

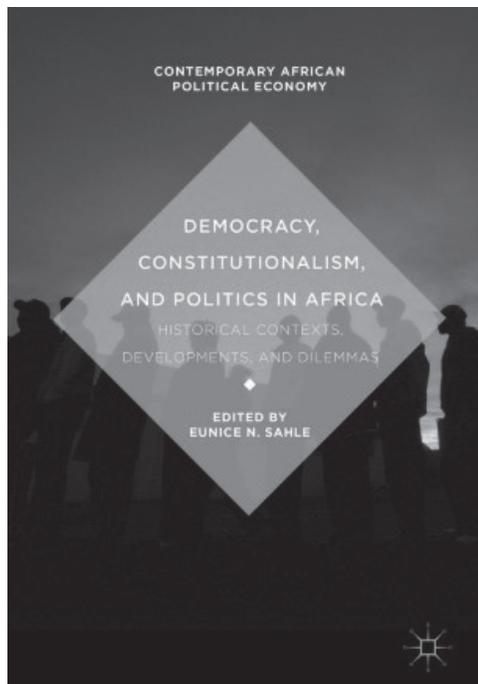
DEMOCRACY, CONSTITUTIONALISM, AND POLITICS IN AFRICA.

HISTORICAL CONTEXTS, DEVELOPMENTS, AND DILEMMAS.

EDITED BY EUNICE N. SAHLE.

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Eunice Sahle's *Democracy, Constitutionalism, and Politics in Africa* accompanies a very turbulent moment in African political development, when the legitimacy and stability of its states' democratic settings since independence are being questioned. She brilliantly organizes this book into nine chapters that combine a case study and cross sectional analysis of studies by different scholars on the democratic, constitutional and political evolution of Africa since independence presenting ample evidences that is useful for any advanced or beginner reader.

Its publication is very timely, 2017, years after when many African states have celebrated 50 years of independence, and while a few have tried severely to consolidate democratic practices into their governments – a system many would today still argue as being a Western Idea –, others are still dwindling down the abyss of authoritarianism and un-constitutionalism.

Sahle's intelligent picky attitude assembles a number of well written papers to disseminate how the social contract, which African freedom fighters had negotiated after independence has been wrecked by legitimacy crises, lawlessness, economic downturns and periling developmental status' almost at a regression rate in some countries, which were in the beginning very promising. Tracing the causes of these devastating circumstances surrounding African democracy and constitutionalism today would not be without mentioning the self-desires of the continent's leaders to remain in power and the compensation of loyalists, which the authors throughout the book all acknowledge as to being the reasons for the legitimacy crises and electoral violence that have engulfed the continent. Based on these, Patrick Loch Otenio Lumumba labels the African Politician as 'Africa's curse', and I guess he is very right in his speech about African leaders. More so, pointing to the colonial heritage of the continent as one of the main foundations to the present state of affairs across the African macro regions is far enriching as it shows a continuous system of exploitation that the continents' ruling elites many of whom were very much absent from the decolonization process have adopted from colonization, leaving behind a lawless society of majority peasants. These arguments are crucial to understanding the context in which democracy has evolved in Africa since it was introduced, or whether it truly even exists at all.

The introductory chapter concludes by highlighting an often neglected side of reasoning regarding the rationale behind acts of terrorism that have consumed the world today. Blaming terrorism on the salient lapses our political and economic development faces could not be over exaggerating. Poor management of state resources by the leaders have led to a disruption in the social contract and the people have resorted to resistance in what Walter Benjamin would call 'divine violence' to free themselves of the years of silent grief.

With independence came an influx of one-party states, but as time passed, democracy remained a vital reference point for all to emulate as Kwasi argued, led to a tremendous takeover by multi-party politics which ushered into some degree of free and fair elections, freedom of association and civil liberties, independent judicial organs; as the wind of the Third Wave of democratization struck across

Africa. Agreeing very much with the above observations, all which I would argue continue to be hampered despite the plethora of multi-parties characterizing the states, Africa's problems remain far from ending or even being approached to be solved. The problems that Africa as a whole face are much greater than these reforms and cannot be ignored. The basic issues which even constitutionalism revival has failed to tackle, which continually brings these nation states to their knees, remain the lack of accountability, transparency and corruption. All of these are rooted deep in the nation state's birth themselves as the authors earlier identified, resonating from its colonial past, which stems from the way power was being handed over to these so-called leaders at independence.

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Importantly, the authors acknowledge and highlight economic development as a major challenge to the African state's consolidation of democratic values. This assertion being true is, however, to a certain extent limited because apparently, the most formidable challenge facing the African state today first begins with the lack of a strong civil society: which is conscious of the needs of a state and as such is geared towards sustainable growth, both economically and politically. Economic development without strong civil societies comes with income inequalities, environmental degradations, and many other negative aspects especially in an era of privatization, where profit making represents the main deal and goal. All these in the long or short term become major challenges facing the economic and social sectors which eventually transcend to become political crises and thus state failure.

It is yet again remarkable that the authors notice how much progress has been made with regard to presidential term limits in many African countries, and how other countries still do not have such amendments fully in place, thus highlighting the lapses facing constitutionalism in Africa due the disrespect given to the laws of the lands. Adding to this would be a great omission that scholars of constitutional reforms should take note, which in every country works well for other public sector and executive positions, i.e. age limits. The institution of a presidential age limit will be a great step towards following up post regime accountability, and drafters of African constitutions should take these very serious, as many of the continent's presidents have manipulated their constitutions at their old ages so as to remain in power and avoid indictment after they leave office. Several examples like the case of Zimbabwe's Mugabe and Cameroon's currently governing Paul Biya, and many others.

Warner Jason in Chapter 6 gives a wonderful analysis of the various casual relations influencing the abrupt inclusion of the Constitutive Act (Article 4(h)) on the African Union's charter and above all, defy the notion that the language on the responsibility to protect was forced to African leaders, by showing ample proof of its

origin and adoption in the continent and its institution into the UN. He intelligently and patiently utilizes several variables to analyze these changes in perception among African leaders as to the issue of state sovereignty and international involvement in other state's internal affairs, an issue which before the Constitutional Acts enactment remained a no go zone because its absence gave the despotic leaders the impetus to unscrupulously take advantage of the fact that non-intervention in the internal affairs of a member state was the norm to dictate and commit serious offenses against their peoples. Having reached this point, I appreciate the author's observation of scholarly works on the indolence and lifelessness of this chapter, because as of recent developments in the continent, no particular case is yet to be successfully registered as solved by the AU's rapid intervention in its member countries. Despite its several peacekeeping missions operating in several parts of the continent, the AU is yet to record challenging any sitting president on his/her barbaric acts towards its population. The true rationale behind the adoption of this act is further revealed and brought to the lamp-light by the author's strong probing skills as to the hideous motives of African leaders to portray a good image in the international stage as a means of securing foreign aid donors. This vital elaboration goes on to confirm the reason why this act has so far remained indolent and largely unproductive, due to lack of proper commitment by the leaders.

Despite recent constitutional reforms allowing subtle presidential term limits, guaranteeing some rights and privileges even though to an extent limited as compiled here by Sahle's edition, the main issue that has put all these major changes and put Africa's democracy, constitutionalism and politics on a dimming light remains the government monopoly over the use of force against its citizens. Though African constitutions largely stipulates more freedom in almost every aspect practicability remains obstructed by the use of force, which the growing civil society has not succeeded in having this control over the state. Corruption remains deeply enshrined in the state's executive as inherited from the colonial regime, that the judiciaries of most of these countries are just puppets of the ruling elites and as such, the constitutional laws remain only in text so as to secure external privileges, while the people on the ground feel no difference, thus always constrained.

One thing we should always remember about democracy is that there is no perfect democracy, and after reading through this book, it is worth adding that we live in an era of greater enlightenment and opportunities, and every community must strive to take matters into their hands and act accordingly, Africans as a people have been known to be very accommodating of dictators. The lapses of democratic consolidation and constitutionalism in Africa must be traced from its roots by addressing these issues from the local level and prudently designing each set of political institution to fit into each country's past. African constitutions are 'Western' copied without proper understanding of the environment and culture.

Eunice Sahle's book challenges conventional reasoning and sets the pace for pertinent hypothesis for further inquiry into Africa's democracy, the rule of law, constitutionalism and political evolution since independence. ✨