

Berhanykun Andemicael, The OAU and the UN: Relations Between the Organization of African Unity and the United Nations. New York: United Nations Institute for Training and Research and Africana Publishing Company, 1976. 331 pp.

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"Africa is on the brink of what Europe was in the early 1600s--a Thirty Years' War," at least according to one newspaper writer. "The scenario...in the next 15 to 20 years then is war and big power interference" (David Logan, The Globe and Mail, Toronto, June 27, 1977). More recent events in widely dispersed areas of Africa require that concerned students view this terrible possibility with cold seriousness, despite the rather sensational cast of the above statements. Armies are moving. Guns are barking and bullets are biting. People are dying, thus creating new scores to be settled along with the old. Violent struggle is romantically intoxicating, based as it is on powerful human forces seeking an end to destructive realities of spiritual frustration, political oppression and economic deprivation. Ideologies of conflict offer beguiling explanations which are accurate in many ways, and often seem to justify violent struggle. Rhetoric of nationalism, revolution, and societal re-creation sometimes can be, and too often is, used as a weapon of ideological warfare to rationalize resort to violent struggle. Compared with those three answers to problems in Africa--rationalizing rhetoric, ideologies of conflict, and violent struggle--the evolution, actions, and relations of organizations devoted to peaceful dispute settlement and to actual construction of a better life for people are simply not so romantic, so beguiling, nor so easily employed to their purposes. Yet such organizations offer a better hope for real progress in the foreseeable future. So it is important to understand them clearly and to criticize them positively and publicly. The hope is that understanding and criticism will help them end those destructive realities and create an alternative to the terrible possibility described above. Dr. Berhanykun Andemicael, a political scientist from Africa and a Research Fellow at the United Nations Institute for Training and Research, has written The OAU and the UN with the aim of describing both UN-OAU peace-keeping roles and UN-OAU activities to encourage development.

If an African Thirty Years' War is to be avoided, it will depend to a large extent on how disputes between countries on the continent are handled. So far, the UN and the OAU have had significant roles in dispute settlement. Part I, comprising the bulk of Andemicael's book, attempts to show how their interrelations in the peace and security field have developed since 1963. He begins with a view of the political background in Africa and presents a description of the arrangement and articulated purposes of each body. Comparisons and contrasts are drawn. In succeeding chapters in Part I particular focus is provided through views of the following subjects: handling of

intra-OAU disputes, actions on colonial issues, and strategic moves in reaction to apartheid. In each case a comparative view of the two organizations is attempted. Take, for instance, actions regarding Zimbabwe/Rhodesia. Andemicael traces them in Chapter IV. He shows how the UN "line," as reflected in Security Council resolutions, shifted and developed over the period 1963 through 1972 as a result of the differing, and sometimes conflicting, diplomatic positions of the OAU and its member states and the United Kingdom. Initially, there was an overcommitment by the OAU Council of Ministers in a resolution calling for breaking of relations with the U.K., which many member states would not do, and for direct military action against the minority government, which neither the U.K. nor the African governments could risk. Later, the OAU and its member states adopted a somewhat more limited and effective policy including pressure at the UN General Assembly and Security Council and indirect military assistance to liberation movements. Andemicael concludes Part I with suggestions for the two organizations regarding the peace and security field.

However, dispute settlement alone, without remedial action on the root causes of disputes, is an empty exercise. Both the UN and the OAU are attempting such action with varying levels of commitment and success. Part II of the book, and roughly one-third of its text, studies OAU-UN relations in the economic and social field. Substantive answers and solutions to end those destructive realities--frustration, oppression and deprivation--must be found. A short chapter surveys OAU interaction with several UN special interest agencies. These include the High Commissioner for Refugees (UNHCR), the Conference on Trade and Development (UNCTAD), the Industrial Development Organization (UNIDO), the Children's Fund (UNICEF) and the Development Programme (UNDP). By far the major portion of Part II examines comparatively, and in more detail, the United Nations' Economic Commission for Africa (ECA) and the OAU. In successive chapters Andemicael looks at organizational responsibilities and overlapping, jurisdictional questions, policy objectives and cooperation. An example is Chapter X, an overview of the forms of interorganizational coordination between the OAU and the ECA. The overview is based upon provisions of the 1965 UN-OAU Agreement on the ECA and the contents of the 1969 Tripartite Arrangement between the ECA, the OAU, and the African Development Bank. The chapter attempts to expose generally mechanisms of operation and to evaluate critically their effectiveness. Part II concludes with suggestions for strengthening and coordinating efforts in the economic and social field.

Two aspects of Andemicael's method of presentation deserve mention. In the first place, and of special interest to students of the law, he begins most chapters with a section setting forth the relevant constitutional bases of OAU-UN relations. For instance, Chapter II, "The OAU and the UN: Objectives, Priorities and Institutions" begins with a comparison of the applicable clauses of the respective charters. Beyond an overall

exposition of charter provisions, the study continually refers to subsidiary documents providing a basis for "legal" interpretation of charter provisions. The only possible drawback is that the study may be somewhat overly balanced toward the content of resolutions and black-letter constitutional provisions. However, continuing reference allows the constitutional context of his study to remain apparent during examination of complicated events such as the Nigerian civil war, reaction to minority rule in Southern Africa, and cooperation in multinational economic integration.

Secondly, Andemicael attempts to particularize his focus on the two organizations. He looks inside them at the various sub-organs. His purpose is to discern how different approaches of sub-organs are grounded in their contrasting compositions and differing methods of operation. Unfortunately, the consistency of the effort is not uniform. Sometimes the sub-organ is clearly identified along with its actions. Other times one is left wondering when action is attributed not to a sub-organ but to the larger whole. Nevertheless, the attempt is made, and the result is a deeper understanding of OAU and UN relations.

Despite its overall value, there are a number of aspects of the book warranting criticism. Two are treated here. The first has to do with Chapter III, "Relationships Concerning Disputes Among OAU Members." It is one of the most interesting and important chapters. It is also long out of date and does not deal with many recent disputes. Andemicael acknowledges in a footnote that the chapter is a "slightly revised version of a previously published monograph by the same author." The chapter is almost a verbatim transcription of his 1972 article for UNITAR. One is left with a feeling of disappointment, wanting information on disputes arising later and on continuations of some that are discussed. More recent events in the Ethiopia-Somalia dispute might be understood more clearly if the chapter had gone beyond events occurring, at the very latest, in mid-1973. Why was so little added to the 1972 article in the 1976 book?

A second aspect deserving criticism concerns a tendency at times to strain for analytical structure. Chapter IV provides an example. It outlines OAU and UN actions regarding colonial and racial problems in Southern Africa. In it there is an attempt to explain implications of differing positions taken by the UN Security Council and the UN General Assembly under pressure from the "Africa Group" and the OAU "spokesmen." In fairness to the author, it is an extremely complicated course to follow and he seems to do quite well. However, before attempting it, he sets out a table of "levels of agreement" on courses of action proposed to the Security Council and the General Assembly. The terms "maximum agreement," "wide agreement," "minimum agreement," and "no agreement" are closely defined. Yet, no sooner is the table set out than it appears to be forgotten. In the pages that follow, the defined terms are rarely used while undefined terms such as "low" or "full" agreement appear more regularly.

It may be that the two criticisms above are derived from a more general one. Andemicael has attempted a very large task and the book is simply not long enough to fulfill it. With so much to cover, it may not have been feasible to bring up to date the chapter on conflict resolution. When dealing with areas of such complexity, one may be excused for straining for analytical tools. In fact, seeing these problems suggests that weaknesses derive from what is probably the book's greatest strength--the breadth of its vision. Nothing less than full examination can reveal enough fundamental truth about how the organizations interrelate in African affairs and how they might hope to change to better realize their goals. One can only hope Andemicael and others like him can find resources to continue the examination more thoroughly and in greater detail.

There is one subject upon which I want to comment in concluding this review. When the OAU was formed in 1963, one of its most important functions was provision of a mechanism for the settlement of African disputes by Africans. With this in mind, provision was made in Article XIX of the OAU Charter for a "Commission of Mediation, Conciliation and Arbitration." Dedicated, talented, and well-intentioned men worked hard on the Commission Protocol in 1963 and the beginning of 1964. Yet, as Andemicael describes, the Commission did not hear the most significant disputes occurring during its first decade. Rather it has been "remarkably dormant" and, more recently, has been converted into a part time organ. In a brief comment, the author suggests a reason for its inactivity may be found in member states' "reluctance to invoke its rather cumbersome and formalized procedures."

While I cannot write with detailed knowledge on why particular disputants held back from using the Commission, based on the author's presentation certain general points seem worth mention. The first is an historical one. During the year following adoption of the Charter, when the Protocol of the Commission was carefully drafted, debated, revised, and adopted, repeated crises developed across the continent. Countries involved requested help from the fledgling OAU in settling the disputes. By the time the Protocol was finally adopted by the Assembly of Heads of State and Government in July, 1964, a mode of response to those requests had begun to evolve. It did not include the Commission. So I would argue that even before its creation the Commission was fated to dormancy--at least in the first decade or two of its existence, if not longer.

The second point arises from the first. The mode of response was appointment of ad hoc committees. Andemicael provides an interesting and informative account for several different crises. These were blue ribbon committees composed of heads of government or foreign ministers or both. Their mandates were more less general and different for each crisis. Though the record of successful actions by such groups is mixed, they have performed functions increasingly sought by disputants and encouraged by the UN. The problem is, however, that the ad

hoc committee simply cannot provide the foreseeable, acceptable, evolutionary procedures to allow a consistently high level of response to crises. Thus the second point is that the current mode of response is not adequate as a dispute settlement mechanism because it is unpredictable and must begin anew with each assignment.

Yet development of the mode is not without its benefits. Fifteen years of experience with dispute settlement provide something important: A truly African perspective on dispute settlement in Africa has been experientially forged.

The original Protocol, created to be used in African inter-statal disputes, is derived mainly from European experience. Not that it does not have much to offer. Nevertheless, the forms are inherently foreign as was the spirit expressed in the well-articulated procedures. Furthermore, the rulers of African countries have now had some real, bitter taste of the limits on their power and on their ability to solve the problems--their own and others'--which lead to crises. Consequently there may be reason to hope for a mellowing of the natural reluctance of new rulers to give away what once appeared to them as real power. With the African perspective generated in the institution of the ad hoc committee and with the spirit of predictability incorporated in the original Protocol, it may be time to reformulate the OAU dispute settlement mechanism and restore it to its former status.

"Now I saw, though too late, the folly of beginning a work before we count the cost, and before we judge rightly of our own strength to go through with it" (Daniel Defoe, Robinson Crusoe). There is reason for hope that it is not too late for the OAU. Though its founders could not count the full cost of the work, they accurately figured the cost of failure to begin and acted accordingly. Fifteen years of training have improved its strength, and critical understanding may help it, and the UN, find a true course.