

DEMOCRACY AND THE RULE OF LAW IN SUB-SAHARAN AFRICA.*

MOHAMMED KWARAH TAL

DEPARTMENT OF POLITICAL SCIENCE, FACULTY OF HUMANITIES,
MANAGEMENT AND SOCIAL SCIENCES, FEDERAL UNIVERSITY, KASHERE,
P.M.B 0182, GOMBE, GOMBE STATE, NIGERIA.
mohammedkwarah@yahoo.com

ABSTRACT.

The contradictions of the colonial economy instigated African nationalists to interrogate the basis for colonialism and demanded for the decolonization of the colonies. These efforts led to the formal independence of many African countries in the 1960s and beyond. As the retreating colonial powers left behind myriads of economic, political and social problems that the comprador bourgeoisie who took over the reins of power could hardly surmount, most of these countries became easy preys to some adventurous and power hungry military elements who, in quick succession, overthrew the civilian administrations put in place. Until the late 1980s through the 1990s when the clamour for democracy and the rule of law took center stage in many Sub-Saharan African states, authoritarianism held sway. This paper explored and evaluated the relationship between “democracy” and the “rule of law” in Sub-Saharan Africa. An overview of the political economy of the region presents a grim picture of economic and political crises manifested, among others, by massive poverty, wars, corruption, and erosion of democratic values and the rule of law. The theory of African Democracy was adopted as the theoretical framework, while secondary data/library research through qualitative method was employed. In conclusion, the Paper submits that democracy and the rule of law remain a sham, a Trojan horse, for the majority of the people, except, perhaps for the elite oligarchs that dominate the economic and political structures of the Sub-region. Suggestions have been put forward for the proper practice of democracy and observance of the rule of law in Sub-Saharan Africa.

Key words: Contradictions, Sub-Saharan, Authoritarian, Democracy, Rule of law.

* Being the text of Paper presented at an INTERNATIONAL CONFERENCE, with the theme, **DEMOCRACY, DICTATORSHIP AND DEVELOPMENT IN AFRICA**, held at Twin Theatre Lecture Hall, Ibrahim Badamasi Babangida University, Lapai, Niger State, Nigeria, **2nd - 5th August, 2015**

BACKGROUND OF THE STUDY

Particularly in the 1960s, the collapse of the colonial system in Africa led to the emergence of “independent” states on the continent. As colonialism involved the plunder and exploitation of the human and material resources of the colonized, the retreating colonial powers left behind myriads of economic, political, and social problems that majority of those who took over the reins of power could hardly surmount. With weak and fragile institutions and

infrastructures, it became easier for adventurous and power hungry military elements to overthrow the civilian administration in many African countries. Such horrendous military incursions into politics continued unabated until the late 1980s through the 1990s when the clamour for democracy and the rule of law became popular in many countries of Sub-Saharan Africa. The replacement of authoritarianism with democratic institutions increased the clamour for constitutional democracy in the region.

One of the fundamental pillars of democracy and good governance is the rule of law. There is the consensus among scholars that democracy and the rule of law are complimentary sides of a coin. Such a reciprocal unity implies there can never be democracy without the rule of law, and vice versa. Today, many Sub-Saharan African nations lay claims to constitutional democracy and the rule of law. The paper therefore explored these claims for both theory and practice. To what extent has democracy and the rule of law been observed? What are the successes and challenges? What are the ways forward? These and more issues were examined within the purview of our endogenous and exogenous realities.

CONCEPTUAL FRAMEWORK

Democracy: - There is hardly a single universal definition that captures the meaning of democracy. Democracy is a popular and widely acceptable form of government that involves certain freedoms and rights. One of the hallmarks of democracy is free and fair election, which allows for greater participation of citizens in the electoral process and governance. Appadorai, (1975: 137-138)¹, submits that democracy is a form of government under which the people directly or indirectly exercise their governing power by electing or choosing their leaders or representatives. It is based on the sovereign opinion of the people, and under which citizens enjoy certain rights and liberties. Such rights includes freedom of association / assembly, freedom of the press, freedom of conscience and religion, the right to vote and be voted for, etc. Even though there are those that believe democracy is invariably an aristocratic arrangement (Asirvatham, E. & Misra K.K., 2009: 447),² democracy is loosely defined by Abraham Lincoln as government of the people, for the people and by the people.

A democratic society is one in which the spirits of equality and brotherhood prevails; and where government does not exist for its own sake but for the overall development of man in society. Hence, “no government has a right to be called a democracy if it does not bring out the best in man.” (Asirvatham, E. & Misra K.K., 2009: 447)³ Bryce, (1921)⁴, asserted that democracy should be understood as the government of the people “expressing their sovereign will” through the ballot box by means of free and fair elections. In other words, democracy shouldn’t be the rule of a few masquerading as the representatives of the people while the reverse is the case. All these guarantees shall never be realized without an effective system of the rule of law.

Rule of Law: - Rule of law is one of the most important ingredients of democracy and serves as medium of peace and sustainable development. In fact, democracy is not sustainable without a robust system of the rule of law. One of the basic connotations of the rule of law concerns the key relationship between law and government. The “rule of law” means that citizens or everyone is subject to the same laws of the land, including the government. No person should be subjected to any punishment or interfered with by authorities unless the law permits or sanctions it (Rosenfeld, M., 2001:1307).⁵ Another basic conception of the rule of law is that laws must be effectively enforceable, free from ambiguity, consistent, stable and

fairly applied; and once adopted, they must be enforced in a predictable way, free from arbitrariness, corruption, and undue patronage (Canadian bar Association, 2007:4).⁶ Without these basic tenets, the operation of a democratic system of government shall be unthinkable. For instance, how could an election be free and fair if electoral rules are not fairly and consistently applied? This means without the rule of law, society will drift to the Hobbesian state of war of all against all, where life was harsh, solitary and anarchical (Hobbes, T., in Gauba, O.P., 2003:182)⁷.

THEORETICAL FRAMEWORK

Africa occupies a subservient, precarious and disadvantaged position in the world system and the international division of labour; and considering the highly important issues of democracy and the rule of law, this paper applied the theory of *African Democracy* in exploring the issues at hand, by answering the above probing questions. Rather than perceive democracy and the rule of law in Sub-Saharan Africa in isolation, the attraction of this approach compelled us to analyze them within the context of internal and external environments whose activities impinge and exert a lot of influence on the Sub-region. It is the conviction of this paper that the African Democracy theory and method of analysis is one approach that goes against the grains of bad scholarship and therefore enables us to easily separate the grains from the chaff.

The theory originated from the writings of African and other international scholars in the 1970s and early 1980s. These scholars sought to understand the pattern and dimension of African politics and African democracy, especially with the emergence of new waves of democratisation. The theory has its root in the work of Huntington (1991)⁸, “The Third Wave: Democratization...”, which argued that African politics is a pre-mature phenomenon that is yet to come to terms with the consolidated model of Western democracy. The theory further contends that even though democratisation was taking place in Africa in the 1970s and 1980s, it was not in the manner in which Western democracy has taken shape in terms of multi-party democracy, opposition politics, rule of law and constitutionalism. In other words, the theory of African Democracy argues that African countries are still experimenting with democratic governments as new form of governance, having undergone decades of military dictatorship and one-party bitter experiences. The scholars believe that the experimentation has different type of problems which hinders its smooth operation. That most of the African countries are legacies of arbitrary colonialism which left a fragile political structure where the tools and apparatus for democratisation and its necessary institutions are lacking and, the environment for its emergence is proving to be difficult (Sklar, 1983)⁹ and (Joseph, 1997).¹⁰

The theory gives some post-colonial African leaders some hard knocks. It argues that instead of the emergent African leaders to focus on building and strengthening democratic institutions, such as sound political parties, vibrant legislature, and the judiciary; they have resorted to the use of primordial sentiments, i.e., ethnicity, regionalism, religion, inter- or intra-elites squabbles and corruption to the detriment of their countries and democracy. By these, it contends, good governance and democratic institutions are undermined and sacrificed on the altar of selfish or irrelevant interests (Bratton & Walle 1994).¹¹

METHOD OF DATA COLLECTION AND DATA ANALYSIS

Methods of data collection are the approaches used by the researcher to obtain data on the subject matter of the study, while data analysis has to do with the method of the interpretation of data, which, eventually is used to answer the research questions and realize the objective of the research work. The paper employed qualitative method of data collection and analysis through the application of qualitative content analysis.

According to Creswell (2014)¹², qualitative data collection techniques involves the use of systematic methods such as interview, questionnaire administration, participant and non-participant observation, review of articles/journals, books, audio tapes, maps, electronic and print media sources, and so on. In this study, data were obtained through secondary sources using library research. Books, journal articles, Newspaper articles, and electronic databases/internet were consulted. Findings were critically analysed against the backdrop of the realities of the practice of democratic governance and the observance of the rule of law in sub-Saharan Africa.

Overview of the Political Economy of Sub-Saharan Africa.

It is generally a fact of history that the contradictions of the colonial economy in Sub-Saharan Africa and, indeed Africa, gave impetus to the nationalists movement that questioned and interrogated the basis for colonialism in all its ramifications (Ake, C, 1981:93).¹³ However, the nationalists struggle only succeeded in attaining relative political independence short of the economic aspect (Ake, C, 1981: 93).¹⁴

The incorporation of the economies of African states into the orbit of the international capitalist system in the 19th century led to the subordination of these states to the reflex impulses and dictates of the colonial and neo-colonial powers, where they occupy an obsequious / subservient position. This position of inequality or master-servant relationship has continued through the instrumentalities of the Bretton Woods institutions (I.M.F and the World Bank) and the Multinational or Transnational Corporations (MNCs or TNCs) (Onimode, B., 1983:137-138).

To ensure the continuity of this dependent relationship, the departing colonial powers created a dependent petty bourgeois class to serve as agents for its continued domination and exploitation of the human and material resources of these states. These crop of the African comprador bourgeoisie who occupy sensitive positions within the economies and political structures of these nations, have always been willing to connive and subvert the interests of their peoples and country. "In Nigeria, the N.P.C elites and the Petty-bourgeois leaders of the other nationalist parties, N.C.N.C and A.G., blazed this trail." (Onimode, B., 1983:138).¹⁶

The deliberate colonial policy of fostering regional and ethnic particularism as was the case in Nigeria and the Sudan; commitment towards the break-up of large political systems such as the French West African Federation, mainly by France and Belgium; support for separatist movements as was the case in the Congo (now, D.R.C), Nigeria , Sudan and elsewhere, were meant to disunite, disorganize, balkanize and weaken African countries into unviable states that are vulnerable to foreign pressure and interests of the Western Powers (Offiong, D.A., 1980:120).¹⁷

Strange, G. (2011)¹⁸, reports that Sub-Saharan Africa, with a population of approximately 650 million people, has been in the throes of harsh and traumatic I.M.F / World Bank Economic policies such as Structural Adjustment Programme (SAP) and the Debt burden. These have weakened their economies, created extreme poverty, conflicts, unemployment, lawlessness, a general state of insecurity and the deepening of dependency structures. For example, Southern Africa, a region made up of 14 countries, and which form part of Sub-Saharan Africa, provided a sobering and debilitating data, where between 2005 and 2006, it had a total population of 243 million with a collective GDP of \$346 billion, less than the GDP of Belgium, with a population of 10 million (Strange, G., 2011:1).¹⁹ Gibb (2009), also reports that the total GDP of Africa's 54 countries with a population of "933 million people was less than that of Spain - a middleweight E.U. economic power...".²⁰ Such sordid economic scenarios have continued to exist in Africa, such that in the 1990s, Africa's contribution to World Production of Goods and Services and world manufacturing exports stood only at 4% and 2% respectively (Strange, G., 2011:2).²¹

The grim picture of Sub-Saharan African economies no doubt has continued to produce some highly disturbing developments and a state of despondency. The region is generally associated with extremes of poverty, low productivity, massive corruption, multifaceted economic and political instabilities, such as political violence, sectarian crisis, conflicts and wars, diseases, high mortality rate, dictatorship, low level of human rights and the rule of law, and a host of others (Mogoeng, M., 2013:3).²² These disturbing and grotesque developments have continued to be the marvel of our contemporary world.

Democracy and the Rule of Law in Sub-Saharan Africa: The journey so far.

The 1990s had opened up hitherto undemocratic Sub-Saharan African states to embrace democratic governance. Military and one party dictatorship were compelled to democratize. Multi-Party democracy which promotes competition in the electoral process is embalmed with certain guarantees of rights, liberty and fundamental freedoms and the rule of law. However, a wider gap exists between theoretical prescriptions and the true practice of democracy and the rule of law. The success or failure of democracy and the rule of law in the region should be measured in the light of its historical circumstances. The overview of the political economy of Sub-Saharan Africa provides less attractive environment for the nurturing and survival of democracy and the rule of law. How can a region prone to conflicts and wars, bedeviled by massive corruption, poverty, imperialists manipulations, poor human rights records, weak judicial institutions, dictatorship, etc., ensure the survival of democracy and the rule of law? Kobina, (2013), argued that free and fair elections in most Sub-Saharan Africa have been far from reality.²³

Apart from the curtailment of press freedom and other abuses, the rule of law also suffered a great deal; hence even in areas where nominal democracy existed, "the argument of force was more persuasive than the force of argument." (Kobina, K.A., 2013).²⁴ Gebre-Selasse, (2009), reports that in the 2005 Ethiopian elections, the ruling party not only rigged the elections, harassed opposition supporters, but "admitted to killing nearly 200 protesters who challenged its illegal acts and violence. Hundreds of thousands of Ethiopians were thrown in jail."²⁵ Opposition leaders were not spared as they were jailed for spurious charges of treason. It's argued that the West, especially the U.S had remained silent just because their lackey, President Meles Zenawi uses the so-called war on terror to buy their sympathy (Gebre-Selasse, S., 2009).²⁶ The situation is not different from the Angolan experience. De Morais,

R.M. (2015) laments that press freedom, free and fair elections are under fire. With a weak and docile judicial system, the rule of law and democracy has taken flight out of the Angolan borders. Harassment and intimidation of journalists have been prevalent. It is simply a case of the stifling of democracy and the rule of law.²⁷

Civil Society Forum of African NGO (2012) observed that “deterioration of rule of law, further erosion of human rights, continued disappearances and statutory murder as well as wanton abuse of executive power in the Gambia....indicates that the country is presided over by an undemocratic regime, where impunity and terror are firmly entrenched.”²⁸ The strangulation of the fundamental rights of the Gambian citizens, especially “the assassination of Deyda Hydera and the extra-judicial killings of 48 innocent migrants.... in 2005;..., jailing and harassment of journalists and illegal closure of private media houses deemed critical of the Gambian government; and the systematic dismantling of institutions of governance – the legislature and judiciary...,” constituted attacks on democracy and the rule of law.²⁹

In Rwanda, elections have been mere smokescreen. Opposition parties have come under heavy repression of the President Paul Kagame government. The press has been muzzled, and the entire Rwandan society has been under Police State (Himbara, D., 2015).³⁰ The Rwanda Constitution stipulates two terms limit of seven years each – Article 101 of the Constitution clearly states that “the President of the Republic is elected for a term of seven years renewable only once,...Under no circumstances shall a person hold the office of President of the Republic for more than two terms.”³¹ As the country prepares for elections, the incumbent President who is about to exhaust his second term in office, is right now plotting to unconstitutionally amend the constitution to allow him continue to rule *ad infinitum*. He has unleashed the state apparatuses and instruments of violence on the people into “demanding” for his continuity in office (Himbara, D., 2015).³²

President Yoweri Museveni has ruled Uganda for almost 30 years. He uses repression and intimidation of the opposition and rigging of elections to remain in power. However, Ugandans go about their normal businesses, because there is relative order (Himbara, D., 2015).³³ Cook, A. and Sarkin, J. (2008:473) reports that in its 2008 World Report, Freedom House noted that in 2007, 15 Sub-Saharan African countries, such as Chad, Nigeria, Mali, Malawi, etc., registered reversals in human rights and the rule of law; but that countries like Cote d’Ivoire, Mozambique, Sierra Leon, Togo, Mauritania, etc., recorded some improvements.³⁴ In Botswana, democracy and the rule of law were not allowed to flourish as there were cases of government clampdown on the opposition, critical media houses and individuals, and the Independent Electoral Commission has been denied its independence in favour of the government. Human rights violation had been prevalent (Cook, A., and Sarkin, J., 2008:475).³⁵

Kellen, M. (2015), noted that according to “Freedom in the World 2015”, in the past decade, press freedom has suffered serious decline than any other form of rights in Africa.³⁶ Authoritarian regimes have continued to harass and imprison dissenting voices. The “Committee to Protect Journalists” reports that “48 journalists were in prison across Sub-Saharan Africa at the end of 2014 and 152 journalists were forced into exile between 2009 and 2014—more than any other region in the world.” (Kellen, M., 2015).³⁷ Restrictive laws, such as Public Order Laws and Counter-terrorism laws are manipulated and used to intimidate and persecute the opposition, pro-democracy groups, human rights activists and other critical NGOs (Kellen, M., 2015).³⁸ Entrenched leaders, such as President Pierre

Nkurunziza of Burundi, Congolese President Joseph Kabila and President Paul Kagame of Rwanda, abuse legal term limits by truncating the constitution (Kellen, M., 2015).³⁹

The observance and practice of democracy and the rule of law in Sub-Saharan Africa presents a bleak and dangerous state of affairs. The 1990s wind of democratization is fast turning into illusion for democracy and the rule of law. One party dominance, abuse of civil liberties, monopoly of the mass media, restrictions on the activities of civil society groups, harsh and detrimental economic indicators, mass poverty, illiteracy and ignorance, imperialists interference, subversion and subordination of African countries, economic crises borne out of inflation, I.M.F / World Bank draconian policies, dwindling external reserves and the burden of debt servicing, have conspired to hold Sub-Saharan Africa hostage in their quests for genuine democracy and the rule of law (Mesfin, B., 2008).⁴⁰

Towards Democracy and the Rule of Law in Sub-Saharan Africa: Putting the Horse before the Cart.

Sub-Saharan Africa share a common history and heritage of imperialists penetration, domination and subordination through its various phases, hence the sordid and lamentable state of its political economy today. From its various definitions, democracy is nothing but the rule of the majority of the people in society. By this, the people rule directly or indirectly through their elected agents or representatives.

But do such representatives rule in the interest of the majority in society? How free and fair have the electoral systems been? Do the constitution, the laws, the media, and other institutions of the state, represent the interests of the majority in our dependent capitalist societies of Sub-Saharan Africa?

Schumpeter (1942)⁴¹, Aron (1950)⁴², argued that democracy is not really the government of the people neither does it give effect to the will of the masses but only affords the people the residual role of electing “their rulers from the competing elites.” They maintained that even though democracy is infused with checks and balances, elite interests hold sway. This position is in tandem with the Marxist view which argues that liberal democracy is class-based, and the ruling class who control the state and its institutions, manipulate the system to advance their class interests. Therefore, democracy in class society is democracy for an insignificant minority or oligarchs.

Accordingly, Marx and Engels maintained that the state and its institutions, such as the political system, constitute the executive committee for managing the affairs of the bourgeoisie (Marx, K. and Engels, F., in Gauba, O.P., 2003:449).⁴³ Marx further maintained that in capitalist societies like ours, the oppressed mass of the people are periodically assigned the nominal role of deciding which particular representatives of the oppressing classes shall represent and oppress them in governance or parliament (Lenin, V.I., 1917, in Gauba, O.P., 2003:451).⁴⁴ Bryce (1921), posited that liberal democracy has the tendency to gravitate towards (a) the use of money to selfishly pervert legislation or administration; (b) the tendency to convert politics into a stock market for self-aggrandizement rather than service to the people; (c) economic recklessness and extravagance; (d) abuse of the doctrine of equality and brotherhood; (e) subversion of the rule of law, etc.⁴⁵ Though these are not only common to democracy, they are inherent in our democratic system as our exposition of Sub-Saharan Africa has shown.

The Marxists have attributed the evils of liberal democracy to the capitalist system of private property relations and, insists on its destruction as a panacea. This thinking reflects the views of classical philosophers like Plato and Aristotle. Basically because of the temptation and corruption of private property ownership, Plato maintained in one of his works, *The Republic*, that for justice, the rule of law and good governance to prevail, the rulers, the *philosopher kings*, among other reasons, should not own private property in whatever form (Plato, in Sabine, J.A. and Thomas, L., 1973:66-67).⁴⁶ He rejected democracy because according to him politicians with the gift of oratory could hypnotize and manipulate the people in the pursuit of their selfish interests rather than service to the state (Plato, in, Sabine, J.A. and Thomas, L., 1973).⁴⁷ He further maintained that in the end, such people who may be thoroughly selfish and incompetent would not only use their positions in power to exploit and oppress the majority of the people, but would eventually ruin the state itself (Plato, in, Gaupa, O.P., 2003:421-422).⁴⁸

Arguing within the same perspective, Aristotle opined that democracy is based on false assumption of equality and therefore should not be trusted (Prezeworski, et al 1996).⁴⁹ Apart from these, the political economy of Sub-Saharan region does not present a conducive atmosphere for the entrenchment and survival of democracy and the rule of law. With reference to Prezeworski et al, (1996), Prof. Charles Soludo, argued that the level of economic development has a lot of influence on a country's democracy and the rule of law (Cabral, A., 1980, in Tedheke, M.U.E., in Ozoemenam and Eze, C.M.).⁵⁰

As explained earlier, democracy remains a ruse without the full observance of the rule of law. The political economy of Sub-Saharan Africa reveals the high level of disregard for the rule of law. As the region has remained the bastion of economic, political and social crises of unprecedented proportions, democracy and the rule of law can hardly survive. Hence, rather than democracy providing the stimulant for the survival of the rule of law, and the rule of law sustaining democracy, we have turbulent scenarios that negates democracy and the rule of law. Therefore, it is apt to conclude that in Sub-Saharan Africa, democracy is simply a government of a clique of oppressors, by oppressors and for the oppressors. Rather than the rule of law, we have the rule of men. It is more or less a Trojan horse for the majority of the people.

This paper feels progressive and nationalistic elites could make democracy and the rule of law work to a manageable degree despite the temptations of power, private property relations, and the meddlesomeness of imperialist powers.

On the other hand, the paper recommends the Marxist position by way of a rejection of the capitalist system since it is built on private ownership of the means of production which largely breeds egocentrism, corruption, inequalities, poverty, and numerous other social vices that have come to define the political economy of Sub-Saharan Africa and the State of the practice of democracy and the rule of law. Capitalist democracy is illusionary and devoid of substance. In view of these, this paper joins Amilcar Cabral, (1980:166) in the wake-up call on African leaders and peoples, "... that as long as imperialism is in existence, any independent African State must be a liberation movement in power, or it will not be independent."⁵¹ Sub-Saharan Africa / dependent capitalist states should look inward – reposition our value systems within the contexts of our economic, political and social peculiarities, sensitize, educate and mobilize our citizens towards a new social rebirth. Our educational curricula should right, from nursery to tertiary levels be reviewed and evaluated from time to time in line with our new philosophy of democracy and the rule of law. The

innate communal spirit in the African should be revitalized and re-oriented for the better. Our legal system should be overhauled in tune with the new chosen path.

Unless we take up the challenge, no matter how daunting and difficult it may be, genuine democracy and the rule of law shall continue to elude us. This paper shares the thinking of Lao Tsu, who noted that “A journey of a thousand miles must begin with a single step.” (*Tsu, Leo, in Ujo, A.A., 2000:3*).⁵² And by these, we shall be putting the cart before the horse as we struggle for the enthronement of genuine democracy and the rule of law in our Sub-Saharan African Societies.

Conclusion.

The overwhelming state of the political economy of Sub-Saharan African region revealed a pathetic state of affairs. Poverty, inequalities, disgusting economic indicators, endemic corruption, kleptomania, dictatorship, wars, violence and insecurity, and a host of other social vices, have combined to rob democracy and the rule of law of their place and essence in society. The dependent bourgeoisie and the ruling classes in the region are hardly nationalistic, but willing collaborators with foreign capital in the subversion of democracy, the rule of law and pillage of our societies. This unholy alliance has continued to deepen the crisis of democracy and the rule of law, to the extent that this paper is compelled to conclude that democracy and the rule of law have come to represent oligarchy and the rule of men, respectively. In view of these, and by way of suggestion, Africans, especially its leaders/rulers, should be patriotic, inward looking, and shun anything capable of deepening the crises of democracy and the rule of law. Since one of the problems is largely that of a social system that has tied African countries to an appendage position in the international division of labour, African leaders should review such relationship with view to reducing the levels of dependency on the West. They should work to override personal interests and fashion out a system that would usher in a new dawn, where democracy and the rule of law will manifest their true colours for the betterment of our peoples, region, and indeed, Africa.

REFERENCES

1. A. Appadorai (1975), *The substance of Politics*, Eleventh Edition, Oxford University Press, New Delhi, India, pp.137-138.
2. Asirvatham, Eddy and Misra, K.K. (2009), *Political Theory*, Thirteenth Thoroughly Revised and Enlarged Edition, S. Chand and Company Ltd, Ram Nagar, New Delhi, India.
3. Asirvatham, Dr. Eddy and Misra, K.K., (2009), Ibid, P.447
4. Bryce, James, (1921), *Modern Democracies*, cited in Asirvatham, Eddy and Misra, K.K., Ibid, P.422
5. Rosenfeld, Michel, (2001), “*The Rule of Law and the Legitimacy of Constitutional Democracy*”, in *Southern California Law Review*, Vol.741, P.1307.

6. Canadian Bar Association (CBA), (2007), “Sustaining Democracy through the Rule of Law”, Canadian Bar Association, 865 Carling Avenue, Suite 500, Ottawa, Canada, P.4
7. Hobbes, Thomas, Cited in Gauba, O.P., (2003), An Introduction to Political Theory, Fourth Edition, Macmillan, India Ltd. P.182
8. Huntington, S.P. (1991) *The Third Wave: Democratisation in the Late Twentieth Century*. Oklahoma: University of Oklahoma Press.
9. Sklar, R.L. (1983) “Democracy in Africa” *JSTOR Journal*.
10. Joseph, R.I. (1989) “Democratisation in Africa after 1989: Comparative and Theoretical Perspective”. *JSTOR Journal*.
11. Bratton, M. & Van De Walle, N. (1994) “Neopatrimonial Regimes and Political Transition in Africa” *JSTOR Journal*.
12. Creswell, J.W. (2014) *Research Design: Qualitative, Quantitative & Mixed Methods Approaches*. California: Sage Publication.
13. Ake, Claude, (1981), A Political Economy of Africa, Longman Group Nig. Plc, P.93.
14. Ake, Claude, (1981), *Ibid*, P.93
15. Onimode, Bade, (1983), Imperialism and Underdevelopment in Nigeria. The Dialectics of Mass Poverty; Macmillan Press, London and Basingske, PP. 137-138.
16. Onimode, Bade (1983), *Ibid*, P.138.
17. Offiong, Daniel A., (1980), Imperialism and Dependency. Obstacles to African Development, Fourth Dimension Publishing, Co. Ltd, Enugu, Nigeria, P.120
18. Strange, Dr. Gerry, (2011), “The Political Economy of the Sub-Saharan Africa Region. ‘Failed’ States and ‘Failed’ Regionalism?” Research -to-Teaching/Teaching-to- Research Working Paper, No.6, P.1
19. Strange, Gerry, (2011), *Ibid*, P.1
20. Gibb (2009; 703), in strange, Gerry (2011), *Ibid*, P.2
21. Strange, Gerry, (2011), *Ibid*, P.2
22. Mogoeng, The Hon. Mogoeng (Chief Justice of South Africa), (2013), “The Rule of Law in South Africa: Measuring Judicial

- Performance and Meeting Standards,” Chatham House
(www.chathamhouse.org), P.3
23. Kobina, Kennedy Arthur, (2013), “*The Rule of Law in Africa*”, Ghanaweb, www.ghanaweb.com
 24. Kobina, Kennedy Arthur, (2013), Ibid.
 25. Gebre-selasse, Solomon, (2009), “*Ethiopia’s struggle for Democracy and the Rule of Law*”, in *Pambazuka News*, issue 425, <http://pambazuka.org/...>
 26. Gebre-Selasse, Solomon, (2009), Ibid.
 27. De Morais, Rafael Marques, *Blood Diamonds: Corruption and Torture in Angola*, cited by Chesseman, Nic. (2015) “*Corruption and the Rule of Law in Angola*”, in “*Democracy in Africa*”, www.democracyinafrica.org/...
 28. Civil Society Forum of African NGOs, (2012), “*Country Resolution: Gambia governance, democracy and respect for the rule of Law*”, (Yamoussoukro) Cote d’ Ivoire, on the 25th anniversary of the African Commission on Human and Peoples’ Rights.
 29. Civil Society Forum of Africa NGOs (2012), Ibid.
 30. Himbara, David, (2015), (United States and Canada) Coordinator for *Democracy in Rwanda Now*, (Testimony before U.S. Congress), Freedom House. <http://freedomhouse.org>.
 31. Himbara, David, (2015), Ibid.
 32. Himbara, David, (2015), Ibid
 33. Himbara, David, (2015), Ibid
 34. Cook, Amelia and Sarkin, Jeremy, (2008), “*Is Botswana the Miracle of Africa? Democracy, the Rule of Law and Human Rights Versus Economic Development.*” in *2008 World Report*, Freedom House, OP.Cit. P.473.
 35. Cook, Amelia and Sarkin, Jeremy, (2008), Ibid. P. 475
 36. McClure, Kellen (Advocacy Officer, Africa Programs) (2015), “*5 Governance Challenges for Africa.*” In *Freedom House*, Ibid.
 37. McClure, Kellen (2015), Ibid.
 38. McClure, Kellen (2015), Ibid.
 39. McClure, Kellen (2015), Ibid.

40. Mesfin, Berouk, (2008), “Democracy, Elections & Political Parties. A Conceptual Overview with special emphasis on Africa”., Institute for Security Studies (ISS).
41. Schumpeter, Joseph A. (1942), Capitalism, Socialism and Democracy, cited in Gauba, O.P., (2003), An Introduction to Political Theory, Fourth Edition, Macmillan India Ltd, P.441.
42. Aron, Raymond, (1950), Social Structure and the Ruling Class, cited in Gauba, O.P. (2003), Ibid. P.442
43. Marx, Karl and Engels, Frederick, (1848), Manifesto of the Communist Party, in Marx, Karl and Engels, Frederick, (1980), Selected Works, in One Volume, International Publishers, New York. Also cited in Gauba, O.P. (2003).
44. Lenin, V.I. (1917), The State and Revolution, cited in Gauba, O.P, (2003), OP. Cit. P.451
45. Bryce, James (1921), cited in Asirvatham, Eddy, (2009), OP.Cit. P.423.
46. Plato, Republic cited in George H. Sabine and Thomas L. Thorson, (1973), A History of Political Theory, Fourth Edition, Oxford and IBH Publishing Co. PVT. Ltd., New Delhi, India, PP. 66-67.
47. Plato, Republic cited in George H. Sabine and Thomas L. Thorson, (1973) A History of Political Theory, Ibid.
48. Plato, Republic, cited in Gauba, O.P., Cit. PP.421-422
49. Aristotle, Politics cited in Gauba, O.P, OP. Cit. P.422
50. Prezeworski, et al., (1996), cited by Charles Soludo, in Cramer, Chris, (1997), “The Economics and Political Economy of Conflict in Sub-Saharan Africa”, C.D.P.R. School of Oriental and African Studies, University of London, United Kingdom, <http://www.soas.ac.uk/centres/cdpr>
51. Cabral, Amilcar (1980: 116), cited by Tedheke, Moses Eromedoghene Ukpanumewu, Ph.D., “Africa and the Crisis of Democratization: A Dialectical Analysis”, in Mbachu, Ozoemenam, Ph.D, and Eze, Chukwudi Mayor, (eds), Democracy and National Development: issues, Challenges and Prospects, Medusa Academic Press, Kaduna, Nigeria. P. 146.
51. Lao Tsu, cited in Abdulhamid A. Ujo, (2000), Democracy & Politics. A Guide for Students, Politicians and Election Managers, Anyaotu Enterprises and Publishers, Nigeria Ltd., P.3