

Legitimizing the State in Africa: The Democratic Imperative

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Abstract: The disintegration of the Soviet Union and the fall of Apartheid regime in South Africa ushered a new phase of democratic wave in Africa. Democracy suddenly, assumed a legitimizing factor within the international sphere. Some have argued that the period was a period of the triumph of capital and its liberal democracy with strong emphasis on good governance. External and internal pressure forced a wave of democratization process on African states in the 1990s. Instead of institutionalizing democratic ethos a new set of autocratic leaders clad in democratic garb emerged. These leaders changed the constitution at will to elongate their tenure and turned elections into a state-regulated noncompetitive model. African states in their present form seem to be battling with legitimacy crisis. Above all the new wave of global economic crisis has debunk the so presumed triumph of capital. The state in Africa is thus in a confused state, administratively, ideologically, politically and democratically.

Key words: Legitimizing, state, democracy, Africa, constitution, ideology

INTRODUCTION

According to Olowu (1994) the state as developed in western tradition is a social artifact which is expected to be the embodiment of the nation. Such a state with the privilege of sovereignty has the responsibility to advance the common good rather than the good of some or a few. Hence, the basic preoccupation of a state should be good governance that would serve the interest of all. The evolution of the Western Model and contemporary African State can be traced to colonialism. It set the boundaries of the state introduced constitutionalism, Current Governance System and bureaucracy as well as linking Africa with the global economy in a centre-periphery relationship (Olowu, 1994).

It is trite to mention that amongst the western apologist the pre-colonial state suffered legitimacy crisis. Unfortunately it is the opinion of some that the state in Africa in spite of its grand promises during the period of de-colonization and after independence has not succeeded in changing the illegitimate nature of the state. For instance, most post-colonial states in Africa went through traumatic experiences with the randomizing governments. Military regime proliferated first as a matter of necessity and later perpetuated itself in power. The various military regimes matched arbitrary rule with the indefinite tenure in office (Ejiofor, 1981). It becomes more surprising that most of these military regimes on assuming power try to legitimize their regimes either through personality transformation or politicizing the army. Thus, Dare (1989) concludes that most African countries during this period were caught in the praetorian trap. He defined

praetorian trap as when a political system is unable to free its administration from the strong hold of its armed forces. The states in Africa have thus remained its old illegitimate self relating to the society only in terms of domination and control.

With the world wide resurgence of democratization and democratic push African states are expected to move into the path of western liberal democracy. Democracy in the liberal form is seen as the legitimating factor of modern governance. Legitimacy is about values. Thus, a political system is legitimate or illegitimate according to the way in which its values fit within the internationally accepted norms. Furthermore, though the question of an acceptable norm could be debatable states in Africa are no doubt facing legitimacy crisis. According to Ake (1996) legitimacy crisis revolve around the problem of achieving agreement regarding the legitimate nature of authority and the proper responsibilities of government.

Legitimacy in political science is seen as a normative and an empirical concept. From the normative perspective it queries the legitimacy of a political system that is whether a government is entitled to be obeyed. The precepts, structures and electoral process happen to be important indices in legitimacy calculus. Incidentally, the electoral process happens to be the major victim in Africa's democratization process. The outcome is flawed elections and outright entrenchment of dictatorship and personalized rule in Africa. Experiences and events in Uganda, Togo, Sudan, Zimbabwe, Kenya, Nigeria, Angola, etc. confirm the claim.

In this research the democratization process in Africa is highlighted, the electoral process will be the major

focus. This is in line with the fact that in the discourse and theories on liberal democracy elections bears an organic linkage with the democratic concept (Adejumobi, 2000). Above all and in line with Adejumbi (2000)'s assertion, the role and essence of elections in a democracy are highly circumscribed in terms of expressing the popular will engendering political changes and the legitimating of political regimes. In the face of democratic failure, coupled with external and internal imperative, the legitimacy of the African State has been an issue of debate. The flawed electoral process has produced unpopular rulers and subsequently crisis, violence, political assassinations, ethnic and religious conflicts.

THE AFRICAN STATE IN THE INTERNATIONAL SYSTEM

The international system as a collection of independent political units interacts with each other and in the process attempt to react to the policies or events emanating from other units. Bertalanly (1965) observed that the dynamic of the system is the interactions among the system's elements and between the system itself and its environment among others. Caplin (1971) described the international system as a decentralized political system dominated by competing relatively autonomous, territorially based political organization. Thus, the crucial elements of such interactions which include social, economic, political and environmental are varied. The international system has a definable structure, a characteristic configuration of power influence or persisting forms of dominant and sub-ordinate relations (Holsti, 1978). The reality of the contemporary international system is that there is division into the North and the South, creating a situation of dominance-dependency relationship. African states which are regarded among the third world countries only emerged as a co-participant in the global chess game (Akinboye and Ottoh, 2005). The simple explanation therefore is that the international system is dominated by the industrialized nations and this makes the third world countries to remain subservient to them.

The emergence of independent Africa in world affairs is a relatively recent phenomenon (Ejiofor, 1981). Before 1945, Africa was important to the world as a vast field for adventure for asserting imperial supremacy and for experimentation by different civilizing missions. Thereafter, Africans became appendages to world powers. African states today occupy the peripheral position in the world system decades after independence. Colonialism and imperialism had their impact on African countries and thus made them dependent states.

Consequently, the foreign policies of African states have been conditioned by the needs of the dominant economies in the international system. Hence, the capacity of the individual African State to exert influence on the course of events tends to decline as one move from locality to regional issues to continental and global issues. Utete (1985) explain further that this is so partly because such issues tend to be too remote from the immediate pre-occupation of the state concerned, partly because of lack of information and resources to tackle the issues involved and partly because many other actors may by their prior or more intensive involvement have reduced the possibilities of effective African involvement in the international system.

In the view of Offiong (1980) the international system upon which Africa depends implies a structure of institutions, classes and power arrangements which inevitably limits their freedom of action. Therefore, it is pertinent to say that both on the continental and global levels, the African states' principal mode of participating is multilateral. The African states works in close collaboration with other developing countries international and regional organizations such as the UN AU, etc. in seeking solutions to the common problems facing them and the international system.

Hence, African states are caught in a dilemma of apportioning values between internal and external policies. Furthermore, some inherent disabilities are bound as a result of the nature of the international system to plague the conduct of African states in world affairs. Inherent factors such as the quality of the population, poverty and under-development among African states, unstable economic and political system, unrealistic expectations which developed from a traditional pre-occupation with ethics and a morbid sense of suspicion with which new states view the old, see to dampen the performance of African states (Ejiofor, 1981). Since, the 90s African states are witnessing what Williams (2000) termed a refreshing run of push for democracy.

PROBLEMS OF AFRICAN STATES

The emergence of Western Model African states in the world scene highlights many problems and factors which researchers must reckon with. Ojo (1987) noted that the African societies were marked by a type of domination that rested upon piety. William (2000) also, remarked that the state in Africa originated in the context of domination constructed by the colonial presence in the continent. The state evolved in recognition of the need to have administrative and organizational control over territories that had been brought under the exploitation and control

of colonialism. She observed that the state in Europe derived the impetus of its emergence and existence from its society such that the state limiting doctrines of constitutionalism, civil liberties and liberalism curbed the arbitrary exercise of state power whereas the African State did not evolve organically from its underlying society. Therefore as product of colonialism evidently, the state limiting doctrine could not be made part of the state in Africa. Thus the most important characteristics distinguishing the colonial state from the west is the situation in which African states perceives its underlying society as one to be dominated. One can therefore state that the domineering character of African states has become institutionalized in its modern structural and behavioural characteristics. Indeed contemporary Africa is a continent in deep political and socio-economic crisis. One can argue that many factors were responsible for such state of affairs which include corruption, war, political, economic instability, debt burden institutional weakness, etc. However, much of African's woes have been heaped on the door step of colonialism and imperialism which had profound impact on the economy and the democratization process in Africa. Several reasons have been given for Africa's overall poor economic performance. They include colonial history, heavy economic dependence on exports of primary product and macro economic errors (Ajayi, 2001). Evidently, it is clear that Africa has the largest proportion of people living in extreme poverty and the Africa state has continued to experience worsening of existing imbalance which has impeded development and aggravated poverty. Mordi noted that the neo-colonial structures of the African economy are still intact hence, economic system of production, distribution and exchange has kept African states economically dependent. The marginalization of the Africa continent is reflected in Africa's small share of world trade which is barely 2% output and foreign investment is 1% (Daovas, 2001). This dominance has resulted in the transfer of economic policy decision from national governments to global transnational actors for Africa. Therefore, it resulted in the downsizing of the state. But most importantly is that it created an elite class that controls the wealth of the state. Hence, they control and monopolize state political power.

Furthermore, in the political evolution to a modern state, African leaders who emerged at independence were those who inherited the authoritarian structures. These leaders initially lacked the requisite economic basis and saw inheritance of the enormous authoritarian structure of the colonial state as an important instrument. Thus, political and economic stability was undermined in most

African state by the style of leadership. As a result of the above, military regimes proliferated among the African states. Odetola (1982) quoting Huntington explain military interventions in Africa as a manifestation of social disorientation and over politicization. They matched arbitrary rule with indefinite tenure in office. In the states under civil regimes, political leaders seem so reluctant to relinquish office that they use extreme and unconventional means to consolidate their hold to the highest office (Ejiofor, 1981). It is therefore right to link the present flawed democratization process to the social disorientation of the society in Africa, for which emerging leaders took advantage of to carryout their personal agenda. This has given rise to the paradigm that the problem of Africa is in Africa.

For this reason there has been the demand by the international community for a strong state in Africa suggesting the promotion of good governance embedded in genuine democratic practice in all its aspect as a critical area of legitimizing African states.

DEMOCRACY AND DEMOCRATIZATION IN CONTEMPORARY AFRICA

Edigheji observed that by the mid 1980s a wave of democratization began to sweep across the African continent. He attributed this development to both internal and external factors. The internal factors include the emergence of civil society organizations and pro-democracy movements in opposition to the authoritarian regimes and the rising rate of poverty and economic down turn of African states. In the same vain the various dictators had accumulated enormous wealth abroad.

Externally, liberal democracy with its strong emphasis on good governance and capitalism had become hegemonic both in policy and scholarly arena. Donor countries and agencies began to exert pressure on African countries to democratize. Democratization became linked with good governance and at the same instance became conditionality for foreign aid and loan. The tide of democracy that began by the 1980s had by 1990s led to pockets of protests and agitations. This prompted Olowu (1999) to posit that the 1990s will go down in Africa as the decade of renewed struggle for democracy or at least governance system based on popular will. Several researchers referred to this new wave as Africa's second revolution or liberation. It was a period in which a wave of agitation for democratization spread over the African continent. With the demise of apartheid in South Africa a number of countries in Africa such as Malawi, Cote de Ivories, Benin, Zambia submitted to multi-party elections. These events cast a ray of hope for the enthronement of

democracy in Africa. Constitutional conferences were held opposition parties were installed after popular elections and a number of presidents for life not only submitted to multi-party elections, some were dethroned. Unfortunately by the 21st century the democratic tsunami had cooled off. Old habits began to resurface. In Hyden's opinion democratic practice during this period encouraged zero-sum rather than positive-sum approaches. Cleavages were reinforced. For instance in some African countries the office of the president assumed a dynastic posture, e.g., Togo, Congo. Many African presidents embarked on extending or abolishing term limits. Uganda's Yoweri Museveni did so in 2005, Algeria's Abdulaziz Bouteflika in 2008 and Nigeria's Obasanjo attempted a third term bid in 2009. The presidents of Chad, Cameroon and Zimbabwe fall under the same category. Meanwhile Morocco, Libya and Egypt are firmly anchored in totalitarian rule. Adejumobi (2000) captured the scene when he noted that elections in post-colonial Africa tilted towards a state-regulated noncompetitive model. He observed that in countries like Togo, Benin Republic, Sierra-Leone, Kenya, Zambia, Tanzania, Angola and Sudan, there was a *de jure* one-party rule, where make-shift elections were organized to legitimize the political order. Also in Gambia, Botswana, Mauritius, Zimbabwe and post 1976 Senegal. Although, periodic multiparty elections were held a *de facto* one-party rule existed in which Adejumobi (2000) observed that the elections altered the leadership, neither the administration nor the regime.

Niger's experience aptly describes the process in Africa. Niger's President Tandja came into power through election. President Tandja grew more authoritarian as the end of his term approached. He dissolved parliament, conducted a referendum to change the constitution and tightened his grip on the press. When the soldiers seized power there was widespread jubilation and celebration. It is obvious that the African continent is suffering from democratic deficit through what Guy Hermet described as pluralist coercive elections (Adejumobi, 2000). The actions of these leaders have encouraged distrust and lack of loyalty to the regimes.

While different scholars emphasize different aspects of democracy the core characteristics of democracy captured earlier are competition, periodic elections, political liberty that would guarantee the integrity of political competition and participation. Researchers could thus argue that multi-party sham elections and the existence of certain democratic structures and trappings do not necessarily constitute democracy or democratic practice. This valid view thus disqualifies most African states from the list of democratic states. This has apparently raised the question and problem of legitimacy. Ake (1996) however noted that

the personalized use of coercive power prevents the achievement of any illusion of objectivity. This situation led to the problem of the legitimacy of office holders and the credibility of the democratization processes through which they came to power.

In the light of the above, certain crises have been identified with democratic practice and democratization process in Africa. They are leadership crisis, legitimacy crisis and national identity crisis. Osaghae (1994) supplied three definitions of legitimacy: the first defines legitimacy as the capacity of the system to engender and maintain the belief that the existing political institutions are the most appropriate ones for society. The second explains legitimacy as when a given rulership is based on good acceptable title by most men subject to it. While the third says legitimacy is the belief that the structure procedure, acts, decision, policies or leaders of government possess the quality of rightness and moral goodness.

The common understanding of legitimacy arising from the three definitions is unconditional obedience to a government. The implication of the point made is that the effectiveness and performance of government is a necessary condition for its legitimacy. From the performance of the political leadership in Africa, it seems they are not disposed towards consolidating democracy. This is because African leaders willingly accepted the privileges conferred by Western Liberal Democracy without the corresponding obligations. Again in a pluralist African society, democratization is seen as a process through which the ethnic imbalance and resource allocation formula would be amended to suit the interest of the federating whole (Magbadelo, 1994). This situation has led to the national identity crisis and series of ethnic conflicts in Africa. Within international context democracy is widely regarded to be the central legitimating ethics of modern governance (Scholte, 1997). The concept of democracy apprehends a system of government under which the people exercise power either directly or through representatives elected for that purpose periodically. A democratic state should provide such institutions for the expression of the popular will on basic questions of social direction and policy (Mimiko, 1983).

In this situation, the starting point of legitimizing the Africa state is through credible political process. It is the force that can lead to patriotic and democratic change and resuscitate the promise at independence and the ideology of liberation. It is thus argued that democracy of whatever form can never be delivered when the sovereignty of the state has been gravely compromised nor in a condition of general squalor and social violence.

CONCLUSION

Legitimizing African states through democracy is open to conjecture. The strangle hold of the political elite to political power and leadership have led to pessimism. Events have shown that despite the tide of agitation for democracy both internally and externally, the African states are still dictatorial in nature. There is no real manifestation of democracy where you have sham election. As suggested by Adejumbi (2000) making sense of elections in Africa as a major component of liberal democracy will require changes in promoting constitutionalism and the rule of law. Unfortunately, most of the constitutions though, imposed by the military are crafted in such a way that it favours the political elite. It is a fact that beneficiaries of a system make sure that the status quo remains. Unfortunately, they are the very class expected to fashion a new constitution. The emergence of a people oriented constitution in Africa seems a mirage but maybe imperative.

Another pertinent issue to note is that the hollow democratization process in Africa has not received any serious sanction from the international community despite its stand on the need for Africa to democratize. For instance, the negative reports from election monitors and observers end up in the trash can of history. In fact even where there had been condemnation of the democratization process such are mere lip service and mostly limited to those leaders presumed hostile to the West. The question of self interest has thus generally guided the behaviour of the West towards Africa. Finally the economic crisis puts a question mark on assumed triumph of capitalism.

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