a neighbouring state by way of direct employment of one's armed forces, the argument goes, not only sets a dangerous precedent in African international relations; it could also be regarded as a breach of the United Nations Charter and the OAU Charter.

There is, nonetheless the counter dialectic that Uganda's invasion in Bukoba in 1978 can only be regarded as an act of aggression, which gave Tanzania the right to defend itself, including the overthrow of the enemy regime. This view is sustained by the assumption that the 1978 Ugandan invasion cannot be compared with the 1971-1973 military engagements. The fact that Tanzania might have taken part in the earlier campaign to overthrow Amin's regime does not mean that it lost the right of self-defence in 1978. Defenders of Tanzania's behaviour in Uganda, therefore, rightly ask: what could be considered as *proportional* or *reasonable* conduct in the circumstances of Amin's invasion of Tanzania? This question is especially effective when considered in relation to the orthodox approach to the Ugandan conflict, namely the moralist perspective.

**The Moralist Approach.** The moralist thesis is based on the crusade of human rights which aspires to be global in scope. But as Mazrui insists, the "debate about human rights has to be placed alongside two other debates: the quest for a New International Economic Order (NIEO) and the East-West detente".<sup>28</sup> Within this perspective, three categories of rights could be delineated:

- (i) the juridical rights of states — emphasis on territorial integrity and sovereignty for instance — enshrined in Article 2(4) of the United Nations Charter;
- (ii) the collective rights of groups, or races — such as the right of self-determination; and
- (iii) the human rights of individuals.<sup>29</sup>

The moralist approach, based as it is on human rights arguments, conceives of international relations, including inter-African relations, as a moral order analogous to the domestic moral-legal arrangement in which the interactions between states (just as interactions between individuals domestically) "ought" to be guided by rules of ethics which uphold the sanctity of human life, liberty of the individual, as well as the well-being of the entire political community and its legal system. Since the founding of the OAU, African states have shown greater concern for classifications (i) and (ii) of human rights mentioned above, but less interest in the sanctity of human life and individual liberty — grouping (iii) of human rights. Yet all departments of human rights ought to be conceived as part-and-parcel of the struggle for a New International Order. It is in this context that President Nyerere appears to appreciate the changes that are gradually taking place in the OAU:

It is not only the increase in numbers which gives us hope in the progress of the OAU. There has begun to be a change in the character of the governments of the member states, and in our joint stand concerning the kind of governments, which represent their countries at our meetings. In the OAU these days we are sometimes able to attack murder, torture, and ruthlessness when it is committed by black governments against their own people, whereas before it was regarded as heresy even to speak of such things.

And the President continues;

We have agreed to establish a commission for Human Rights in Africa. Further, we are beginning to show some concern about *coups d'etat* as a means of government change in our continent. These are new developments within the OAU and are not yet strongly entrenched. But Tanzania welcomes them, just as we welcomed during 1979 the fall of Idi Amin, and Nguema, and Bokassa, as leaders of their countries.<sup>30</sup>

As mentioned earlier, advocates of the moralist school draw strong parallels between the domestic regulations and the international or interstate system. In the national society for instance, Hart maintains that, "recognition of individual liberty as a value involves, as a minimum, the acceptance of the principle that the individual may do what he wants, even if others are distressed when they learn what it is that he does unless, of course, there are good grounds for forbidding it....".<sup>31</sup>

Applied to international relations, it could be asserted that, although both the United Nations and OAU Charters forbid intervention by one state in the internal affairs of another, where the very sanctity of human life is not respected, as in Amin's Uganda, external action might be warranted. And this, according to this perspective, is what Tanzania has done. Moreover, chapters VII and VIII of the United Nations Charter provide exceptions to the rule of

non-interference in the internal affairs of state.<sup>32</sup> Burrow is and those who have taken this line of argument and insists that Tanzania's involvement in Uganda was quite justified.<sup>33</sup> The central point in Burrow's approach is that Amin was a despot, and therefore deserving to be deposed. The main focus in Burrow's article is the rule of exception, which Rosenau defines elsewhere as the main building block of the moralist school of thought:

Most interventions may be undesirable for a variety of reasons, but some are imminently desirable for equally compelling reasons.<sup>34</sup>

Unfortunately for the moralist school, in the absence of commonly held international standards, only particular kinds of morality and only particular target regimes become the ultimate criteria of when exceptions are to be tolerated as legitimate. Thus, in the same year, 1979, in which Amin was overthrown with the connivance of the United Nations, the Security Council vigorously debated the ouster of the Pol Pot Cambodian regime by the Vietnamese — an equally brutal regime.<sup>35</sup> What is even more interesting in the case of Uganda is that the United Nations Security Council deliberately thwarted attempts to mediate in the conflict.

In a desperate attempt to get the World body to save his regime, Idi Amin is reported to have cabled directly to Ambassador Abdullah Bishara of Kuwait — the then President of the Security Council and Kurt Waldheim, the Secretary General, on February 14, 1979, for an emergency session of the Security Council. The request was rejected on technical grounds: it was neither "properly worded" nor was it passed through the "appropriate channels".<sup>36</sup>

Surely what explains this divergent path of international reaction to similar problems of tyrannical regimes is beyond the conceptual scheme of the moralist perspective. I shall return to this point in the final section of the essay. In the meantime, let me reiterate a point made at the beginning of this essay — that neither the legalist proponents of self-defence nor the moralist advocates of humanitarian intervention have really provided adequate explanations or justifications of the Tanzanian military action in Uganda. It is, therefore, appropriate at this point to turn attention to an alternative explanatory mode.

## RETREAT FROM UTOPIA

The elucidation advanced here relies on an analytic approach to demonstrate the synthesis between international law and politics on the one hand, and the linkage between the external behaviour of a state such as Tanzania and its domestic politics on the other hand. The proposed "synthetic approach"<sup>37</sup> to international law and politics assumes that both legal and political considerations must be taken into account when dealing with problems of intervention, including the Tanzanian intervention in Uganda. For, as Higgins maintains in another context, it is erroneous to

insist that such an international problem admits of an impartial legal answer. All rules of law, including those dealing with intervention are open to interpretation. And it is not possible, therefore, always to choose between interpretations purely on grounds of legal 'correctness'.<sup>38</sup>

Hence, the traditional technique of legal analysis is ill-suited for revealing the dynamic interplay between law and politics in a changing world.

Furthermore, given the relationship between a country's domestic politics and its external policies, in the context under examination one must focus on how Amin's 1971 coup in Uganda<sup>39</sup> was received and acted upon in Tanzania by direct interaction.

The above interrelated aspects of interpretation are regarded as comprehensive rather than substitutive as such; they are designed to support one another. The synthetic explication calls for information on the pertinent details of the circumstances leading to Tanzania's involvement in Uganda. It addresses the nature of the preliminary conflict, the circumstances surrounding Amin's rule, and the relationship between Uganda and Tanzania. The perspective seeks to bridge the artificial gap between law and morality; between politics and morality. A construction of this nature necessarily requires both a factual basis as well as a broader framework in which it can adequately be covered.

**Background to Intervention.** Until Amin came to power in January 1971, Tanzania and Uganda were friendly partners in the now defunct East African Community. Their Presidents Nyerere and Obote, core of the Mulungushi Club<sup>40</sup>, were among the leading African spokesmen against Portuguese and British colonialism in Southern Africa.

However, during the same period when Nyerere of Tanzania and Obote of Uganda stood in concert with other African leaders to oppose colonialism, Africa was experiencing a high incidence of military coups and external interventions.<sup>41</sup> In 1966, Kwame Nkrumah of Ghana was deposed, and by 1970 Modibo Keita of Mali had been thrown out of office — both being replaced by "Western oriented" governments. During the same year, 1970, Guinea was invaded by Portuguese-led mercenaries. And within the Organisation of African Unity, Ivory Coast led a group of countries which counselled dialogue with South Africa in finding a peaceful solution to the problem of apartheid — a position contrary to the prevailing spirit of OAU resolutions and declarations.<sup>42</sup>

The immediate developments, however, which preoccupied Tanzania were the events which took place in East Africa between 1967 and 1970. During this term, both Tanzania and Uganda had declared their intentions to overcome their inheritance of underdevelopment and dependence through specific public policy programmes. In 1967, Tanzania proclaimed the Arusha Declaration in an attempt to speed up the maturation of an egalitarian society and a self-reliant political economy. This policy was, in turn, expected to strengthen the country's commitments to African decolonisation. These policies of national development and African emancipation had been threatened by the western powers who were, at the same time, Tanzania's main financial donors. As if to accept Tanzania's political leadership, Milton Obote of Uganda issued the Common Man's Charter in 1969, a programme presumably designed to move Uganda toward an egalitarian society!<sup>43</sup> These moves toward egalitarian policies in the East African States also occurred at the same time as the intensification of the liberation war in Mozambique, Angola and Guinea Bissau.

**Implication of Amin's Coup.** The implications, therefore, of the high incidence of military coups and the Guinean invasion for Tanzania's already vulnerable polity (which arose from its inherited and continuing dependence on the metropolitan powers) became clearer as its attempts to strengthen its independence<sup>44</sup> were strategically challenged — this time by an alleged Anglo-Israeli-backed coup in Uganda which installed Idi Amin. As Lonsdale suggests:

...tensions of more recent origin between 'right' and 'left' within TANU were sharpened by a series of external crises. The Portuguese involvement in Guinea's insurrection, new British willingness to sell arms to South Africa, the coup in neighbouring Uganda and increasing pressure on Zambia from the white regimes of southern Africa could all be construed as a linked assault on some of the African states most militantly involved in Pan-African liberation amongst whom Tanzania was clearly numbered.<sup>45</sup>

Thus, according to Tanzania, the consolidation of Amin's regime would shift the balance of political forces in East Africa in favour of the Western powers, the perceived enemies of the Tanzanian political system.<sup>46</sup>

**The TANU guidelines of 1971.** Mwongozo was, in part, an expression of frustration with, and determination to overcome the elusiveness of legal independence, including resistance against imperialist-backed coups and a response to Idi Amin's rule and related events. Mwongozo responded to Amin's rise to power by referring to him as a murderer, agent of imperialism, and a traitor to the cause of African liberation. And it concluded with a ringing appeal for "revolutionary" anti-imperialist stand against instances of African balkanisation:

We have been oppressed a great deal, we have been exploited a great deal, and we have been disregarded a great deal. It is our weakness that has led to our being oppressed, exploited and disregarded. Now we want a revolution — a revolution which brings to an end our weakness, so that we are never again exploited, oppressed or humiliated.<sup>47</sup>

It was clear that the Uganda coup and Tanzania's response to it had generated a serious conflict within the East African Community and the OAU, and had the potential of attracting greater international interest. Within the Tanzanian leadership, the coup in the neighbouring state obviously brought forward the whole question of how to retort further and effectively. Tanzania refused to recognise Amin's regime, as well as the new nominations made by the Ugandan ruler to the East African Community.<sup>48</sup> Any action taken by the Community institutions with the new Uganda nominees would be null and void. Tanzania also supported pro-Obote invasion forces, the most familiar being the 1972 abortive incursion headed by Oyite Ojok.

It is possible, of course, to regard Tanzania's immediate reverberation to the Uganda coup as a potential indicator of the direction which the country's foreign policy was destined to take after 1971, including military intervention, whenever such an option appeared feasible. Alternatively, however, it could be argued that any counterreaction by Amin's regime, might provide the decision-makers in Tanzania with the recognition of the escalation-prone character of a bilateral conflict. It could, in other words, generate an antidote to further action in the form of greater caution in foreign policy decision-making.<sup>49</sup>

Indeed, in retaliation, Uganda refused to allow two officials of the East African Community of Tanzanian nationality to enter its territory. It also closed its border with Tanzania and broke direct links by air, lake steamer and telephone. Finally, Idi Amin threatened to annex a portion of Tanzanian territory — the Bukoba area captured in 1978.

On the whole, the Tanzanian-Ugandan conflict was bound to be multilateral. The conflict generated a new challenge to the already failing East African Community. According to Article 3(1) of the Treaty for East African Cooperation, on the Institutions of the East African Community, the Presidents of Kenya, Tanzania and

Uganda constituted the East African Authority. The functions of the Authority included three tasks mentioned under Article 48 of the Treaty for East African Co-operation:

- (1) The Authority shall be responsible for and have the general direction and control of, the performance of the executive functions of the Community.
- (2) The Authority shall be assisted in the performance of its functions under this Article by the Councils and the East African Ministers.
- (3) The Authority may give directions to the Councils and to the East African Ministers as to the performance of any functions conferred upon them, and such directions shall be complied with.<sup>50</sup>

The executive powers of the East African Authority were shattered when Tanzania refused to recognise Idi Amin's regime, including his appointments to the East African Community. Further, Nyerere's refusal to sit together with Amin meant that any impasse in the functions of the Community, which could only be resolved by a face-to-face meeting of the East African heads of states, could no longer be determined. Although this obstacle was later overcome through a compromise solution — the East African Authority could arrive at decisions without a meeting of the three presidents — multilateral diplomacy was dealt another blow when, between August 23, 1971 and October 1971, the conflict reached a peak with Tanzania and Uganda exchanging fire across their common border. For the first time, the East African Community was brought to the brink of disintegration. Thus, in short, the crisis arising from the Uganda coup raised the question of institutional legitimacy; it undercut the informal understanding among partners which is usually essential for successful bargaining relationships between partners to a regional organisation.<sup>51</sup>

The Uganda coup also brought misunderstandings within the OAU. The latter's effective existence and performance relies heavily on persuasive diplomacy. Its inherent weakness is obvious: smooth functioning of its activities depends upon the good neighbourliness of its members.<sup>52</sup>

The immediate result of the Uganda coup was to add a negative dimension in the politics of the OAU. On March 1, 1971, for instance, an ordinary meeting of the Council of Ministers of the OAU was adjourned without having dealt with the agenda which apparently included the OAU budget. The meeting adjourned because of its inability to reach agreement on the question of Uganda's representation on the Council. Guinea, Somalia, Sudan, Tanzania and Zambia favoured Obote's delegation; whereas Ghana, Liberia, and Nigeria were among those who supported Amin's delegation.<sup>53</sup> In essence, even by the early 1970s, the Tanzania-Uganda situation was complex enough for Tanzania's leadership to comprehend the real limitations of its opposition to the Amin regime.

The above view is particularly intriguing when one takes into account the terms of the Mogadishu Accord, worked out through the good offices of Somalia, following the 1971 brief military engagements between Tanzania and Uganda. Under the Agreement, October 5, 1972, the two countries undertook

- (i) to withdraw their forces at least six miles from the common border by 10/10/1972;
- (ii) to cease all military activities against each other;
- (iii) to refrain from harbouring or allowing subversive forces to operate in the territory of one state against the other;
- (iv) to end all hostile propaganda against each other; and
- (v) to return all nationals and property captured from the other side.<sup>54</sup>

Although it is not intended here to analyse the effectiveness of this entente, suffice it to say that the Mogadishu Accord represented a constraint to both Uganda and Tanzania, even though, at this stage in the conflict, both Amin's Uganda and Tanzania got what they wanted: minimal disposition of their negotiating positions. Amin's government achieved (i) some sort of *de facto* recognition; (ii) it thought, at least, that it had succeeded in making Tanzania give way on the question of Uganda exiles in Tanzania. In theory, the Uganda political refugees were not to be allowed to train and use Tanzania's territory as a sanctuary for guerrilla attacks against the regime of Idi Amin. On the other hand, Tanzania had succeeded (i) in demonstrating to Amin that he had no right to demand the extradition of Milton Obote — that it was Tanzania's own decision whether to keep Obote or tell him to go elsewhere; (ii) in making its case that Amin's regime was a murderous regime; (iii) in seeking reparations for the loss of some of its citizens who had disappeared while in Uganda for work with the East African Community; and, (iv) in presenting itself as a champion of human rights and a peacemaker at the same time.

**Violent Political Culture.** Thus, given Somali's intervention in the conflict and related counselling by other African states, the long-term impact of the initial reaction and counter-reactions in the relationship between Tanzania and Uganda under Amin could probably have been marginal. Tanzania would have little choice except to co-exist with the regime of Idi Amin. As the Tanzanian Government document was later to recount:

President Nyerere received Ministerial Delegations sent to him by Idi Amin on more than one occasion. The Vice-President of the United Republic visited Uganda three times in an endeavour to demonstrate Tanzania's willingness to have correct bilateral relations with Uganda.....In 1973 Amin invited himself to Mwanza in Tanzania.....President Nyerere went to the airport to receive him.....<sup>55</sup>

Interethnic, interpersonal and class conflict, combined with the regime's fear of Obote's return to power through Tanzania's assistance, gave Amin's regime all the features of a brutal regime.<sup>56</sup> Truly, Uganda appeared to be in a state of structural war — tyranny and anarchy.<sup>57</sup> As far as tyranny was concerned, for instance, it is widely acknowledged that Uganda "polarised into a state of factional, anarchical military and bureaucratic machine". Within this context of anarchical military and bureaucracy, factions clashed in their scramble for a large share of the spoils of office; looted property, pay-offs, and scrambled for promotions and patronage. The general image of the soldier was often terrorising to the man in the street. As for anarchy, disappearances of people in urban centres also became a common phenomenon.

A violent political culture can often invite foreign intervention by a neighbouring state, or a combination of states.<sup>58</sup> There are at least two ways in which this can happen:

- (i) A reign of terror in a neighbouring state may catch the national interest of the neighbouring state.
- (ii) Desertion within the rank and file of the army of a neighbouring state might cause that state to send troops across the border so as to keep them engaged or to repulse or punish what it considers to be the source of its internal problems.<sup>59</sup>

However, there are many situations in Africa which resemble what could be called states of structural war, yet there have not necessarily been interventions of

the magnitude of Tanzania's in Uganda (e.g. Ruanda and Burundi civil wars). In fact, one of the specific features of Tanzania's involvement in Uganda is that it has created a precedent in African international relations. There are also many examples in Africa where military interventions have occurred in situations of relative domestic tranquility. French intervention in Gabon in 1964 is a case in point.<sup>60</sup> Far from invalidating the above hypothesis, however, the example of Gabon tends to reinforce the underlying assumption advanced here. As Pearson suggests elsewhere, "the probability of foreign military intervention is likely to depend (also) upon the identity and mutual relations of prospective intervener and target; their location and their interests; the capacity to intervene; and (their) political, economic, military and social circumstances"<sup>61</sup> As far as the identity determinant is concerned, Amin was already regarded as an international outcast. But identity is also applicable to Tanzania, particularly the stature of its president, Nyerere. Nyerere is regarded as a leading spokesman in Africa and he had succeeded in establishing a reputation for himself as a leading critic of Idi Amin's regime, right from the time of the Ugandan coup in 1971. At one time, President Nyerere had scorned the OAU for not speaking out against Amin, while at the same time the Organisation condemned the minority regime in southern Africa. Refusing to attend the 1975 OAU summit in Kampala, Nyerere said:

Tanzania cannot accept the responsibility in the mockery of condemning colonialism, apartheid and fascism in the headquarters of a murderer, an oppressor, a black fascist and self-confessed admirer of fascism.<sup>62</sup>

Economic factors are always important in the pursuit of foreign policy; they involve questions of costs of the variety of options available to the policy-makers. There is no reason, therefore, to believe that Tanzania leaders could not at least think of such factors, although, granted, statesmen often show political willingness to choose policy options even when they appear costly in pure economic terms. Certainly Tanzania has had the tendency of not giving due weight to the economic costs of foreign policy options, and has instead allowed political considerations to override pure economic factors. Its support of the liberation wars in southern Africa over the years is a paradigmatic case.<sup>63</sup>

Again in the Ugandan case, the short-term economic factors did not play a role in Tanzania's decision to wage a war of attrition against the regime of Idi Amin in 1978-1979. Whatever sparked the invasion of Bukoba by Ugandan troops, that invasion produced both physical tremors on the population in the area affected and psychological tremors on Tanzania's leadership. It is these factors that were decisive; national security had been breached, territorial integrity violated, and national prestige challenged.<sup>64</sup> The stakes of the conflict were heightened when Amin refused to withdraw his troops and instead invited Nyerere to a boxing match to resolve the conflict! Under these circumstances, the realistic option left to the Tanzanian leaders was to mobilise national resources for war.<sup>65</sup> In any case, while the events of 1978-79 cannot adequately be explained in terms of Tanzania's innate right of self-defence, the history of two neighbouring states since 1971 would tend to call for a more complex analysis than it would first appear.

**Amin's Political Mistakes.** Probably the greatest mistake which Amin made in his rule — and which accounts for his downfall — was to combine an internal reign of terror with his "anarchistic" tactics in opposing major powers in international relations: Amin (i) humiliated the British and their allies by the expulsion of about

70,000 British Asians then living in Uganda; (ii) threatened the United States several times with apparent hostage-taking of its citizens then dwelling in Uganda; and, (iii) expelled the United States' Marine guards from the American Embassy in Kampala — and thereby precipitated the final catalyst for the closure of the American mission in 1973. These antics heightened the contradiction between Amin's foreign image, especially among the Africans in diaspora (in the western world) and the domestic reality. As Mazrui suggests in his essay on Amin:

For at least the first few years of his rule, Amin was a towering symbol of naive but heroic resistance to the mighty nations of the world — a symbol of the semi-literate standing up to the pretensions of sophistication, a symbol of the underprivileged standing up to the all powerful. And yet, this same Amin was one of the most brutal rulers of the 1970s. On the one hand, he was clearly a villain of Uganda; on the other, he seemed to have risen to become a hero of the Third World.<sup>66</sup>

Eventually, the Ugandan ruler lost the support of his friends who came to replace Britain, Israel and the United States. From 1974 onwards, Amin's regime received massive military and financial assistance from the Soviet Union, Saudi Arabia, Libya and Yugoslavia. The arms build-up in Uganda from the Soviet Union, for instance, included Mig fighters, rocket launchers, tanks, armoured personnel carriers and missiles — which gave the Ugandan army the features of the most sophisticated military machine in East and Central Africa. But these "allies" of Amin found themselves increasingly embarrassed, in part by their protege's human rights record and the unpredictability of his policies and actions. The Soviets, for instance, became apprehensive about the regime when Amin (as Chairman of the OAU), publicly refused to go along with a Soviet plan of supporting the Popular Movement for the Liberation of Angola (MPLA) faction in the Angolan civil war in 1975.

Hence, during the Tanzania — Uganda war, the west may have been sympathetic with Tanzania's "crusade" to overthrow Idi Amin. For "much of the West was quite clear in its verdict — the man was evil and should disappear from the scene as soon as possible".<sup>67</sup> The Soviet Union had already written off its former "friend". At the height of the hostilities the Soviet Union rejected a request from the government of Idi Amin to supply weapons.<sup>68</sup> The Communist government is reported to have replied that "it was not in the habit of encouraging two friends to kill each other".<sup>69</sup> The response amounted to a tacit approval about the prospect of Idi Amin being overthrown by Tanzania's military action. A similar situation existed with the OAU.

**The Failure of the OAU to Resolve the Uganda Issue.** The role of the OAU in the Tanzanian-Ugandan duel was somewhat ambiguous. On one hand, one can say that the Organisation conceded or was prepared to concede the downfall of Amin's Government — a regime which was being used by the western commentators and racist rulers in southern Africa as an example of the failure of black African leadership. On the basis of this observation, one may conclude that this attitude of the OAU may have facilitated the downfall of Amin's tenure at least at a diplomatic level, by default (i.e. by not taking a strong stand in preventing hostilities to continue). On the other hand, however, it is possible to argue that the OAU's attitude and posture in the fray had merely predicated its own weaknesses — even though such a weakness in this case facilitated the downfall of a tyrannical regime.

Akuchu<sup>70</sup> suggests that the effectiveness of the OAU, or lack of it, to resolve disputes among member states, depends upon at least three conditions, namely (i)

the conflict situation itself; (ii) extra-African factors, and (iii) the OAU itself. Conflicts have *life circles*: the staging or phasing process is of very great significance for the general problem of the Organisation's effectiveness in resolving clashes.<sup>71</sup> The OAU had shown great lack of leadership, whether in attempting to do something about human rights violations in Uganda from the beginning, or in effectively intervening early in the Tanzanian-Ugandan encounters to mediate. But perhaps this lack of leadership or its weakness originates in the Charter of the OAU itself.

The constitution of the OAU proscribes interference either by the Organisation or by member states in the internal affairs of states. The code and the overall structure of the Organisation, particularly its Secretary General, was not intended to be a major player in intra/interstate disputes. As Myers<sup>72</sup> argues, such power was left to the Assembly or the Council of Ministers and the Commission of Mediation, Conciliation and Arbitration as per Article XIX of the Charter. This factor, together with the low level of financial and human resources available to the Organisation, has also meant that the OAU has limited ability to become "independent" of national leaders. In the absence of a strong potential OAU presence of African trouble spots, the direction of such strifes, therefore, depends upon the other factors identified by Akuchu — extra-African elements.

Extra-African elements refer to the presence or absence of superpower rivalries, and estimates of international political rejoinder to a particular policy on which a national leadership embarks.

**Amin's Uganda as a Remote Area of Cold War.** Thus another instrument which seems to have accounted for the cautious international retort to Tanzania's intervention was that, in the last days of Amin's rule, Uganda was a remote area of the East-West ideological tussle. Previously, Amin had been regarded as an important protector of western interests, in part because of Uganda's proximity to the horn of Africa,<sup>73</sup> where the Soviet Union had established some measure of influence. But, as a result of the breakdown of the "trial marriage" with the Anglo-Israeli interests after 1973 and the "unhappy marriages" which developed with the Soviet Union after 1975 and later with Libya and Saudi Arabia, by the time of Tanzanian intervention, Amin's Uganda had already lost its attraction as a centre of active superpower competition. Thus, when the United States condoned the Tanzanian intervention, the Soviet Union refused to support Idi Amin for fear of being identified with a regime which had, after all, lost its own partisans in the international system.

Amin's Uganda in its final days, therefore, resembled a country living in a typical but distant multipolar international system. In such an international order, the more multipolar it is, the less the likelihood that it can be altered rapidly and radically by a single development — in this case, Tanzanian intervention in Uganda. Principles of international law, which could otherwise work to a victim's advantage (such as defence of territorial integrity as per Article 2(4) of the UN Charter and non-interference in the internal affairs of another state) had little effect in preventing or constraining Tanzania's action. For Tanzania's overthrow of Idi Amin could hardly be perceived as a threat to international peace and security — requiring the responses of the United Nations Security Council under Article 39 of the UN Charter.<sup>74</sup>

Historically, and as Brownlie observes, the emphasis on territorial integrity in the United Nations Charter had received a new impetus during the Cold War period.<sup>75</sup> If a country finds itself in an international Cold War political climate, any extension of sphere of influence by force is likely to be regarded by one superpower as threatening a shift in the balance of power and hence promote the likelihood of a

counter-intervention by a *status quo* power, either directly or through the United Nations. That is to say, the salience of the argument about multipolarity and change depends upon the issues at stake and the area where the conflict occurs. And this is what explains the difference between the international reaction toward the Vietnamese invasion of Cambodia, or the Soviet intervention in Afghanistan, on the one hand, and Tanzanian engagement in Uganda on the other.

In the case of Amin's Uganda, the absence of active superpower competition had something to do with easing Tanzanian involvement. It was, perhaps, conceded that international legal norms had to keep pace with the drive toward collective human welfare. The reaction of the international community to the downfall of Amin's regime, therefore, amounted to an instant acceptance of legal norms which seek to replace what sometimes appear as abstract notions of non-interference and territorial integrity with notions of human welfare and equity, albeit selectively, and only in regard to particular kinds of governments.

## CONCLUSION

Analyses based on legal and moral conceptual schemes alone cannot suffice to explain Tanzanian agility in Uganda. The perennial distinctions maintained in the analysis of foreign policy behaviour are, therefore, misleading.

The major element in Tanzania's role in Uganda lies in the configuration of national interest and thus seeming "acceptance" by the international community of that involvement. Specifically, the point is that small states have power, including the power to intervene, especially when large states are uninterested. Within this context one finds the legal, moral and political issues bound together in a synthetic conceptual scheme which in turn suffices as a credible mode of explaining Tanzania's policy toward Uganda.

Tanzania's diplomatic experience since independence, and indeed the philosophy of its foreign policy, is based on the pervasive feeling of powerlessness of the new states in the international system.<sup>76</sup> Accordingly, military intervention in Africa has not only been viewed as a classical major power activity, but also as a symbolic reflection of the inability of small states to act independent of major powers. Notwithstanding this conception of the international system, Tanzania's agility in Uganda goes down in history, together with the recent Iraq-Iran war, as a case where small states intervene in regional politics independent of (and sometimes to the frustration of) major powers to affect events decisively. This point should be emphasised because, in the post-World War II international order, it has become customary to assume that major states, having acquired nuclear weapons and other weapons of mass destruction, automatically carry with them the ability to pull strings in global politics. While the pervasiveness of major power pressure could be true in a number of cases, Tanzania's involvement in Uganda has demonstrated that the international system is not as rigid as it sometimes seems to be. A new state with a determined and dedicated leadership can achieve for itself a measure of autonomy to either impress upon or to even change events in a contiguous state in its favour.



FOOTNOTES

1. See *Africa Research Bulletin* 15, 11 (December 15, 1978), pp. 5052-5055.
2. It is estimated that Tanzania troops crossed into Uganda on 27/11/79. For Tanzania's censure of those advocating mediation with Amin see the statement released through Radio Tanzania on 8/11/78 in *Africa Currents*, 12/13 (Autumn-Winter, 1978/79), pp. 26-32. Also, Tony Avirgan and Martha Honey, *War in Uganda: The Legacy of Idi Amin* (Lawrence Hill & Company, West Port Connector 1982).
3. For the analysis of the various factions of the Uganda exile groups see *African Confidential* 19, 21 (1978). For the current state of the Ugandan Factions see Patrick Masette Kuuya, "Political Stability as a basis for development in Uganda", *IFDA DOSSIER* 13 (November 1979).
4. See *Africa Research Bulletin*, 16, 4 (May 31, 1979), pp. 5087-5089, and *African Development* (May, 1979).
5. See Noreen Burrow, "Tanzania's Intervention in Uganda: Some Legal Aspects", *The World Today* (July, 1979), pp. 306-310; Michael Twaddle, "The Ousting of Idi Amin," *The Round Table*, 275 (July, 1979), pp. 216-221; *Africa Report*, 145 (September, 1979), pp. 11-18. For a journalistic account of the war see *New African*, 137 (January, 1979), pp. 12-14; *New African*, 140 (April, 1979), pp. 19-21; *New African*, 141 (May, 1979), pp. 13-20; and *New African*, 153 (May 1980), pp. 17-22.
6. See the extracts of these Conventions in Goran Melander and Peter Nobel, eds., *African Refugees and the Law*, The Scandinavian Institute of African Studies, Uppsala, 1978, pp. 87-97.
7. Inis L. Claude Jr., "Just wars: Doctrines and institutions", *Political Science Quarterly* (Spring, 1980), p. 87.
8. See Morton A. Kaplan and Nicholas Deb Katzenback, *The Political Foundations of International Law*, John Wiley & Sons, Inc., New York, 1961, pp. 198-228; Michael Walzer, *Just and Unjust Wars*, Basic Books, New York, 1977.
9. See James L. Briery, "The prohibition of War by International Law," in Richard A. Falk and Saul H. Mendlovitz, eds., *The Strategy of World Order*, Vol. III, World Law Fund, New York, 1966, pp. 454-471.
10. See articles of the League of Nations in J.A.S. Grenville, ed., *Major International Treaties 1914-1973*, Methuen and Co. Ltd., London, 1974, p. 108.
11. See Denys P. Myers, *Origin and Conclusion of the Paris Pact and Renunciation of War*, Garland Publishing, Inc., New York, 1972.
12. See *UN Doc.* herein referred to as the *Charter of the United Nations and Statute of the International Court of Justice*, UN Office of Public Information, New York, n.d.
13. *Ibid.*
14. See Joseph T. Vambery, *Annual Review of United Nations Affairs 1974*, ed., Oceana Publications, New York, 1976, pp. 319-321. For the legal significance of UN General Assembly Resolutions, see Obed Asamoah, *The Legal Significance of the Declaration of the UN General Assembly*, Martinus Nijhoff, The Hague, 1966.
15. See the texts of the OAU Charter in Ian Brownlie, *Basic Documents on African Affairs*, Clarendon Press, Oxford, 1971, pp. 4-6.
16. J.K. Nyerere, *The Plea of the Poor*, Government Printer, Dar es Salaam, 1977, p.4.
17. Inis L. Claude Jr., *The Changing United Nations*, Random House, New York, 1968, introduction.
18. *Ibid.*, p. xiii.
19. Ali A. Mazrui, "African Diplomatic Thought and Supra-Nationality" in Mazrui and Patel, eds., *Africa in World Affairs*, The Third Press, New York, 1973, pp. 121-122.
20. Cf. the definition of trespass in *Black's Law Dictionary*, 4th ed., West Publishing Co., St. Paul, Minn., 1968, pp. 1674-1675.
21. See James N. Rosenau, *The Scientific Study of Foreign Policy*, The Free Press, New York, 1971, p. 278.
22. See Quincy Wright, "Non Military Intervention", in Karl Deutsch and Stanley Hoffman, eds., *The Relevance of International Law*, Schenkau Publishing Co., Cambridge, Mass., 1968, pp. 5-20.
23. See *Keesings Contemporary Archives* (October 28-November 4, 1972), p. 25545.
24. *Ibid.* President Nyerere's opposition to Amin was earnest and swift. Addressing a mass rally in Dar es Salaam right after the Ugandan coup, Nyerere described Amin as 'a murderer' and said that he would refuse to sit with him on the Authority of the East African Community: "How can I sit at the same table with a killer? Jomo Kenyatta is speaking for the people who elected him. I am speaking for you (i.e. Tanzanians). Whom will Amin be representing? I cannot sit with murderers" — he said. From here on, Amin began accusing Tanzania of training Ugandan guerrillas designed to fight against Ugandan forces. These accusations and counter-accusations came to a head when, in 1972, Amin's forces crushed an invasion by Uganda guerrillas designed to overthrow his regime. See *Africa Contemporary Records 1971-1972*, Vol. 7 Rex Collings, London, 1972, pp. 204-252.
25. R.O. Mathews, "Domestic and Interstate Conflict in Africa", *International Journal*, 25, 3 (Summer 1970), p. 466.
26. See Reui Anifowose, "Tanzania — Uganda Conflict and the U.S.A.," *AFRISCOPE*, 97 (July 1979).
27. See Greene, *International Law Through Cases*, 1966, for a summary of this case.
28. Ali A. Mazrui, "Idi Amin Versus Jimmy Carter: A Moral Cleavage Between North and South?" *Dialogue*, 19 (Fall 1978), p. 8.
29. *Ibid.*
30. President Nyerere's address to Members of Parliament (Tanzania) 1980. Text released by Tanzania High Commission, Ottawa — *News Bulletin*, v (July, 1980), p. 3.
31. See H.A.L. Hart, *Law, Liberty and morality*, Oxford University Press 1963, p. 47; also, Charles R. Beitz, "Bounded Morality. Justice and the State in World Politics", *International Organization*, 33, 3 (Summer, 1979), pp. 405-424; Walter Schiffer, *The Legal Community of Mankind*, Columbia University Press, New York, 1954.
32. Chapters VII and VIII of the UN Charter mention "Actions with respect to threats to the peace, breaches of the peace and Acts of Aggression" as potential good grounds for intervention, but by the United Nations alone.
33. See Noreen Burrow, *op. cit.*
34. James N. Rosenau, *op. cit.*
35. For the reaction of the UN to the Vietnamese invasion of Cambodia in 1979, see *Keesing's Contemporary Archives*, (May 15, 1979), pp. 29613— 29620
36. *Ibid.*
37. The phrase is borrowed from Robert Samek, "Synthetic Approach and Unjustifiable Enrichment," *University of Toronto Law Journal* (1977), pp. 336-339.
38. See Rosalyn Higgins, "Law, Politics and the United Nations", in Richard A. Falk and Saul H. Mendlovitz, eds., *op. cit.*, p.39-48.
39. For linkage politics see, James N. Rosenau, *op. cit.* B.C. Cohen, "National — International Linkages: Super politics", in James N. Rosenau, ed., *Linkage Politics: Essays on the Convergence of National and International Systems*, The Free Press, New York, 1969, pp. 125-146; Karl Deutsch, "External Influences on the Internal Behaviour of States" in R.B. Farrel, ed., *Approaches to Comparative and International Politics*, North Western University Press, Evanston, Illinois, 1966, pp. 5-26.
40. The Mulungushi Club was a grouping of the following African States for purposes of consultation and possible policy co-ordination on matters of African politics, and particularly, on issues of decolonisation in southern Africa: Kenya, Zaire, Zambia, Tanzania, Uganda.
41. For analyses of the high incidence of military coups in Africa see Ruth First, *The Barrel of a Gun: Political Power in Africa*, Allen Lane, London, 1970; William R. Thompson, *The Grievances of Military Coup-Makers*, Sage Publications, Beverly Hills, 1973; Jack Wadis, *Armies and Politics*, Lawrence and Wishart, London, 1977; William G. Andrews and Uri Raa 'nan, eds., *The Politics of Coup d'etat; Five Case Studies*, Van Nostrand, New York, 1969; Samuel Decalo, *Coups and Army Rule in Africa; Studies in Military Style*, Yale University Press, New Haven, 1976; Angola Auma-Osolo, "Objective African Military Control: A New Paradigm in Civil-Military Relations", *Journal of Peace Research*, XVII, 1 (1980), pp. 29-46; Ali A. Mazrui, "The Resurrection of Warrior Tradition in African Political Culture", *Journal of Modern African Studies*, 13 (1975), pp. 67-84.
42. For Tanzania's assessment of Africa's situation and its rejection of the 'dialogue' question with the apartheid regime of South Africa and other colonial regimes in southern Africa, see *Why we will not Negotiate: A Statement by the Ministry of Foreign Affairs — February 1971*, Tanzania Information Services, Ministry of Information and Broadcasting, Dar es Salaam, 1971. Also see "Dialogue and Division" in *Africa Confidential*, 12, 10 (May, 14, 1971), pp. 1-5; "Dialogue: Amin's Angle", *Africa Confidential* 12, 21 (October 15, 1971).

- pp. 6-8. Yashpal Tandon, "South Africa and the OAU on the Dialogue issue" *Instant Research on Peace and Violence* 2, 1972.
43. See President A. Milton Obote, *The Common Man's Charter*, Government Printer, Kampala, 1970. For a critique, see Mahmood Mamdani, *Politics and Class Formation in Uganda*, Monthly Review Press, New York, 1976, pp. 228-301; James H. Mittleman, "The State of Research in African Politics: Contributions on Uganda", *Journal of Asian and African Studies*, XI, 3-4, (July and October, 1976), pp. 152-165.
  44. Timothy M. Shaw & Ibrahim S.R. Msabaha, "From Dependency to Diversification: Tanzania 1967-1977, in Kal Holsti, ed., *Why Nations Realign: Foreign Policy Restructuring in post World War II*, George Allen & Unwin, London 1982.
  45. John Lonsdale, (Tanzania) "Recent History", in *Africa South of the Sahara 1972*, Europa Publications Ltd., London, 1972, p. 823. Also, Selwyn D. Ryan, "Civil Conflict and External Involvement in Eastern Africa", *African Review*, 2, 2 (1971), pp. 247-276.
  46. Okwudiba Nnoli, *Self-Reliance and Foreign Policy in Tanzania: The Dynamics of the Diplomacy of a New State*, NOK Publishers, New York, 1978, p. 259.
  47. See *TANU Guidelines*, *op.cit.*
  48. For an account of these measures and others, see *The East African Standard* (Nairobi) 1/7/71, 2/7/71, and 7/7/71, page 1.
  49. Adopted from Richard Smoke, "Analytical Dimensions of Intervention Decisions" in Ellen P. Stern, ed., *The Limits of Military Intervention*, Sage Publications, London, 1977, p. 31.
  50. The Treaty for East African Co-operation (1967) reproduced in *International Legal Materials* (1967) pp. 932-1057.
  51. D. Rothchild, "From Hegemony to Bargaining in East African Relations", *Journal of African Studies*, 1,4, (Winter, 1974), p.409 Also see Daniel Druckman, "Social-Psychological Factors in Politics" in Werner J. Feld and Gavin Boyd, eds., *Comparative Regional Systems: West- and East Europe, North America, The Middle East, and Developing Countries*, Pergamon Press, New York, 1980, pp. 18-55.
  52. See M. Wolfers, *Politics in the OAU*, Methuen, London 1976; Zdenek Cervenka, *The OAU and its Charter*, Praeger, New York, 1969.
  53. See *Keesing's Contemporary Archives*, (April 24 May 1, 1971), p. 24564.
  54. See *Keesing's Contemporary Archives*, (October 28-November 4, 1972), p. 25545.
  55. "Tanzania and the War Against Amin's Uganda": Issued by the Government of the United Republic of Tanzania in July, 1979, p.3.
  56. For discussions on Amin's regime see Thomas and Margeret Melady, *Uganda: The Asian Exiles*, Orbis Books, New York, 1976; Ali A. Mazrui, *Soldiers and Kinsmen*, Sage Publications, New York, 1975; Mazrui (1978) *op. cit.*; Holger Bernt Hanse, *Ethnicity and military Rule in Uganda*, The Scandinavian Institute of African Studies, Uppsala, 1977.
  57. See Ali A. Mazrui, "Between Development and Decay: Anarchy, Tyranny and Progress Under Idi Amin", *Third World Quarterly*, 11, 1 (January, 1980), pp. 45-58.
  58. Frederick S. Pearson, "Foreign Military Intervention and Domestic Disputes", *International Studies Quarterly*, 18, 3 (September, 1974), p. 260.
  59. *Ibid.* Also see R.J. Rummel, *The Dimensions of Nations*, Sage Publications, Beverly Hills 1972; Raymond Tanter, "Dimensions of Conflict Within and Between Nations, 1958-60" *Journal of Conflict Resolution*, 10 (March, 1966), pp. 41-73.
  60. Rummel, *ibid.*, pp. 265-68.
  61. Pearson *op. cit.*, p. 268.
  62. Statement by President Nyerere, Dar es Salaam, 1975, cited in Anifowose, *op. cit.*, p.15
  63. For Tanzania's Contribution to the Liberation movement in southern Africa see Nathan Shamuyarira, "Tanzania", Douglas Anglin, Timothy M. Shaw and Carl G. Klidstrand, eds., *Conflict and Change in Southern Africa*, University Press of America, Washington, D.C. pp. 15-32.
  64. For the relevance of social psychological factors in regional politics, see Daniel Druckman, *op. cit.*; Herbert C. Kelman, ed., *International Behaviour: A Social — Psychological Analysis*, Holt Rinehart and Winston, New York, 1965; Josef H. De Rivera, *The Psychological Dimensions of Foreign Policy*, Charles E. Merrill, Columbus, Ohio, 1968; Jerome D. Frank, *Sanity and Survival: Psychological Aspects of War and Peace*, Vintage Press, New York, 1968; Margaret G. Herman, ed., *A Psychological Examination of Political Leaders*, The Free Press, New York, 1977; Robert Jervis, *Perception and Misperception in International Politics*, Princeton University Press, Princeton, N.J., 1976.

65. See *Africa Research Bulletin*, 16, 2 (February 15 — March 15, 1979), p. 5020
66. Mazrui (1980), *op.cit.*, p. 53.
67. Mazrui (1980), *op. cit.*
68. See *Africa Research Bulletin*, 16, 2 (March 15, 1979), p. 5155.
69. *Ibid.*, p. 5154.
70. See G.E. Akuchu, "Peaceful Settlements of Disputes: Unresolved Problems for the OAU" *Africa Today*, 24, 4 (October-December, 1977), pp. 39-78.
71. *Ibid.*, p. 39.
72. B.D. Myers, "International Conflict Management by th OAU", *International Organisation*, 28, 3 (Summer, 1974), p. 350.
73. See Bowyer J. Bell, *Horn of Africa: Statagic Magnet in the 1970's*, National Strategy Information Centre, New York, 1973.
74. Article 39 of the UN Charter states, "The Security Council shall determine the existence of any threat to the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore International Peace and Security".
75. See Ian Brownlie, *International Law and the Use of Force by States*, Clarendon Press, Oxford, 1963.
76. Nnoli, *op. cit.*, p. 271.