

DEMOCRACY EXPERIENCE IN AFRICA

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Abstract

More than five decades have passed since the sub-Saharan African continent consumed by the frantic flames of Democratization. This paper provides an overall evaluation of the lack of progress made in democratization and the consequences that come with it. This research deals with various areas of progress and setbacks of democratization made so far in Africa and her quest for development. An analytical method was employed in order to understand the increasingly illegitimate actions that come with democratization. We shall conclude on the steps forward that remain greater than reversals and that typically, though not across the world, sub-Saharan African countries like Nigeria in particular are more exposed to the system of democracy today than they were back then in the early late 1980s down to the early 1990s.

Keywords: Democratization, politics, sub-Sahara, constitution, conflict, participants

Introduction

African democracy has been undergoing intense period of political conflict and transformation over the past decade. Central to this process of political reconstitution are the struggles aimed at combating and reversing the continent's authoritarian past. These ongoing battles are intense and there are continuous gains and reverse. In this research, we shall set out our parameter on some of these radical changes that come with it to Africa. Have the struggles for entrenching people pluralism, civil and political right etc, made any significance progress in the light of democracy in Africa?

In countries situated around the west of Africa, democratic development and party politics are often undermined by political behaviors of people garnished by political party interests to consolidate their grips on control of state power for life. Party politics in this region of the continent itself is operated based on tribal or zero sum game theory basis-situation that contributes to the tense nature of struggle to incarcerate and retain political power in the

region for a very long period of time. Civilianization of regimes in this region of the continent were not accompanied by conflicts and violence promoted by political culture. People in West Africa were already tired with dictatorship and undemocratic government when democratization was finding ground in the region in the mid and late 1990s. The need then was for soldiers to return to their constitutional role of protecting the territorial integrity of state and to quit political power without any contemplation. Therefore, this transfer of political power was not in many ways accompanied with violence and after elections violence. In some countries like Ghana and Nigeria, total transfer of power from soldiers to civilians were witnessed while in places like Gambia and Mauritania civilianization took place, military heads of state transformed into civilian heads of government. Conflicts situations are often witnessed in cases where an incumbent civilian regime is expected to transfer political power to another elected civilian head of government.

Beyond a movement's propensity to support democracy, democratization processes might follow different paths, being more or less influenced by social movements. As the relationship between social movements and democratization is not simple, two main questions for research are, thus, Tarrow is of the view that: "When, how and why does movement promotes democratization? And what are the consequences of their participation in the deferent stage of democratization processes?" (43). These questions could be addressed by bridging social movement studies and democratization studies in West African. Notwithstanding the practical and theoretical relevance of democratization, the interactions between the state and democratization have rarely been addressed in an analytical approach. Additionally, even though various movements are increasingly recognized, in West African political debates, as important actors in democracies, interactions between the two fields have been rare. On the one hand, movements have been far from prominent in the literature on democratization, which has mainly focused on either socioeconomic pre-conditions or elite behavior.

Democracy and African Values

Thus, Patrick Lumumba in the African security summit titled *End the Sound of the Guns*, held in the central Africa, there was a striking amount of consensus on certain experiences and assumptions. Participants agreed that democracy is not the exclusive property of the West; it can be found in almost all cultures. Yet defining democracy proved elusive, as the forms for expressing it remain controversial in many African countries. Does democracy necessarily mean Western democracy? Is there only a single model for every country, regardless of its traditions and conditions? In answering these questions, participants agreed that "democracy is not a luxury for Africans" but a necessity if people are to lead free and secure lives. The authoritarian state in Africa, which is a post-independence revival of the colonial state, corresponds to economic stagnation and disintegration. Democracy, participants suggested, should therefore be regarded as a process of tackling problems or a permanent solution to all of Africa's problems. Still, a clear understanding is needed among Africans as to the kind of democracy being suggested by Lumumba in the African security summit suggested that: "is democratization advocating Western democracy or democracy that will take into consideration African values and traditions?"

In linking democracy with African values, participants pointed out that, although there are

certain essential principles of democracy, thus, in the voice of Lumumba in the African security summit, he stated that: Africa has to define democracy in its own way. They noted contradictions between Western and African understandings of some democratic concepts, such as political pluralism and the parliamentary mode of politics. Although they recognized that the African state must be divested of its monopoly on power to allow for a vibrant and functioning opposition, they cautioned against replacing dictatorships with democracy in form, but not in content. For example, not all political parties emerging in Africa today are genuine, many having been created by the state. In order to break down the deep-rooted primacy of the African chief, some advocated the Indian arrangement of parliament's being the supreme power, rather than the semi-presidential French or U.S. systems of parliamentary politics with a strong executive. Participants pointed out that Western countries often advocate their own system of democracy but, if Africans develop their conception of democracy, it ought not be considered inferior to that of the West. In this round of liberation, they said that no amount of external assistance or advice would make up for the lack of African initiatives.

Democratization and its Effects in Africa

Violent conflict has harrowing societal effects. Thus Hoeffler is of the view that:

Wars result in loss of life and leaving a long lasting legacy of disability due to injury and disease that comes with war. They create economic deprivation and dramatization among the people, because war is not just about the killing, but war is rape, war is destructions and war has regional effects in terms of disease and displacement (20).

Violent civil conflict has been common on the African continent for several decades most especially the West African society. In Africa over 20 countries have experienced civil war, military overtones or political upsets at least in one period of their history from the last 60s down to this day, and the proportion of country years since 1950 that have been marked by civil war is one in twelve in Africa compared with one in 20 in the rest of the world this statistic was mark by (Elbadawi and Sambanis 244). Thus, as pointed out by Straus:

Among others, the prevalence of civil war has tapered off in Africa since the turn of the century. In part, this trend has reflected a discernible shift from large-scale conflicts between well-structured armies aimed at securing control of states to smaller-scale conflicts involving factionalized insurgents that lack the capacity to capture capital cities or to hold large swathes of territory (12).

Attempts to identify the causes of civil war in Africa by means of statistical techniques have linked the probability of experiencing civil conflict to factors such as greed (e.g. the availability of state resources and lucrative natural-resource rents), grievances (e.g. suppression of the political rights of a population or parts thereof and high levels of poverty), and the financial and military feasibility of rebellion (Collier et al. 2–5). Other significant factors in statistical analyses of the causes of civil war in Africa include the tribal dominancy and history of violent conflict dated back before the colonial era, low levels of trust among the tribes that make up the population of the said country, a weak sense of national identity and a strong sense of ethnic identity such as the case of the Hausa and Igbo of Nigeria and that of the Tutus and the Hutus of Rwanda, as well as the absence or loss of strong democratic institutions

that bonds the nation (Collier and Hoeffler 25; Elbadawi and Sambanis 244). The statistical link between the likelihood of civil war and the absence of strong democratic institutions in African democracy suggests that the establishment of such institutions might reduce the incidence of violent civil conflict among sub-Saharan Africans. The question here is while not providing a causal relationship among the populations? it is striking that the tapering off in civil conflict discussed by (Straus 13) coincided with a period of growing adherence to democratic principles in African countries. According to (Diamond 139–141), elections for Diamond, have become increasingly regular, frequent and contested from 1990 onwards, and the number of African countries classified as democracies by Freedom House jumped from three in 1990 to over 54 countries in 2020.

An Economic Perspective on the Role of Constitutional Rules in Africa

Some economic theories of political institutions model constitutions as contracts that regulate the relationship between governments and their constituents (for an early statement of this view, see Buchanan and Tullock 12). According to this approach, a constitution indicates the rights and duties of the members of polities in the same way that a contract stipulates the rights and responsibilities of the parties involved in any transaction between the citizen and the country itself. (Hardin 101–102), among others, emphasizes the inadequacy of this view by identifying three important differences between political constitutions and commercial contracts. First, Hardin stressed that while the aim of contracts usually is to resolve individual prisoners' dilemma situations, political institution or constitutions serve primarily to regulate longer-term patterns of coordination within polities. Second, there is markedly less agreement behind a constitution than is the case with a typical contract as Hardin thus, puts it:

In practice, acquiescence is more important than agreement for the working of a constitution, while agreement is crucial if the obligations under a contract are to make sense'. Third, business contracts usually include rights to third-party enforcement by the state in the event of non-performance. By contrast, the state is a major player as well as the holder of a legal monopoly on the use of violence in the domains governed by constitutional rules. This makes credible commitments to the enforcement of constitutional rights difficult, if not impossible (101).

Nonetheless, there are parallels that make it possible to use theoretical ideas about contracts to explain particular aspects of the roles of constitutions. One example of this is the work of Hart and Moore, who model contracts as reference points that determine parties' entitlements. In their model, the degrees to which parties comply with contracts are determined by their comparisons of their actual gains from contractual relationships and the gains to which they feel entitled. In the event that a party is dissatisfied with the outcome of such a relationship, he or she neglects to fulfil some or all the terms of the contract. Such a response, which (Hart and Moore 3), label 'shading', causes a loss in welfare. In principle, such losses can be avoided by writing very detailed contracts that specify outcomes precisely and, hence, leave little room for subsequent disagreements about distributions of costs and benefits. Such contracts should prevent shading by ensuring that contracting parties receive their entitlements. In practice, though, the reality that transacting parties cannot anticipate all future contingencies makes it impossible to write such complete contracts. Furthermore, detailed contracts tend to be more rigid and complex to amend when circumstances change. Accordingly, parties tend to write

incomplete contracts and rely on subsequent renegotiation as a mechanism for handling shocks. Yet such incompleteness means that the dangers of dissatisfaction with outcomes and consequent shading on performance are ever-present (Hart and Moore 4; Fehr et al. 20).

Broad features of Hart and Moore's theory can be used to explain the outbreak of civil war in the following way. Assume that the provisions of constitutions function as reference points that provide feelings of entitlement to groups in societies. The adherence of the groups to such constitutional provisions depends on the degrees to which their feelings of entitlement are satisfied. If they feel deprived of these entitlements, groups will apply de facto political power to amend the outcomes or the constitutional rules. De facto political power is held by those who have sufficient economic resources to organise peaceful or violent action against the de jure political leaders and who have overcome the problem of obtaining active participation by groups of people who as individuals would be tempted to 'free ride' on the efforts of others (Acemoglu et al. 391). Various mechanisms of de facto political power can be applied, ranging from elections and referendums to violent skirmishes and other unconstitutional means. Generally, one would expect groups to dispel incongruities in a peaceful manner. Violence would receive consideration in some scenarios, for example, when significant benefits will result from the permanent removal of opposition groups. Polities face many possible challenges, some of which may be linked to the factors regarded as the causes of civil wars in Africa for example, high levels of poverty and inequality, the mismanagement of rich deposits of natural resources, and ethno-linguistic fragmentation. Hence, constitutions tend to be more incomplete than typical commercial contracts are (Dixit 20). The incompleteness of constitutions as devices for structuring political activity is compounded by the enforcement problem alluded to earlier in this section. Furthermore, constitutions are inflexible by design, and the scope for renegotiation of constitutional rules is truncated deliberately because of the difficulty of choosing new rules and the importance of stable political institutions. This combination of incompleteness and inflexibility means that the likelihood of dissatisfaction with outcomes and consequent shading on performance is high. In essence, constitutional rules are 'parchment barriers' (Madison 309) that cannot protect democratic systems from violent assaults by those with de jure political power and, in some cases, those with de facto power as well. This brings us to the argument that democratic constitutional rules can survive and flourish in Africa (and elsewhere) only by becoming self-enforcing.

Self-Enforcing Constitutional Rules

The notion of self-enforcing constitutions remains less well explored than the normative aspects of constitutional design such as the relationship between the legislative and the executive branches of government. the appropriate political institutions for divided societies and the political and economic effects of constitutional provisions, including the links between electoral systems and fiscal policy outcomes and those between federalist institutions and the protection of private property rights. Nonetheless, it has been discussed by a number of prominent political scientists. Hardin argues that:

A constitution does not depend for its enforcement on external sanctions or bootstrapping commitments founded in nothing but supposed or hypothetical agreement. Establishing a constitution is a massive act of coordination that creates a convention that depends for its maintenance on its self-generating

incentives and expectations (119).

As was pointed out in Section 2, the incompleteness and non-enforceability of constitutional provisions mean that the effectiveness of such laws depends on the degree to which they become self-enforcing. According to (Ginsburg 95), a constitution is self-enforcing when it is in the interest of all the powerful factions in the polity to abide by its provisions. In such cases, all members of society perceive it to be in their interest to live with the constitutional arrangements. Not everyone may find the arrangements optimal, but the pursuit of change may not be worthwhile because of its costliness (one aspect of which is the cost of persuading a sufficient portion of the members of the society to support change). This does not imply that self-enforcing constitutions are by nature inflexible. (Ginsburg 120–122) shows that the most enduring constitutions including self-enforcing ones such as those of India, Sweden and the United States occupy an intermediate position along the spectrum from extreme malleability to extreme rigidity. Countries that rewrite their constitutions frequently (such as the Dominican Republic and Haiti) often fail to establish a stable system of political rules (Ginsburg 123). The apparent benefits of a degree of flexibility reflect the reality that a constitution should incorporate the needs of a wide variety of citizens. Hence, it should leave room for inputs emanating from a wider pool of insights and experience than would be available to a particular group of constitution drafters. Weingast's ideas about self-enforcing constitutions are helpful for interpreting the ongoing process of democratization on the African continent. According to (Weingast 89), Thus, Weingast is of the view that constitutions are self-enforcing when:

Political officials have incentives to honour constitutional provisions'. Such incentives exist where the citizens 'have solved their differences over the content of rights and over the mechanisms of public choice', which allows them to act in a coordinated manner to resist attempts by political officials to threaten their rights (94)

A repeated game scenario yields self-enforcing liberty equilibrium, in terms of which citizens agree to act jointly to depose the sovereign in the event of a transgression against them. This forces the sovereign to honour their rights. Importantly, such action does not have to be rooted in altruism; it could also be based on the recognition by citizens that cooperation would enable them to maximise their individual utilities in the long run. Thus, (Weingast 95, 98) emphasizes that, the self-enforcing liberty equilibrium is not a natural outcome in the illustrative game or in the real world. In practice, its attainment requires the deliberate creation of pacts among major groups in society. He identifies four conditions for successful pacts of this nature. First, such pacts should establish sets of citizen rights and governing rules for public decision-making that would also constrain the powers of states. Second, all parties should believe that they are made better off by signing such pacts. Third, all parties should be willing to change their behaviour if the other parties do so as well. Fourth, all parties should be willing to defend such pacts against transgressions by political leaders. Periods of crisis such as wars sometimes provide the impetus for moving societies from asymmetric equilibria to self-enforcing liberty equilibria (Weingast 96–98). Hence, African countries that have recently emerged from civil war may have windows of opportunity for designing self-enforcing constitutional rules.

Thus, (Walter 23), however, points to a number of factors that could hamper the creation of new political institutions in such environments. Former militants often require credible

guarantees regarding their future security as preconditions for accepting negotiated settlements, and resume hostilities when such guarantees are not forthcoming. In such cases, other states and international organizations can help to cement peace settlements by providing the required guarantees. In addition, it is often the case in the immediate aftermath of civil wars that government institutions are too weak to prevent grabs for power and that civil cultures lack the strength to serve as secondary barriers to misconduct. In fact, war-weary populations sometimes prefer peace, order and economic advancement to vibrant democratic institutions.

The earlier part of this paper showed that a growing number of African countries are adhering to democratic principles. Others remain Autocratic, however, while several find themselves in what (Diamond 139) describes as a 'grey zone between democracy and pseudodemocracy'. Weingast's ideas constitute a useful conceptual framework for studying democratisation in Africa: failure to satisfy the four conditions for pacts leading to self-enforcing constitutions seems to be a key reason why the process has stalled in a number of African countries, including some in which civil conflict has resumed after democratic institutions were established.

Colonial Legacy and Democratic Development in West Africa

The process of democratization in Africa, several participants pointed out, includes confronting the past. The colonial legacy is significant to the understanding of postindependence erosion of democratic institutions. Some participants, however, took exception to an emphasis on the precolonial past, cautioning that one should not glorify the past in order to justify present mistakes: "Turning too often to the past betrays a fundamental problem, in that we cannot deal with the present. . . . As Africans, we try to turn to the past when we wish to maintain our illusions."

Nevertheless, participants stressed that colonialism was not a democratic system and that the so-called colonial masters were not teachers of democracy because "they took self-governance away from Africans." As one participant stated, "The colonial experience was one of a minority imposing its will on a majority a colonial apartheid, in which there were European and non-European areas in some countries, and where there was legislation for Europeans, but the Africans were relegated to customary law." Participants were also resentful that former colonial rulers are now showing little patience or understanding about African politics, largely because of Africa's declining strategic importance in world politics in recent years, forgetting that they were the ones who took away Africans' dignity and self-respect, "maintaining they were too incompetent to understand their own rights."

It was also argued by many participants that colonialism had destroyed indigenous democratic values and institutions without building stable replacements. Examples of the community palaver¹ and the Botswana kgotla² were given. Some participants argued that colonialism had disrupted these traditional African practices. African family life, which some believed was based on equality, freedom, and unity, was overshadowed by the authoritarian and centralized nature of colonialism. However, other participants noted that colonialism did not entirely destroy indigenous practices. They argued that the survival of some African traditions

and their vitality, especially the kgotla was one of the continuing bases for Botswana democracy. Furthermore, they pointed out that legislative sessions and debates in Francophone and Anglophone Africa resemble the traditional palaver modes. Palaver basically refers to a dialogue or discussion in which everyone expresses an opinion, after which the minority opinion complies with that of the majority, thereby making the decision taken unanimous. Kgotla basically functions like a judicial organ to resolve and hear cases. Generally, it had the right to overthrow the chief; the colonial government used the kgotla as a way of challenging the chief. It was formerly used exclusively in dealing with adult males, but it now includes women and even younger men and minority groups.

Conclusion

Following several decades during which violent civil conflict was common in African countries, the period from 1990 onwards has been marked by a notable spreading and deepening of adherence to democratic principles on the continent. This article uses aspects of African conception of democracy. West African share a lack of faith in their government, the rule of law, a sense of being oppressed, and of not receiving their fair share of African's bounty. Contrary to the widespread expectation that the inauguration of the civilian administration would usher in democratic stability, the nature of politics of transition program and the reluctance of the post-military regime to address the national question have led to the resurgence of social groups that make demands for incorporation and empowerment. The central argument is that unbridled competition of power, and the failure of government to deliver democratic dividends, have resulted in violent conflicts, especially between ethnic and religious groups, endangering the country's nascent. The failing statues of some of the African state on daily basis are not only translating to the development of conflict conditions and situations that are threatening the stability of the state and the legitimacy of government. State inability to deliver good governance through the development of social services which will result in improve condition of living, is also affecting the attitudes and thinking of the citizens' development, that will also determine their attitudes and reaction to government policies and the state policy. Therefore, good governance especially transparency and equity, inter-ethnic and religious harmony promotes democratic consolidation, and these in the long run will affect behaviors and thus reshape the political culture of the sub-Saharan African people towards effective democratic transition and development.

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