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AT ISSUE

More Ominous than Climate Change?
Global Policy Threats to African Food Production

ANDREW MUSHITA AND CAROL THOMPSON

Abstract: In international fora, climate change discussions center on how farmers can "mitigate" and "adapt" to weather variability to increase food production. Instead, African smallholder food producers are employing ways to "resist" and "sustain," for international policies in the name of climate change threaten their farming systems, biodiverse genetic wealth, and their indigenous knowledge. These policy storms could be more devastating than any weather variability, for they could destroy the very resources that farmers use to produce biodiverse foods: their seeds, land, soil, water, and markets. This article first focuses on analysis of the policy changes that mirror the climate hazards: drought, floods, rising temperatures, and weather variability. Second, we discuss African alternatives, the ways in which smallholder farmers are resisting outside agendas to transform their farming systems and sustaining their resilient food production.

The crises of climate change are commanding policy agendas for African food and agriculture. Dire predictions abound about increasing drought and temperatures reducing food crop yields and livestock quantity and quality: Africa will become even hungrier. Although the continent of Africa is not the source of greenhouse gas (GHG) emissions (responsible for only 3.7 percent of global total), the orientation of the discussions and debates centers on how farmers can "adapt" and "mitigate" climate change in order to increase food production. The well-financed international agenda emphasizes promotion of carbon sinks for mitigation and new technology such as "climate ready seeds" for adaptation. Instead, the discussions ought to focus on the dire need to significantly reduce greenhouse gas emissions by developed countries. Setting out a threshold for GHG emissions reduction processes and levels that are time bound and formulating enforceable mechanisms and related global penalties for any defaluters is fundamental to addressing the climate change challenges.

Based on two decades of work with smallholder farmers in Southern Africa, and recent scientific research among them about climate change, this article suggests another way forward for Africa.[1] Instead of "adapting" and "mitigating," smallholder food producers are employing ways to "resist" and "sustain," for policies coming from the North in the name of

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climate change threaten smallholders' farming systems, biodiverse genetic wealth, and their indigenous knowledge. These policy storms could be more devastating and extensive than any temperature or rain variability, for they could destroy the very resources that farmers use to produce biodiverse foods: their seeds, land, soil, water, and farming systems.   Even a firestorm leaves seeds deep in the ground to germinate, but many current international policies involve replacing, not rejuvenating, African smallholder food production systems—much worse than a firestorm.

Only giving a brief reminder of climate change predictions for Africa, this article focuses first on analysis of the policy changes that mirror the climate hazards: drought, floods, rising temperatures, and weather variability. Some of the policies evolve directly from climate change strategies, while others reflect more macro-economic policies, but ones that affect food research, production, and marketing. Second, the paper discusses African alternatives, the ways in which smallholder farmers are sustaining their biodiverse food production and resisting outside agendas to transform their farming systems.[2] African alternatives suggest lessons for smallholders in other regions to advance their farming systems during this crisis of climate change. These African food production practices are designed to deflect pressure on continued global food price increases that are likely to spiral since they are exacerbated by volatile global market dynamics, inadequate global coordination, and the multiple effects of climate change, energy shortages, water scarcity, land degradation, and accelerated agricultural biodiversity loss.

Drought

Climate change is spreading the extent and severity of droughts, and the African continent is predicted to be the most affected.[3]   Areas already semi-arid will become deserts, and current rain-fed arable land will need irrigation from diminishing streams and lakes. Although Southern Africa records are not yet showing reduction in average annual rainfall, increased variability of rains already affects yields. The pattern seems to be shifting with rains arriving several weeks late, and the usual mid-season dry spell increasing from two or three weeks to about six weeks. Farmers are sustaining their food production by planting highly diverse crops (fifteen to twenty on one hectare) at different times, some very late, and they are intensifying techniques of water harvesting. Locally cultivated open pollinated varieties (OPVs) of maize are more tolerant of extended dry spells than the hybrids, but farmers are also turning more to sorghums and millets, both more drought tolerant than maize.[4] Crop diversification is key and central to sustaining crop productivity, containing rainfall variability, and ensuring food sovereignty.

The policy drought, however, is already severe.   A review of "world economic prospects" from UN-DESA and UNCTAD reports a net outflow of capital from Africa to developed economies from 2000-2010, calling it a "pattern in which poor countries transfer significant resources to much richer nations . . . ."[5] Further, although minerals have gained in global market prices, the terms of trade for agricultural commodities continue to deteriorate over the long term.[6] A prominent scholar, John Weeks, suggests that the extent of capital outflow demonstrates that "sub-Saharan Africa, location of the poorest countries in the world, has generated net capital outflows for decades. One could with small exaggeration say that for a generation Africa has provided aid to the United States and Western Europe."[7]

A 2010 study, revealing one stark example of capital outflows from Africa, reported the magnitude of "illicit" capital removals at about $30 billion per year or twice the African

foreign debt.[8] In comparison, all official development assistance (ODA) to agriculture for all of Africa averages only about $2 billion per year.[9] Despite the onset of the global financial crisis, the updated study (2011) found that illicit flows from sub-Saharan Africa increased 15.7 percent in real terms in 2009.[10]

The category of "illicit" financial flows refers to tax havens, secrecy jurisdictions, disguised corporations, anonymous trust accounts, fake foundations, trade transfer pricing, and money laundering techniques.[11] In contrast to what might be expected, those removing the capital are estimated as follows:

TABLE 1: ESTIMATED CONTRIBUTION TO ILLICIT CAPITAL OUTFLOW FROM AFRICA

Source	Percent of Total
Corruption of Government Officials	~ 3
Criminal (counterfeiting, etc.)	30-35
Corporate Tax Evasion	60-65

Note: tabulated from Kar and Cartwright Smith 2010, p. 1.

The study concludes with an explanation and a recommendation:

> It is not surprising why donor-driven efforts to spur economic development and reduce poverty have been underachieving in Africa…. Policy measures must be taken to address the factors underlying illicit outflows. In addition, African countries must impress upon the G-20 the need for better transparency and tighter oversight of international banks and offshore financial centers that absorb these flows.[12]

Other studies, including from the International Monetary Fund, are beginning to debate how capital controls could best be implemented and enforced.[13]

Directly related to agriculture is another financial drought: very little benefit sharing back to smallholder farmers for the genetic resource wealth they have freely shared. Although the Convention on Biological Diversity (UN-CBD 1993) and the International Treaty on Plant Genetic Resources for Food and Agriculture (FAO 2004 - ITPGRFA) both require benefit sharing back to the farmers, it is not yet forthcoming. The CGIAR centers (Consultative Group on International Agricultural Research) hold about 696,000 accessions (seed samples), overwhelmingly donated by South country farmers, in trust for humankind. Under the ITPGRFA, the standard material transfer agreement (SMTA) is the instrument to enforce the prohibition on patenting of any of the treaty-protected varieties (only sixty-nine) and to request benefit sharing (0.7 percent of profit) for any materials providing commercial benefits of all the varieties. This access and benefit sharing (ABS) facilitates retaining the accessions in the public domain while providing funding for their maintenance and distribution. ABS provisions, inspired by the CBD and the ITPGRFA and influenced by international and national social, economic, and political factors, include: ownership; scope; access procedure; prior informed consent; benefit sharing and compensation mechanisms; intellectual property rights and the protection of traditional knowledge; in-situ biodiversity conservation and sustainable use; and enforcement and monitoring. All these elements have to be addressed within a national ABS legislative framework as ownership of genetic resources determines access conditions, procedures, rules, and rights over these resources.

ABS is, by definition, a blend of two concepts that are politically and legally linked. The concepts are merged for convenience and practical purposes as ABS, but there are many ways in which they are best understood separately.[14] In the Convention on Biological Diversity, the term "access to genetic resources" refers to the ability of a country, its subjects, or representatives to obtain the right to sample, study or use particular specimens of genetic material. On the other hand, the term "fair and equitable sharing of the benefits" refers to the right of holders of such genetic resources to benefit from their utilization, including commercial utilization. For this purpose, the broad concepts of ABS include numerous other issues such as transfer of technology and ownership and intellectual property issues arising from traditional knowledge associated with the accessed genetic resources.[15] The concept has since been given international legal prominence through the ABS Protocol that was adopted by member states of the CBD during the tenth Conference of Parties Meeting (COOP 10) held in Nagoya, Japan in November 2010.

A critical issue related to ABS, as highlighted above, is the protection of traditional knowledge associated with genetic resources. Article 8j of the CBD calls upon Member States to "respect, preserve and maintain knowledge, innovations, and practices of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity." Communities, especially those in developing countries, have played a major role in the conservation of biological diversity through the use of indigenous knowledge systems (IKS). However, there is a growing realization amongst these communities that the genetic resources they are conserving and the traditional knowledge they possess associated with these resources are being exploited to their disadvantage. This realization has the potential of acting as a disincentive for them to continue their customary role of conservation, as evidenced by developments in modern biotechnology and by the continued expansion of global trade that especially have allowed developed countries to gain greater access to, and to derive benefits from, the world's biological and genetic resources. Farmers ought to be rewarded for their past, present, and future contributions to the conservation and sustainable use of genetic resources. In this case, there is a need to domesticate and implement people-centered ABS regulatory frameworks that provide meaningful incentives: affirmation of rights to farmers, monetary and non-monetary benefits, access to technology, and support for the preservation of local indigenous knowledge systems.

Though access is open to anyone, the benefit sharing, based on voluntary accountability, fails to bring in funds or recognition of the genetic wealth cultivated by indigenous farmers. The policy in principle has been accepted across the globe, but the failure of implementation perpetuates, or actually facilitates, biopiracy of indigenous knowledge and seed from smallholder farmers.

The inability to access technology is another type of policy "drought." Because of the biotechnology race to privatize "intellectual property" over the last two decades, innovations are slow to enter the public domain and when they are available for scrutiny or use, it is only after paying royalties. Not only the end product remains a "trade secret" for years, but also, the process used to achieve that innovation, making the phrase "technological transfer" an anachronism. Large economies like the People's Republic of China or India may ignore many intellectual property rights (IPRs) and not be prosecuted, but smaller countries in Africa cannot afford such risks. Quite the opposite, when one of

their plants or animals is cross-bred and patented, an African country often cannot afford to sue the perpetrator because of millions of dollars in litigation costs.[16]

The policy droughts of the inability to earn revenue via material transfer agreements for their seeds and of insufficient access to biotechnology are striking smallholder farmers much more severely than dry spells of the variable rains. UN agencies are noticing the problem and advocating more effective means to share resources than the SMTAs. Calling for more sharing of power, not just benefits, related to the allocation of resources, the FAO Commission on Genetic Resources for Food and Agriculture points out that less sharing results in less adoption:

> Even when there has been strong development of biotechnologies within the public sector in developing countries, they have not always been directed towards—or made available for—improving smallholder livelihoods. In fact, an inclusive process of decision-making about the allocation of resources for the development of appropriate crop biotechnologies was rarely adopted, undermining the successful development of crop biotechnologies"[17]

UN-DESA names the problem and calls for initiatives through compulsory licencing, in order to release the sharing of resources:

> … a small group of private companies is actively patenting plant genes with a view to owning the rights to the genes' possible "climate readiness" in the future. …Where exclusive private-sector rights of use to vital technology are a hindrance to the development of other needed technology or to widespread use, the technology regime must have a mechanism (such as exists in certain areas of public health) for granting a "compulsory licence" that places said technology in the public domain.[18]

The net flow of capital removed from the African continent, the decline in official aid for African agriculture, voluntary payments for material transfer agreements for African genetic wealth not honored, and proprietary rights reducing transfer of biotechnology are just a few examples of the "policy droughts" which constrain smallholder food production. As the precipitation becomes even less from climate change, African food producers will have already been rendered more vulnerable by these financial and technological transfer "droughts."

Floods

Predictions of rainfall changes in Africa vary with the region: "...increases in equatorial Africa, decreases in the Sahel and Southern Africa, and more variability in [East] Africa. These changes will be accompanied by an increase in extreme events (floods and droughts) and sea level rise of some 20 to 50 centimeters by 2050, particularly in West Africa."[19] Floods are occurring across Southern Africa in places never before known to have too much water. More than drought, the waters wipe out not only the crops and livestock but infrastructure and equipment to rejuvenate for the next season. Zambia in 2010 experienced a serious epidemic of measles that quickly spread because health officials could not reach communities isolated by heavy rains for either immunization or cure. The health effects of flooding can be very serious, and increasing flood waters from climate change will disrupt food production, transport, and health care.[20] In addition, vulnerability to environmental change not only depends on change in frequency or duration of climate conditions, but also on the capacity to respond adequately to those changes by the affected communities.

Household income, income diversification, availability of labor, and the health status of household members are factors that determine vulnerability. The other key elements for resilience against the effects of climate change are the depth of local knowledge systems related to food production, ecological farming practices, and crop diversification that can be used as a risk aversion measure.

An example of a "policy deluge" is most aptly illustrated by the multiple introductions of genetically modified organisms (GMOs), even in countries that practice the precautionary principle for their testing, propagation, and use (e.g., Zambia, Zimbabwe). Since the infusion of genetically modified (GM) grain as food aid into Southern Africa in 2002, GMO contamination threatens local varieties of maize and soya. A highly financed drive for "mitigation" of climate change promotes adaptation of GM seeds for maize, soya, cassava, and sorghums, as "climate-ready seeds." This campaign arrives in the form of grants to scientists, aid to governments, subsidized seeds to farmers, and through marketing. The policy flood washes over research grants, loans, rural credit, subsidies, food aid, and throughout the markets. Climate change becomes the urgent reason for this adaptation, promoted by many initiatives from the Millennium Challenge Corporation, the Alliance for a Green Revolution in Africa (AGRA) to the Africa Union's Comprehensive Africa Agriculture Development Program (CAADP).

The latest entry point for the GM "floods" are agrofuels, for crops like jatropha are not really cost effective to produce biodiesel, unless more oil can be extracted from the seeds, the reason for genetically modifying jatropha.[21] The chart below summarizes the most important GMO agendas for agrofuels:

TABLE 2: DELUGE OF GMOS - "SECOND GENERATION" AGROFUELS

Crop	Reasons for genetic modification
Cassava	>starch, >viral resistance
Cotton seed	>oil,>pest resistance
Groundnuts	>viral, fungal resistance
Maize	>starch
Sorghum	>starch, >viral, fungal resistance
Jatropha	>oil

Note: Steinbrecher 2008.

Only jatropha is not a food crop, and therefore, genetic contamination of locally-bred (cotton seed, groundnuts, maize) and of indigenous (cassava, sorghum) varieties threatens African food sovereignty and the genetic wealth of smallholder farmers to sustain food production during climate change. The flood of GM seeds, overflowing from many sources, renders the farmers more vulnerable to flood waters of climate change.

The origin of another "flood" into Africa is the globally marketed processed and fast foods. Given that highly refined wheat flour, white potatoes and fried foods do not begin to compete with African sorghum and millets for either nutrition or climate adaptability, one would expect to find these versatile indigenous food crops dominating the prepared foods sectors—in rural tuck shops, cafes, and urban restaurants, hotels—served as breads, snacks, drinks, and as the basic carbohydrate instead of wheat or potatoes. However, from fast food chains to remote rural shops, the foods offered are crisps, white bread, and Coke. Local

foods are not yet lost, for one can buy the flours and products in urban grocery stores, but the flood of globally marketed fast foods has already surged through the prepared foods markets at great profit.[22]

Turning away from a traditional diet, most urban and rural African teenagers do fancy chips and Coke as much as blue jeans. The HIV/AIDS pandemic, however, highlights the importance of nutritious food, for persons living with HIV need considerably more protein and nutrients than the average, for they keep the body's immune system active.[23] Traditional African foods are much more nutritious than globally marketed "fast food" fats, sugars, and salt. For example, as rich as maize for carbohydrates and vitamin B6, sorghum is more nutritious in protein, calcium, copper, iron, phosphorus, ash, pantothenic acid (vitamin B5), isoleucine and leucine (amino acids).   Finger millet, traditionally cooked in delicious porridge for pregnant women, is also rich in the B vitamins, potassium, iron, phosphorous, magnesium and zinc. In Zimbabwe, nutrition gardens at rural health clinics are demonstrating how beneficial local foods are in enhancing nutrition for persons living with HIV.   Further, these grains (e.g., sorghum, pearl millet, and finger millet) are highly drought tolerant because strains have been bred for early flowering to occur, not when adequate rains have come, but according to daylight length.

Rising Temperatures

Overall, sub-Sahara Africa registered 0.6 degrees Celsius increase in average temperatures, 1980-1990. The IPCC report predicts temperature rising three to four degrees Celsius for Africa, or 1.5 times the global mean.[24] Farmers affirm that 35 degrees Celsius is the maximum tolerated by maize, but the stress is more quickly expressed by cattle, and they quickly decline with rising temperatures, diminishing herd size. Although global warming is at the moment less a threat to farmers than drought, the "heat" or insistence from the North to adopt certain policies intensifies.

One policy intensely lobbied across the African continent is to privilege plant breeders' rights (PBRs) over farmers' rights (FRs) to seed. Strongly promulgated across the continent by WIPO (World Intellectual Property Office) in the drive to have governments accept UPOV (Union for the Protection of New Plant Varieties), plant breeders' rights honor scientists in laboratories, while refusing to recognize farmers as breeders. The 1991 UPOV treaty, in force since 1997, takes away farmers' rights to exchange, breed, and plant any seed and turns it into farmers' privilege (a request granted) to exchange seed.   In contrast, the international plant treaty, under Article 9, (ITPGRFA), the first international law to recognize farmers' rights, tries to bring farmers' rights as breeders equal to plant breeders in laboratories. It recognizes farmers who have bred seeds for centuries, yet the differences between the two laws remain stark, as summarized in the Table Three below.

Because only two African governments (Kenya and South Africa) have accepted UPOV membership, policy pressure "heats up" for more African participation. But this law threatens food diversity, because PBRs enclose the plant genetic resources instead of sharing them with other breeders who experiment with new varieties, multiplying the genetic wealth for all.   Further, industrial agriculture values very few strains of very few crops, promoting monoculture. Loss of genetic diversity results from decades of narrow genetic selection mainly focused on increased yields, minimising even vital nutrition traits.[25]

TABLE 3: PLANT BREEDERS' VERSUS FARMERS' RIGHTS

Plant Breeders' Rights PBRs	Farmers' Rights FRs
Legal definition	Legal definition
Intellectual Property Rights	Recognition of indigenous knowledge
Patents of living organisms	Rejection of patents as biopiracy
Royalties	Benefit sharing not occurring
Public and private monitoring - national, international	No monitoring Africa: no government capacity
Access to public materials and funds	Access to public materials but no funds
Global market dominance deters alternatives	Africa: local market dominance by farmers' seeds but no entry into other markets
Genetic erosion	Sustaining biodiversity

Note: authors

During crises of climate change, it would appear that the international community would choose to value both FRs with PBRs, but quite the opposite is true, in terms of finance, legal authority, and prestige. As the chart above summarizes, farmers' rights are now defined in international law, but they have a much weaker traction in that benefit sharing back to the breeders is rare and international monitoring is ineffective, while plant breeders' rights offers access to seeds, effective monitoring, and royalty payments for trademarks and/or patents. The processes of realizing and domesticating the ITPRFA is not supported by the international community, neither in terms of providing technical or financial assistance, nor in formulating a model law that countries can adapt or adopt according to national interests and economic realities.

This disparity in recognition of two types of plant breeders illustrates how indigenous knowledge is disregarded in the global food chain. If climate change is such a crisis, then perhaps the global community should listen to and debate all kinds of knowledge from Cartesian ("Western") scientists to the practiced, successful cultivator who selects the best seeds and experiments in "field trials" every season. Indigenous knowledge sustains the vast array of African foods. So far, biotechnology is not even keeping up with Mother Nature, for the pests are evolving after three to four seasons of planting the GM crops (e.g., Monsanto Bt gene).[26] The response to this failure of GM is to try more GM, to pressure more for its use.   At the least, the successes of indigenous knowledge should receive as much acclaim and financing as the failures of GMOs.

The two problems are coterminous: the devaluing of indigenous knowledge and the privatization of knowledge gained from laboratory experiments. Given the climate change crisis, policy directives might better serve the public interest by opening up the sharing of new ideas and partial answers, to find more answers and better ones, not to patent living organisms for a quick profit under the guise of climate change mitigation.   The landmark report of the International Assessment of Agricultural Knowledge, Science and Technology (2009), engaging four hundred scientists over three years, recommends investment in the

kind of science that encourages participatory knowledge creation and the integration of indigenous knowledge.

In addition to the issues of plant breeders' rights over farmers' rights and of Cartesian science over indigenous knowledge, the use of African land for agrofuels is heating up as a policy demand. A World Bank study estimated that about 51 percent (29 of 56 million hectares) of the land designated of interest to foreign investors is in Africa, while the international non-governmental organization, GRAIN, found 446 cases of land grabbing of which 228 (56 percent) were in Africa.[27]

Those accessing African land extend across the globe, including China, India, and the Persian Gulf countries. As is well known, it was a South Korea corporation (Daewoo Logistics) trying to lease half the arable land in Madagascar that destabilized the elected government in 2009. India is reportedly discussing investment of $4 billion in Ethiopia, while Saudi Arabia is looking at 500,000 ha. China is trying to acquire access to as much as 2.8 million hectares in the Democratic Republic of the Congo and two million hectares in Zambia.[28] From 2010, China's State Development & Investment Corporation, in the China-Africa Development Fund, initiated discussions for ethanol production, based on sugarcane and manioc investment in several African countries, starting with Benin (about 5,000 ha) and Sierra Leone (10,000 ha).[29]

The mix of who is doing what, however, is difficult to ascertain; for example, in Sierra Leone, a Vietnamese company began rice and rubber production in 2012, but with financing from China and from several European development banks (Sweden, Germany, the Netherlands, and Belgium).[30] The series of studies by the Oakland Institute document the wide range of interests, including Harvard and Vanderbilt Universities investing in UK hedge funds to lease African farmland.   In Mozambique, the leasing is by Norway, Sweden, Portugal, Italy, the UK, and the US. Global Witness and the Oakland Institute's April 2012 report, however, documents how very difficult it is to learn who is leasing what from whom, for many of the contracts are now made in secret, given that some of the most egregious deals were annulled after civil society organizing, as in Tanzania and Mozambique.[31]

International pressure comes in the form of promised revenue for debt-ridden governments, along with a few jobs. However, agrofuel crops require large plantations, with plenty of water, fertilizer, and pesticides for high yields; harking back to the ninetheenth century, plantation agriculture perpetuates all the negatives of industrial agriculture: fossil fuel dependence, ground water and air pollution, soil contamination, and repressive labor conditions. Further, the agrofuels will be less for local use and more for export overseas to the highest bidders.[32] In the twenty-first century, can the international community really address climate change by continuing two centuries of exploitation of African lands for overseas consumption while Africans remain poor?

Weather Variability

In Southern Africa, the first expressions of climate change are coming in highly variable weather patterns. As stated above, overall average annual rainfall is about the same, but the rains come late and are sporadic to the point of withering young plants. Similarly, temperature variability is greater than before. "Average" conditions no longer exist, calling into question a farming system of monoculture over vast tracts of land. In contrast, smallholder farmers are planting according to microclimates within their fields, avoiding the genetic vulnerability of vast tracts of monoculture. In Southern Africa, the capacity to

manage such a variety of crops derives from participation in farmer field schools, many functioning for decades, where farmers share knowledge and experience while jointly solving specific problems arising each season; indigenous knowledge assists with indicators about weather (timing of tree flowering) that is as accurate, or more accurate, than meteorological data sent from overly centralized weather stations to remote areas.[33] Farmers' scientific data report the variability within microclimates.

One such "policy variability" paralleling weather variability is a much greater hazard in the short term: price volatility from the global financialization of food commodities. Its urgency attracted attention of the G20, but with little resolution. UN Special Rapporteur on the Right to Food, Olivier De Schutter, concluded after the June 2011 G20 meeting that:

> the plan of action tries to address the symptoms of price volatility on agricultural markets, but it fails to address the causes. That the G20 still insists on the need for more studies rather than on the need to remove distorting fiscal incentives and subsidies . . . shows how commercial interests trump the concern for food security in this particular case.[34]

Although the full complexity of food commodity speculation cannot be analyzed here, there is widespread agreement that price volatility promotes neither smallholder food production nor global food security.[35] As the UN-DESA/UNCTAD report concludes:

> Many financial investors enter commodity markets with the motive of diversifying their portfolios, their position-taking being typically unrelated to the fundamentals of supply and demand in [food] commodity markets. They regard [food] commodities merely as an alternative class of assets, next to equities, bonds and so forth.[36]

Such merger of food for humans with bullion speculation causes shifts in prices unrelated to relative scarcity (i.e., market supply/demand for food) and therefore, leads to greater price volatility, increasing farmer risks, and most often, raising prices.[37] It is also generally acknowledged that much of the food commodity trading by financiers is not recorded for OTC (over the counter) trading is really unregulated, "under-the-table" exchange.[38] Recent G20 meetings have not agreed to increased regulations nor have US government reforms advanced any.

Given these global food market conditions, African smallholder food producers will continue to produce for local markets, where prices remain more related to supply and demand, than to distant speculators clicking icons on their computers. African farming networks are claiming food sovereignty, the right to choose what diverse plants are eaten, how to produce them, and certainly, whether their choice of market is local, national or regional.[39] The global grain market, now a speculative commodity market, offers little or no attraction.

Darkness

Although climate change discussions never encompass increasing darkness, it is a major factor in policy hazards that endanger smallholder farmers. We define this "darkness" as insufficient transparency and accountability of international interests advancing the climate change agenda. As a result of neoliberal orthodoxy removing governments of developing countries from agriculture since the 1980s (via trade agreements and conditionalities as prerequisites for any capital transfers—loans, grants or investments), minimal public sector funds are available to finance agricultural research or extension.[40] Into this internationally

created void step private foundations to provide funds for agricultural research and some extension. For example, the Bill and Melinda Gates Foundation initiated, with the Rockefeller Foundation, the Alliance for a Green Revolution for Africa (AGRA) in late 2006. AGRA promotes the past-century approach to food production: increased yields from "improved seeds" under a farming system of large-scale monoculture. AGRA ignores expert advice coming from many sectors, including a two-year study by over twenty internationally recognized scientists, authorized by then UN Secretary General Kofi Annan, that African ecology is too varied for a green revolution approach; the study called for a "rainbow evolution" of multiple practices adapted to local conditions.[41] AGRA practices also ignore the more recent (2009) and comprehensive IAASTD recommendations. Instead, AGRA proceeds with "one size fits all."

Not accountable to anyone but its corporate parent, the Gates Foundation has sufficient funds to advance this farming system for Africa across many sectors, promoting expensive inputs of GM seeds, pesticides and fertilizers.   Rajiv Shah, head of the US Agency for International Development (USAID), held various leadership roles at the Gates Foundation prior to becoming USAID Administrator, and US Secretary of Agriculture Thomas Vilsack is a strong advocate of the Foundation.   Across Africa, the US's Millennium Challenge Corporation finances this farming system's approach to food production. The World Bank is jointly funding AGRA projects.   For Africa directly, a NEPAD initiative, the Comprehensive Africa Agriculture Development Program (CAADP), receives major Gates Foundation funding to direct "strategic investments in agriculture."[42]

Though the CAADP program was endorsed by the African heads of state as a vision for restoring agricultural growth, food security, and rural development and enjoys significant political interest, philanthropic institutions largely influence ownership and control of the program. The aim is to stimulate agricultural-led development that is capable of eliminating hunger and poverty while enhancing food security and integrating farmers into the global market economy. The goal set out for CAADP is to attain an average annual growth rate of 6 percent in agriculture and 10 percent national annual budgetary allocation by each country. However, most countries are failing to meet the declared threshold of agricultural funding and depend on private sector agricultural support.[43]

Through joint initiatives of CAADP with AGRA, the multinational agricultural corporations are promoting the introduction of gene-revolution monoculture, high technology, input intensive and global market-led agricultural economy.[44] CAADP does not promote farmer-centered agricultural innovation that is participatory, inclusive, and with a bottom-up approach, bringing the smallholder food producers to the center of agricultural policy and institutional reforms. Critics of the CAADP institutional frameworks and governance structures call for the organization to devote significant energy to involving farmers in agricultural policy reform processes for co-generation of appropriate technologies.[45]

After forming AGRA, the Gates Foundation, directly and indirectly (e.g., Challenge Program: Harvest Plus, Generation), began major funding of several CGIAR centers, including ICRISAT (International Crop Research Institute for the Semi-Tropics), CIMMYT (International Center for Maize and Wheat Improvement), and IRRI (International Rice Research Institute).[46] ICRISAT is the world's seed bank and research center for Africa's indigenous crops, sorghum and millet.   Working in the public domain, ICRISAT makes available any breeder seed requested, allowing the corporate scientists to have easy access to African genetic wealth.   AGRA partners, having received the seed under the principle of

natural justice of sharing seed that sustains humankind, can take it into the laboratory, modify it a bit and patent it. The "new" seed is now private property of Syngenta or Monsanto or another corporation, which aggressively markets it as "climate ready." Seed becomes quite like the software of Microsoft: sold under monopoly control made legal by technological claims of innovation.[47]

The "darkness" of policy under the aegis of climate change symbolizes the lack of transparency and accountability of foundations that are setting food production agendas. The "darkness" also refers to the privatization of seeds freely shared for thousands of years and kept in the public domain until very recently, about fifteen years ago.[48] This policy obscurity can remove the ability of smallholder farmers to provide diverse foods for human health and sustenance. Its dangers are as imminent as any from climate change.

African Resilience to Resist and Sustain

Because of the above international policy threats, smallholder farmers are changing their language and actions from "mitigate" and "adapt" to "resist" and "sustain." As the causes and continuing crises of climate change do not originate from the African continent, the international call for mitigation and adaptation means that Africans must accommodate the extensive effluent from outside the continent, with little end in sight to that pollution. The climate change crisis is in fact an energy crisis, emanating from the misuse of fossil fuels for production and transport, including agriculture.[49] Given this negative record, it is quite ironic that AGRA, among other initiatives, works to advance industrial agriculture into African food production. The continent is food insecure, but fossil fuel dependent monoculture is no cure, especially in times of climate change.[50] Mitigation and adaptation refer to directives of what the recipients of climate change must do, without relinquishing any control or power to them. African smallholder farmers are asked to adapt (e.g., by buying "climate ready" patented seeds) to global weather conditions caused by greenhouse gas emissions at the same time they are pressured to adopt a farming system on dependent fossil fuels. These policy directives are not compatible with scientific analyses of climate change, nor do they make economic sense, for they render the African farmers more dependent on the global market, controlled by a few corporations, for their inputs.[51]

African smallholders, and their civil society organizations (CSOs), are resisting this farming system that genetically modifies seeds without biosafety precautions, patents the farmer-bred germplasm, requires monoculture across a continent of diverse ecological zones, and tries to link their food production to global markets.[52] They are resisting by organizing for laws to be passed and enforced by their governments, including biosafety laws as well as laws relating to access and benefit sharing and farmers' rights.

As early as 2001, the African Union adopted the African Biosafety Model Law that is more stringent than the Cartagena Biosafety Protocol allowing governments to invoke the precautionary principle to prohibit admission of GM crops and seeds into their countries. In addition, national biosafety laws exist in seventeen African countries, and in many others, it is a work in progress. For example, on December 31, 2011 Ghana's president signed into law a biosafety act (Biosafety Act, 2011—Act 831). African CSOs continue to organize, especially against US policy to send GM maize and soya as food aid to the continent.[53] Enforcement of national biosafety laws is yet another effort. One dramatic success story arose from civil society organizing in Kenya in early 2010 against illegally imported GM grain shipments from South Africa. By August 2011, the chief executive of the Kenya Biosafety Board, Dr.

Roy Mugiira, was fired for allowing GM soya to be imported as food aid, contrary to Kenyan biosafety laws.[54]

Further, the CBD and the international plant treaty (ITPGRFA) allow governments to protect their genetic resource wealth through regulations on access and benefit sharing (ABS). The unity parliament of Zimbabwe is the first on the continent to bring those regulations into law, requiring prior informed consent (PIC) of local communities as well as the central government before any genetic resources are taken.[55] CSOs (e.g., RAEIN-Africa, CBDC, CTDT, see note 34 above) organize workshops in various countries to train civil servants about ABS, assisting other countries to domesticate an ABS law.[56] Under the plant treaty, farmers' networks are also organizing for incorporating farmers' rights, as outlined above, into their national laws. In contrast to demands of the patent seekers, Africans argue that PBRs and FRs can exist side-by-side internationally and do not need to be exclusive. Such an alternative would delimit the ability of corporate plant breeders to patent just any materials they choose and would take benefit sharing beyond proclamations.

African CSOs also challenge the idea that there is "vacant land" in any of their countries for agrofuels. The land may not be cultivated when the satellite picture is taken, but it is providing sustenance to local communities. Common forests and grasslands provide fruits and medicines, beneficial insects (some eaten by humans as a free source of protein), pasturage, fuel, and most important, sites sacred to local traditions. Organizers in Tanzania and Mozambique have required their governments to reconsider land leases to foreigners.[57] Mozambicans can testify for their neighbor that a piece of land has been used by her for ten years to allow her to obtain a certificate affirming her right to the land (usufruct rights not ownership). This alternative only deters corporations seeking land for agrofuels, but it does deter. Land, more than a commodity in Africa, is strongly rooted in identity, fundamental to family and community relations.

While resisting international calls for adaptation and mitigation, African smallholder farmers respond with farming techniques and systems that sustain biodiversity of indigenous food crops in the midst of the storms of climate variability and policy persuasion. As mentioned above, their first choice is to sustain biodiversity by intercropping multiple varieties to attract beneficial insects in deterring pests, to enrich the soil, and to maximize use of available water. Conservation agriculture, one method combining no tillage with organic fertilizers and water harvesting, can rebuild highly degraded soil within a few seasons. Starting with about one-third the usual requirement of inorganic fertilizer combined with organic materials, this method removes the need for use of any inorganic fertilizers after two-four years, depending on the original state of the soil. Increased yields are harvested after just one planting. After about three years, the dream of fewer inputs creating dramatically more yields becomes a reality.[58] By resisting high doses of fertilizers and commercial seeds, the farmers sustain their own food production.

In several Southern African countries (e.g., Malawi, Mozambique, Zambia, and Zimbabwe), the authors have worked with farmers who also sustain their genetic wealth by creating community seed banks for *ex situ* conservation. They can borrow seed one season and return it with an additional amount at harvest, to increase the seed availability. In addition, families are providing heirloom seeds of vegetables, legumes, and grains, stored with their names on it, to the seed bank, to guarantee that strain remains viable beyond the family. Further, heirloom seeds offer genetic diversity, even though their traits may not be immediately useful.[59] To sustain the seed banks, farmers organize into participatory plant breeding (PPB) groups to select from among themselves who will be the designated seed

propagators and who might experiment with cross-breeding. All participants experiment with seed in different microclimates across their lands, sharing in participatory variety selection (PVS) for preferred traits for planting the next season, for multiplying seed, and for breeding. In Zimbabwe, smallholder farmer seed producers are successful enough in propagating sufficient quantities of high quality seed (certified) that they are selling (sorghum, millet, and OPV maize) to commercial seed companies. Farmers' local knowledge, expertise, and ability to grow substantial quantities of certified seed demonstrate that with enough capacity building smallholder farmers are competent commercial seed producers.

The local marketing of smallholder crops remains a challenge but again, the farmers are finding solutions. Solar dryers allow farmers' groups (one dryer to about ten families) to dry their green vegetables and tomatoes at harvest in order to allow storage. No longer dependent on quick availability either of transport or on selling vegetables when quantities in the market are high and prices low, the farmers gain more income. They remain in control of this "value-adding." They make highly nutritious drinks from sorghums and millets, which would easily challenge Coke for taste.

Another major challenge is the fact that data is collected by North visions of agriculture. For example, the World Bank and FAO still collect data on chemical fertilizer use per hectare as an indicator of "development," when high use of inorganic fertilizers really means soil degradation, the loss of its organic composition. From the view within the African continent, its lack of use of fossil fuel fertilizers, relative to any other continent, indicates hope that the soil can be revived for many future generations by use of organic fertilizers.

Data is defined and collected for certain interests, and many are questioning carbon trading as mitigation. The United Nations' REDD (Reducing Emissions from Deforestation and Forest Degradation) addresses the finding that removal of tropical forests contributes to 17 percent of carbon emissions which cause greenhouse gas warming. The goal is for industrialized countries and their corporations to pay developing countries to sustain their forests, not cut them. On the African continent the Democratic Republic of the Congo ($1.8 million for one year), Tanzania ($4.2 million for two years), and Zambia ($4.5 million for two years) are three of the nine pilot countries across the globe.[60] The first problem concerns designation of eligibility for REDD: those cutting forests will be rewarded for cutting less (e.g. Indonesia, Papua New Guinea), while those who have preserved their tropical wealth (e.g., Costa Rice, Guyana) that benefits us all will probably receive nothing.

Another problem with REDD is in the counting of the data. Do we count at the national level? In short, no REDD benefits would be offered until the national statistics show reduced deforestation. But, the Obama Administration wants the counting to be at the local level, which means carbon credits will be awarded on one side of a fence, while deforestation continues on the other side. A third problem refers to over-supply, for if too many carbon credits are granted, it will reduce their price, which could adversely affect incentives for a wide range of activities such as solar or wind energy. Fourth, the counting is hard to keep out in the open or transparent, given carbon credits can be used in speculative transactions. Already by August 2009, several City of London traders were arrested on suspicion of fraud with trading carbon credits.[61]

Smallholder farmers are collecting their own data, beginning with the obvious one that the number of crops grown and eaten provides much more nutrition than genetically deficient monoculture of one grain. This production reality could be recognized internationally by changing the metrics used to measure yields. In Southern Africa, there is

discussion of beginning to measure the "nutritional density" of a hectare of crops, instead of yield by weight; if yields are used, then the call is for them to be measured by yield per unit of water as well as of land.[62] Another metric just beginning to be discussed is the "carbon food print" of crops, or how much carbon emissions occur during the food production. None of these metrics is yet perfected or in full use, but early indicators suggest that smallholder intercropping would surpass large-scale monoculture in food production if any of these measures became standard ones. African smallholder farmers teach us that both food biodiversity and greater yields are essential for food security during this time of climate change.

African smallholder food producers are already employing many techniques to address climate change, as analyzed above. The policy implications, therefore, mainly raise the question of how to support and encourage their innovations. Smallholder food producers are responding by resisting inappropriate technologies and agricultural inputs while sustaining their farming system, using indigenous knowledge, genetic wealth, and organic inputs; they have demonstrated resilience by continuously modifying production techniques. Alternatives do exist and policies from national governments and international agencies can assure African food security under climate change by honoring African smallholder food sovereignty, expressed as their choices to exercise the precautionary principle and farmers' rights and as their call for recognition of indigenous knowledge and for benefit sharing for the use of their genetic resources.

Notes

1   Mushita founded (1993) and directs the Community Technology Development Trust (CTDT), a non-governmental organization that has been facilitating smallholder organizing, especially in community seed banks and agroecological farming methods. CTDT has a policy analysis unit, which, for almost two decades, has been addressing international policies that affect smallholders. Thompson works regularly in the unit in Harare. CTDT often holds training sessions and conferences in Southern Africa to promote smallholder farmer network discussions on issues of land rights, farmers' rights, biopiracy and access to genetic resources, GMOs, and agrofuels. Mushita and Thompson 2007, pp. 201-245.

2   Because this analysis addresses farming systems, it only distinguishes smallholder farms (one to five hectares) from industrial agriculture that directs attention to small commercial farms (fifty to one hundred hectares). For understanding the diversity among farmers, see the important class analyses of Bernstein 2010; Mueller 2011, 31-37; Van der Ploeg 2008. For a recent article analyzing the food security versus food sovereignty paradigmatic divide, see McMichael and Schneider 2011.

3   Official IPPC 4th Report for Africa: Solomon 2007. See also Drimie et al. 2011; Thornton et al. 2011; Ziervogel and Ericksen 2010; World Bank 2009.

4   Tsiko 2009.

5   UN-DESA/UNCTAD 2011, pp. 69, 71.

6   UN-DESA/UNCTAD 2011, pp. 50-52; UN-DESA 2010; Ocampo and Parra 2006, pp. 180, 183.

7   Weeks 2011, p. 1.

8   Kar and Cartwright Smith 2010, p. 1. Ndikumana and Boyce (2011, p. 46) calculate capital flight from thirty-three sub-Saharan Africa contries, 1970-2008 (in 2008 US dollars), at $735 billion, or about 80 percent their combined 2008 GDP.

9   FAO 2009, p. 2. The Copenhagen Accord to disburse $30 billion per year to developing countries indicates a new initiative but is not yet forthcoming, and the World Bank's Global Environmental Facility is also criticized for slow dispersal of funds (UN-DESA/UNCTAD 2011, p. 28).

10   Kar and Freitas 2011, p. 10.

11   In this study, "illicit" flows do not include misuse of intellectual property rights, smugglers, narcotics/contraband goods, human trafficking or sex trade.

12   Kar and Cartwright Smith 2010, p. 20.

13   Pardee 2012; Chowla 2011; International Monetary Fund 2010.

14   Chishakwe and Young 2003.

15   United Nations CBD, Article 8j.

16   Frozen embryos were taken from Zimbabwe without recognition nor benefit sharing, and the U.S. beef industry retained the name of 'tuli' (a derivative of "utuli," a Ndebele word meaning "dust," depicting the harsh conditions under which the cattle thrive). Highly valued as tolerant of coarse grasses and heat, the cattle provide excellent beef. They are already "adapted" to climate change—but only after 7000 years of careful African breeding (Mushita 2003). See North American Tuli Association: http://dawhois.com/site/tuliassociation.com.html

17   FAO Commission on Genetic Resources for Food and Agriculture 2011, p. 20.

18   UN-DESA/UNCTAD 2011, p. 25; see also Odagiri et al. 2010.

19   World Bank 2009, p. xviii.

20   In Zambia, the national poverty rate increases by 2.7 percent in a flood year and by about 7.5 percent in a drought year, pushing hundreds of thousands more below the poverty line (Nkhoma 2010, pp. 11-12).

21   Much depends on growing conditions, but on the average, one mature (after five years) jatropha tree will produce about one kilogram of seeds and at that yield, it takes four trees to make one liter of biodiesel (Ribeiro and Matavel 2009).

22   For example, Tyson Foods, Inc. is the world's largest marketer of chicken, beef and pork, as well as the market leader in retail and foodservice sales. Periodically banned from national markets because of safety concerns (e.g. Russia refused to import its chicken in 2010 and it lost $800 million in beef exports to Asian markets in 2005), Tyson has increased its export of chicken to Africa from 2005. It is competitive in the South African poultry industry, where chicken is the fast food meat of choice. Tyson press releases: http://www.tyson.com/Corporate/PressRoom/ViewArticle.aspx?id=2070

23   WHO 2005; SAFAIDS 2004.

24   Solomon 2007, Table 11.1

25   Hernández and León 1994, p. v.

26   Monsanto acknowledged resistance of pink bollworms to Bollgard cotton, a first generation Bt GMO, while announcing a new GMO, Bollgard II, to fight them off (Bagla 2010, p. 1439). The Union of Concerned Scientists' report, Failure to Yield (Gurian-Sherman 2009), concludes that it makes little sense to support genetic engineering at the expense of technologies with better, long-term records of increasing

yields.

27 Deininger 2010, p. xxxii; GRAIN 2012, p. 1.
28 Von Braun et al. 2009, n.p.
29 GRAIN 2012, p. 2.
30 Ibid.
31 Global Witness 2012; Oakland Institute 2011 a,b,c; Friis and Reenberg 2010, pp. 26, 29; Mozambique 2011; Chishakwe et al. 2011, pp. 10-11. For overviews, see GRAIN 2007; UNEP 2009; Daniel and Mittal 2009.
32 Havnevik 2011; Thompson, 2008.
33 Authors' fieldwork in Zimbabwe, 2008-2012.
34 Tran 2011, n.p.; Cammack 2012.
35 Jones 2010; UNCTAD 2009; FAO. Trade and Market Division 2009; Robles et al. 2009.
36 UN-DESA/UNCTAD 2011, p. 53.
37 Tang and Wei 2010.
38 UN-DESA/UNCTAD 2011, p. 54.
39 African smallholder farmers' advocacy organizations that hold regular (several times a year) workshops and information-sharing conferences are too numerous to list. The ones here are selected because each has a record of over ten years of working in farmers' communities, learning from them and facilitating policy recommendations from the ground; at the same time, they remain independent from governments, relying mainly on NGO funding to assist farmers' agendas. For example, they are all strongly advocating farmers' rights over seeds as well as enforcement of biosafety laws. as analyzed in this paper. Some are country specific, some regional, and other span the continent. Further, each one of these websites leads to many other organizations via the "Partners" link: Participatory Ecological Land Use Management (PELUM, http://www.pelumrd.org/index.html, a network of 230 member organizations); Regional Agricultural and Environmental Initiatives Network (RAEIN-Africa, www.raein-africa.org, based in Southern Africa); Réseau des Organizations Paysannes et de Producteurs d'Afrique de l'Quest (ROPPA, http://www.roppa.info/?lang=en); Eastern and Southern Africa Farmers' Forum (ESAFF, http://www.esaff.org, with members in twelve countries); African Biodiversity Network (ABN, http://www.africanbiodiversity.org/content/home, a network of 36 member organizations); Tanzania Alliance for Biodiversity (TABIO, http://envaya.org/tabio is an example of a national network of fifteen organizations). Community Technology Development Trust (CTDT, www.ctdt.co.zw) is an example of an organization with three country offices in one region, Southern Africa.
40 Mushita and Thompson 2007, pp. 107-130.
41 Inter-Academy Council 2004; Thompson 2007.
42 AU/NEPAD/CAADP 2010, p. 11.
43 In Maputo in 2003, African heads of state set targets of allocating 10 percent of national budgets to agriculture by 2008 and of reaching national agricultural growth rates of 6 percent, but only six countries reached the 10 percent goal. (AU/NEPAD/CAADP 2009, p. 8).
44 Mushita 2011.
45 Ibid.; Action Aid International 2011; African Civil Society 2002.

46   Community Technology Development Trust 2010. Sources and amount of funding of the CGIAR centers was compiled from their annual financial reports, 2006-2010.

47   Mushita and Thompson 2007.

48   Thompson 2009.

49   Intergovernmental Panel on Climate Change 2007, pp. 25-39; United Nations Environmental Program 2010, p. 38.

50   Weis 2010, p. 321; McMichael 2009; Norstad 2007; Pollan 2006, p 83; Pfeiffer 2006, pp. 19-28; Altieri 2000, pp. 77-87.

51   Thompson 2011.

52   Smallholder advocacy groups are flourishing, starting with the farmers' themselves, such as those organized in community seed banks and farmers' field schools, extending to public health (nutrition gardens) in rural clinics. Various non-governmental organizations sustain sharing of innovations, communication,and farmer exchange visits across regions of Africa. The advocacy groups vary by definition of their central concerns but share goals; in addition to those above in note 39, the following only gives a hint of the degree of mobilization: Indigenous Peoples of Africa Coordinating Committee (IPACC), Community Biodiversity Development and Conservation Programme (CBDC), Southern African Land and Agrarian Reform Network (SALARN), Southern African Confederation of Agricultural Unions (SACAU), Kenya Biodiversity Coalition (KBioC), and Union Maghrebine des Agriculteurs (UMAGRI).

53   IRIN 2011.

54   Gathura 2011.

55   Zimbabwe, Government of 2009.

56   A few examples of many: Chishakwe and Mafuratidze 2010; Munzara-Chawira and Mafuratidze 2009; Chishakwe and Young 2003.

57   Oakland Institute 2011a,b,c. Mandota 2011, pp. 15-24. Chishakwe et al. 2011, pp. 10-11.

58   Community Biodiversity Development and Conservation Programme 2009.

59   Fusire 2009.

60   UNREDD 2011.

61   Pearce 2010.

62   Work sessions, in which the authors participated, were held among extension workers in Lusaka and Harare in July 2012 to begin discussions for ways to measure "nutrition density" of a hectare.

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Securing Reform? Power Sharing and Civil-Security Relations in Kenya and Zimbabwe

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Abstract: While international actors use power sharing to resolve a vast range of conflicts in Africa and view state security reform as critical to achieving durable peace, there is a distinct lack of studies that examine the relationship between power sharing and security sector reform. This paper argues that, in the cases of Kenya and Zimbabwe, two main factors have determined the divergent security reform outcomes of the respective power-sharing governments: the degree of political influence within the security sector and the strength of the security reform content of the power-sharing agreement. In Zimbabwe, the rise of "security politics" gave the security sector a high degree of political influence, which, combined with weak security reform content in the power-sharing deal, resulted in little movement on security reforms. In Kenya, the state's loss over the control of violence gave rise to the practice of "militia politics," leading to a low degree of political influence in the security sector, which, when coupled with strong security reform content, facilitated considerable—albeit halting and not fully implemented—progress on state security reforms.

Introduction

Power sharing is increasingly used by the international community as a tool to end conflict, from Bosnia to Afghanistan to Liberia. In recent years, the use of power-sharing governments to settle conflict has been particularly preponderant in sub-Saharan Africa.[1] From 1999 to 2009, power-sharing agreements, also known as unity governments, were utilized in eighteen African countries to resolve a multiplicity of conflicts, ranging from high-intensity civil war, as in Sudan, to lower-grade electoral violence, as in Kenya and Zimbabwe.[2] In some cases, as in the semi-autonomous island of Zanzibar in 2010, unity governments have been agreed to even before elections take place in an effort to defuse poll tensions. In many of these conflicts, the security apparatus of the state has played a prominent role. In Kenya and Zimbabwe, for instance, the security sector was involved in—if not directly responsible for—widespread political violence surrounding both countries' disputed elections in 2007-08, with the Kenyan police implicated in 36 percent of all fatalities and the security apparatus in Zimbabwe responsible for an overwhelming majority of the violence.[3]

In such cases, the depoliticization and reform of the state security sector is crucial to achieving a durable peace, improving governance, and aiding democratic consolidation. If reforms are not undertaken during the tenure of unity governments, any short-term gains secured by a power-sharing deal will likely prove fleeting, as security officials will remain as political instruments or continue to employ their influence in the political sphere. Although political polarization and other conflict legacies can stifle reform, power-sharing governments and the conflicts from which they emerge have the potential to generate propitious opportunities for security sector reform (SSR), particularly where the security apparatus has been involved in political violence. As the deleterious role of the security sector becomes apparent, domestic, regional, and international actors often urge parties to include SSR in the negotiated political agreements and pressure unity governments to enact security reforms and other institutional changes that impact security governance, such as constitutional review processes.

Despite this link between power sharing and security reform, there is a paucity of academic studies that examine the relationship between the two phenomena. Drawing on the cases of Kenya and Zimbabwe, this paper seeks to fill this gap and better understand when unity governments formed in contexts of low-grade electoral violence in Africa will facilitate or forestall state SSR. To varying degrees, the power-sharing agreements in Kenya and Zimbabwe recognized the need for security reform. To what extent have the unity governments realized these reforms? What factors have determined whether or not they progressed? To what degree are the findings from Kenya and Zimbabwe generalizable?

This paper has three main aims. First, it discusses the few studies in the literature that link power sharing and security reform, presents the paper's two hypotheses, and outlines the methods used in the study. Second, it demonstrates how the historical role of security forces and their balance of power with civilian actors shapes the prospects for SSR. In Zimbabwe, the rise of "security politics" gave the security sector a high degree of political influence, which prevented the inclusion of strong SSR content in the power-sharing agreement. This combination of high political influence and weak SSR content has resulted in little movement on state security reforms in Zimbabwe. In Kenya, a "diffusion of violence" over the past two decades gave rise to the practice of "militia politics," which led to a low degree of political influence in the security sector and allowed strong SSR content in the agreement.[4] In contrast to Zimbabwe, low political influence and strong SSR content have facilitated considerable, if slow and incomplete, progress on state SSR in Kenya. In conclusion, the paper discusses the implications of the findings and suggests avenues for further research on the topic.

Power to Reform?

Power sharing has come to signify a variety of institutional arrangements, ranging from transitional and longer-term coalition governments to more general ideas of federalism. Lijphart's classic theory of consociational democracy is a prime example of a more permanent, institutionalized power-sharing formula, postulating that there are four necessary elements to effective power sharing in plural societies: grand coalition, group autonomy, proportional representation, and minority veto.[5] This paper focuses on transitional post-conflict power-sharing governments with significant reform agendas that arise out of negotiated political agreements in the wake of low-grade electoral violence. In

broad terms, power-sharing arrangements can be defined as "formal institutions that distribute decision-making rights within the state and define decision-making procedures."[6]

In the cases of Kenya and Zimbabwe in 2008-09, decision-making positions throughout the executive were allocated to the major parties to the conflicts and comprehensive reform agendas were outlined in the respective political agreements. In Kenya, Mwai Kibaki, the incumbent President and leader of the Party of National Unity (PNU), retained the presidency, while Raila Odinga, leader of the Orange Democratic Movement (ODM), assumed the freshly created post of Prime Minister. Kibaki maintained control over the coercive apparatus while Odinga had to settle for ministries less crucial to the exercise of state power. In Zimbabwe, the incumbent President and leader of the Zimbabwe African National Union-Patriotic Front (ZANU-PF), Robert Mugabe, maintained the presidency, while the leader of the larger faction of the two Movement for Democratic Change groupings (MDC-T), Morgan Tsvangirai, filled the new position of Prime Minister. Akin to the deal in Kenya, Mugabe maintained an iron grip on the state's coercive capacity.

Within the international community, the concept of SSR is understood as efforts to depoliticize, professionalize, and establish democratic civilian oversight of the state security apparatus in post-conflict and democratizing states.[7] Following Toft, this paper uses the term "security sector" to refer only to "core" security institutions—those authorized to use coercive force—namely the military, police, and intelligence agencies.[8]

As noted, there is a distinct lack of studies that link power sharing and security reform. Hartzell and Hoddie analyze military power-sharing arrangements, emphasizing their importance to the durability of civil war settlements.[9] However, military power sharing is distinct from SSR, with different processes and intended outcomes (military power-sharing is most often used to integrate former warring combatants under one command). Moreover, Hartzell and Hoddie do not examine the relationship between political power sharing and military power sharing or cases of lower-grade conflict. Toft's theory of "mutual benefit and mutual harm" makes an important linkage between peace settlements, SSR, and the durability of peace, but does not investigate the relationship between power-sharing government and SSR and also focuses exclusively on cases of civil war.[10] Cheeseman connects security reform and power sharing by using SSR as one criterion to judge the likely outcomes of unity governments.[11] However, he does not address the actual content of the political agreements and considers power-sharing governments in contexts of electoral deadlock and cases of post-civil war together, even though the two types of conflicts, as he notes in other work, can have vastly different underlying causes, dynamics, and consequences.[12]

In addition to the overall failure to link the two subjects, there are significant lacunae within the discrete power-sharing and security reform literatures. Few studies within the expansive power-sharing literature examine outcomes other than reignited conflict—such as reform processes—or the utility of using power-sharing models to settle low-grade conflict.[13] An exception to both trends is Cheeseman and Tendi's 2010 study, which, through a veto-player framework, examines the internal dynamics of power-sharing governments in cases of disputed elections and argues that such governments serve "to postpone conflict, rather than resolve it."[14] Other notable exceptions include Bekoe's study on the impact of "post-election political agreements" in Togo and Zanzibar and LeVan's analysis of the unique challenges presented by "low-conflict" cases of power sharing in Africa.[15]

On the other hand, the security reform literature has overwhelmingly focused on the conceptual, technical, and international aspects of reform, generally failing to empirically

examine how domestic political conditions drive or impede such processes, a trend Chanaa has termed a "conceptual-contextual divide."[16] Hills is an exception, as her empirical work reveals the fundamentally politicized role of African police institutions.[17] Another important exception to this tendency is Cawthra and Luckham, who argue that the nature of the state and the circumstances from which a country is transitioning are crucial to understanding whether SSR is likely to be successful.[18] By focusing on cases of low-grade electoral conflict and the conditions under which SSR is likely to progress, this study seeks to fill the above gaps in both bodies of literature and contribute to their linkage.

Methodology

What are the most important factors determining the SSR outcomes of unity governments formed in contexts of low-grade electoral conflict? Building on Cheeseman and Tendi's veto-player framework, Cawthra and Luckham's notion of how the nature of the state influences SSR outcomes, and Hartzell and Hoddie's focus on the impact of different power-sharing devices in the agreement, this study proposes two hypotheses.[19]

First, a high degree of political influence within the security sector translates into less SSR. This inverse relationship obtains because in countries where the security sector possesses great political influence, the civil-security relationship tends to be symbiotic, i.e. the former ruling party relies on the security apparatus to remain in power, while security leaders are rewarded with decision-making power and politico-economic interests. In this scenario, security sector leaders and former incumbents collude to stymie security reforms that threaten their interests. In cases where political influence is low, security actors are unable to block reforms.

Second, stronger SSR content in the formal power-sharing agreement translates into more SSR. This positive relationship obtains because in cases where agreements contain strong SSR components, domestic, regional, and international actors can use this framework to push reforms forward by pressuring political players within the unity government to uphold their promises. In cases where the SSR content is weak, such actors cannot leverage the agreement to advance SSR.

The security reform outcomes of each case are measured on a scale of low to high according to significant progress made by the unity governments on five criteria essential to SSR: constitutional changes in security governance, security reform legislation, commissions investigating security sector complicity in political violence, prosecutions of security officials, and personnel changes of security leaders. It could be argued that certain criterion are more important than others or operate on different levels and could be broken into separate units of analysis (content vs. process vs. implementation, etc.). While not a perfect measure, taken together, the five criteria provide a proximate gauge of overall SSR progress.

To measure the degree of political influence of the security sector across cases, this study analyzed, through background research and consultations with country experts, the prevalence of serving or retired security leaders in two bodies that are key to political power: the cabinet and the top leadership positions of the major parties. A value of 20 percent or below was deemed a low degree of political influence, 21-40 medium, 41-60 high, 61-80 extremely high, and 81 and above a security regime. Again, this is in no way a perfect measure, as it fails to capture the important informal ways security actors wield their political influence, as is demonstrated below. However, the proxy does serve as an indicator to gauge formal levels of influence at the highest political ranks.

The strength of the SSR content of the political agreement is measured on a scale of weak to strong according to the inclusion or exclusion of six critical SSR criteria within the text of the agreement: security reforms in constitutional reform processes, review of security legislation, commissions, accountability mechanisms, insistence that security actors remain apolitical, and a timeframe to achieve such steps. Again, it could be argued that certain criterion are more important than others or operate on different levels. As a cluster, however, the six criteria provide a proximate measure of the strength of the SSR content of a political agreement.

This study utilizes George and Bennett's method of "structured, focused comparison."[20] The method is structured in the sense that data were systematically collected across cases and is focused in that it investigates a "subclass" of the broader phenomena of both power sharing and SSR, i.e. the phenomenon of SSR efforts under reform-oriented power-sharing governments formed in contexts of low-grade electoral conflict. The study uses a multi-method research strategy consisting of a combination of within-case and cross-case analysis. Utilizing the method of "process-tracing," the paper traces the degree of political influence of the security sector and the strength of the SSR content of the political agreement through the cases, identifying the steps that led to progress or obstruction of security reforms.[21]

The study draws on a range of both primary and secondary sources. Primary sources include the text of the political agreements, constitutional changes, and security legislation. To generate new empirical evidence and substantiate the existing primary and secondary sources, I conducted interviews with individuals that either monitor or have been involved with the two unity governments and SSR efforts in Kenya and Zimbabwe. During the course of my field research in March and April 2011, I conducted thirty-two structured interviews, with the majority of them taking place in Harare and Nairobi. My interviewees comprised government and ex-government officials—including several current Ministers and Members of Parliament, leading civil society figures, international actors, academics, policy experts, and practitioners. Although twenty-one of my respondents gave consent to go on-the-record, I have anonymized a number of interviewees to protect them from possible negative consequences. Due to the political sensitivity of SSR processes, a minimal amount of public material is available on the study topic. As such, the interviews with government actors in Zimbabwe and Kenya proved indispensable to the analysis.

The structured comparison method requires the researcher to select a small number of countries to compare. A limited number of existing cases fit the three essential criteria of the study: a transitional power-sharing government in Africa with a comprehensive reform agenda that arose out of low-grade election-related violence and was formed at least three years prior to the time of writing, a time horizon that is necessary to allow for sufficient time to have elapsed in order to measure progress (or lack thereof) toward SSR; security sector complicity in the violence; and recognition of the need for SSR within the power-sharing agreement. Kenya and Zimbabwe are the only two cases that unequivocally fulfill these conditions. Additionally, the cases were selected because they feature acute variance in levels of political influence and SSR content, as well as divergent SSR outcomes, making them ideal cases to assess the validity of the hypotheses.

The case of Madagascar in 2009 nearly fits within the three-year horizon, but successive efforts to form a unity government starting in 2009 broke down, with a coalition government eventually formed in 2011. Moreover, the conflict did not arise out of electoral violence and the political agreement did not contain state SSR provisions. It could be argued that Togo's power-sharing agreement in 2006 should be included, but it was a less comprehensive

agreement compared to Kenya and Zimbabwe that did not include an extensive reform agenda aimed at resolving the underlying causes of the conflict.[22] Zanzibar's agreement in 2001 also did not include a comprehensive reform agenda and did not explicitly note the need for SSR, while the 2010 agreement is not transitional, does not fit within the three-year window, and did not emerge immediately in the wake of electoral violence, as the government was formed prior to elections. Despite not fitting the exact criteria above and laying beyond the scope of this study, the cases of Togo, Zanzibar, and Madagascar will be interesting topics for future research and additional testing.[23]

The paper now tests the two hypotheses against the evidence from the cases of Zimbabwe and Kenya. In Zimbabwe, Mugabe and ZANU-PF's increased reliance on security chiefs to maintain power led to a high degree of political influence within the security sector and the rise of security politics, resulting in weak SSR content in the power-sharing deal. Conversely, politicians in Kenya leaned primarily on militias and gangs—and not the security sector—to retain power, leading to the practice of militia politics and a low degree of political influence within the security sector, allowing strong SSR content in the agreement.

Security Politics and SSR Content in Zimbabwe

Strong links and blurred lines between the polity and the security sector in Zimbabwe can be traced back to the liberation war and through the early years of independence in the 1980s, the latter exemplified by the brutal *Gukurahundi* campaign undertaken by Mugabe and security forces to suppress opposition in Matabeleland.[24] Despite a long history of politicization, the security apparatus has become increasingly and overtly political since 2000, when ZANU-PF's political hegemony was first challenged by the MDC and Mugabe began to rely heavily on the security sector to remain in power.[25] The year 2000 marked the launch of ZANU-PF's "third *chimurenga*" (armed struggle), a narrative linking resistance to conquest in the late 19th century to the liberation struggle in the 1970s and the land expropriations of white-owned farms in 2000.[26] The third *chimurenga* is framed in the selectively nationalist language of "patriotic history," which propagates a dichotomized view of Zimbabwe's past as a struggle between revolutionary "patriots" and "sell-outs," with the opposition dismissed as mere puppets of the West and ZANU-PF—the fathers of independence—enjoying the right to "rule in perpetuity."[27]

The MDC opposition movement—led by Tsvangirai—emerged in 1999 and dealt the ruling party its first major defeat in the 2000 constitutional referendum. In the run-up to the 2002 elections, security chiefs publicly stated that they would not salute politicians who did not possess liberation war credentials, i.e. the opposition, a sentiment that has subsequently been repeated before every major election.[28] Such statements were far from mere rhetoric, as the Joint Operations Command (JOC)—the supreme security body comprising the leaders of Zimbabwe's military, police, Central Intelligence Organization, prison service, and high-ranking ZANU-PF members—orchestrated violent campaigns to guarantee ZANU-PF's success in the 2000 and 2002 elections.[29] This state-sponsored violence—carried out by a mix of security officials, party youth militia, and self-styled "war veterans"—featured prominently in subsequent elections, culminating in the 2008 crisis. After a month delay following the 2008 elections, it was announced that Mugabe had lost the presidential contest to Tsvangirai. However, since neither candidate purportedly won the necessary 50 percent, a second round was scheduled for June.[30] After the opposition's initial success, a vicious cycle

of violence—code-named "Operation *Makavhoterapapi*?" (Where Did You Put Your Vote?)—was unleashed by the JOC, leaving over two hundred dead and scores others missing or jailed.[31] The crackdown forced Tsvangirai to withdraw, giving Mugabe an illegitimate victory that precipitated power-sharing negotiations headed by Thabo Mbeki under the auspices of the South African Development Community (SADC) and the African Union (AU).

As compensation for the security sector's fealty, since 2000 Mugabe has increasingly awarded security leaders with plum positions in the state and party structures. As a result, the security apparatus has penetrated every aspect of the Zimbabwean state, from the Reserve Bank to the Electoral Commission.[32] Regarding the spread of the military into state institutions, a Member of Parliament who sits on the Home Affairs and Defence Parliamentary Portfolio Committee, asserted: "All institutions that are supposed to be totally civilian are militarized."[33] Taking the point further, a local journalist and senior staff member at a leading civil society organization stated that the military "has become ubiquitous, it's omnipresent, it's everywhere. They occupy every sector of our society. You go to the courts, you find the military, you go to parliament, you find the military, in the executive, there is the military, in the state parastatals, government bodies, they are there."[34]

The security sector is involved in the management of the economy as well, with ostensibly civilian companies often times managed by those with ties to the security apparatus.[35] Security sector actors have also benefitted from their control over illicit sources of revenue—such as the Marange diamond fields—and their involvement in the land invasions that proliferated across the country in 2000 under Mugabe's Fast Track land reform program.[36] The above illustrates the security sector's immense influence within the political arena, state institutions, and the wider political economy of Zimbabwe. The security sector has become politicized while the political sphere has become securitized, giving rise to the practice of security politics.

In an attempt to measure the security sector's degree of formal political influence at the time of writing, this study analyzed the prevalence of individuals with security backgrounds in the cabinet and the top ranks of the two major parties. While only 6 percent of MDC-T cabinet members and 8 percent of top party leadership positions are made up of serving or ex-security sector personnel, approximately 43 percent of ZANU-PF cabinet members and 42 percent of the most senior-level positions within the supreme decision-making body, the Politburo, comprise such individuals, giving Zimbabwe's security sector a high degree of influence in the political sphere and within ZANU-PF.

The protracted power-sharing negotiations headed by Mbeki resulted in the signing of the Global Political Agreement (GPA) in September 2008 and the formation of the inclusive government in early 2009. The GPA recognized the need for security reform, but to what extent? As outlined above, the strength of the SSR content of the GPA is measured according to the inclusion or exclusion of six criteria: constitutional reforms, legislation review, commissions, accountability mechanisms, impartiality, and a timeframe. The agreement did not require security reforms to be included in the constitutional review process, did not mandate a review of extant security laws, and did not establish a commission of inquiry or accountability mechanisms. Article 13 did note the need for state institutions to "remain non-partisan and impartial," while also calling for a new training curriculum for the security forces.[37] The agreement, however, provided no timeframe delineating when such limited security reforms would be carried out. Based on these six criteria, it is clear that the SSR content of the GPA must be deemed as weak.

Why were the actors who orchestrated the 2008 violence barely mentioned in the agreement? The primary reason was the pervasiveness of security politics: as JOC leaders participated in the power-sharing discussions, they wielded an effective veto over the negotiations. As noted by the *Guardian* during the negotiations, "There can be no 'success' to the talks without the security officials' acquiescence."[38] Security leaders simply would not allow meaningful security reforms on the negotiation agenda, resulting in opaque and anemic SSR content in the GPA. A secondary contributing factor to the GPA's weakness on security reforms was the fact that Tsvangirai gave up on the idea of pursuing justice for security leaders in the name of reconciliation and peace.[39] While this strategy was no doubt chosen in part because of the security chiefs' political power and capability to thwart the formation of the unity government, the concession lessened the impetus to include SSR elements in the GPA.

Militia Politics and SSR Content in Kenya

Despite playing an influential role in the political sphere following a failed coup attempt in 1982, the military has largely remained outside of the political realm in Kenya.[40] The police, however, have a long history of politicization, a practice that intensified during the 1980s and early 1990s when President Daniel arap Moi used the force to violently suppress political dissent.[41] After Kenya's return to multiparty politics in 1991, Moi used gangs and ethnically-based militias—aided by the police—to attack political opponents in the run-up to the 1992 and 1997 elections.[42] Moi, a Kalenjin, used "Kalenjin warrior" militias to displace opposition supporters, mostly Kikuyu, Luo, and Luyha.[43] By blurring the lines of accountability, Moi's use of privatized violence allowed him to use electoral tactics—such as ethnic cleansing—that were out of bounds for the police.[44] While Moi and the incumbent party, the Kenyan African National Union, triumphed in the flawed 1992 and 1997 elections, the victories came at a substantial cost in lives. In the militia-fuelled "ethnic clashes" that surrounded both elections, 3,000 were killed and 300,000 displaced.[45]

Once Moi and his supporters utilized privatized violence in the 1990s, anti- and pro-government gangs and militias proliferated over the next decade, with national and local politicians often losing control of militias or simply discharging them after elections. Groups including the feared Mungiki, the Sabaot Land Defense Force, the Taliban, the Bagdad Boys, and Sungu Sungu emerged as powerful organizations or political militias for hire, many running shakedown and protection rackets.[46] The widespread use of militias by politicians across the political spectrum—combined with extra-state groups becoming increasingly involved in government functions as a response to policing failures in neglected rural areas and Nairobi shantytowns—led to what Mueller terms a "diffusion of violence," or as characterized in this paper, the rise of militia politics.[47] This informalization of violence, meaning a process by which the state lost control over its monopoly on the use of force, proved to be highly destabilizing for Kenya in the near and medium term.[48]

After Moi stepped down before the 2002 elections, a broad-based opposition coalition won in a relatively free and fair poll. However, despite a brief period of public euphoria and promises for democratic change by the incoming President Kibaki—including a security sector reform and community policing program—the practice of militia politics went on unabated, as outlined above. Additionally, Kibaki continued the Kenyan tradition of using the police as political instruments, the most conspicuous example being when

Administration Police were deployed in plainclothes to disrupt polling stations in opposition strongholds before the 2007 vote.[49]

Upon conclusion of an exceedingly close 2007 poll between Kibaki and the ODM opposition party—led by Odinga—Kibaki declared victory and was hastily sworn in, despite allegations of electoral fraud. Led by militias and gangs supported by political patrons across political divides—with the involvement of the police a further complicating factor—the disputed elections triggered several waves of ethnically-based decentralized violence between opposition and government supporters, in which over 1,300 were killed and more than 600,000 displaced.[50] The two-month period of violence and political disorder was ended by the signing of a power-sharing deal in February 2008 brokered by Kofi Annan under the auspices of the United Nations (UN) and the AU's Panel of Eminent African Personalities.

Although the police have been heavily politicized in Kenya, the civil-police relationship has remained unidirectional, i.e. politicians—namely the executive—have enjoyed tremendous influence in the policing sphere, but the police have not amassed the political power necessary to influence the political arena.[51] What explains the supremacy of civilians over the police? The most critical factor is that while politicians have continually manipulated the police for political purposes, incumbents have not relied exclusively on the police to remain in power. Politicians' dependence on privatized violence meant that militias and gangs, not the police, were largely responsible for securing electoral victories. In this system of militia politics, politicians did not need to devolve decision-making power to the police in order to win elections.

Additionally, politicians have relied on elite coalitions to ensure ballot success.[52] This inclusive political practice contributed to the one-sided civil-police relationship in two ways: it further lessened political leaders' reliance on the police to guarantee political power; and it diminished opportunities for the police and politicians to build entrenched symbiotic relations because politicians were constantly shifting alliances and positions within government.

Again, in an attempt to measure the security sector's degree of political influence in Kenya at the time of writing, this paper analyzed the prevalence of individuals with security backgrounds in the cabinet and leadership of the two major parties. The analysis found that zero percent of PNU cabinet members and top party positions are made up of such individuals, while zero percent of cabinet ministers and 6 percent of ODM's top party officials have security backgrounds, giving Kenya's security sector a low degree of political influence.

The nearly six-week negotiation process headed by Annan—the Kenya National Dialogue and Reconciliation (KNDR)—produced the National Accord (NA) agreements, which were divided into four agendas.[53] The NA called for security reforms, but how explicitly? The strength of the SSR content in the NA is measured against the six criteria outlined above. Early in the negotiations, the parties signed an agreement stating that the security forces must act in an apolitical manner. Once the agreements were finalized, agenda four stipulated that an independent police commission was to be established in the constitutional review process, while also requiring security laws to be updated to reflect democratic norms. The Commission of Inquiry into Post-Election Violence (CIPEV), known as the Waki Commission, and the Truth, Justice, and Reconciliation Commission, were also grounded in the NA framework. While both bodies were authorized to investigate state security involvement in the 2007-08 violence, neither established concrete accountability

mechanisms. Despite this failure, the NA did provide a demanding timetable to achieve the delineated reforms.[54] Based on the NA's inclusion of the above SSR measures, it is clear that the agreement's SSR content must be deemed as strong.

While various factors helped determine the SSR content of the agreement, including the disposition of the negotiators and external pressure, the most critical variable shaping the SSR content of the NA was the lack of political influence within the security sector, namely the police. Security leaders were not major players during negotiations, a further indicator of their lack of political influence.[55] The unidirectional civil-police relationship in Kenya rendered politicians impervious to pressures from the security apparatus during negotiations, allowing significant SSR content to be included in the agreement.

A secondary factor was the participation of civil society actors in the negotiation process, which, contrary to some accounts, was quite robust.[56] The majority of security reforms in the NA are contained in agenda four, which outlined the institutional reforms designed to resolve the underlying causes of the crisis. According to Samuel Mohochi, a human rights lawyer, "If it had not been for the involvement of civil society in Kenya…you would not have had agenda four."[57]

Zimbabwe and Kenya's different civil-military histories played an instrumental role in shaping the SSR content of the two country's political agreements and were central to the way power sharing played out in both countries.

SSR Outcomes in Comparative Perspective

Since the formation of the two country's unity governments, the high amount of political influence within the security sector and the weak SSR content of the agreement have lead to a low degree of SSR in Zimbabwe, while the low amount of political influence of the police—in tandem with strong SSR content in the deal—have allowed a considerable, if halting and not fully implemented, degree of progress on SSR in Kenya.

The security chiefs in Zimbabwe have used their abundant formal and informal political influence to convince Mugabe to remain recalcitrant on the issue of SSR. Due to the classified nature of national security discussions, it is difficult to assess precisely how such influence has been wielded. It appears, however, that JOC meetings—which continue to be convened on a regular basis—are the venue where security leaders have communicated their vehement disapproval of SSR efforts. For example, in recent JOC meetings security chiefs reportedly warned Mugabe not to submit to MDC and SADC requests to include SSR on the agenda for a roadmap to upcoming elections.[58] Shortly after these sessions in 2011, Jacob Zuma, the head SADC negotiator, requested meetings with Zimbabwe's security leaders to discuss reforms, but ZANU-PF announced that the SADC team was prohibited from meeting with security chiefs and that SSR would not be considered, arguing that foreigners cannot intervene on matters of national security.[59]

The security apparatus has used its political influence to persuade Mugabe to reject specific proposals, such as the disbanding of the JOC and the formation of a new intelligence organization, as well as refuse to even discuss security reforms more generally.[60] The latter point is illustrated by Mugabe's speech at ZANU-PF's congress in late 2009, where he stated that the party "shall not allow the security forces of Zimbabwe to be the subject of any negotiations for the so-called security sector reforms…That is the most dependable force we could ever have, it shall not be tampered with."[61] Such statements demonstrate how the backgrounds and security ties of the party's top leadership positions have profoundly

impacted the party's decision-making, leading ZANU-PF to oppose security reforms to protect their own and their political clients' interests.

The weak SSR content of the GPA in Zimbabwe also played a crucial role in shaping SSR outcomes, as it prevented domestic and international actors from coalescing around specific reforms and applying pressure on the government. The failure of the GPA to comprehensively address the practice of security politics has made broaching the subject of SSR during the life of the unity government exponentially more difficult, exemplified by Zuma's struggles in 2011 to even discuss SSR. Since the GPA's wording on SSR is vague, the external guarantors—SADC and the AU—and domestic monitors—the Joint Monitoring and Implementation Committee—have no concrete security reforms to guarantee or monitor. Therefore, when ZANU-PF asserts that foreign powers cannot interfere on security matters, SADC is unable to cite specific SSR guidelines in the GPA to refute such claims. A Minister, Member of Parliament, and senior MDC-T official, asserted that the MDC has since recognized its error: "With hindsight, we are beginning to realize and discover that we made a mistake to actually just go there in our GPA without asking for some fundamental reform" in the security apparatus.[62]

The continuation of security politics and the weakness of the SSR content sculpted the unpromising security reform landscape in Zimbabwe, rendering the unity government's SSR efforts stillborn. As noted, movement on security reforms is measured according to significant progress made on five criteria essential to SSR: constitutional changes, reform legislation, government commissions, prosecutions, and personnel changes. From the formation of the unity government through the time of writing, the unity government has made halting progress toward crafting a new constitution, with some security reforms, such as demands for impartiality, reportedly featuring in the current draft of the constitution agreed to by all parties in January 2013.[63] Although the current draft has not been released at the time of writing this paper, previous contentious debate has focused on the inclusion of the legislature in overseeing the security apparatus and term limits for security chiefs.[64] While a constitutional referendum will take place in March 2013, it appears the new constitution will include some form of SSR provisions. However, if Mugabe and ZANU-PF have agreed to any SSR, the language is likely to have been watered down.

The unity government has passed one significant piece of security reform legislation, the National Security Council (NSC) Bill. Passed in early 2009, the bill created the NSC, a body intended to establish civilian control over security governance and disband the JOC. However, the passed legislation only provides the body with the capacity to review security policy, and, according to a senior official in the Office of the Prime Minister, the organ has convened no more than a handful of times.[65] When the NSC does meet, a Deputy Minister and Member of Parliament contended, "They do precious nothing there."[66] Despite the formation of the NSC, the JOC remains intact and the security apparatus continues to function as it did prior to the unity government.[67] In this manner, through informal parallel institutions the security sphere remains highly politicized and able to wield political influence.[68] Although the passage of the NSC bill looked promising, Mugabe remains firmly in control of the security apparatus, evidenced by the fact that the police have arrested over a quarter of Mugabe's opponents in parliament since the formation of the unity government and reports that the military has been deployed to rural areas in order to again coerce local populations into supporting ZANU-PF in upcoming elections in 2013.[69]

In May 2011 the government approved a bill that will operationalize the Human Rights Commission. However, the bill mandates that the commission only investigate rights

violations that occurred after February 2009.[70] As such, no commission has been tasked with investigating the security sector's role in political violence. The government has also failed to hold security sector leaders accountable for political violence, either through prosecutions or removal from their posts.[71] Despite long-awaited progress on constitutional reform, based on the five criteria examined above, the power-sharing government in Zimbabwe has achieved a low degree of progress on SSR. Summing up the progress of SSR in Zimbabwe, a senior official in the Office of the Prime Minister, stated: "There has not been any of it [SSR] really. Anybody who says that there has been obviously does not live here."[72]

In contrast to Zimbabwe, the lack of political influence of the security sector in Kenya, namely the police, has allowed considerable, if sluggish, progress on security reforms since the formation of the coalition government. The unidirectional nature of the civil-police relationship, mainly caused by a reliance on militia politics, means that the police do not possess the necessary political influence to stymie reform effectively. This is not for lack of trying. Odour Ong'wen, Member of the Kenyan government's Police Reforms Implementation Committee (PRIC), stated: "The first major obstacle we are seeing as a committee is the resistance from the very top [of the police hierarchy]…a staggering majority are resisting."[73] According to Mutuma Ruteere, Director of the Centre for Human Rights and Policy Studies, "there is almost zero commitment to change by the police."[74]

Due to a lack of political influence, however, the police chiefs have been unable to veto the current reform process. Hassan Omar Hassan, former Commissioner at the Kenya National Commission on Human Rights, the government body, maintains that no "police officer has the audacity to stand up to any member of the executive once given an order…There is a lot of leverage that the executive asserts over the police."[75] Ruteere seconded this sentiment, arguing that, despite the intransigence from the police leadership, "They are being forced to change…The police find they have no choice, they have to show the motions of reforming, even if they do not want to reform."[76]

Again diverging from the Zimbabwe experience, the strong SSR content of the NA has also been critical in advancing SSR in Kenya. As seen in Zimbabwe, the content of political agreements set the parameters and shape the manner in which power-sharing governments will be implemented and monitored. Domestic and international actors have leveraged the SSR content in the NA to pressure and cajole members of the coalition government to uphold their promises. Domestic pressure has been key in this regard. Hassan asserts that the driving force behind reform has been "the work of the Kenyan people. We have a very robust civil society…a charged citizenry in terms of calling government to account."[77] Tom Kagwe, Member of the Board of the government's Independent Policing Oversight Authority and Deputy Director at the nongovernmental Kenya Human Rights Commission, argued that civil society continued with the mediation team's mission directly after the latter's departure: "When Annan withdrew, domestic pressure has come up…we have very clear civil society institutions that have really pushed this agenda framework."[78] In this fashion, domestic constituents have applied pressure on the coalition government from below.

Concurrently, regional and international actors have applied pressure from above. The guarantor to the NA—the AU Panel headed by Annan—has helped advance reforms precisely because they have tangible reforms to guarantee. When progress has lagged on implementation of institutional reforms, Annan has flown in and applied political pressure to expedite the reform process.[79] Manifold actors within the international community have also used the NA framework to push security reforms, with the United States imposing

travel bans on officials obstructing reform, the United Kingdom monitoring progress on police reforms, and the UN reiterating domestic calls for sweeping police reform.[80]

"The pressure from outside has definitely been a contributing factor" in advancing reform, according to Kenneth Mpyisi, Director at the Institute for Security Studies-Nairobi.[81] Haron Ndubi, Director of the nongovernmental organization Haki Focus and participant in the Waki Commission, maintains that demands from the international sphere have been effective in pushing reform because the international community "wields the kind of sword that the government fears…Political as well as economic pressure."[82] The NA content set the agenda for SSR in Kenya, guaranteeing that it would be discussed in the various forums and monitoring reports that have proliferated since 2008. If strong SSR was not part of the NA, security reforms would not be susceptible to such outside pressures.

As a result of the low political influence of the security sector and the strong SSR framework in the NA, security reforms have advanced to a medium-high degree in Kenya, but they have not yet been fully implemented. Again, movement on SSR is judged according to progress made on the five criteria outlined above. In contrast to Zimbabwe, the coalition government in Kenya moved quickly on constitutional reform and promulgated a new constitution in August 2010 that incorporated meaningful changes to security governance, including measures to end political interference and the creation of a police oversight mechanism.[83]

The government has also made considerable progress on revamping security legislation. The PRIC drafted five police reform bills in 2010, and in August 2011 parliament passed the three most important ones, the National Police Service Bill, the National Police Service Commission Bill, and the Independent Policing Oversight Authority Bill.[84] The process of translating these bills from paper to practice has been sluggish, as the National Police Service Commission, which is mandated with preventing political manipulation, vetting officers, overseeing a new training curriculum, and integrating the Kenya Police Service and Administration Police under one command, was not sworn in until October 2012 due to political disagreements at the highest levels. The Independent Policing Oversight Authority, responsible for providing civilian oversight, investigating excessive use of force, and handling complaints from the public, also did not begin work until November 2012.[85] Despite delays, the passed legislation and subsequent establishment of the above institutions have provided the legal framework and means to change fundamentally the structure, leadership, and oversight mechanisms of the Kenyan police.

The Waki Commission, which addressed the politicization of the police and investigated police involvement in the post-election violence, completed its work in 2008. As the commission recommended, the government formed a panel to spearhead the police reform process—the National Task Force on Police Reforms—which was succeeded by the PRIC. Other recommendations have also been implemented, such as establishing independent oversight of the police. While advancements have been made on the first three out of five SSR criteria, as noted, implementation has lagged, in large part due to political bickering and lack of political will.[86] David Kimaiyo, who in December 2012 became the first Inspector General of the police but was a Director in the Ministry of Internal Security when interviewed in 2011, asserted, "The recommendations are there on paper…implementation is a problem."[87]

Akin to Zimbabwe, the government in Kenya has failed to try perpetrators of the post-election violence, despite several attempts to form a special tribunal. This failure—caused by anti-reform coalitions formed across political divides—prompted Annan to provide the

International Criminal Court (ICC) with the names of those suspected by the Waki Commission of orchestrating the violence.[88] Subsequently, the ICC charged six prominent Kenyans—including the former police commissioner, Mohammed Hussein Ali—with crimes against humanity. The charges against Ali were later dropped in March 2012.[89] Despite international efforts to prosecute Ali, no senior-level security prosecutions have taken place domestically. This continuing police impunity, which has a long history in Kenya, is a setback to the overall SSR process in Kenya.

Substantial personnel changes within the police leadership have been carried out. Ali and his deputy were relieved of command in 2009, while a year later 143 senior officers were rotated out of their positions nationwide.[90] In December 2012, a drawn out search for the newly created position of Inspector General came to a close when David Kimaiyo was finally sworn into office.[91] In spite of the failure to hold the police accountable for past political violence, a halting pace, political wrangling at each step, and the remaining need for full implementation, based on the five criteria above, Kenya's coalition government has achieved a medium-high degree of state SSR. Summarizing the coalition government's performance on police reform, Ong'wen, of the PRIC, asserted in 2011: "Quite a lot of progress has been made. When the PRIC winds up, the reforms will have been put on a strong path…it will be impossible to reverse them."[92]

Ong'wen's statement may prove overly optimistic, at least in the near term, as the government and police in Kenya have a ways to go in translating significant progress on establishing a legal and institutional foundation for reforms into a professional and effective police service. As noted by Kimaiyo and Ong'wen, the police are perennially underfunded and remain severely hampered by a lack of operational, logistical, and human resources.[93] As outlined above, reforms remain anathema to many within the senior police leadership. Moreover, several recent events suggest that formal institutional reforms have yet to adequately change police behavior in practice, including alleged abuses of ethnic Somalis in the Eastleigh neighborhood of Nairobi and other areas, failure to contain clashes in the Tana Delta region, and an embarrassing operation in the Suguta Valley in which forty two police were killed.[94] Indeed, it is worrisome that the ultimate short-term test of these reforms, national elections, are scheduled to take place mere months after many of the new institutions and oversight mechanisms became operational. Furthermore, although progress has been made on the state side of the SSR equation, such reforms have as of yet had almost no impact on curbing informal security arrangements and the practice of militia politics, i.e. in demobilizing political gangs and militias—the main protagonists of political violence in Kenya, as discussed below.[95] Despite several setbacks and considerable remaining obstacles to full implementation, after decades of politicization, legal and institutional structures are now in place to engender lasting and tangible police reforms in the medium to long term in Kenya.

Security Sector Intransigence

There are varying reasons why security leaders in both Kenya and Zimbabwe remain so obdurately opposed to reform. Three main reasons explain why the chiefs have fought so vigorously to stymie reforms in Zimbabwe. First, they fear that reforms will jeopardize their access to political power and patronage networks, which have been their primary source of wealth. A leading civil society figure in Zimbabwe maintained that security leaders are against reforms because "they want to protect what they have gained, it's about their

economic gains."[96] Second, and along the same vein, security chiefs are worried that reforms will expose them to prosecutions for past human rights violations. A Deputy Minister and Member of Parliament argued that security chiefs "do not want to retire because a lot of them committed atrocities" and are scared for their lives.[97] Thirdly, the security chiefs genuinely believe the narrative of patriotic history, the selectively nationalist ZANU-PF narrative outlined above. As a Minister, Member of Parliament, and senior MDC-T official argued, security leaders believe that they "…fought for the liberation of the people, and therefore they are entitled to ruling the country. And they actually own the country, in a way, in their minds."[98]

If the police in Kenya do not enjoy a reciprocal relationship with the political sphere, why are they against reform? Two main reasons, analogous to the ones in Zimbabwe, explain the largely unreconstructed attitude of the Kenyan police leadership. Despite not forging a political power base, the police have still benefitted from their position of power, namely through endemic corruption. Transparency International has repeatedly found the police to be the most corrupt institution in the country, with 59 percent of Kenyans reporting to have encountered police bribery over the previous year.[99] As Ong'wen asserted, the police "now basically survive off corruption."[100] Many within the force see the potential for reforms to restrict this source of survival, prompting attempts to stifle such efforts. Secondly, fueled by the ICC charges against Ali, there are fears that reforms will bring accountability for past crimes. Regarding changes within the police precipitated by the reform process, Ruteere contends, "This change, there will come casualties of it. No question about it. So they [senior police] really do not want this kind of change because there is no way they are going to survive it."[101]

Conclusion

Since the formation of each country's power-sharing government, little if any security sector reform (SSR) has been achieved in Zimbabwe, while meaningful, if incomplete, reforms have been realized in Kenya. Myriad causal and intervening factors have played a role in determining SSR outcomes in both cases, including the balance of power between reformers and anti-reformers, varying levels of democratization, the relative traction of the international community, the strength of domestic civil society, and the extent of previous reform efforts. While these factors were considered throughout the analysis of each case and were deemed as contributing to SSR outcomes, this paper has shown that understanding the degree of the security sector's political influence and the strength of the SSR content of the agreements goes a long way in explaining the great deal of variation between the two cases.

While rigorous testing of other cases must remain a topic for further research, the above findings may be useful in helping to explain the likely SSR outcomes of other unity governments formed in contexts of low-grade electoral violence. The political influence and SSR content variables interact in the cases of Kenya and Zimbabwe, with the degree of the security sector's political influence directly impacting the strength of the SSR content of the agreement. The variables do not always necessarily vary in this fashion, however, as cases may feature a moderate-low degree of political influence within the security sector and weak or nonexistent SSR content, as appears to be case in Zanzibar in 2010.[102] Conversely, other cases—in part due to extensive international involvement in the peace process—may exhibit a high degree of security sector influence and fairly strong SSR content. The closest low-grade conflict case to exhibit characteristics similar to these appears to be Togo.[103]

Additionally, such an outcome would have been likely if a power-sharing deal had been agreed to in Côte d'Ivoire in 2010 and, though not a case of low-grade conflict, appears to have occurred in Burundi in 2004.[104]

In cases where the security sector's influence is low and the SSR content strong, a high degree of SSR is the likely outcome, as security leaders are unable to stifle reform and domestic and international actors can use the agreement to drive reform, as seen in Kenya. When the level of political influence is high and the SSR content weak, a low degree of SSR is probable, as security leaders are able to veto reforms and internal and external forces are unable to leverage the agreement, as evidenced by Zimbabwe (Figure 1).

Figure 1: Preliminary SSR Power-sharing Framework
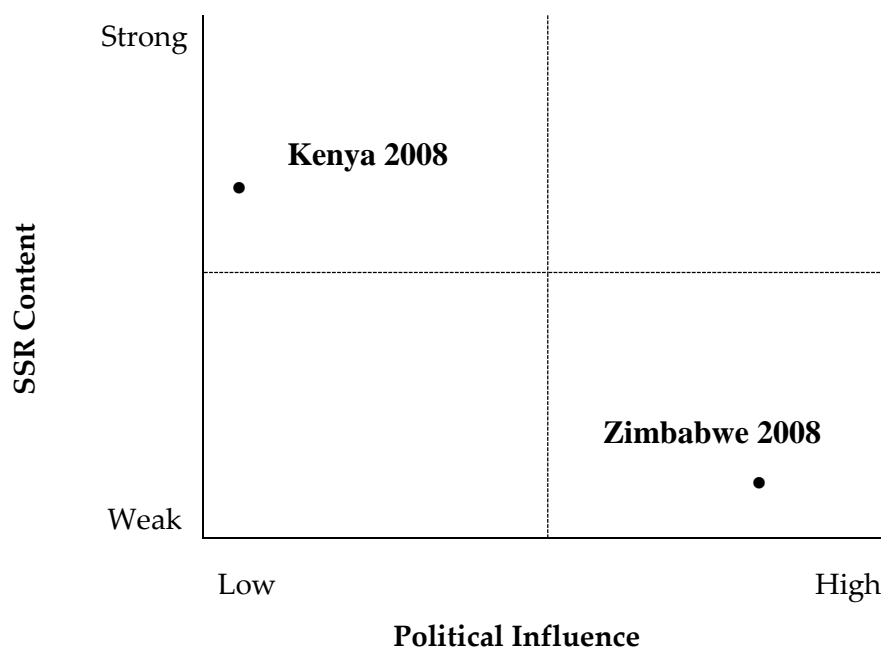
On the other hand, the findings from Kenya and Zimbabwe suggest that when the security sector's influence is relatively low and the SSR content weak or nonexistent, the likely outcome is minimal movement on SSR, as security leaders are unable to frustrate SSR but there are no reforms for domestic and international actors to leverage. The findings also suggest that where the political influence of the security sector is fairly high and the SSR content of the agreement strong, the process is likely to be halting and unpredictable, with the abundant potential for reform tempered by security leaders' ability to impede such efforts. Again, although analyses of other cases must remain topics for further research, the paper's findings on Kenya and Zimbabwe may still be instructive to better understand the likely SSR outcomes of other cases of unity governments formed in cases of low-grade conflict. A starting point for further research and probing of the findings would be to plug cases that are beyond the scope of this paper—such as Togo, Zanzibar, and Madagascar—into the above preliminary framework and then test the hypotheses against evidence from these additional cases.

This study has illustrated the importance of both the political influence and SSR content variables in advancing SSR: lower degrees of influence are necessary but not sufficient unless coupled with strong SSR content in the agreement. The implications of the findings are clear. A low level of political influence within the security sector and robust SSR content

in the agreement are the most favorable conditions for reforming the security apparatus. Under such conditions, unity governments can generate significant opportunities for SSR. Unfortunately, where such conditions prevail is usually where SSR is needed least. Kenya may prove to be the exception in this regard, as a unique set of circumstances shaped a unidirectional relationship between the police and the political sphere, making police reforms essential but also plausible. Zimbabwe, on the other hand, demonstrates that, as one might expect, where SSR is most desperately needed is where it is least likely to advance. However, given the finding of this study that the content of the power-sharing agreement has considerable potential to drive reform, negotiators would be wise to push vigorously for concrete SSR content even in cases where security leaders possess medium-high degrees of political influence. They should do so in hope that such content would enable pressure from domestic and international actors to overcome the security sector's protestations and force members of the unity government to uphold their promises and implement SSR.

This paper argues that two main factors have shaped the SSR outcomes of the unity governments in Kenya and Zimbabwe: the security sector's degree of political influence and the strength of the SSR content in the agreement. While this study has shown that the SSR content of the agreement can play a fundamental role in advancing security reforms, there are clearly limits to such catalytic potential. Post-conflict unity governments are extremely volatile and fragile, with their outcomes dependent on a broad range of contingent factors that are nearly impossible to forecast. Even if strong SSR guidelines are included in a deal, the persistence of informal security arrangements, lack of political will, and other unforeseen impediments—such as crises of governance or renewed conflict—may neuter their potentially positive impact.

While Zimbabwe has achieved relative political and economic stability since the formation of the unity government, the continued practice of security politics, lack of meaningful state SSR, and the failure to demobilize extra-state militias has rendered the country vulnerable to yet another violent election in 2013. Conversely, although Kenya has made significant progress toward achieving security and other institutional reforms, little has been done to disarm vigilantes and end the practice of militia politics. Indeed, recent reports suggest that militias and gangs are in fact rearming, this time with AK-47 assault rifles instead of bows and arrows and machetes.[105] Mungiki, a central player in the 2007-08 post election violence, has also apparently regrouped ahead of elections, with ambitions of reentering electoral politics as a formal party.[106] This failure of the coalition government to rein in privatized violence could very well lead to more electoral conflict in upcoming polls scheduled for March 2013.

State security forces continue to play a critical and often deleterious role in conflict in Africa, as illustrated by Côte d'Ivoire in 2010, where the security sector kept the incumbent President, Laurent Gbabgo, in power even though he had lost an election. The bullet once again defeated the ballot. While calls for power sharing proliferated after the disputed election, the idea was ultimately jettisoned and Gbagbo was removed from office through a combination of international and domestic force. Although the case of Côte d'Ivoire may have slowed the wave of power sharing that has flowed across the continent in recent years as a response to electoral deadlock, the lack of a viable substitute for ending violent conflict guarantees that the model will continue to feature prominently in mediator's toolkits. As such, understanding the likely security reform outcomes of unity governments remains more important than ever.

Notes

1   From herein referred to as Africa.
2   Mehler 2009a, p. 10.
3   Government of Kenya 2008a, CIPEV Final Report, pp. 384-85; Alexander and Tendi 2008, pp. 11-12.
4   Mueller 2008, pp. 187-89.
5   Lijphart 1990, pp. 494-5.
6   Rothchild and Roeder 2005, p. 30.
7   Organization for Economic Cooperation and Development 2008, p. 21.
8   Toft 2010, p. 4.
9   Hartzell and Hoddie 2007.
10   Toft 2010, p. 4.
11   Cheeseman 2011, p. 339.
12   Cheeseman and Tendi 2010, p. 205.
13   For a more comprehensive review of the power sharing literature see Mehler 2009b.
14   Cheeseman and Tendi 2010, p. 204.
15   Bekoe 2012, p. 117; LeVan 2010, p. 43.
16   Chanaa 2002, p. 61.
17   Hills 2007, p. 403.
18   Cawthra and Luckham 2003, pp. 305-27.
19   Cheeseman and Tendi 2010, Cawthra and Luckham 2003, and Hartzell and Hoddie 2007.
20   George and Bennett 2005, p. 67.
21   For "process Tracing" see Ibid., p. 206.
22   Bekoe 2012, p. 119.
23   For a comprehensive analysis of power sharing in Togo and Zanzibar see Bekoe 2012.
24   Catholic Commission for Justice and Peace/Legal Resources Foundation 2002.
25   Chitiyo 2009, p. 8.
26   Alexander and Tendi 2008, p. 5.
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33   Personal interview, Harare, Zimbabwe, 31 March 2011.
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41   Adar and Munyae 2001.
42   Mueller 2008, p. 190.
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44   Branch and Cheeseman 2008, p. 13.
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49   Government of Kenya 2008a, CIPEV Final Report, p. 405-6.
50   Amnesty International 2013, p. 7.
51   Hills 2009, p. 244; personal interview, Hassan Omar Hassan, 4 April 2011, Nairobi, Kenya.
52   Cheeseman and Tendi 2010, p. 213; Mueller 2011, p. 104.
53   This paper uses the term NA to refer to all agreements signed under the KNDR process.
54   Government of Kenya 2008b, NA.
55   Cheeseman and Tendi 2010, p. 218.
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Umpiring Federalism in Africa: Institutional Mosaic and Innovations

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Abstract: Federalism institutionalizes the division of powers and creates the circumstances that render inter-governmental disputes almost inevitable. It is therefore necessary that federal constitutions establish mechanisms for the peaceful umpiring of such disputes. This article explores the institutional and normative innovations in relation to the umpiring of federalism disputes - disputes between the federal and state governments—in the three prominent federal states in Africa, namely Nigeria, South Africa and Ethiopia. It argues that the political safeguards theory is unsuitable in the context of federal states in Africa. Federal states in Africa have established both political and judicial or quasi-judicial safeguards of federalism. However, the organs in charge of resolving federalism disputes are different in each of the federal states. Nevertheless, the constitutional review of disputes between the different levels of government is centralized. The jurisdiction of the constitutional adjudicator extends to both state and federal legislative and executive decisions. The level and form of participation of the states in constituting the constitutional adjudicator varies. In terms of access to the constitutional adjudicator, the federal constitutions are not clear on which organ of each level of government may submit inter-governmental disputes to the constitutional adjudicator.

Introduction

More than 50 percent of the world's population live in countries that are considered federal.[1] In the African context, while some have argued that federalism has the potential to accommodate ethnic, religious, and racial diversity, others, including most of Africa's independence heroes, have posited that federalism exacerbates division and enmity leading to fragmentation and ultimately the collapse of the nation state. However, it is debatable whether federalism may in and of itself contribute to accommodating diversity or exacerbating antagonism.[2] It appears that, mainly due to the nationalism fervor that characterized post-independence Africa, the view that federalism is unnecessary and undesirable in the context of Africa has won the day.[3] Although government power is decentralized to different levels in many states, the overwhelming majority of African countries have rejected a constitutionally sanctioned federal structure of government.[4]

Despite the fact that most African states demonstrate high levels of linguistic, ethnic and religious diversity, governments have generally been reluctant and even hostile to the idea of establishing a federal form of government. Federalism has been and continues to be an outcast. For example, Mazrui observes that "the word federalism has been anathema almost everywhere [in Africa]."[5] Indeed, Africa has been a "virtual graveyard of federal

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experiments."[6] There is a particular distaste for and hostility towards ethnic- or identity-based federalism. Ethnic politics in Africa has been "remarkably subdued."[7] Currently, the only African country that practices ethnic-based federalism is Ethiopia, the success or failure of which is hard to assess and even harder to attribute to the ethnic basis of the federation. In contrast to the fact that many federal states in Europe, such as Belgium, Switzerland, and Spain, are drawn mainly along linguistic and ethnic lines, ethnicity is seen as divisive and antithetical to the state formation and building aspirations of African nations.[8]

The focus of this article, however, is not whether federalism provides multinational African states a superior form of government structure compared to a unitary, or a merely decentralized, form of government, or whether federalism contributes to solving or exacerbates the challenge that ethnic, racial, and religious diversity poses. Rather, it focuses on African countries that have opted for a federal form of government structure. The two most populated states, Nigeria (since 1960) and Ethiopia (since 1991), are federal states. Also, although the 1996 Constitution does not explicitly declare South Africa, the economic powerhouse of the continent, a federal state, it actually establishes a federal form of government.[9] The South African Constitution embodies the main features of federalism: entrenched vertical division of powers, the representation of the provinces in the center, and a Constitutional Court to decide on disputes between the different levels of governments.[10] Also, one of the smallest states, The Union of Comoros, is a federal state. In addition, Sudan, South Sudan, the Democratic Republic of Congo (DRC), and the transitional government of Somalia may be characterized as federal states. Tanzania may also be seen as a peculiar federation between mainland Tanganyika and the island of Zanzibar.[11]

The purpose of this article is to assess the normative and institutional mosaic and innovations in relation to the adjudication of federalism disputes in the three main federal African states, namely, Nigeria, South Africa, and Ethiopia.[12] It explores the extent to which their constitutions have built in political as well as judicial safeguards of federalism. With a view toward providing a theoretical background to the institutional choices for umpiring federalism disputes in Africa, section two discusses the different arguments on the sufficiency or insufficiency of political institutions for safeguarding and complementing federalism. Section three presents the reasons why the political safeguards theory is less relevant in the context of federal states in Africa. This section notes that institutional variations and domestic realities impact the appropriateness and strength of theoretical explanations. With the purpose of unearthing the institutional maze in relation to the resolution of federalism disputes in Africa, the following three sections address the judicial and quasi-judicial safeguards of federalism in three selected countries. The conclusion summarizes the main features of the judicial safeguards in African federal states.

A constitution that establishes a federal state has to address aspects of constitutional design such as the vertical and horizontal division of legislative, executive and judicial power, fiscal and resource distribution, the number and character of the constituent units, inter-governmental relations, and so forth.[13] Another important concern is the peaceful resolution of disputes between the federal government and one or more of the constituent units, or amongst the constituent units, which is the focus of this article. One of the distinctive features of a federal constitution is the creation of multiple levels of government in a single polity, the establishment of "divided" or "shared" sovereignty.[14] The existence of layers of government and the formal division of powers elevates the likelihood of jurisdictional disputes between the different levels of government.[15] Therefore, one of the main challenges that should confront drafters of federal constitutions is how best to resolve

federalism disputes, disputes that arise vertically between the federal/central government and the states/regions/provinces/cantons, and horizontally between the states. A constitution that establishes a federal form of government should establish mechanisms to maintain and safeguard the vertical division of powers as well as regulate the horizontal interaction between the states. Institutionalized dispute resolution mechanisms are necessary for the harmonious existence and continuity of a federal system.

Constitutional provisions are deliberately broad, often ambiguous, at times contradictory and inevitably incomplete.[16] Constitutional provisions are "never precise enough to cover all eventualities. . . . The authors cannot foresee all the contingencies that an effective system of governance must confront."[17] The problem of incompleteness is particularly acute in constitutions that establish federal structures of government. Indeed, the "precise content of the federal bargain will necessarily be incomplete."[18] Similarly, "[c]onstitutions often fail to address crucial issues of federalism."[19] The establishment of mechanisms to facilitate the peaceful resolution of inevitable intergovernmental disputes is therefore imperative to any federal construction. The existence of different levels of sovereignty within a single polity creates a complex system that is in constant need of coordination and completion. A federal system of government structure "presupposes diversity and must cope with corresponding tensions."[20] Indeed, the fact that all the states that had an established constitutional review system prior to the Second World War (the United States, Australia, Austria, and Switzerland) were federal states indicates that federalism should be accompanied by mechanisms of resolving potential disputes between the different levels of government.[21]

Federalism disputes are bound to arise. It is therefore necessary to establish in advance institutional structures that can referee the constitutional division of powers. This much is uncontroversial. There is a general consensus that federalism needs safeguards. However, scholars have been divided on the exact institution that is most competent, legitimate and desirable to safeguard the vertical division of powers. Because the organ in charge of resolving federalism disputes is "critical," the question which institution should be empowered to settle federalism disputes is often contentious.[22] In the U.S. context, there has been and continues to be a scholarly divergence on which institution can best safeguard the states from the domineering powers of the federal government. More specifically, the argument has focused on the exact role of the U.S. Supreme Court in resolving federalism disputes. The "political safeguards" theory of federalism suggests that the representation of the states in the center is sufficient to safeguard the interests of the states and check and preclude any expansive ambitions of the central government. Some of these theorists have called on the Supreme Court to reject all federalism disputes as non-justiciable.[23] In contrast, the "judicial safeguards" theory argues that the U.S. Supreme Court has a role to play in arbitrating federalism disputes and should actively enforce the federal distribution of power.[24] The presence of political safeguards does not render the judicial safeguards irrelevant or otherwise redundant.

Research on the role of constitutional review in Africa has focused almost exclusively on the adjudication of constitutional rights. The adjudication of federalism disputes in Africa has been one of the most neglected dimensions of constitutional law.[25] The role of constitutional review in relation to federalism disputes in Africa remains, to put it mildly, understudied. Despite the fact that the issue of federalism in Africa has attracted scholars all over the world, the resolution of federalism disputes has not enjoyed the academic attention it deserves. This article is meant to serve as an introduction to the institutional contours for

the resolution of federalism disputes from a comparative African perspective. Nevertheless, the scope of this article is limited to providing an account of the institutional and procedural aspects of the resolution of federalism disputes. It does not look at the different informal and extra-constitutional arrangements and practices for the prevention and resolution of federalism disputes. Moreover, the reasons behind the choice of a particular institutional model for the resolution of federalism dispute are not addressed.[26] The article also does not explore practice in relation to the resolution of federalism disputes.[27]

The Political and Judicial Safeguards of Federalism

As pointed out earlier, there is a general implied academic consensus on the fact that federalism needs safeguards. However, there is considerable theoretical disagreement on whether the political process or constitutional adjudicators should be charged with safeguarding federalism. The disagreement has particularly focused on whether judicial safeguards are appropriate and necessary in defending the interests of states against federal encroachment. While the political safeguards theory questions the necessity and appropriateness of judicial safeguards, in contrast, the judicial safeguards theory emphasizes the insufficiency of political safeguards.[28] Geographically, the theoretical debate has almost exclusively been limited to the United States and has not managed to obtain the attention and support of academics and constitutional drafters, particularly in federal states in Africa. Scholars in other federal states appear largely uninterested in the theoretical debates, perhaps due to the fact that the judicial safeguards have explicit constitutional recognition, or exclusion as is the case in Switzerland, in these federal states. Yet, it is useful to summarize the theoretical debate as a background to the discussion of the institutional variations in the adjudication of federalism disputes in Africa. Readers will hopefully then be better able to understand and analyze the practical choices made by the drafters of federal constitutions in Africa. The discussion is particularly important with reference to Nigeria whose federal structure reflects considerable similarities with the institutional designs in the US.

In a nutshell, the political safeguards theory holds that various features of the American political system provide sufficient representation to the interests of the states.[29] It is argued that since all federal laws can only be enacted upon the consent of the House of Representatives and the Senate, and since each state has equal representation in the Senate, the federal government will not be able to encroach upon the competencies and interests of the states. Any federal attempt to arrogate and expand its power can, according to the theory, be resisted and aborted by the Senate. According to the theory, therefore, the Senate holds the "ultimate authority" to managing U.S. federalism and serves as "the guardian of state interests" as it is "intrinsically calculated to prevent intrusion from the center on subjects that dominant state interests wish preserved for state control."[30] In addition, the states have a crucial role in the nomination of the head of the executive, the U.S. President. The role of the states in the nomination process discourages the central government from unduly arrogating power. The working balance of federalism is maintained and nurtured primarily because of the strategic role of the states in the selection of members of Congress and the President. The "sheer existence of the states and their political power to influence the action of the national authority" is capable of limiting, and has limited, the "extent of central intervention."[31] As a result, the Supreme Court should have, and has had, a limited and subordinate role in managing federalism and in the resolution of federalism disputes.

Jesse Choper has perhaps put forth the strongest theoretical justification to and the most radical version of the political safeguards theory.[32] In what he calls the "Federalism Proposal," Choper argues that "the federal judiciary should not decide constitutional questions respecting the ultimate power of the national government vis-a-vis the states; the constitutional issue whether federal action is beyond the authority of the central government and thus violates 'states' rights' should be treated as nonjusticiable, with final resolution left to the political branches."[33] Theoretically, the political safeguards doctrine is based on the assumption that "national legislation affecting states' rights must have the widespread support of those affected [the states]. … Under these conditions, the need for judicial review is at its lowest ebb."[34] Based on this model, Choper distinguishes between the role of the Supreme Court in adjudicating federalism disputes and in determining human rights disputes. He argues that because human rights lack an established constituency within the political process and because human rights in the U.S. context are about what any government, not which level of government, cannot do, the Court has a decisive role in their enforcement. In contrast, federalism disputes are not really about what the government cannot do. They are rather about which level of government can and should perform a particular task. Since the political process ensures the representation of the states in the center, it sufficiently safeguards the interest of the states.[35] The existence of political safeguards obviates the need for the judicial enforcement of states' claims against potential federal intrusion or encroachment. In short, in the presence of political safeguards, judicial safeguards are seen as redundant, and even undesirable to the enforcement of states' claims. Choper therefore urges the Supreme Court to reject all federalism disputes and rather focus its (exhaustible) institutional capital and legitimacy on enforcing human rights claims. He further argues that the federalism proposal is beneficial to the judiciary in that "by removing one class of constitutional issues from judicial consideration, the Proposal would husband the Supreme Court's scarce political capital, and thus would enhance the Justices' ability to act in support of personal liberties."[36]

Although Larry Kramer agrees with the basic proposition that the political safeguards theory, he bases his arguments on the informal structure and operation of political parties rather than the formal representation of states in the federal government.[37] The dependence of federal officials on party support at the state and local levels provides states with the leverage to fend off federal incursions. The "mutual dependence on decentralized political parties" links the "political fortunes of state and federal officials" and "preserves the states' voice in national councils."[38] The mutual dependency induces "federal lawmakers to defer to the desires of state officials and state parties."[39] The politics of the party system renders the "Supreme Court's aggressive foray into federalism as unnecessary as it is misguided."[40] Kramer concludes that "the proper reach of federal power is necessarily fluid, and it may well be that it is best defined through politics."[41] He further posits that the political safeguards have "a longer pedigree and a stronger claim to constitutional legitimacy" than judicial safeguards.[42] As such, courts should not entertain federalism disputes.

It should be noted that the political safeguards theory does not oppose the judicial review of state legislation based on the federalism provisions of the U.S. Constitution, presumably because the federal government is not formally represented in the political institutions of the states, or because the decentralized structure of political parties only effectively protects the local against the federal, and not vice versa.[43] Basically, the theory gravitates towards the Swiss model where the Federal Supreme Court of Switzerland is only authorized to receive complaints alleging violations of federalism and other provisions of

the Constitution against state legislation.[44] The constitutional validity of federal primary statutes cannot be challenged in the Swiss Federal Supreme Court on any constitutional ground, including the federalism provisions.[45]

The judicial safeguards doctrine does not generally question the premises of the political safeguards theory. Both theories agree that political safeguards exist and that the political process provides some protection to the interests of states. However, while the latter theory generally sees very little or no role for the judicial enforcement of federalism provisions against federal laws (they consider judicial intervention in federalism disputes unnecessary, undesirable, misguided, and harmful), the former theory sees a role for constitutional adjudicators in enforcing federalism provisions.[46] In simple terms, the judicial safeguards theory only objects to the claims of exclusivity in the political safeguards theory. The judicial safeguards theory recognizes the relevance of "an important measure of reliance on the political process so long as some judicial review exists as an ultimate backstop."[47] Constitutional adjudication should provide the ultimate solution to federalism disputes.

The judicial safeguards theory asserts that the U.S. Constitution does not give the Supreme Court the right to pick and choose which subject areas of the Constitution to enforce, as implied in the political safeguards theory.[48] Granting the Court the discretion to select which constitutional provisions to enforce is unfounded and can be dangerous in the long term as the Court might as well abandon the enforcement of individual rights provisions.[49] The Supreme Court has the "institutional *obligation*" [emphasis added] to draw the line between federal powers and state sovereignty.[50] The drafters of the U.S. Constitution as well as those who ratified the Constitution understood that judicial review would be used to enforce the limits of both federal and state authority.[51] As such, federalism disputes cannot be excluded from the jurisdiction of the Court, nor should they "receive second-class status before the courts."[52] In fact, questions of federal and state power should receive "the fullest – if not the primary – attention of the Supreme Court."[53]

Judicial review might not be a "core check." Nevertheless, it serves at least as "an important secondary mechanism for keeping the basic political safeguards in place."[54] The judicial enforcement of limits on the powers of the federal government is necessary in "policing and maintaining the system of political and institutional checks that we ordinarily rely on to prevent or resolve most problems."[55] Judicial review therefore ensures that the structures that enable the political and institutional safeguards of state interests remain intact. The political and institutional safeguards of federalism serve the primary purpose of checking federal intrusion into state spheres. Nevertheless, judicial review still has a role to play in ensuring that the primary checks are not decimated or otherwise tampered with. This theory of judicial safeguards anticipates an equivalent of the "representation-reinforcing" theory of judicial review in relation to judicial review of constitutional rights issues.[56]

Beyond text and originalism, the judicial safeguards of federalism may be justified based on the idea that states' powers are granted not on behalf of the states but on behalf of the people. Because state officials are rational actors that work toward maximizing their own benefits, they might at times lack the proper incentive to protect and insist on the vertical division of power that is beneficial to the people.[57] This presents an inherent principal-agent problem where the agent simply acts in his or her or its interest, at times at the expense of the interests of the principal, especially when the direct control exercised by the principal is loose due to popular rational ignorance. The interests of citizens that federalism is intended to protect might not always converge with the interests of officials, both federal and state. In

such cases, the officials may acquiesce in the undermining of the federal division of powers and, with it, the interests of citizens that federalism is designed to protect. In fact, sometimes state and federal officials "have systematic political interests that often cause them to undermine federalism."[58] Judicial safeguards are necessary to ensure that the division of powers that is important to protect the rights and interests of the people is not undermined through the political process, which according to the political safeguards theory is supposed to reliably protect state interests. In short, judicial safeguards are necessary because office holders controlling the political safeguards may have the incentive to deliberately fail to protect the interest of the people that federalism is designed to advance.

In practice, regardless of the swing in the direction of the decisions of the Supreme Court, most scholars would agree that the role of the U.S. Supreme Court in the enforcement of the federal division of powers has been negligible. Many scholarly works have therefore focused on the exact level of deference that the Supreme Court has granted, and should grant, to the political process and the outcomes it generates. While the political safeguards theory has been geographically limited to the U.S. and has not caught the attention of nor gained the support of academics and constitutional drafters with regard to building federal states in Africa the theoretical discussion in this section nonetheless serves to inform discussion about institutional possibilities for adjudicating federalism disputes in Africa.

The Relevance of Judicial Safeguards in the Context of Federal States in Africa

As indicated, the focus of the debate on the appropriateness of judicial safeguards of federalism has been geographically limited to the U.S. and within the U.S. academic and judicial circles. There is very little, if any, work that has addressed the relevance and validity of the different safeguards in, for instance, the context of federal states in Africa. This section argues that for different reasons the political safeguards theory cannot be used to validly exclude judicial safeguards in the institutional and political context of federal states in Africa.

First, the political safeguards theory in the U.S. context has its birth in the lack of a clear constitutional provision that either explicitly excludes or establishes the power of courts to review federal measures for compliance with the federalism provisions of the Constitution. It is defective constitutional design, perhaps emanating from the extremely concise nature of the U.S. Constitution, which has created the controversy. In fact, Kramer, one the main proponents of the political safeguards theory, notes in passing that "[o]ne might be willing to tolerate such decisions [of the Supreme Court restricting Congress's authority], for better or worse, were there a clear constitutional mandate demanding judicial intercession."[59]

In the context of federal states in Africa, however, there are clear constitutional provisions in relation to the organ that is charged with arbitrating federalism disputes. Section 232(1) of the 1999 Constitution of Nigeria grants original and exclusive jurisdiction to the Federal Supreme Court to resolve "any dispute between the Federation and a State or between States if and in so far as that dispute involves any question (whether of law or fact) on which the existence or extent of a legal right depends."[60] Similarly, the South African Constitution is explicit on which organ is charged with resolving disputes between federal and provincial governments. The Constitutional Court has the first and final say on all "disputes between organs of state in the national or provincial sphere concerning the constitutional status, powers or functions of any of those organs of state."[61] The Ethiopian Constitution grants the power of constitutional adjudication to the House of Federation, the

upper chamber composed of representatives of "nations, nationalities and peoples" (essentially ethnic groups).[62] The power of the House of Federation extends to interpreting the Constitution in case of disputes on the content and consequences of federalism provisions. Because of the existence of these explicit constitutional provisions which empower the constitutional adjudicators in the respective countries with the power to resolve federalism disputes, the political safeguards theory, which purports to exclude constitutional review from the resolution of federalism disputes, is untenable in the context of federal states in Africa.

Secondly, the political safeguards theory is less relevant in states where the formal representation of the states at the center is weak. Without state representation at the center, the political process cannot be relied on to ardently protect the interest of the states. In some of the federal states in Africa, the representatives of the internal states in the upper chamber do not have veto powers to preclude the enactment of some or all federal legislation by the lower chamber (composed of elected representatives of the people). For instance, the second/upper chamber in Ethiopia, the House of Federation, does not have any role in the making of federal laws. The House of Peoples' Representatives, which is composed of directly elected members representing the people, enact all federal laws. Also because of the parliamentary system the Constitution establishes, there is no presidential or executive veto on the law-making powers of the House of Peoples' Representatives. The states are not formally represented in the federal law-making process. In addition, it is not the states as such that are represented in the House of Federation. It is rather ethnic groups. There is therefore no formal political safeguard that can adequately protect state interests against possible federal encroachment in Ethiopia.

In South Africa, a bill "affecting provinces" can only come to effect with the approval of both the National Assembly and the National Council of Provinces.[63] The Council of Provinces has veto power only in relation to matters affecting provinces.[64] However, in cases where the Council of Provinces rejects a bill approved by the National Assembly, the National Assembly can reenact it with a two-third majority vote.[65] As such, theoretically the National Assembly can ultimately ignore the decisions of the Council of Provinces. The role and legislative powers of the upper chambers in Ethiopia and South Africa are therefore substantially different from the role of the U.S. Senate. In these circumstances, the political process cannot be expected to protect adequately the interests of the states.

Perhaps two other factors militate against the political safeguards theory are the dominance of both the federal and provincial levels of government by a single party, and the centralizing tendency of African governments. Kramer bases his argument for the political safeguards theory on the decentralization of political parties and the dependence of the central party officials on their state counterparts as the energy that powers the political safeguards. However, the dominance by a single party of both levels of government in a federal state can have an exact opposite effect. In the case of one-party dominance, state officials may be willing to tolerate federal incursions due to party loyalty and the disproportional influence that the highest echelons of the party wield. In the Ethiopian and South African context, for instance, the Ethiopian Peoples' Revolutionary Democratic Front (EPRDF) and the African National Congress (ANC), which are the ruling parties, control both the state legislative councils as well as the federal legislature. As a result, the policy variations and experimentation that federalism was supposed to breed has largely been absent. In Ethiopia in particular, the one-party dominance has led to the centralization of power in spite of the clear constitutional intention to decentralize power to the states.[66]

In addition to the one-party dominance, African governments have historically shown a general tendency to centralize power. In fact, that tendency is one of the reasons why there are very few federal states, despite the fact that African states demonstrate high levels of diversity. The judicial review of federalism disputes can partly contribute to taming the rampant centralizing tradition in African politics.

Moreover, unlike U.S. states, which collect more than half of their revenue from their own sources of taxation and other revenues, the states in African federal countries are highly dependent on disbursals in the form of subsidies and loans from the central government. This dependency on federal subventions undermines their capacity to resist federal incursions. The states within African federal countries have an inferior bargaining power compared to U.S. states. This weakens the importance of the political process as a reliable tool to maintain the federal balance.

Another general scenario where the political safeguards theory will be defective is in cases where there is a clear line of difference between the constituent states. In South Africa, for instance, the interests of the Western Cape Province, which is currently (since 2009) the only province that is governed by the opposition Democratic Alliance (DA), can be legitimately considered to be different from the other provinces. Hence, despite the fact that all the provinces are represented in the federal government, the central government and the eight other provinces might collude to undermine the interests of the Western Cape. Precisely, wherever the interest of the majority of the provinces is in conflict with the interest of one or few provinces, the political safeguards theory cannot be relied on to equitably protect the pariah state/s, i.e., those that are governed by the opposition party.

In summary, for several reasons, some applicable generally to all states, others specific to one or more federal states, the political process cannot be relied on as an exclusive safeguard of federalism in the context of Africa. Indeed, the three federal states under study have crafted both political and judicial or quasi-judicial safeguards of federalism. The discussions in this section reveal that theoretical objections and justifications should take into account variations in institutional design for the resolution of federalism disputes and the practical realities in a particular jurisdiction. The next section looks at the normative and institutional mosaic in relation to the resolution of federalism disputes in federal states in Africa.

The Resolution of Federalism Disputes in Africa: The Institutional Mosaic

As it was indicated above, most federal states establish formal mechanisms through which federalism disputes can be resolved. This is of course in addition to other informal dispute resolution mechanisms such as inter-governmental negotiation. Together with the political safeguards of federalism, constitutional adjudicators share the responsibility of sustaining, completing, adapting, and reconciling federalism's working balance. The resolution of conflicts of jurisdiction through political negotiation and compromise is both necessary and desirable. Political negotiation and coordination is particularly important where there is extensive jurisdictional overlap (concurrent powers) between the different levels of government.[67] However, political safeguards and negotiation are not sufficient. Due to the potential coalescing of interests between the federal government and the states, officials at a particular time may undermine the vertical division of powers. The federal government or the states or both may disregard structural federalism out of political convenience or personal or party interest. When political safeguards and negotiation are unable or

unwilling to protect the federal division of power and resolve federalism disputes, constitutional adjudication provides a potent alternative to enforce federalism provisions.

In addition, although cooperation and collaboration between the federal and state governments should be expected and encouraged, it does not mean that the two levels of government will always agree on the constitutional divisions of power. Negotiations do not always succeed. The different levels of "[g]overnments cannot always be counted on to agree."[68] And even when negotiations result in a deal, there might be groups that believe that the constitutional template has been undermined either by the process or outcome of the negotiation. Sometimes, the states may have contradictory interests, such as in relation to the distribution of income from geographically concentrated natural resources. Constitutional adjudication is important when the political actors fail to agree on the exact balance anticipated and established under a constitution. In such cases, constitutional review becomes relevant to test the legitimacy of and ratify the negotiated scheme. To this extent, constitutional review of federalism disputes serves as an alternative and complementary mechanism to soothe political gridlock and to preclude possible institutional instability.[69]

The constitutions of federal states in Africa establish both political and judicial safeguards of federalism. As indicated above, there are clear provisions that empower the constitutional adjudicators in each country to resolve, among others, federalism disputes. The following three sections look at the institutional and procedural mosaic in the adjudication of federalism disputes in the three federal states of Nigeria, South Africa, and Ethiopia. Each country section approaches the issues systematically. First, it discusses the organ in charge of constitutional adjudication. Second, it examines the appointment process of the members of the adjudicator with a view toward determining the extent to which the states/provinces within the country are involved in constituting the constitutional adjudicator. Third, each section assesses whether the jurisdiction of the constitutional adjudicator extends to scrutinizing both federal and state legislation based on the federalism provisions. Lastly, the issue of access to the constitutional adjudicator is explored with a view to determine the entities that have the standing to initiate complaints based on federalism provisions before the constitutional adjudicator. The underlying purpose of these sections is to determine the extent to which the constitutional adjudication process reflects the federal character of the states.

The Resolution of Federalism Disputes in Nigeria

Nigeria is the oldest and most established federal state in Africa.[70] Since 1996, the federation has been composed of thirty-six constituent states and a Federal Capital Territory, Abuja. Although a single ethnic and linguistic group dominates some of these states, most are multiethnic. Federalism has since independence been accepted as a viable tool to accommodate the diversity of the Nigerian nation and to appease and tame centrifugal forces. Many consider Nigerian federalism as extremely centralized, a trait bequeathed from the hyper-centralization tendencies of the military authoritarianism that dominated the lifespan of post-independence Nigeria. This centralization is still reflected in the 1999 Constitution, particularly in relation to fiscal federalism and revenue distribution.[71]

The 1999 Constitution anticipates disputes between the different levels government and establishes institutional structures for the peaceful resolution of such disputes. The Constitution grants the power to adjudicate disputes between the federal government and the states and amongst the states to the Supreme Court of Nigeria.[72] In fact, since 1999, the

Supreme Court has rendered several politically and economically significant decisions on the division of competencies between the central government and the states.[73] It is interesting to note that, although the Constitution generally follows the diffused model of constitutional review, the Supreme Court has original and exclusive jurisdiction in relation to federalism disputes.[74] It should also be noted that the jurisdiction of the Supreme Court is not limited to scrutinizing the constitutionality of state legislative, executive, and judicial action. Unlike Switzerland, even federal primary statutes can be challenged based on the federalism provisions of the Constitution.

The Federal Supreme Court is composed of a Chief Justice and a maximum of twenty-six other Justices as determined by an Act of the National Assembly, which consists of the Senate and the House of Representatives.[75] The Senate is composed of three representatives from each state and one from the federal territory of Abuja.[76] The House of Representatives has 360 members representing constituencies of nearly equal population.[77] The appointment process of the Chief Justice and the Justices of the Supreme Court involves three main actors. The Justices are nominated by the President of Nigeria on the recommendations of the National Judicial Council and upon confirmation by the Senate.[78] Both the federal government represented in the person of the President and the states represented through the Senate are involved in the appointment of members of the Supreme Court. The composition of the National Judicial Council similarly reflects the federal character of Nigeria and the vertical division of powers. To ensure the representation of the state judiciary, the National Judicial Council consists of five Chief Judges of States.[79] The fact that both the federal and state governments are involved in the appointment of members of the Supreme Court that has jurisdiction to entertain federalism disputes is ideal as it enhances the neutrality and legitimacy of the Court and its decisions. The balance can potentially play a role in ensuring that there is no systematic judicial bias either towards the federal government or the states.

Although the Constitution is not clear on which entities and persons have the power to submit federalism disputes to the Supreme Court, it appears that only the federal government, the governments of the states, and perhaps local governments can do so. Section 232(1) only specifically refers to disputes in which the parties are the central government and a state/s and disputes between the states. However, it is not clear whether only the legislative councils of the states or the executive of a state concerned or both can launch the application. As a result, there are no provisions on what will happen if the executive and the legislature of a particular state have different views on a constitutional issue. Similarly, it is not clear whether the executive arm of the federal government, the Senate or the House of Representatives or any one of them may challenge the constitutionality of a measure taken by a state government based on the vertical division of powers. So far, in practice it is the attorney general of the central government and the attorney generals of the states who submit disputes on the division of powers to the Supreme Court. In any case, the Supreme Court will consider a federalism dispute only if "that dispute involves any question (whether of law or fact) on which the existence or extent of a legal right depends."[80] The Supreme Court will not entertain disputes that do not have implications to the legal rights of either level of government.

It appears that the federal character of the Nigerian state is reflected in the adjudication of federalism disputes. Both levels of governments have a role in constituting the Supreme Court, the jurisdiction of the Court includes challenges to both federal and state legislation and each level of government has access to the Court in challenging decisions of the other

level of government. In many respects, the Nigerian constitutional review system reflects the constitutional review system in the U.S. In terms of political safeguards as well, the Nigerian Senate should approve all bills approved by the House of Representatives before the bills are finally sent to the President for his or her assent.

The Resolution of Federalism Disputes in South Africa

One of the most important achievements of the new constitutional system in South Africa is the replacement of the notion of parliamentary sovereignty, which was a paradigmatic feature of the apartheid regime, with the idea of constitutional democracy under the custodianship of the South African Constitutional Court. Also in contrast to the unitary and highly centralized apartheid government, post-apartheid South Africa is highly decentralized. In fact, eight of the thirty-four basic principles that guided the drafting of the final Constitution related to the vertical devolution of power.[81] The entrenchment of the vertical division of powers in the 1996 Constitution was designed mainly to satisfy the demands of the combined Coloured and white electoral majority in Western Cape and the dominant Inkhata Freedom Party in KwaZulu-Natal. As indicated above, although it does not specifically designate South Africa as a federal state, the 1996 Constitution clearly embodies the principles and basic features of federalism. The provinces have powers that the central government cannot infringe and vice-versa except through a constitutional amendment. Moreover, the provinces have permanent representation in the central government through the Council of Provinces. In addition, any dispute between the central government and the provinces is subject to the original jurisdiction of the South African Constitutional Court. These features clearly qualify South Africa as a federal state.

In South Africa, all courts have the power to scrutinize the constitutionality of laws and practices.[82] Any declaration of invalidity of a law or practice by a lower court based on the Constitution has to be certified or confirmed by the Constitutional Court, which is the highest court in all constitutional matters.[83] However, certain constitutional matters may only be decided by the Constitutional Court.[84] For instance, federalism disputes fall within the original and exclusive jurisdiction of the Constitutional Court.[85] According to section 167(4)(a), only the Constitutional Court may "decide disputes between organs of state in the national or provincial sphere concerning the constitutional status, powers or functions of any of those organs of state."[86] As such, any dispute between the different spheres of government has to be referred directly to the Constitutional Court. Similar to the Nigerian Constitution, the constitutional adjudication of federalism disputes is centralized. Also there is no exception from the constitutional jurisdiction of the Constitutional Court. All decisions, including federal primary statutes, can be challenged based on the federalism provisions of the Constitution.

The Constitutional Court has eleven members, including the Chief Justice and the Deputy Chief Justice.[87] The President of the Republic appoints the Chief Justice and the Deputy Chief Justice upon consultation with the Judicial Service Commission and the leaders of the parties represented in the National Assembly.[88] The other nine judges are appointed by the President after consulting the Chief Justice and leaders of the parties represented in the National Assembly.[89] The President has to pick the judges from a list prepared by the Judicial Service Commission that should carry three more nominees than the total number of appointments to be made. Unlike in Nigeria, members of the Constitutional Court are appointed by the central government alone without any formal

involvement of the provinces, directly or through the Council of Provinces. However, it should be noted that the Council of Provinces has four permanent delegates in the Judicial Service Commission.[90] The delegates have the potential to play a role in ensuring that the views and interests of the provinces are represented in the nomination process.

The South African Constitution is clear on who may approach courts alleging that a right in the Bill of Rights has been infringed or threatened.[91] However, in relation to federalism disputes, there is very little guidance on which entities have the standing. It is clear that the original and exclusive jurisdiction of the Constitutional Court relates to disputes between government organs in the national and provincial sphere. As such, only the two levels of government can submit disputes directly to the Constitutional Court. It is not clear, however, which organ of the central or provincial government, that is, whether the executive or the lawmakers, may institute proceedings. There is also no clear answer on what will happen if different organs of the same level of government are divided on whether to submit a dispute to the Constitutional Court.

The Resolution of Federalism Disputes in Ethiopia

Article 1 of the 1995 Constitution establishes the Federal Democratic Republic of Ethiopia. In stark departure from its predecessors, which were characterized by a unitary and centralized form of government, this Constitution establishes a federal form of government. The boundaries of states are delimited "on the basis of the settlement patterns, language, identity and consent of the people concerned."[92] Ethnicity and linguistic identity play an important role in the Ethiopian federation. In fact, Ethiopia is the only country in Africa that has been assiduously experimenting with ethnic-based federalism. Currently, there are nine states, and a Capital City, Addis Ababa, under federal administration.[93] Any ethnic group located within any of the states is granted the right to create its own state upon approval by two-thirds of the legislative council of the state concerned and if the majority of the ethnic group concerned supports the creation of a new state in a referendum.[94]

Another unique feature of Ethiopian federalism is the composition and role of the upper chamber, the House of Federation. Unlike in all other federal states that have second chambers where the second chamber is actively involved in federal law-making, the House of Federation is not involved in the making of laws. All federal laws are enacted by the House of Peoples' Representatives alone. Although the House of Federation is considered as a parliamentary organ, it barely has any legislative powers.[95] Secondly, unlike other federal countries where the upper chamber is composed of members that represent the constituent units of the federation, the House of Federation is composed of representatives of nations, nationalities and peoples (ethnic groups). Thirdly, ethnic groups are not represented equally. The House of Federation is a majoritarian entity where the largest ethnic groups have proportionately higher representation. Each ethnic group has at least one representative and an additional one more for every one million members of the ethnic group. For example, an ethnic group that has twenty million people will have twenty-one representatives. Currently, the House of Federation has 135 members representing seventy-six ethnic groups. The large majority of the ethnic groups have only one representative.

Fourthly and most importantly, the House of Federation (HoF) serves as a constitutional adjudicator in relation to "all constitutional disputes," including disputes between the federal government and the states and between the states.[96] Since members of the HoF are

not legal technocrats, the Constitution establishes the Council of Constitutional Inquiry (Council), composed predominantly of legal experts, to assist the HoF in determining whether there is need for constitutional interpretation and, if so, to provide recommendations to the HoF for final decision.[97] The role of regular courts in the constitutional adjudication process is largely limited to referring constitutional issues to the Council. Whenever a constitutional issue arises in judicial proceedings, courts must stay the proceeding before them and refer the constitutional matter to the Council. If the Council rules that there is indeed a constitutional issue, it passes its recommendations to the HoF for a final decision. The HoF is not bound by the recommendations of the Council. If the Council rules that there is no constitutional issue involved, it sends the matter back to the court that referred the matter.

The HoF has the power to scrutinize the constitutionality of both federal and state legislative, executive and judicial measures. However, unlike in South Africa where the provinces do not have any role in the appointment of the members of the constitutional adjudicator, the members of the HoF are entirely nominated by the legislative councils of the states. Although the members of the HoF are intended to represent ethnic groups, they are chosen by the legislative councils of the states. The Constitution allows the states the option to organize elections to select representatives to the HoF. However, elections have never been organized for purposes of electing the representatives. The federal government is involved in the composition of the constitutional adjudicator only through the appointment of some members of the Council. The House of Peoples' Representatives appoint eight out of the eleven members of the Council. However, the Council is only an advisory organ to the HoF. As such, in contrast to South Africa where the federal government dominates the appointment of the members of the Constitutional Court, the representatives of the states dominate the constitutional adjudication system in Ethiopia.

Another interesting aspect of the resolution of disputes between the different levels of government in Ethiopia is the duty to negotiate in good faith to resolve "disputes and misunderstandings" between the different levels of government under the auspices of the House of Federation.[98] It is only when negotiations and discussions have failed that a dispute might be submitted by one or all parties to the HoF for final resolution. Even after the dispute has been submitted to it, the HoF should still strive to facilitate further discussions. This indicates the priority given to the political resolution of disputes between the different levels of government. However, given that federalism disputes are constitutional disputes, it might be argued that the duty to negotiate only applies to extra-constitutional disputes and misunderstandings. As such, disputes based on the federalism provisions of the Constitution may be submitted directly to the Council or the HoF.

Just as in South Africa and Nigeria, the Ethiopian Constitution is not clear on who can submit disputes between the different levels of government to the Council or the HoF. However, the Constitution refers to disputes between the federal government and the states and amongst the states implying that only these entities can be parties to federalism disputes. Due to the parliamentary form of government the Constitution establishes, conflicts between the executive and the legislature at the central or regional level on whether to submit federalism disputes to the constitutional adjudicators are unlikely to arise. In any case, the Council is empowered to receive applications for constitutional interpretation in relation to matters that cannot be handled by courts, such as federalism disputes, if such application is supported by at least one-third of the members of the House of Peoples Representatives or the legislative councils of the states, or the federal or state executive

organs.[99] As such, either the legislative or the executive may submit the case, even though they do not agree on the need to refer the matter to the Council of Constitutional Inquiry.

Conclusion

Federalism clearly needs safeguards. The demand for stability and flexibility in any federal arrangement requires the operation of a fine mix of political and judicial, formal and informal mechanisms for the prevention, management, and resolution of federalism disputes. The main purpose of this article is to look at formal judicial resolution mechanism. Despite the prominence of theoretical objections to the judicial safeguards of federalism, the constitutions of federal states in Africa have clear provisions empowering the constitutional adjudicator to ultimately resolve federalism disputes. All the constitutions considered here establish constitutional adjudication mechanisms in addition to the political safeguards and other informal dispute resolution mechanisms.[100] To that extent, the constitutional adjudicators have an enormous potential to shape the contours of the federal distribution of powers. Judicial safeguards are important and perhaps necessary. Political safeguards and other informal dispute prevention and resolution mechanisms may reduce, but cannot eliminate, the number of conflicts that reach the constitutional adjudicator. Judicial safeguards help to resolve at least those disputes that elude the other safeguards and lead to intergovernmental deadlock. However, the article does not imply that the judicial safeguards of federalism are superior to political and other informal safeguards. In fact, judicial safeguards should generally be used as a final resort and courts should encourage and facilitate negotiated political settlements to resolve disputes between the different levels of government to the extent permitted by the relevant Constitution and the values underlying it.

It is interesting to note that the institutional choices in the judicial resolution of federalism disputes in federal countries in Africa are quite diverse.[101] In Ethiopia, the formal political safeguards are weak. In Nigeria, the political safeguards appear strong. In fact, the Nigerian system of constitutional review in relation to federalism disputes is in many respects a replica of the U.S. system. The constitutions considered here, except for Ethiopia, have adopted judicial safeguards in addition and complementary to any political safeguards. In Ethiopia, the power to decide on disputes between the central and regional governments is granted to the HoF, which is composed of representatives of ethnic groups. To the extent that the HoF exercises the power of constitutional review, the political and judicial safeguards have been conflated.

All the countries have adopted a centralized form of constitutional review in relation to the adjudication of federalism disputes. In Nigeria, the power to resolve federalism disputes rests only with the Federal Supreme Court; in South Africa only with the Constitutional Court; and in Ethiopia only with the HoF, with the advisory support of the Council of Constitutional Inquiry. This tendency to centralize the constitutional review of federalism disputes is also visible in established federal countries such as the U.S., Germany, and Switzerland.[102] Clearly, the premiums on federalism disputes are high. Such disputes are also politically salient. Most importantly, there is need to ensure that disputes are resolved promptly to avoid delay and government inefficiency and stagnation that the normal appellate process could often have entailed. As such, the constitutions have granted direct and original jurisdiction to the final constitutional adjudicator to resolve federalism disputes.

Given the fact that the different levels of government exercise shared sovereignty, any organ in charge of resolving disputes between the different levels of government should ideally have a federal character in its composition, jurisdiction, and accessibility.[103] The participation of the states in setting up the constitutional adjudicator ensures the balancing of influence of the different levels of governments. In Nigeria, the states are involved in the appointment of the members of the constitutional adjudicator.[104] The representation of the states is indirect in Nigeria where the chamber composed of representatives of the states has to approve nominations by the head of the national executive. In South Africa, the central government dominates the appointment of the members of the Constitutional Court without any formal involvement of the states.[105] The Constitutional Court of South Africa does not as such have a federal character. This reflects the highly centralized nature of the South African federation. In contrast, in Ethiopia, the members of the House of Federation are chosen by the legislative councils of the states. The central government does not have any formal role in constituting the constitutional adjudicator. This might breed an opportunistic tendency on the part of the states to arrogate more powers and weaken the federation.

The jurisdiction of the constitutional adjudicators highly reflects the federal character of the states. Each level of government is granted the power to challenge the constitutionality of legislation adopted by the other level of government. As such, the Swiss model where the constitutional adjudicator is excluded from scrutinizing the constitutionality of federal primary statutes has been explicitly rejected by the three federal states in Africa.

Given that federalism disputes relate to disputes between the different levels of government, the standing to submit such disputes is limited to relevant state organs. However, the constitutions considered here are not clear on which organ, whether the executive or the legislature, can submit such disputes to the constitutional adjudicator. This can create a problem where two organs of one level of government may disagree on whether to submit a complaint to the constitutional adjudicator. The standing of local governments to challenge the constitutionality of federal and provincial measures has not been explicitly addressed. Moreover, the extent to which non-state entities such as individuals and organizations are entitled to challenge the constitutionality of state or federal legislation based on the vertical division of power (the federalism provisions of the Constitution) is also not clear.[106] There are no specific rules on whether an individual or legal entity can challenge the constitutionality of, for instance, a federal law only based on the fact that the federal government does not have jurisdiction to enact such law. In comparison, the constitutions are often clear on the circumstances under which a person may institute proceedings to challenge the constitutionality of laws and other decisions based on human rights provisions.

In conclusion, this article has explored the institutional structures for the umpiring of federalism disputes in federal states in Africa. However, it does not explore in detail the role of the umpires in practice. Due to the absolute dominance of a single party in all levels of government in Ethiopia, there have not been any disputes between the regional and the central governments that were resolved by the House of Federation. In the few federalism disputes that were formally presented to it, the Constitutional Court of South Africa has shown a centralist and nationalist tendency. In contrast, the Nigerian Supreme Court has been quite active in resolving federalism disputes, and it has not shown any kind of judicial restraint or preference to either level of government. A detailed comparative study of the legal, political, and social circumstances to explain the behavior of the umpires should better be the subject of a subsequent work.

Notes

1   Bednar 2009, p. 2, footnote 1.

2   Davis 1978, pp. 211-12 has argued that federalism is not by itself directly related to the failure or success of a federal state, including in relation to the frequency and intensity of ethnic disputes. He observes that "[t]he truth of the matter is—and experience has been the teacher—that some 'federal' systems fail, some do not; some inhibit economic growth, some do not; some promote a great measure of civil liberty, some do not; some are highly adaptive, some are not—whatever their condition at any one time, it is rarely clear that it is so because of their federalness, or the particular character of their federal institutions, or the special way they practice federalism, or in spite of their federalness." Also Bednar 2009, p. 3, observes that "the very features that make federal structure appealing for a heterogeneous society—decentralization and regional semi-independence—also build in new opportunities for transgression."

3   Goldthorpe 1996, p. 154, observes that the modernizing elites of Africa considered "tribalism" and "ethnicism" as constituting backwardness.

4   In fact, there is an initiative at the African Union level to advance the idea of decentralization and local development. The Executive Council of the African Union decided during the January 2012 Summit to establish an Africa Day of Decentralization and Local Development on 10 August of every year and to draft an "African Charter on the Values, Principles and Standards of Decentralization and Local Governance." See Decision on the Report of the All Africa Ministerial Conference on Decentralization and Local Development Doc: EX.CL/692(XX).

5   Mazrui 1998, p. 1 (cited in Suberu 2009, p. 67).

6   Suberu 2009, p. 70.

7   Ottaway 1999, p. 305.

8   Neuberger 1994, pp. 231-35 obseres that African leaders attempted to create a unified state out of disparate groups.

9   Simeon 1998, p.3 observing that "while the word 'federalism' does not appear anywhere in the [South African] Constitution, the federal principle was to be deeply embedded in it."

10 Elazar 1987 emphasizes the first two characteristics as basic features of federalism. See also Rosenn 1994, pp. 5-6

11 Moller 2010, p. E-38. However, only Zanzibar has a local government, so to say. The mainland Tanzania is governed by the Union Government and there is no separate government structure for its administration.

12 These three are the main federal states in Africa. For different reasons, the article does not look into the other federal states in Africa, namely, the Union of the Comoros, Sudan and Tanzania. The Tanzanian federation is sui generis. Comoros and Sudan are left out mainly because of lack of information. The 2005 Interim Constitution of Sudan is outdated since South Sudan became a new state in July 2011.

13 On the issues that confront designers of a federal constitution, see Simeon 2009.

14 Lenaerts 1990, p. 263. See also Bednar 2009, p. 1: that "[a] federal constitution creates distinct governments endowed with different responsibilities."

15 Hogg 1985, p. 127 states that the division of power creates tension and breeds disputes.
16 Brudney 2003 p. 175 comments that "constitutional language is often imprecise or inconclusive, and the circumstances of its application often unanticipated or unforeseeable by its authors."
17 Baier 2006, p. 11.
18 Halberstam 2008, p. 143.
19 Rosenn 1994, p. 21.
20 Freund 1954, p. 561.
21 Hueglin and Fenna 2006, p. 275 observe that historically the development of federalism has "simultaneously meant the development of judicial review." See also Shapiro 2002, p. 149. Auer 2005, p. 427 similarly observes that "[f]ederalism was first in bringing theconstitution to the courts, long before civil rights and liberties did the same."
22 Rosenn 1994, p. 21.
23 Wechsler 1954, p. 543; Choper 1977; Kramer 2000.
24 Redish 1995; Yoo 1977; McGinnis and Somin 2004.
25 The author has identified two articles that deal with the jurisprudence of the Nigerian Supreme Court and the Constitutional Court of South Africa on federalism disputes. See Steytler 2009, p. 27-42; and Suberu 2009.
26 However, it appears that the Nigerian system for the resolution of federalism disputes replicates and has been enormously influenced by the American system. In Ethiopia, the disputes resolution mechanism reflects the saliency of ethnicity and the sovereignty of ethnic groups. The South African system is very similar to the system in Germany and reflects the generally centralized features of the overall federal system. The institutional arrangements for the resolution of federalism disputes therefore reflect a mixture of borrowings and innovations.
27 Steytler 2009 and Suberu 2009 both assess the experiences of the Nigerian and South African courts in in relation to the resolution of federalism disputes. However, they lack a comparative approach. Most importantly for this article, even in relation to Nigeria and South Africa, the Steytler and Suberu articles neither the institutional nor the procedural aspects of the resolution of federalism disputes and the role of the states in setting up the constitutional adjudicator.
28 Perhaps a third variant is what Mikos calls the "populist safeguards"' of federalism, which is broadly related to the political safeguards theory. Mikos 2007 argues that citizens may oppose Congressional efforts to expand federal authority vis-à-vis the states. However, most scholarly works conclude that the people care more about specific policy choices rather than the organ that is taking the choice. Moreover, there is a general understanding that ordinary citizens do not have a clear idea of what falls in the respective jurisdictions of the federal and state governments. For example, McGinnis and Somin 2004, p. 95 observe that the people are "know nothings" with little incentive to   learn about, let alone "monitor … the federal state balance." More radically, Devins 2004, p 131, argues that "*even if* the American people were well informed about the benefits of federalism, they would still trade off those benefits in order to secure other policy objectives." Judicial safeguards are necessary because "no

one really cares about federalism."

29 The political safeguards doctrine was first systematically presented by Herbert
    Wechsler 1954, p. 543.

30 Ibid., pp. 543, 548, and 560.

31 Ibid., pp. 543, and 544.

32 Choper 1977; Choper 1980.

33 Choper 1977 p.1557. See also Choper 1980.

34 Choper 1977 p. 1570.

35 To this extent, Choper understands constitutional review as justifiable in protecting
    interests, individuals and groups that are not sufficiently and effectively represented in
    the political process. This is in line with Ely's (1980, 1978a, and 1978b) "representative-
    reinforcing" theory of judicial review.

36 Choper 1977, p. 1577. Cf Shapiro 2002 who observes that constitutional courts are
    indispensable in federal states and that they use their indispensability in relation to
    federalism disputes as a firm basis to expand their jurisdiction and establish aggressive
    jurisprudence on human rights issues. While Choper argues that the role of courts in
    adjudicating federalism disputes is dispensable in relation to federalism disputes but
    not individual rights (due to the problem of lack of representation), Shapiro observes
    that courts are dispensable in relation to human rights issues but not in relation to
    federalism issues.

37 Kramer 2000.

38 Ibid., p. 219.

39 Ibid., p. 378.

40 Ibid., p. 215.

41 Ibid., p. 292.

42 Ibid., p. 293.

43 Choper 1977, p. 1577.

44 This is in line with the observations of Justice Oliver Wendell Holmes 1920, pp. 295-96
    that "[I]I do not think the United States would come to an end if we [Justices of the U.S.
    Supreme Court] lost our power to declare an Act of Congress void. I do think the
    Union would be imperiled if we could not make that declaration as to the laws of
    the several States." In practice, as well, some authors (e.g., Bzdera 1993) have argued
    that constitutional adjudicators favor the federal government, that they are often
    "centralist and nationalist." As such, the constitutional adjudication of federalism
    disputes is argued to essentially recreate the Swiss model. In fact, Bzdera (p. 20)
    observes that the Swiss model, where the Federal Tribunal is forbidden by law to
    review federal primary statutes, represents the ultimate stage of constitutional review in
    the modern federal state. See also Shapiro 1981, p. 55: "constitutional review by the
    highest courts in federal systems has been a principal device of policymaking."

45 The constitutionality of federal primary statutes, treaties ratified by the federation, and
    federal decrees subjected to referendum cannot be questioned by the cantons in the
    Federal Supreme Court, even if they encroach upon canton powers. However, orders,
    regulations and other subordinate legislation of the federal government are subject to
    the jurisdiction of the Court.

46 Mikos 2007, p. 1719 observing that "there is no guarantee that judicial review does more

good than harm."

47 Young 2001, p. 1351.
48 See generally Redish 1995.
49 Redish 1995, p. 164.
50 Yoo 1997, p. 1312.
51 Prakash and Yoo 2001, p. 6 arguing that "the theory of the political safeguards of federalism remains fundamentally at odds with the Constitution's text." See also Yoo 1997, p. 1313 observing that judicial review of federalism disputes is supported by "the text, structure, and history of the Constitution."
52 Yoo 1997, p. 1313. See also Merritt 1988, p. 20 observing that "[i]f the Constitution forbids federal interference with state autonomy, then the courts cannot abandon their duty to enforce that limit simply because the political process appears to provide a tolerable substitute for judicial review."
53 Yoo 1997, p. 1313.
54 Young 2001, p. 1354.
55 Ibid., p. 1354.
56 Ibid. 2001, p. 1395. Young argues for "a doctrine of judicial review constructed to protect the self-enforcing nature of the federalism system." For the representative-reinforcing theory of judicial review, see Ely 1980.
57 McGinnis and Somin 2004.
58 Ibid. See also Devins 2001, pp. 1194-1200 showing how judicial enforcement of federalism helps to ensure that legislation serves the public good, not simply the political or private interests of transient officials.
59 Kramer 2000, p. 291.
60 Constitution of Nigeria 1999, section 232(1).
61 Constitution of South Africa, section 167(4)(a).
62 Federal Democratic Constitution of Ethiopia (FDRE) Constitution, articles 62(1) and 62(6). Note that the House of Federation is actually a political organ. Ethiopian courts do not have the power to invalidate any government measure based on the Constitution. As such, the distinction between the political and judicial safeguards does not really arise in the context of Ethiopia.
63 Constitution of South Africa, section 76. It should be noted that in relation to bills "not affecting provinces" the National Assembly will send an approved bill to the Council of Provinces which might approve, approve with amendments or reject the bill. However, the National Assembly can pass the bill with or without the amendment or modification proposed by the Council of Provinces, and can even pass bills that have been rejected by the Council of Provinces. See Constitution of South Africa, section 75(1).
64 This is similar to the practice in Germany where the *Bundesrat* has veto power only in relation to certain federal legislation. In contrast, in the U.S., the Senate has veto power over all federal legislation approved by the House of Representatives.
65 Constitution of South Africa, section 76(1)(a-i). However, before the National Assembly can reject amendments proposed by the Council of Provinces, the bill should have been referred to a Mediation Committee for consideration. A Mediation Committee is established in cases of disagreement between the Council of Provinces and the National Assembly. It is composed of nine members from the National Assembly, whose

composition must proportionately reflect the political party composition of the Assembly, and one representative for each of the nine provinces. See Constitution of South Africa, section 78. The National Assembly is not bound by the views of the Mediation Committee.

66   See generally Aalen 2002; 2000.

67   Ryan 2011.

68   Baier 2006, p. 162.

69   See Rubin 2008 arguing that judicial review provides a peaceful alternative to a violent exercise of the right to resist and revolutions.

70   Suberu 2009, p. 67: observes that "Nigeria's federal experience is outstanding in Africa, remarkable in the developing world, and important globally."

71   Ibid. 2009, p. 483 observing that Nigerian federalism still manifests "fiscal over-centralisation."

72   Constitution of Nigeria, section 232(1).

73   For a thorough discussion of the decisions of the Supreme Court on disputes between the central government and the states, see Suberu 2009.

74   In the diffused or American model of constitutional review, all levels of courts are empowered to review the constitutionality of legislative and executive measures. In the concentrated or European model of constitutional review, only the highest court of the land or a separate constitutional court or council is empowered to decide constitutional issues. In Nigeria, the High Court has original jurisdiction on all constitutional matters that are not explicitly excluded from its jurisdiction. Appeal from the High Court lies to the Court of Appeal and finally the Supreme Court.

75   Constitution of Nigeria, section 230 and sections 47-49. Currently, the Supreme Court has fifteen Justices, in addition to the Chief Justice.

76   Ibid., section 48.

77   Ibid., section 49.

78   Ibid., section 231(1 and 2).

79   The Federal Judicial Council consists of the Chief Justice of Nigeria, the next most senior Justice of the Federal Supreme Court, the President of the Court of Appeal, five retired Justices selected by the Chief Justice of Nigeria from the Supreme Court or Court of Appeal, the Chief Judge of the Federal High Court, five Chief Judges of States to be appointed by the Chief Justice of Nigeria from among the Chief Judges of the States and of the High Court of the Federal Capital Territory, Abuja in rotation to serve for two years; one Grand Kadi to be appointed by the Chief Justice of Nigeria, one President of the Customary Court of Appeal, five members of the Nigerian Bar Association appointed by the Chief Justice of Nigeria on the recommendation of the National Executive Committee of the Nigerian Bar Association, two persons not being legal practitioners, who in the opinion of the Chief Justice of Nigeria, are of unquestionable integrity. The Federal Judicial Council nominates candidates based on a list of names submitted to it by the Federal Judicial Service Commission (Constitution of Nigeria, Third Schedule Part I, Section I). The Federal Judicial Service Commission is composed of the Chief Justice of Nigeria, the President of the Court of Appeal, the Attorney General of the Federation, the Chief Judge of the Federal High Court, two legal practitioners recommended by the Nigerian Bar Association, two other persons, who

are not practitioners with unquestionable integrity. See Ibid., Third Schedule, Part I, Section E.

80 Ibid., section 232(1).

81 On the federal system in South Africa, see Van der Westhuizen 2005.

82 However, Magistrate Courts do not have the power to determine the constitutionality of primary statutes and the conduct of the President of the Republic. See Constitution of South Africa, section 170.

83 Ibid., section 167(3).

84 For a list of the matters on which the Constitutional Court has original and exclusive jurisdiction, see Ibid., section 167(4). Note that the Constitutional Court is, among others, empowered to decide "on the constitutionality of any amendment to the Constitution." See Ibid., section 167(4)(d). This is one of the unique features of the South African constitutional review system.

85 Initially, the drafters of the Constitution assigned the power of resolving federalism disputes to the National Council of Provinces (NCOP). However, the Constitutional Court ruled that this was incompatible with the separation of powers and other principles included in the thirty-four principles that guided the drafting of the final Constitution. Haysome 2001, p. 517 observes that "[t]he [Constitutional] Court seems to have accepted the proposition that it was a better guardian of provincial power than the NCOP would be. Yet there is good reason and comparative jurisprudence to believe that the opposite could be the case."

86 However, note that the Constitution imposes a duty on all organs of government to attempt to resolve disputes through intergovernmental negotiation. Section 41(3) provides that "[a]n organ of state involved in an intergovernmental dispute must make every reasonable effort to settle the dispute by means of mechanisms and procedures provided for that purpose, and must exhaust all other remedies before it approaches a court to resolve the dispute." Any court before which an intergovernmental dispute has been laid has the power to refer the dispute back to the disputants if it is not satisfied that the organs have not attempted to resolve their disputes as required in section 41(3). See section 41(4). As such, the political resolution of disputes is encouraged and the judicial resolution of intergovernmental disputes is a last resort.

87 Constitution of South Africa, section 167

88 Ibid., section 174(3)

89 Ibid., section 174(4).

90 Ibid., section 178(1)(i).

91 Ibid., section 38 includes a generous and progressive list of entities and individuals who have the standing to bring constitutional complaints alleging violation of constitutional rights.

92 FDRE Constitution, article 46(2).

93 Ibid., articles 47 and 49. The City of Dire Dawa has also been under federal administration since 1993 due to lack of agreement between the Oromia and Somalia states and also because the city is home to a diverse array of ethnic groups. However, there has not been a constitutional amendment or other legislative measure to legitimize and regularize the status of Dire Dawa.

94 Ibid., article 47(2 and 3). The referendum is conducted under the auspices

of the House of Federation, which is charged with the task of guaranteeing the right to self-determination of ethnic groups, including secession. However, so far no ethnic group has exercised its right to create a new state.

95 The principal legislative functions of the House of Federation include its role in constitutional amendment and its power to determine which civil matters should be under the legislative jurisdiction of the federal or the regional states. See Ibid., articles 62(5) & (8), 105(1)(c) & 105(2)(a). The House of Federation also decides jointly with the House of Peoples' Representatives on the exercise of powers of taxation on subject matters that have not been specifically provided for in the Constitution (article 99). In relation to all other issues except taxation, the states have residual power. The formula for the vertical division of taxation power is therefore different from the division in relation to other powers.

96 Ibid., articles 62(2) & 83(1);, article 62(6). Note that the latter provision refers only to disputes amongst the states. There is no explicit provision on the resolution of constitutional disputes between the states and the federal government. Nevertheless, the term "all constitutional disputes" in article 62 should be interpreted to include federalism disputes between the different levels of government. In addition, article 23 of the Consolidation of the House of the Federation and Definition of its Powers and Responsibilities Proclamation 251/2001 empowers the House of Federation to strive to resolve interstate or federal-state government disputes and misunderstandings.

97 See FDRE Constitution, articles 82–84. The Council is composed of eleven members: the President and Vice President of the Federal Supreme Court, six legal experts with "proven professional competence and high moral standing" appointed by the President of Ethiopia upon the recommendation of the House of Peoples' Representatives, and three others nominated by the House of Federation from among its members.

98 The Consolidation of the House of the Federation and Definition of its Powers and Responsibilities Proclamation 251/2001, articles 23-26. The South African Constitutional Court has a similar duty to encourage the political resolution of disputes between the different organs of government. See Constitution of South Africa, section 41(3).

99 Council of Constitutional Inquiry Proclamation No.250/2001, article 23(4).

100 This is in line with the observations of Bednar 2009, p. 9 that federalism needs all forms of safeguards, structural, popular, political and judicial, each providing a "trigger mechanism" to restrain violations of the division of powers.

101 Simeon 1998, p. 6 similarly observes that "there are as many variants of federalism as there are federations."

102 Hueglin and Fenna 2006, pp. 278-79 observe that most constitutional adjudicators in federal countries have direct or original jurisdiction.

103 Ibid., pp. 281-282. They note that "[i]n principle, one would imagine that a court sitting in judgment on the division of powers between two co-sovereign orders of government ought to be constituted in such a way as to ensure the necessary impartiality."

104 The conclusions of Suberu 2009 that the "[Nigerian Supreme] Court's federalism decisions were remarkably independent and reasonably balanced" may perhaps be partly attributable to the balanced role of the center and the states in the appointment of the members of the Court. Suberu p. 483 notes further that the neutrality of the decisions of the Court reflects "the Court's relative political insulation as well as its

composition on the basis of a judicious balancing of the criteria of merit, seniority and regional representation."

105 Perhaps this can partly explain Steytler's 2009, p. 37 conclusion that "the [Constitutional] Court has by and large leaned towards the centre."

106 In Germany, for instance, the constitutional complaints procedure allows individuals to directly access the Constitutional Court only in relation to allegations of violations of the human rights provisions of the Constitution. In relation to federalism disputes, only the federal government, the parliament, and the legislative councils of the states have direct access in abstract review.

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REVIEW ESSAY
Sins of Omission: Public Health and HIV/AIDS in Africa

ALEXANDER RÖDLACH

Gregory Barz and Judah M. Cohen (eds.). 2011. *The Culture of AIDS in Africa: Hope and Healing Through Music and the Arts*. **Oxford: Oxford University Press. 500 pp.**

Patricia C. Henderson. 2011. *AIDS, Intimacy and Care in Rural KwaZulu-Natal: A Kinship of Bones*. **Amsterdam: Amsterdam University Press. 254 pp.**

Aginam Obijiofor and Martin R. Rupiya (eds.). 2012. *HIV/AIDS and the Security Sector in Africa*. **Tokyo: United Nations University Press. 281 pp.**

Ross Parsons. 2012. Growing Up With HIV in Zimbabwe – One Day This Will All Be Over. Woodbridge: James Currey. 197 pp.

Jenny Trinitapoli and Alexander Weinreb. 2012. *Religion and AIDS in Africa*. **Oxford: Oxford University Press. 279 pp.**

Introduction

Several books and edited volumes exploring issues related to HIV and AIDS in Africa have recently been published. Some are distinguished from mainstream publications, which focus on themes considered important by the establishment, by their exploration of aspects of HIV and AIDS in Africa that have been insufficiently recognized and addressed by health care providers, policy makers, and funding organizations. The five publications – authored by anthropologists, artists, civil servants, political scientists, psychotherapists, and sociologists – reviewed in this article are particularly valuable in this regard. They discuss oversights that can be conceptualized as "sins of omission," referring to the failure to do something that can and ought to be done regarding the prevention of new infections, treatment, and care for those living with HIV and AIDS and their households. The choice of "sin" is deliberate to underscore the moral implications of our research, which can ameliorate or exacerbate human suffering. The books are reviewed in no particular order; however, the first book's ethnographic approach allows the reader a multifaceted glimpse at the experience of living with HIV and AIDS, introducing the topic.

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Sin of Omission I – Lack of Support for Care Provided Outside Formal Health Care

During three years of ethnographic fieldwork, Henderson, an anthropologist, studied individuals' experiences of living in the context of HIV and AIDS in KwaZulu-Natal, South Africa. In particular, she records the suffering from HIV and AIDS prior to the rollout of antiretroviral treatment (ART), and highlights patterns of care outside of the formal health care sector within a context of limited resources. The subtitle of the book – *A Kinship of Bones* – refers to meanings "related to sociality, relationships and intimacy" (p. 18), which are essential for understanding caregiving. The body's flesh disappearing during the progression of AIDS mirrors a disintegration of social relations and intimacy. Yet, because of their durability, bones are also linked to strength and endurance. The author discusses aspects of care that are both provided and withheld in relations of intimacy, kinship, and neighborliness, particularly through reference to touch, support, and the use of language in the context of illness.

The author first explores the effects of HIV and AIDS on the human body and links them to local notions of the "proper" physical and social body. Henderson then raises the question of research and care ethics in relation to people who are dying or in mourning, emphasizing the unfolding nature of research and care. Subsequently, she argues that children who have lost one or both parents are not passive and powerless; they exercise a considerable amount of agency in soliciting support from others. What follows is a discussion about care from the point of view of healers, who understand HIV/AIDS through reference to past social dissonance and histories of discrimination, and integrate indigenous and biomedical frameworks when explaining and treating illnesses. The author then explores the tensions between the desire for procreation, intimacy, and care among couples living with HIV and AIDS. This is followed by a description of care undertaken by home-based caregivers. Throughout the book, Henderson emphasizes tenacity in seeking support and care, particularly outside the formal health care sector, and enables readers to identify possible avenues for interventions that have been insufficiently utilized by public health programs.

While I enjoy Henderson's skilled use of language, her interpretations appear at times to go beyond what the data suggest. Further, she sometimes seems unfamiliar with the science and medicine of HIV/AIDS, adding some naiveté to her thoughts. For example, she refers uncritically to the simultaneous use of herbal and biomedical treatment without discussing possible drug interactions (p. 76). In addition, while I appreciate the extensive use of the Zulu language, the English translations were not always correct. For instance, *wangivusa* was wrongly translated as "she raised him" (p. 157); it actually should be "she raised me." Furthermore, some of the translations from Zulu are too literal, e.g. when *isibindi* is translated as "liver," adding that this term is indicative of courage, which is the actual meaning of *isibindi* in this context.

Sin of Omission II – Ignoring Religion's Potential for HIV/AIDS Programs

Sociologists and demographers Trinitapoli and Weinreb conducted mixed-methods research in Malawi and Kenya. They recorded services and sermons, collected in-depth semi-structured interviews with ministers and lay members of congregations, and analyzed conversations at markets, bars, bus stops, and other venues. They expanded the scope of their analyses using secondary data from across sub-Saharan Africa. Their central argument is that, to understand the effects of religion on the AIDS epidemic, we need to account for

both the role of individual religiosity and the broader religious context in altering the behavior of individuals and the pool of risk. Their general conclusion is that religion has desirable effects on HIV/AIDS awareness, prevention, and care.

The authors investigated the efficacy of the widely known ABC prevention model (Abstain, Be faithful, use Condoms) and identified in their data strong evidence that religious involvement delays the onset of sexual activity and increases rates of abstinence and marital fidelity. They argue that these rates are associated with the degree of social control and vigilance of sexual conduct within congregations. This may explain why people who are more religious, as measured by involvement in their religious communities, are less likely to be HIV-positive. Their data further indicate that religious groups overall represent a balanced position about condoms – "a pragmatic, humane, but somewhat distasteful solution to the imperfections of the human character" (p. 107) – explaining why denominational differences in condom use are marginal.

Overall, religious congregations that combine moral messages about AIDS with openness to testing and condom use provide the best protection against HIV infection. Such evidence is frequently overlooked by public health experts, whose main emphasis tends to be condom use. This also holds true for other local African prevention strategies, e.g., encouraging divorcing an unfaithful spouse by providing a supportive network within congregations for divorcees and promoting religious messages discouraging materialism and consumption within the context of the commodification of sex; both local strategies are relevant for preventing HIV infections. Similarly, messages discouraging alcohol drinking are pertinent to AIDS prevention efforts; alcohol consumption is associated with extramarital sex and low and inconsistent use of condoms, and subsequently with HIV infection.

Beyond themes related to preventing infections, Tinitapoli and Weinreb find evidence that religious organizations do more to dampen stigma than to perpetuate it. The more a congregation is involved with the sick, the lower the degree of stigma. Exposure to or interaction with people living with HIV and AIDS erodes negative attitudes about them and, consequently, reduces stigma and discrimination. Religious groups also provide significant care and material and psychological support to individuals and households affected by the epidemic. Further, the authors argue that the epidemic is transforming religious expressions and the religious landscape. For example, references to sexual behavior and care for AIDS sufferers and orphans feature prominently in many congregations. Overall, it seems that religious groups are disproportionately winning converts. This book is a valuable assessment of the relationship between religion and HIV/AIDS in Africa, correcting biases about religion in the existing public health literature and awareness, treatment, and care programs that overlook the potential of religion to prevent and address human suffering due to the epidemic.

The publication has a few minor shortcomings. The main weakness is that the dearth of ethnographic data leaves some questions unanswered or poorly understood. Further, the authors seem unfamiliar with the literature on certain aspects of social life, such as language. For example, they argue that many African languages lack a word for abstinence, forcing abstinence campaigns to develop a new vocabulary. This is not quite true; in languages that are strongly context-dependent, multi-vocal terms gain specific meanings in specific contexts. Thus, a term used within the context of HIV and AIDS gains a meaning specific to the disease and behavior associated with it.

Sin of Omission III – Overlooking the Epidemic's Threat to Security in Africa

The volume edited by Obijofor and Rupiya provides a wide range of policy perspectives on the challenges of HIV/AIDS to the security sector, examining the impact of the epidemic on military, police, and prison services, including peacekeeping missions. The contributors to this volume focus on selected African countries and sub-regional organizations that are representative of other countries and organizations across the continent.

The first section of the book comprises six chapters that concentrate on sub-regional policy perspectives concerning HIV/AIDS and the military, describing the potential impact of HIV/AIDS on the military. The authors demonstrate that HIV/AIDS affects the recruitment process, deployment, and effectiveness of the military. They examine measures that should be taken by the military to mitigate the impact of HIV/AIDS, argue for the observance of human rights and individuals' sexual morals within the army, explore the importance of synchronizing public health and security policies, and address cultural factors related to HIV and AIDS. The second part focuses on the challenges posed by HIV/AIDS to peace-keeping in Africa. It examines the nexus between culture and HIV/AIDS in African peace-keeping operations, drawing a causal link between the hyper-masculine culture among peace-keeping forces and high-risk sexual behavior and highlighting the lack of data on the epidemic's impact and effects on peace-keeping operations. The third part focuses on the challenges of HIV/AIDS to the police force, highlighting attitudes and perceptions about HIV and AIDS among police that lead to stigma and discrimination. The contributing authors also discuss overcrowding, the established prison culture, and the paucity of data about HIV/AIDS in prisons. The fourth part focuses on gender-related factors that drive HIV transmission, arguing for the empowerment of women and the adoption of gender-sensitive approaches in addressing HIV/AIDS, and discussing the increasing use of rape as a weapon in some African conflicts. Overall, this publication fills a gap in the existing literature by highlighting the need for a closer collaboration of the security sector with the public health sector.

However, while based on valuable personal and professional experience, some of the chapters are overly descriptive and may not influence the academic and policy communities. Further, it would have been better if several authors had collaborated on single articles, integrating professional with academic expertise. This would have increased the strength of the arguments and the potential to influence both public health and the security sector.

Sin of Omission IV – Trivializing the Arts' Potential in HIV/AIDS programs

The contributors to this volume, edited by Barz and Cohen, are physicians and social scientists, journalists and documentarians, and professional artists and educators who describe how music and other expressive art forms gained prominence in addressing HIV and AIDS.

The authors of the chapters in the first section describe the place of music in international HIV/AIDS initiatives, lay out some of the classic discussions of the arts' role in AIDS-related efforts, and explore the nature of cultural production in an environment in which artists' work must engage numerous layers of political and cultural discourses to succeed. In the second section of the volume, the contributing authors explore the use of music, dance, and drama to address HIV/AIDS in a variety of African contexts, describing the often hidden continuities in arts-based health interventions and providing accounts of HIV education through drama and forums. The third part of the volume explores how local

forms of expression are utilized in campaigns to prevent new HIV infections, reduce stigma, and provide further education on HIV/AIDS issues. The authors examine the ways in which public visual culture reorients images and cultural norms into anti-AIDS messages, describe how the musical arts and drama equip communities with skills and agency, and analyze how internationally funded health efforts layer onto existing local practices of identity, class, power, and gender. The fourth part of the volume shifts the focus toward specific artists whose creative drive often encourages cultural change. The fifth part of the volume highlights the role of amateur performing groups, particularly choirs and drama groups, in delivering HIV/AIDS-related messages, arguing that groups attempt to use their exposure to become famous, while instilling in their audiences a sense of community. The last section of the volume presents a set of case studies that interrogate how popular media mediate HIV/AIDS in a variety of African contexts, underscoring the importance of artistic forms for understanding the disease's social and cultural reach. The authors also note that representations of the epidemic often end up reinforcing colonialist, exotic images of Africa. Overall, this volume is indeed, as the editors write, a "launching pad for further work on the interdependence of medicine, culture, and creative expression" (p. 19). A stronger collaboration between the arts and public health will result in more effective programs.

However, the volume also has significant shortcomings. While the volume covers most artistic expressions, it strongly focuses on the musical arts and does not include other artistic expressions, such as wood and stone carving. Further, a large percentage of the contributions are overly descriptive and provide only superficial and preliminary analyses. The editors could have provided stronger leadership in editing individual chapters and excluded some chapters that provide nothing new or unique to the volume. The volume integrates several "interludes," but it is not always clear what distinguishes an "interlude" from a "chapter." It seems to me that at least one of the interludes is simply a weak chapter that was differently classified to justify its inclusion. Some of the chapters refer to ART, while others don't; this gives the impression that the latter date from a time before the massive rollout of ART and need to be updated. Disturbing also is the abundance of strong statements in many chapters without providing evidence or support from the literature. For example, Barz says that traditional healers "contribute significantly to the overall health and spiritual well-being of many" (p. 30) without providing evidence from the literature. Similarly, Eller-Isaacs writes that "[a]fter seeing these artists in action, it was clear to me that …" (p. 66) without explaining why it became clear.

Sin of Omission V – Discounting the Lived Experience of Individuals Receiving ART

Parsons, a child psychotherapist and anthropologist, has created an ethnographic description of children living with HIV while growing up in a small Zimbabwe town under conditions of extreme adversity. His aim was to understand HIV prevention, treatment, and care from the viewpoint of these children and their caregivers. In order to present as full a picture as possible of the lives of children growing up with HIV, Parsons closely observed their lives within their families, at clinics, and in churches; interacted with the children's health care providers; interviewed traditional and faith healers; and closely followed local media. He developed close relationships with 13 children and their caregivers, which were transformed over time from being therapeutic associations with clients and ethnographic affiliations with informants to close social bonds of fictive kinship (p.173).

Parsons paid close attention to kinship and concludes that idealized structures of relatedness are negotiated considering various factors. When family elders discuss who should take care of children who have lost at least one of their biological parents, their decision is influenced by the dire economic and social conditions, as well as by the availability of potential caregivers. When the mother and maternal kin are selected as caregivers, it means that they are cared for by kin more distant to them than their paternal kin, which often translates into the experience of not receiving the same level of care as other children in the same household. This encourages the children to develop and maintain fictive kinship relations in churches, hospitals, and schools, which are an additional possible source of support and care. The ultimate form of fictive kin for the children, according to the author, is God the loving father and Jesus the ultimate caregiver. The children expect to be supported by them. Faith is a daily feature in the children's lives, though they struggle with theodicy, trying to remain faithful to a belief in the benevolent and all-powerful God in the face of extreme suffering. Their Christian faith and the fellowship experienced in churches are more important for the children than biomedical treatment.

ART is generally not viewed as positive; it is disliked and associated with negative meanings. The children are aware that medical treatment prevents, or at least delays, their physical death but only marginally addresses their social suffering, which sometimes is akin to social death. The latter is attributed to the strong stigmatization of the disease. Children are reluctant to admit their HIV status. They cautiously try to pass as "normal," but this a nearly impossible task, due to treatment regimens and the physical signs of HIV infection. The children in Parsons' study had low expectations for their futures. In the unpredictability of their lives, when death was ubiquitous and could come at any time, they felt dislocated and alone, identifying heaven as their home and longing to be there. Parsons experienced that these children chose, at some point, to withdraw from treatment, deciding to end their struggles.

The strength of this publication is that it provides a detailed and painfully engaging portrayal of the lives of HIV-positive children, with insights essential for assessing existing treatment and care programs for people living with HIV and AIDS, particularly children. Parsons also challenges the emotional remoteness and other characteristics of health care that are profoundly culturally alien to the African context and offer little to people living with HIV and AIDS.

As with other publications, this publication has certain shortcomings. At times, the author leaves questions unanswered. For example, the author mentions that most HIV-positive children in Zimbabwe die before the age of five, even when they are enrolled in ART (p. 1). As the children in his study are adolescents, they seem to be outliers and perhaps not representative of children living with HIV in Zimbabwe and elsewhere. Further, Parsons at times promises something without delivering it. For instance, he says that children profoundly challenge current ideas about child rights, child-rearing practices, and the mental well-being of the young (p. 53), but he fails to explicitly describe how these ideas are challenged.

Conclusions

Each of the five publications highlights one or more issues that are downplayed, overlooked, or misrepresented in the mainstream literature on HIV/AIDS and general public health practice: Henderson emphasizes aspects of AIDS care outside the formal health care sector,

Trinitapoli and Weinreb correct common misconceptions about the role of religion in HIV/AIDS in Africa, Obijofor and Rupiya's volume highlights the threat to security from the epidemic, Barz and Cohen describe the wide range and impact of arts-related responses to the disease, and Parsons portrays the lived experience of being HIV-positive. Each of these books includes findings and insights that have the potential to improve AIDS-related programs and policies and, subsequently, the lives of those affected by the epidemic and/or living with HIV and AIDS in Africa.

Despite the wide range of topics covered, there are several overlaps and shared insights in the books. For instance, Henderson and Parsons caution against quickly drawing conclusions from AIDS-related research and applying findings to develop or revise existing understandings, programs, and policies. Parsons aptly argues that the suffering and pain witnessed require an "ethic of constraint," implying that immediate recourse to theoretical analysis and policy formulation seems premature and inappropriate, and advocates an "interpretive pause," an idea borrowed from Marilyn Strathern, which is "a form of deliberate hesitation before the headlong rush to policy and practice" (p.15). Both authors also argue that the assumption of passivity and unmitigated vulnerability circulating in discourse concerning "AIDS orphans" is not appropriate. While we should not underestimate the devastating effects of HIV and AIDS on children's lives, they are capable of exercising their agency in spite of the harsh realities. Trinitapoli and Weinreb agree with Parsons in concluding that the creation of fictive kin is a strategy actively sought by people living with HIV and AIDS in order to solicit support and care.

It is difficult to identify the publication of the highest quality among the five reviewed, because of the diverse and wide range of themes and the differing approaches taken by the authors. However, two of these five publications are simply exceptional: Parsons' ethnography is an excellent example of an in-depth, complex, and intimate portrayal of children living with HIV, and how long-term research and personal involvement can yield insights that can hardly be gained otherwise. Trinitapoli and Weinreb's analysis of a wide range of qualitative and quantitative datasets provides findings that indicate the invaluable positive role of religion on AIDS awareness, prevention, and care in Africa, correcting the often shallow, negative perception in the mainstream public health literature. I am confident that both books will transform future approaches to HIV and AIDS in Africa by addressing several "sins of omission."

REVIEW ESSAY
Authentic Rendition of Kelefa Saane or Same Old Thing?

SIENDOU KONATÉ

Sirifo Camara. 2010. *The Epic of Kelefaa Saane*. **Trans. Sana Camara. Bloomington: Indiana University Press. xxxiii, 178 pp.**

In 1970, Ruth Finnegan claimed that "epic hardly seems to occur in sub-Saharan Africa apart from forms like the (written) Swahili *Utenzi* which are directly attributable to Arabic influence"[1]. Epic as a literary form in Africa is now well established. Prominent scholars in the fields of oral literature in Africa, both the natives of the continent (like Isidore Okpewho) and non-African specialists like John William Johnson and David Conrad, among others) have disproven Ruth Finnegan and others who deemed the epic as a solely Western form of literature. The epic of Sundiata, which was first brought to the outside world's attention in 1960 by Guinean historian Djibril Tamsir Niane, shows that West Africa's Mandinka people have epic poetry. Other versions of the Sundiata's story have been collected after Niane's Guinean version in French. For instance, Camara Laye published in French *Le Maitre de la Parole: Kouma Lafôlô Kouma* in 1978; in 1974, Gordon Innes published *Sunjata: Gambian Versions of the Mande Epic by Bamba Suso and Banna Kanute*; John Johnson collected a Malian version of the Sunjata story told by Fa-Digi Sisókó and translated as *The Epic of Son-Jara: A West African Tradition* in 1992. David Conrad collected the same story in Guinea through a narration by Djanka Tassey Conde, which he published in 2004 as *Sunjata: A West African Epic of the Mande Peoples*. The story Kelefa Saane adds to this wealth of African epics in general and Mandinka epics in particular.

Like most West African epics, Kelefa Saane's story has once been translated. Even more, like any other translated work it is material for retranslation. In 2010, a Mandinka scholar sets out to retranslate the story. Is this retranslation an attempt to serve something utterly new or is it a reshuffled material that leaves to be desired?

To retranslate has a great deal of implications. Antoine Berman observes that "La retraduction surgit de la nécessité non certes de supprimer, mais au moins de réduire la défaillance originelle " [retranslation comes out of the need, not to suppress, but to reduce the original limitation"[2].This raises the two fundamental approaches to translation: domestication and foreignization. The first approach, according to the American translation theorist, Lawrence Venuti, "an ethnocentric reduction of the foreign text to target-language cultural values"[3], and the second is rather "an ethnodeviant pressure on those [cultural]

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values to register the linguistic and cultural difference of the foreign text, sending the reader abroad"[4]. In other words, to use domestication in translation amounts to remodeling a language/culture in order for it to fit the cultural and linguistic values of the target language/culture whereas to foreignize submits the target culture to the strangeness of the source language/culture. Venuti believes that foreignizing translation "send[s] the reader abroad"[5] to meet the other abroad.

The story of Kelefa Saane has been translated by Gordon Innes. The story already exists in the English language because in 1978 Gordon Innes recorded two versions earlier, one by Bamba Suso (780 lines) and another by Shirifo Jibate (553 lines). What has prompted the retranslation of the epic in 2010? Is it because the first translation was an "ethnocentric reduction" of this West African epic for Western readers to understand its cultural relevance both for themselves and the people from whom it originates?

If there is retranslation, there must have been the need for it. Yves Gambier writes, "[…] Une première traduction a toujours tendance à être plutôt assimilatrice, à réduire l'altérité au nom d'impératifs culturels, éditoriaux.[…] La retraduction dans ces conditions consisterait en un retour au texte-source" [A first translation tends to assimilate more often than not; it tends to obliterate the original text's otherness in the name of cultural and editorial requirements. Thus, a retranslation operates on the basis of a return to the source-text][6].

No doubt, Sana Camara's version of Kelefa's story is a retranslation. He acknowledges the fact and advances some reasons for it. Camara observes in his introduction that Innes's translation is shorter; however, he recognizes that it is no less inclusive of a Mandinka version of the story. Sana Camara adds to the length of the story. Secondly, and more importantly, Camara posits himself as a bearer of an authentic material because of his Mandinkaness. He states in the preface that "the goal of this edition […] is to make available to a wider audience, in this case many readers in diverse field, a distinctive example of the African oral *from an authentic source*" [Emphasis is mine][7]. In fact, Sana Camara is a native Mandinka-speaking scholar, which reveals that he certainly has detected some need to reopen the meaning box of the oral/written text as regards Kelefa Saane. In other words, one may deduce from Camara's decision of retranslation that Gordon Innes' 1978 translation of the Kelefa Saane story was flawed, and conversely this new translation obeys the necessity to cast a fresh and more interioristic look at such an important text as this one regrouping the exploits and life story of Kelefa Saane. The new translation of this oral performance attempts to address some culture-related problem in the first translation. Here, Sana Camara seems to "bring the author back home" to borrow from Venuti when speaking about domestication. As well, like any West African epic, the story of Kelefa Saane is told by griots and griottes (jeliw in Mandinka; and jalool in the Gambian variant of the language) each adding his/her personal touch to the story as must be expected. Sana Camara chooses Sirifo Camara's rendition of the story from among this wide gamut of existing versions for reasons only known to him. The least one can surmise is that Sirifo Camara's telling of this major Gambian story must have had some impact on its translator. Sana Camara, by his retranslation of this work, brings Kelefa Saane home and prepares it to fare in foreign culture.

What is the structure of the new translation? First, the book comes in two parts. The first half deals with pre-texts (preface, acknowledgements, spelling and pronunciation). This part proves necessary because the author shares with the reader a wealth of background information that is prerequisite to a better comprehension of the story. For instance, the

introduction has a good deal of interesting pieces of information. It comprises photographs of the contemporary bards involved in the telling of Kelefa Saane's story both in Senegal and Gambia (Sirifo Camara, Ibrahima Sisoho and Solo Kutujo, Morikeba Kouyate, and Laalo Keeba Draame). It also provides some maps to locate the Kaabu kingdom in present-day Gambia, Senegal and Guinea-Bissau, where the story is believed to have taken place. Ultimately, Sana Camara voices his opinions about the hero, the role of the griots and the different variants of the word in Manding language, on Sirifo Camara the storyteller, and the aesthetic/poetic presentation of the Mandinka epic. Here, Camara's translation of the longer version of the Kelefa story is deemed an epic poem, which "proceeds from language so elaborate in forms and thought that it differs by far from casual conversation. The narrative structure emerged from the association of three compositional modes of expression: the narrative mode interspersed with the praise-proverb mode […] and the song mode […]"[8]. Although Sana Camara announces three compositional modes, he only makes the case for two of them. As well, the translator of the story offers a few words on the narrative style and structure of the long poem, not without giving his thought on the heroic content of the story of Kelefa Saane. Of major importance is also the "Résumé of the Plot" in the introduction because this provides a foretaste to the story as much as it leads some readers to making no efforts of critical thinking.

The second half of the book is a bilingual (Mandinka and English) presentation of the story proper. Sana Camara seeks to disprove the axiom that follows: "traduttore, traditore" (the translator is a traitor). The version of Mandinka language bears witness to its originality and oral authorship, though this seems problematic to some readers who, because of their lack of proficiency in the African language, believes its inclusion in the book to be useless. Also, Sana Camara includes some "Annotations to the Mandinka Text" (165-178), which are useful to both non-Mandinka readers as well as those Manding speakers who happen to be only proficient in a different variant of language. Understanding the Senegambian and Bissau variant of the Mandinka language is not even obvious for those who are referred to as Malinké/Dyula in Mali, Guinea, Burkina Faso and northern Cote d'Ivoire. In that regard, Camara's work sides with other great works in African oral tradition like Okabou Ojobolo and John Pepper Clark Bekederemo's 1977 epic story translated as *The Ozidi Saga*, and John William Johnson's 1992 *The Epic of Son-Jara: A West African Tradition*. According to Sana Camara, John William Johnson has been of a great avail to him. Such a support is visible in the rendition of the epic of Kelefa Saane. It is worth noting that the African language here has previously been used in parallel with English translations in translating oral works in West Africa. Bekederemo does it with the Ozidi Saga. So does Gordon Innes when he first collects and translates the epic of Kelefa in 1978 as *Kelefa Saane: His Career Recounted by Two Mandinka Bards*. Gordon did the same experience four years earlier with the story of Sunjata when he published *Sunjata: Three Mandinka Versions* (with Bamba Suso, Banna Kanute and Dembo Kanute). That Sana Camara is a Mandinka scholar does not warrant a single language publication. Had he come with his version without a Mandinka text, scholars with interest in translation and fluent in Mandinka language would find fault with him. Now the question that still arises is how much does Sana Camara improve not only the English version, but also the Mandinka version? Difference in this focal point is a defining moment because it shows how native and truly authentic the new translation is. The question is not as much about the length of the old or the new translation; rather, it lies with the accuracy and/or originality of the translation against the backdrop of the original "oral text" which is the Mandinka rendition of the story.

Notwithstanding the laudable efforts deployed by Sana Camara in retranslating Kelefa Saane, his new translation raises some questions that this author could have addressed in his introduction in guise of justifying the work he sets out to do. As early as 1978 in his review of Gordon Innes' translation of two versions of the Kelefa story, John William Johnson asks this question: "[…] but why should Kelefa be so popular with Mandinka bards if he were thought to have been a Jola?"[9] And yet, some students of Mandinka history believe that although "[he] lived in a world dominated by Mandinka mores and customs, traditionalists identify Kelefa as Jola rather than as a Mandinka."[10]

According to Cornelia Gieseng and Valentin Vydrin whose book on the "Ta:rich Mandinka" of Bijini (Guinea-Bissau) show that Kelefa Saane is considered as a member of the Soninke community who, without regard to their original ethnic identity, as it seemed to be the norm, had conformed politically and culturally to the Mandinka political order of the time. That Kelefa Saane is deemed a Jola, or a Soninke, or a Mandinka partakes of the politics of national preference and/or the propensity of one branch of the Mandinka group to think of itself as being more important than others. Otherwise, as far as we know, the larger group is inclusive of the Soninke, the Jola, the Dyula/Malinke, the Bambara, Bissa and Boso. The reason for this seeming controversy is that the Mandinka are believed to be in majority Muslims; the Soninke in the past were to the original Mandinka of the Gambian-Bissau areas of the former Kaabu kingdom what the Bambara were/are to the Malinke/ Mandinka in present-day Mali, Burkina Faso and northern Cote d'Ivoire: the former sub-group considers itself Muslim while viewing the latter as a pagan group.

Added to the question as to whether or not Kelefa is a Mandinka, his heroism seems to be put into question by those who are accustomed to enduring and prevailing heroes, not to those who die. Sana Camara answers this question as much as he could.

As is the case in most epic heroes around the world (*Beowulf, The Iliad*, etc.), Kelefa Saane was visited upon by supernatural beings during his formative years as well as during his career as a warrior. The reader learns that Kelefa Saane loses his father on the third day after his birth, which coincides with a genie who advises the father to name the new-born baby after him. As must be expected the genie becomes Kelefa Saane's guardian and eventually imposes the wearing of a silver bracelet to his protégé. The strangeness of Saane's life, like in most heroic stories, is that he weds a jinn woman while still a *bilakoro*, i.e. an uncircumcised male in the Bambara variant of the Mandinka language; this is indeed unusual in Mandinka society of old. Saane grows up overturning the existing order because injustice becomes a problem to address. Even though he did not sit on a throne of his own like Sunjata and was killed (perhaps unlike Sunjata) in one of the violent battles he used to wage, Saane is remembered by the same deeds as other Mandinka heroes.

Donald Wright writes, "As a youth Kelefa was tough, sometimes ruthless. […] Once of age, Kelefa proved himself capable and equally ruthless in battle […]. Though many admired the way he conducted his life by the traditional Mandinka warrior ethic, *more feared him*" [Emphasis is mine][11]. Whether that was the case or not, the hero still impressed the people of his day by his deeds of manhood and his courage during war as expected of a Mandinka man. Besides, Cornelia Gieseng and Valentin Vydrin write, "les anciens groupes guerriers et dirigeants du Kaabu nommés *Mándinka Sóoninkee* […] sont liés à une époque définitivement révolue. Selon les traditions orales mettant en scène cette époque, c'est Kansalaa, la dernière capitale des *Mándinka Sóoninkee*, qui constitue le symbole accompli de la *Sóoninkee*yaa. *Jaankee Waali, le dernier roi de Kaabu*, […] *et Kelefa Saane de Badoora sont des personnages extraordinaires et des héros épiques de cette époque* " [the old communities of

warriors and leaders in the kingdom of Kaabu called Mandinka Soonikee are related to a time long gone by now. According to oral sources about this period, Kansalaa, the last capital of the Kaabu Mandinka people, is a well accomplished symbol of the Soonikee identity. The last king of Kaabu, Jaankee Waali […] and Kelefa Saane from Badoora are extraordinary figures and epic heroes of this portion of history][12]. No wonder, the griots of Senegambia did not fail to celebrate him, therefore imposing new elements to definition of heroism. According to Stephen Belcher, author of *Epic Traditions of Africa*, "[…] Heroism is a culture-bound concept. Heroes are act within value-systems and narrative conventions […]"[13].

Every culture has its heroes and each culture decides the details of its acts of heroism. Therefore, this epic account must be construed as an African traditionalist's call for stretching the bounds of heroism; the concept seems to be captive of purist definitions that foreclose free and active meaning-making.

Ultimately, by retranslating this story Sana Camara could have addressed some questions related to music in epics. In fact, Mandinka epic storytelling is a performance with musical accompaniment. John William Johnson has observed that "Sub-Saharan African prosodic systems […] are not easy for the Western-trained scholar to decipher because they are not based on any model that European languages employ in their poetry"[14]. Johnson is making a plea; he invites African scholars fluent and competent in their native language-culture to help decipher the interaction between word and music in Africa poetry. It is needless to say that music and words are not separated from one another in Mandinka poetry. For example, the Guinean band (Bembeya Jazz National) renders the epic of Samory Toure (*Regard sur le passé*) in 1969 with balaphone, flutes and cora literally uttering Mandinka words. As a Mandinka scholar, the introduction to the new translation could enlighten the reader on the musical accompaniment and its effect on the bard's rendering of the story.

For instance, Gordon Innes' translation of Kelefa Saane includes an introduction written by Lucy Doran who stresses some ethnomusicological aspects of the epic. Even so, Roderic Knight found that Innes' translation did not fully quench his musicologist's thirst: "The music chapter […] lacks enthusiasm. We seek some communication of the style and excitement of the performance: the vibrancy and the pace of the narration, the intensity level of the Kora part, the importance of the occasional song or instrumental interlude (might make) the performance more alive"[15]. Perhaps, rendition of such details in Sana Camara's translation could as well add more musical flavor to the story. Is the translator's lack of proficiency in ethnomusicology or a choice? This is a question for Sana Camara and eventual translators of African oral texts to answer.

This retranslation shows that Sana Camara has a message to drive home: Kelefa Saane and many African works are better when translated by natives, an approach that may be dubbed interioristic. However, the *nativeness* of the new translation is hard to be found. It can even be submitted that it is the same water in a new bottle the reader has been served.

All in all, Sana Camara's book is one to be reckoned with in the years to come because it is by a "fils du terroir"(a son of the land). It is a welcome addition to the existing resources on African oral literature in general, and Mandinka epics in particular. The book must definitely be read by any student of African oral culture and traditions.

Notes

1   Finnegan, 1970, p. 108.
2   Berman, 1995, p.5.
3   Venuti, 1995, p. 20
4   Ibid.
5   Ibid.
6   Gambier, 1994 p. 414.
7   Camara, 2010 p. x.
8   Camara, Introduction, 2010 p. xxiii.
9   Johnson, 1980 p. 393.
10   Wright, 1987 pp. 288-90.
11   Wright, 1987 p. 290.
12   Gieseng and Vydrin, 2007 p. 7.
13   Belcher, Introduction 1999p. xiv.
14   John William Johnson, Introduction to *The Epic of Son-Jara: A West African Tradition*, 1992, p.7.
     15 Knight, 1982 pp. 160-70.

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BOOK REVIEWS

David Attwell and Derek Attridge (eds.). 2012. *The Cambridge History of South African Literature*. Cambridge: Cambridge University Press. xvii, 877 pp.

The *Cambridge History of South African Literature* is a veritable gold mine. Its organization is intelligent and coherent, and its range and coverage is appropriately encyclopedic. The individual essays that make up the collection are without exception extraordinarily well informed; they are lucid in expression and organization, and they frequently provoke thought well beyond the boundaries of the dense, summative survey-form that the volume's form imposes on them. Editors Attwell and Attridge have marshaled the very best specialists for each of the chapters, scholars who have written the definitive monograph on the topic, built the most comprehensive web-site, edited the definitive journal, or otherwise been a dominant voice in their sub-field. Thus we have, for example, (picking more or less at random from the volume's six sections) Nhlanhle Maake's unparalleled insights into Sesotho *lifela* (songs), Carli Coetzee's delving into the seventeenth-century VOC (Dutch East India Company) archives and their use by contemporary writers, Laura Chrisman's compendious discussion of the imperial romance, Ntongela Masilela's densely illustrated description of the New African movement, Hein Willemse's account of Afrikaans literature between 1948 and 1976, and Peter McDonald's remarkably comprehensive summary of the history of the book in South Africa.

Attwell and Attridge deserve particular credit not just for lining up such an outstanding array of scholars but also for letting their subject-specialists speak for themselves. In their admirably concise general introduction and in the extended head notes introducing each section they resist the temptation to pontificate but instead very ably sum up issues and trends, such as the singularity or plurality of South African literature(s), questions of language, literature and orature, and of translation, translingualism, and transnationalism. They do comment in their headnote to section one on the unevenness of the distribution of research in South African literatures, and it would have been good to have seen a little more self-consciousness about the nature of their encyclopedic project. A little more explicit and extended commentary on the connections between literature and literacy might perhaps have lent a meta-critical edge to the volume by attempting to describe the relationship between the creation of South African "literature" and the more or less continuous disadvantaging of black South Africans in and by the imposition of dominant European forms.

The goal of the volume is, however, to describe the world of South African literature rather than to change it. Accordingly, its organization, beginning with a section on indigenous-language orature and concluding with a section on "Continuities and Contrast," is generally respectful of borders but offers tantalizing hints as to how those borders might be crossed. Hedley Twidle describes how and why the |Xam narratives of the Bleek and Lloyd Collection at the University of Cape Town have endured into the twenty-first century, while Mbongiseni Buthelezi introduces the concept of "technauriture" exemplified by Jacob Zuma's rendition of "Umshini wami" ("My machine [gun]") being used as a cellphone ringtone. Discussions of orality are, however, limited to work in indigenous languages, while English and

Afrikaans literatures are defined by that which has appeared in print, courtesy of the technology of the printing press.

The densely historical nature of each chapter results in a generally democratic survey that further favors the inclusively descriptive over the evaluative. Nonetheless, certain individual figures, from Thomas Pringle in the early nineteenth-century to JM Coetzee in the contemporary era, inevitably emerge as key in the development of South African literature. Curiously enough, only two chapters have individual writers' names in their chapter-titles; almost exactly midway through the book, chapters 17 and 18 on "Refracted Modernisms" and "The Metropolitan and the Local" focus on Roy Campbell, Herbert Dhlomo, and N.P. van Wyk Louw, and on Douglas Blackburn, Pauline Smith, Herman Charles Bosman, and William Plomer, respectively. Chronologically, these chapters cover 1900-1950, which is not a particularly exciting period in South African literature in international terms. Also, it is probably fair to say that these authors are generally little known outside the country, and even inside South Africa they're hardly household names. So it's curious that these two chapters are unusual in linking named writers who come from different racial and language backgrounds and whose work sets descriptions of urban and urbane black South African life against markedly unsophisticated white rural existence in the Karoo and the Marico. The linking is perhaps indicative of one of those "what-if" moments in South African history—what if the National Party had not won in 1948; what if Albert Luthuli c. 1960, and not Nelson Mandela in 1994, had become the country's first black president; would a different, more singularly national, yet more multi-ethnic, multi-lingual South African literature have emerged? Dorothy Driver's outstanding essay on the short fiction of the "fabulous fifties" tellingly uses the image of the hinge for this period, concluding that "the literature of the decade hangs heavy with history, carrying like a massive hinge the weight of the half-century past and the one to come" (p. 405).

Sure enough, in the remaining essays covering literature after the Sharpeville Massacre, it is apparent that after 1960 one could not go on acting as if apartheid could be ignored. Indeed, most of the essays in Part V, "Apartheid and Its Aftermath, 1948 to the Present," restore the language and ethnic boundaries of the earlier sections that seemed to be breachable in chapters 17 and 18. Even Daniel Roux's excellent essay on prison literature, for instance, explains how the prison experience varied according to race and gender. (At the same time Roux also makes some provocative suggestions about the valorization of the status of the political in prison writing in the apartheid era at the expense of attention to "ordinary prisoners" both before and after 1994.)

The imposition of ethnic and language boundaries and the resulting restoration of normativity to whiteness show up in the fact that we have separate chapters on Black Consciousness poetry and on the lyric poem during and after apartheid. While Thengani Ngwenya's essay on the former refers to the "more inclusive group of poets of all races" committed to ending apartheid and to the various magazines and publishers who published their work inside and outside South Africa, Dirk Klopper's chapter on the latter focuses exclusively on English-language white poets. As the publication of multiple anthologies of poetry from Stephen Gray's *A World of Their Own* in 1976[1] through Dennis Hirson's *The Lava of This Land* in 1997 indicates, poetry was possibly the most integrated of genres, and poetry

editors and publishers were among the most willing literary professionals to risk linguistic transgressiveness. The career of Wopko Jensma, for instance, complicates the implied narrative of a clash between a self-consciously black radicalism and the un-self-conscious anodyne formalism or outdated liberalism of white writers. Peter Horn's essay on popular forms and the United Democratic Front is appropriately inclusive, but it would have been great to have seen at least one more essay looking at how those popular forms fared in the poetry of the transition and post-transition phase. Few writers have caught the transformation of liberation rhetoric into neo-liberal slogans and the commercialism of the New South Africa better than Lesego Rampolokeng or Seithlamo Motsapi, yet neither poet is even mentioned.

If the volume has arguably underrepresented poetry, the underrepresentation of drama is striking (representative in both cases of the widespread privileging of prose forms in contemporary writing and literary criticism). As the sole essay exclusively devoted to drama, however, Loren Kruger's chapter admirably meets the almost impossible task of describing the "thoroughly hybridized" forms of South African drama in the twentieth century. Her essay is a model of how to combine aesthetic and genre-based criticism with cultural critique and assessment of institutional influence.

The relative outlier status in the post-1948 section of Christiaan Swanepoel's essay on writing and publishing in African languages suggests that the post-apartheid literary scene is indeed one in which the "world-language" of English is and will be dominant. Swanepoel argues, however, and convincingly I think, that the fate of indigenous languages in contemporary South Africa is not "tragic." Along with Buthelezi's reference to "technauriture" Swanepoel is one of the few essayists to mention technologies other than print, referring to the influence of radio and television in preserving and promoting indigenous languages and simultaneously prompting (trans)linguistic change.

The final section of the volume is dedicated to "a series of topics traced across the period divisions" that determine the earlier sections. The writers in this section tackle broad subjects that "constitute some of the most important continuities from the beginnings of South Africa literature to the present day" (p. 695): South Africa's place in the global imaginary (van der Vlies); autobiography (Daymond and Visagie); translation (de Kock); women (Samuelson); experimentalism (Green); and the history of the book (McDonald). As with Kruger's chapter on drama, all of these essays do a wonderful job of narrating the historical articulation of the cultural with the literary, and the theoretical with the material.

The volume closes with a typically fine and thoughtful essay, David Johnson's on literary and cultural criticism, that comes closest to offering a meta-critique of the overall project of seeking to tell the history of South African literature. In the conclusion to his essay, Johnson gives two warnings against a "complacent" reading of the history of South African literature and cultural criticism as "a happy if uneven journey from modest, persecuted, parochial and amateurish beginnings in the nineteenth century to a confident, unfettered, international and professional present" (p. 834). He points out first that the professionalization of literary criticism—in South Africa as elsewhere—has actually diminished the impact of literary critics and tended to contain their work within "their immediate elite constituencies." His second warning is that "contemporary criticism continues to rest upon a contradictory 19th-century cultural residue," indicators of which include "divisions between literary and popular literature

and [between] high and low culture," and the continuing "cultural authority" of "the universities and publishing houses of the (neo)colonial masters." Johnson is in favor of a contrary 19th-century impulse that has also survived and that manifests itself in a tradition eager to engage in "polemic and critical debate, a desire to relate literature to 'the political' (broadly conceived), and a related concern with how South African literatures articulate with South African nationhood" (p. 835).

Johnson's conclusion provides an aptly metacritical way to read the collection as a whole: at $180 a pop, it is unlikely to be found outside academic libraries or the private collections of deeply invested individual "professionals" such as myself (lucky enough to have received a reviewer's copy)—it is unlikely to be very widely read on South Africa's crowded commuter trains or buses or taxis, nor at the high end of the economic scale to get much visible shelf-space in airport bookstores; and with a clear distinction between the literary and the popular (at least in the print tradition—the discussions of oral culture tend to be a little less divided), and its provenance from a press that might be seen as the epitome of university publisher of the "(neo)-colonial masters," *The Cambridge History of South African Literature* emphatically foregrounds its cultural authority. Attwell and Attridge's book brilliantly hits its mark and should indeed, as its dust jacket states, "serve as a definitive reference work for decades to come." As Johnson's conclusion suggests, however, it is not so totally definitive that there isn't still plenty of room for a supplement.

Notes

1 In one of the very few factual or typographical errors in the book, Ngwenya ascribes editorship of *A World of Their Own* to Andre Brink. In fact, Brink provided an introduction to the volume, but its editor was Stephen Gray.

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Maddalena Camrioni and Patrick Noack (eds). 2012. *Rwanda Fast Forward: Social, Economic, Military and Reconciliation Prospects.* **New York: Palgrave Macmillan. 283 pp.**

Since the end of the Rwandan Tutsi Genocide of 1994, Rwanda has become an example of how a conflict-ridden state can find peace, reconciliation, and economic development. The great strides by the government of Rwanda under the political leadership of President Paul Kagame have not gone without criticism. In recent years, many human rights organizations have increasingly become more skeptical of the promising future that is championed by former U.S. President Bill Clinton and former British Prime Minister Tony Blair by stating that the economic development has grown in the expense of political freedoms and liberties. In *Rwanda Fast Forward: Social, Economic, Military and Reconciliation Prospect* the possible futures of Rwanda are examined by sixteen authors who are some of the most prominent academics on economic development, human rights, and military operations, and of the Great Lakes Region of Africa. Campioni and Noack organize this text into three sections. Even though it will be read mostly by researchers who are already interested in Rwanda, the qualitative research methods and writing style are welcoming to intellectual newcomers to the country.

The book has three main sections other than the introduction. Each segment focuses on one specific area of Rwandan development. The first section examines the sociology of Rwandan society through primarily focusing on the affects of the attempts of rebuilding the civil society through the Gacaca Courts. These traditional courts have been utilized to promote post-genocide unity and reconciliation. Mainly through using field research as well as some qualitative sources from human rights organizations, the authors present a rather negative opinion of the success of these courts. However, it is important to note that they also state the benefits of the courts in addition to addressing some of the controversial and sensitive topics of its success. The second section focuses on the economic and social development that gives a more optimistic opinion of the future of the country. The last section addresses the role of the Rwandan Patriotic Army in domestic and international affairs. The editors took a rather interesting perspective when dealing with the Rwandan military. Instead of focusing on the already well-published conflict between Rwanda and the Democratic Republic of Congo, the section examines how the military views its role with the general Rwandan populace, the Rwandan government, and its own political future. The editors enhance this section's credibility by having Brigadier-General Frank Rusagara of the Rwandan military to write a chapter on how the military sees its position in preventing the spread of genocide ideology in the surrounding states. It gives the reader an interesting perspective of the Rwandan military operations and ideology that is often not explored enough by other publications on the various conflicts in the region.

In the book's introduction, the editors try to prepare the reader to have an open mind when reading the various subjects. This is an important warning, because academic scholars and others, who are interested in Rwanda's economic, social and political development, seem to place themselves into one of two blocs. The first group consists of the supporters of the current Rwandan Government and of President Paul Kagame who focus frequently on the success of the country. They do note some of the problems such as the lack of progress of the news media and some questionable public policies that appear to restrict political expression. The second group contains those scholars and human rights advocates who see a dictatorship being developed with the attempt to gain full political and economic control to promote "Tutsi" ethnic ideology and not for the reconciliation process that is being stated by the Rwandan government. They do acknowledge the recent economic development and social peace that the country has had over the last eighteen years, but believe that it cannot justify what they claim as human rights abuses. Supporters of either group can utilize this book to sustain their claims. However, even though the editors claim that the book contains the various viewpoints in the exploration to understand the future of Rwanda, the opinions of the various authors seem to be more akin to the second group rather than the first. This is not to disregard some of the valid arguments presented in this book, but supporters of the Rwandan government will find many parts rather troubling. Conversely, the authors properly examine the topics addressed in this book with the emphasis being that these are their opinions with the possibility of that they are correct as well as that they are wrong.

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Jerry Dávilla. 2010. *Hotel Trópico. Brazil and the Challenge of African Decolonization, 1950-1980.* **Duke University Press. 312 pp.**

The book begins with an introduction giving an overview of the race and ethnicity question in Brazil. The introduction shows how Brazilians looked upon Africa for cultural identity and Portugal for most of their domestic and foreign affairs. This dual attachment is one of the themes that run through the book as Brazil frequently had to choose between the imperialistic policies of Portugal and the decolonization process in Africa. The introduction further shows how the decolonization process in Africa opened some new opportunities for Brazil to act in a superpower capacity though constrained by attachments to Portugal and a weak government incapable of consistent policy because of frequent changes in the country's leadership. The book also outlines the arguments and writings of Gilberto Freyre, which came to influence not only Brazilian but Portuguese foreign policy as well.

The issue of race and racial relations is explored widely in the book. The author shows that racial democracy as defined by wider Brazilian authorities, although it did not go as far as racial discrimination, did not mean racial inclusion as seen by the way the Foreign Ministry was dominated by white Brazilians. It was only portrayed as better when compared to discrimination in the United States in the 1960s. The book also encapsulates the view of blacks towards the whole concept of racial democracy at the time. For example Raymundo Souza Dantas is quoted as saying "I'm not a Brazilian black. I'm a black Brazilian," thus showing the way race was subjugated below national identity. However, a public letter written by Abdias do Nascimento argued that black Brazilians were not given the opportunity to contest this inculcated racial psyche as they would be condemned as racist.

The book's other theme is the various efforts Brazil made to extend diplomatic relations with newly independent African states. Most of these efforts were unsuccessful, however, because of the close ties with Portugal and because of the conservative outlook of the Brazilian Foreign Ministry. For example, in Nigeria the diplomatic efforts were largely unsuccessful because the Brazilian racial democracy came under scrutiny since the entire Brazilian embassy personnel were white. Secondly, the wider Nigerian interests of the national question, relations with other neighboring countries, and the process of decolonization were not in sync with those of Brazil, which was supporting the Portuguese colonial policy.

In addition to diplomatic relations with African states the book traces the relationship between Brazil and Portugal from the early twentieth century up to the 1975 Portuguese revolution, which precipitated the independence of the Portuguese colonies. Almost all momentous events in Portugal had some effect on Brazil. For example, the revolution robbed the Brazilian government of the chance to play a more active role in the decolonization process and getting some political mileage during the process. The chapter also highlights the problem of migrants from both Portugal and the African colonies that faced Brazil in the aftermath of the Portuguese revolution. This was all in a background where a previous bilateral agreement allowed Portuguese nationals to enter Brazil without visas and otherwise with minimal restrictions. Although the book stresses the cultural links between Africa and Brazil, which leaders in both Brazil and Africa expounded, it was the links with Portugal, which sets the tone for most policies. Other than applying the usual diplomatic pressure, the book shows how Portuguese manipulation extended to conferring honors and sponsoring foreign trips to

influential Brazilian politicians in the Congress so that in exchange they would defend the Portuguese colonialist policy.

Something that comes out more often in the book is the contradiction in Brazillian (foreign) policy. On one hand the country called for decolonization and sought closer ties with independent African countries like Angola while at the same time abstaining from voting again the Portuguese occupation of Angola at the United Nations due to pressure from the powerful Portuguese ethnic communities in Brazil. Also, when the military regime took office in 1964 it reversed the Independent foreign policy initiated under the presidency of Joao Quadros but became the first government in the world to recognize Angolan independence under the Popular Movement for the Liberation of Angola. Besides the contradictions in Brazilian foreign policy the book also highlights some general contradictions within the Brazilian political environment and the individuals involved at the time. For example, the tenure of Foreign Minister Barboza was against a backdrop of excessive political repression on the one hand and unprecedented economic growth averaging 11 percent per annum on the other. The two are not usually compatible but also not mutually exclusive. Second, Barboza himself was a supporter of Freyre but later on went to be the main proponent of African decolonization.

The book concludes by looking at the impact of Mozambican and Angolan independence on Brazil. The cost of tacitly supporting Portugal in the face of the mounting pressure of decolonization became apparent when the newly independent Mozambique government refused to establish diplomatic relations with Brazil because of its earlier support for Portuguese colonialism. Despite being a right-wing regime that had consistently supported Portuguese colonial policy, the Brazilian government was the first to acknowledge the socialist-inclined MPLA led government. This contrast, which runs throughout the book, is explained in part by a pragmatic approach on the part of the Brazilian government. First, they wanted to avoid a scenario as in Mozambique where they were denied a diplomatic presence; secondly, they needed Angolan oil; and, most importantly they wanted to signal a departure from their support of Portuguese colonialism. The book also explains how Brazil managed to find a foothold in Angola because all of the three factions fighting for control of the country were in a precarious position and needed whatever external support they could find. Mozambique was not as receptive because the FRELIMO government did not face as much internal opposition as the MPLA did. The acknowledgment of the MPLA government also shows how for the first time Brazil adopted a policy contrary or even hostile to the United States, which supported the Jonas Savimbi led faction.

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Lynda Day. 2012. *Gender and Power in Sierra Leone: Women Chiefs of the Last Two Centuries.* **New York: Palgrave Macmillan. 229 pp.**

Many writers and societies often depict women as the weaker sex and metaphysically inferior to men, but Lynda Day's *Gender and Power in Sierra Leone* presents women chieftains as an indispensable figures in the socio-cultural, political, and religious spheres in Sierra Leone. The first of the six chapters deals with the various cultural associations in Sierra Leone such as: Poro,

Bundu, and medicine societies in which women were also members. These societies, whether for male or female, involved initiation rites. For male, the initiation "claims the right to define what a man is and is not." It also marks their passage into a higher group and confers on them the basic rights and duties of manhood. Also for female,s the initiation rites explain who women are, what their status in society is, and what their responsibilities are.

Chapter two discusses the role of women in authority prior to the colonial era. Unlike some African communities, women in Sierra Leone held positions of authority in various capacities; they had authority over land and people, they served as ritual leaders, founders of towns and villages, and as the leaders of sections of the country. A good example of these women leaders was Queen Yammacouba who, with other two women chiefs, signed a treaty ceding the land for Freetown colony on June 11, 1787 (p. 46). In addition, these women title holders wielded religious and political influences in their respective chiefdom and they were often addressed as "Queens."

Chapter three examines the changing status of women chiefs during the nineteenth century wars of trade, expansion, and the state building. As the Mende were militantly expanding and the war leaders taking up the political leadership, many women chiefs lost their authority to new male leaders. Nevertheless, women such as Madam Yoko, who could control wealth and military strength, still maintained their status till the arrival of the colonial rule in Sierra Leone.

Chapter four deals with women leaders and the mediation of colonial rule in Sierra Leone. Following the failed attempts of the war leaders to defeat the British colonial rule was firmly established. This eventually created new opportunities for women to "step into positions of executive authority." Shortly after the war (*puu-guei*), many women were promoted from their traditional positions as ritual leaders and town chiefs to "paramount chiefs" (p. 97). Their intelligence, good standing in secret societies, and the newly introduced strategies to maintain powers afforded them more chances to rule.

Chapter five discusses the role of women chiefs in building the independent state of Sierra Leone. After independence in 1962, women chiefs, like their male counterparts, were considered natural rulers. They also enjoyed traditional prerogative associated with the office. A typical example of these natural rulers was Madam Mamawa Benya who came to office in 1961. Natural rulers, as enshrined in the constitution, are the guardians of the land and mediators between rival factions of their kingdoms.

The final chapter presents the bitter experience of women chiefs during the civil war in Sierra Leone. Women's prerogatives were overridden and their sense of security shattered. Nevertheless, after the war in 2002, women chiefs regained their lost positional security and once again took an active role in the political, economic, and agricultural development of their country.

Gender and Power in Sierra Leone is a rich and well-researched work on the invaluable feminine role in Sierra Leone. Unlike in some African communities, where women are suppressed, confined to the kitchen, and reduced to producing and rearing children, Day through her historical and phenomenological analyses presents the socio-cultural, political, and religious relevance of women in Sierra Leone. The book is an eye-opener as it can raise the consciousness of other African communities to utilize better the potentials of their women and put aside the old saying that "women are weaker sex."

There is little, if anything, that one might find problematic in this work. The only contention that I have with it is the failure of Day to discuss the negative effect of the power tussle between women chiefs and their husbands. Above all, *Gender and Power* is a timely book that firmly situates women as indispensable. The summary at the end of each chapter and the comprehensive references at the back for further reading make the work a valuable work. I recommend it for students of African history, t feminist scholars, and those who remain skeptical about gender equality.

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Ogunleye Adetunbi Richard, *Adekunle Ajasin University, Nigeria*

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Ashwin Desai. 2012. *Reading Revolution: Shakespeare on Robben Island***. Pretoria: UNISA Press. xiv, 129 pp.**

Reading Revolution: Shakespeare on Robben Island tells the story of the books, the debates, and the lessons of "the University of Makana" (named after the Xhosa prophet the British imprisoned on the island in 1819 and who drowned in an attempted escape). Professor Desai's book is based on a series of interviews conducted in 2011 with eight graduates of Robben Island who he chose so as to cut across political divides and the prison hierarchy of "single" and "general" sections. The book's title alludes to Sonny Venkatrathnam (African People's Democratic Union of South Africa), who held onto a complete Shakespeare by claiming it was his "Bible" and covering it in Diwali greeting cards. This book was secretly circulated through the cells and signed by thirty-two other prisoners in the margins next to their choice of lines. It was featured in a 2012 British Museum exhibition *Shakespeare Staging the World*. Featured interview are with: Mzwandile Mdingi (ANC); Ahmed Kathrada (Indian Congress/ANC alliance); Marcus Solomon (National Liberation Front, Non-European Unity Movement); Sizakele Thomson Gazo (PAC, Poqo); Monde Colin Mkunqwane (ANC, MK); Sedick Isaacs (NEUM, PAC); Stone Phumulele Sizani (South African Student Movement, a post-1976 prisoner); and Neville Edward Alexander (Teachers' League of SA, NEUM, Yu Chi Chan Club), who, sadly, passed away earlier this year.

Professor Desai's central research approach relies "on open-ended questions focused on developing life-histories" (p. x). The interviewees' answers are woven into a narrative, and though we are not given all the questions each of the central chapters achieves a convincing character portrait and political trajectory, enlivened by personal anecdote, cultural variety, and individual idiom, ingenuity, and inventiveness. Professor Desai's preface gives an account of the prisoners' struggle for books and newspapers, stationery and study time, to organize what Sedick Isaacs called the "mutual teaching community" (p. 86), and to continue their formal studies. The book's centerpiece, as presumably it was of Professor Desai's questions, is Shakespeare, but we encounter a wide range of authors, virtually the whole Western canon, engaged with by powerful imaginations seeking to overthrow one of European colonialism's (last?) outposts: Tolstoy, Dickens, Zola, and Jack London. And there are explicit documents of resistance: Marx, Trotsky, and Fanon. Engels is allowed in by a warder because "Engels" in Afrikaans means "English" (p. 76). There are also gentler and more intimate moments: for example, in the correspondence between Ahmed Kathrada and Zuleika Mayat, author of *Nanima's Chest* (a book on Indian antique costume) and *Indian Delights* (a book of recipes). The

prisoners recall their debates over books, over politics, and over the relationship between the two.

We are reading this book post-Marikana (the 2012 mining strike that led to strikers' deaths at the hands of the police). The last chapter, with Shakespeare's five-act structure in mind, is called "The Sixth Act?" and asks how successful South Africa's transformation under ANC hegemony has been. The prisoners to a man remember their island education with intense emotion, but they are divided in their judgments of their homeland today. Generally, the ANC-, MK- and SASM-aligned (Mdingi, Kathrada, Mkunqwane, and Sizani) are happy, or at least non-committal, whereas the others are deeply critical and disappointed, especially about education. Gazo has withdrawn from politics, and is now active in the Presbyterian Church (p. 69). In effect, the ANC has become the right, and, as Professor Desai points out, for these Robben Islanders of the new left, critique of "the neo-liberal turn" (p. 120) has been easier than contributing to the continuance of revolution.

In a recent essay also eloquently critical of the ANC's South Africa, Professor Desai shows a strain of anarchism: "The government's economic policy, which entrenches private property, entrenches theft… What we need is a movement that illuminates a path to make common and to de-commodify."[1] This strain recurs among the Robben Island non-conformists. Solomon copied Shelley into his *Complete Shakespeare* (pp. viii, 52). Sobukwe read Howard Fast's *Spartacus* (p. viii). Sizani argues that in power you can be "an agent of change…without being an anarchist" (p. 99).[2] And, Neville Alexander recommends John Holloway's *Changing the World without Taking Power* (p. 112).

This is an interesting, lively, and timely book on a worthwhile topic, providing a glimpse at South Africa's recent past with deep implications for the present. Professor Desai seems to me surer-footed on the politics and the history than the literature: his style is sometimes awkward and I do not feel that he has absorbed the literature as his subjects have. The book needed extra work from an editor and a proofreader.

Notes

1 "'Ways of (Sight) Seeing' in Kwazulu-Natal." In *Capitalism Nature Socialism*, Part One, June, 2006: Part Two, September 2006. (Accessible on CNS.Journal.Org).
2 The lines are ascribed to Leon Trotsky, but they come from *Prometheus Unbound.*

Tony Voss, *University of Kwazulu-Natal*

Gail Fincham. 2012. *Dance of Life: The Novels of Zakes Mda in Post-apartheid South Africa*. Athens: Ohio University Press. 182 pp.

Gail Fincham's comprehensive study of Zakes Mda's post-apartheid novels is both readable and intellectually engaging. The project comes at a time when Mda is recognized as one of Africa's most creative artists, working not only in prose but also the plastic arts, theatre, and community initiatives for development in South Africa. The book is divided into nine chapters. An introduction sets out numerous theoretical frames for considering the works, beginning with elements of South African oral tradition, intertextual relationships among western and African

fiction, and Bakhtinian notions of performance, dialogism, carnival, and heteroglossia. In one chapter, Fincham takes the interesting approach of incorporating sections of analytical essays on Mda's *The Heart of Redness* produced by some of her graduate students at the University of Cape Town (UCT). Interwoven throughout the book are quotes from interviews with Mda himself as well as biographical information.

One of Fincham's recurring claims is that Mda employs various perspectives to reveal the social and cultural complexities of throwing off forty some odd years of apartheid rule as well as several hundred years of European hegemony in South Africa. One of the ways he consistently does this is to interrogate and negate longstanding binaries of black/white, African/European, rich/poor, and so forth. He uses multiple narrative voices and registers as well as interweaving elements of oral storytelling and intertextuality. Mda freely mixes not only literary devices and genres but also entirely different art forms in the creation of his novels.

Fincham's reflexively explain her choices of the many theories, methods, and perspectives applied to Mda's eclectic novels. Rather than choose one or two scholarly entrées into all the texts, she argues for using ideas that most illuminate any one work, and shifting to other approaches if they more effectively treat the other novels. Her discussions are rich in the citation of numerous secondary sources, and she generally does a good job of integrating all these voices into her ongoing analyses.

Looking more closely, some chapters worked a bit better than others in evoking Mda's artistry. While one of the book's briefest chapters, Fincham's deployment of Bakhtinian theory works particularly well for Mda's first novel, *Ways of Dying*: "Mda endows Toloki with an agency born of performance. Invoking Bahktin's notions of carnival, grotesque realism and degradation helps the reader to understand this agency that counterpoints the themes of life and death on which the novel turns" (p. 29). She also focuses on Mda's use of narrative voices such as the "communal narrator," the implied author, the omniscient narrator, and, in one novel, "the sciolist." This complex form of narration is linked to the question of identity, both its recovery and its creation, as it is tied to apartheid and post-apartheid lives and history. These elements are then explored in the context of the African diaspora in *Cion* and further considers how *The Madonna of Excelsior* evokes the complexity of history, narrative and textual voices, and issues of gender and power in the period just prior to and after the end of apartheid and white minority rule.

Chapter Five, "Art, Landscape and Identity in *She Plays with the Darkness, The Madonna of Excelsior*, and *Cion*," expands the rich discussion of painting, the art of quilting, and notions of landscape as they evoke their respective environments. This discussion probably seeks to do too much in a few pages and does not seem as well-argued, or convincing as most of the other chapters. Conversely, the lengthy Chapter Three on *The Heart of Redness* applies numerous critical approaches and differing discourses to this complex novel. These include a discussion of the book's intertextual links to Conrad's *Heart of Darkness*, teaching the novel in the classroom (containing the commentaries by UCT graduate students), a discussion of the controversial relationship between the novel and Jeff Peires' *The Dead Will Arise*, further discussion of "oral storytelling," and a concluding section titled "Reading *The Heart of Redness* and *The Dead Will Arise* through Attridge's *The Singularity of Literature*." While it is hard to disagree with most of

the assertions made here, the chapter is infused with so much material one can come away from it with a sense of overload, maybe even overkill.

Overall, this is a thought-provoking study and a valuable consideration of Zakes Mda's fiction. Professor Fincham has marshaled an impressive set of diverse scholarly arguments and managed to organize them into a convincing treatment of some of the most complex and evocative literature coming out of Africa today.

Robert Cancel, *UC San Diego*

Marie-Soleil Frère. 2011. *Elections and the Media in Post-Conflict Africa: Votes and Voices for Peace?* **London: Zed Books Ltd. xi, 289 pp.**

The introductory chapter, which is a scene-setting approach, is scholarly and impressive in that it forays into relevant works outside the collection in order to demonstrate how the current collection fits into, and departs from, the conventional knowledge on the subject. While this approach has its own merits through salient questions on the intended role of the media in conflict situations and the challenges inherent in the role (p. 13), it requires readers to pay special attention to notes in order to distinguish between what ideas belong to the present contributions and what ideas are from earlier studies of the author and/or other commentators.

Frère describes and analyzes how the media participated in recent multiparty elections in six countries in Central Africa. According to him, what distinguishes these six countries is that, in recent years, they have all experienced armed conflict, which either interrupted or prevented democratization processes. As these countries emerged from often fragile transition periods, the media in all six faced the challenge of covering the first post-conflict elections, which ostensibly were free and pluralist. Elections, both in the way they are conceived and in the way they are held, not only test the democratic practices of parties and rulers; they also reveal journalists' professionalism at a time when much is expected of the media at a time when they also face intense political pressure, which can make their work particularly hard. The task is even greater when a country is just recovering from massive violence and instability.

The ideal role of the media during elections in a democratic context will be recalled (p. 2). There are certain guidelines by which the public and the private media should be governed in order to ensure a free and fair political competition. These guidelines have been elaborated and published worldwide by professional organizations, and journalists in Central Africa were repeatedly reminded of those principles during pre-election training sessions and workshops. On the other hand, the peculiarities of the post-conflict electoral processes that occurred in Central Africa in the past ten years were also described, as well as the specific political and media environments surrounding them. Frère sheds light on the way the media in Central Africa have operated in the fragile and dangerous environment of the post-conflict electoral processes in Burundi (2005), the Central African Republic (2005), the Republic of Congo (2002 and 2007), the Democratic Republic of Congo (2006), Rwanda (2003 and 2008), and Chad (2001 and 2006) (pp. 17-74).

Frère's work is not a comparative study; rather, her aim is to juxtapose the six countries' experiences in order to show the media's potential role in a crucial phase of the political

development of each country and the difficulties that journalists encounter in all these Central African countries. The book is divided into four comprehensive parts. Chapter one, "Elections and the media in Central Africa: stakes and challenges," deals with electoral context of each of these countries in Central Africa and gives a list of them. The specific features of each context are sketched and the particular challenges facing the electoral process and the media's daily activities are described. Moving beyond national boundaries, the following three chapters aim to show how the media in the different countries have actually attempted to cover the elections.

While chapter two, "The preparatory phase: the media's pre-election commitments," concentrates on the pre-election period, underlining the efforts of certain media to inform voters, detailing the major challenges journalists had to face, and describing the support they enjoyed from development agencies to better prepare their electoral coverage. Chapter three discusses the crucial period of the election campaign, when the media become both the object and the voice of the political strategies of candidates and parties. Examples drawn from the experience of these six countries show the kind of abuses that are possible but also the mechanisms that are implemented to try to limit their impact. Chapter four examines the media's role on election day and in the weeks following the polls before the provisional and then the final results are announced. Frère concludes that chapter with an epilogue, which underlines the achievements and potential difficulties for the media in the wake of the elections.

In conclusion, Frère tries to wrap up the major issues and concerns that have emerged throughout the electoral process, and this feeds into a reflection about the future of the media and their democratic role in Central Africa. The book adds to the growing literature about elections, media, and post-conflict in Central Africa countries. In my opinion, this book can be strongly recommended. It should be of great theoretical, practical, and inspirational value to all who are interested in the field of journalism and media, and particularly to those already committed to work in this field. It should help to get more people involved in solving the deep-rooted problems of unaccepted identity as well as the persistent problems of media during post-conflict elections.

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Toby Green. 2012. *The Rise of the Trans-Atlantic Slave Trade in Western Africa, 1300-1589.* New York: Cambridge University Press. 366 pp.

In recent decades there has been considerable interest in the processes of creolization in the study of the Atlantic Slave Trade. *The Rise of the Trans-Atlantic Slave Trade in Western Africa, 1300-1589* explores the origins of Atlantic creolization in Upper Guinea and the Cape Verde Islands, arguing that it was here, rather than in Central Africa, that patterns of Atlantic creolization and slave trading first took shape. Green also shifts his focus away from the absolute number of victims involved (a question that has fueled fierce debate and exhaustive research since the 1960s), instead placing an emphasis on the cultural transformations at work in the earliest era of the trans-Atlantic slave trade. To tell this story, Green has consulted documents located in a geographically disparate set of archives, from Colombia to the Vatican, as well as interviews and published materials, including African oral traditions.

Green begins not with the early Portuguese voyages of exploration but instead with the expansion of Islamized Mandinka trading networks in Western Africa—by which he refers to Senegambia, Upper Guinea, and the Cape Verde Islands. Leaning heavily on secondary sources, Green explains how Mandinka trading connections and cultural power derived from metallurgical prowess encouraged a regional process of "Mandinguisation" (p. 52). This nascent form of creolization was possible because Upper Guinean identity was based primarily on lineage rather than ethnic categories. Long-standing traditions of cultural accommodation and flexible, lineage-based identities created an environment where trade networks based on kinship bonds and shared culture took root with relative ease.

Green points to the Cape Verde Islands as the birthplace of a truly Atlantic creole culture, marked by the emergence of the Kriolu language. He builds on existing scholarship on the importance of mercantile connections among Iberian New Christians in places like Cape Verde by showing how Cape Verdean traders were able to establish a foothold along the Upper Guinean coast. The alliances between New Christians and Upper Guinean lineages proved to be instrumental in creating trade networks that provided a steady source of African slaves for the newly connected Atlantic World. On Cape Verde and in Upper Guinea, New Christians preserved elements of their Jewish identity while at the same time adopting rituals and customs from Western Africa.

While Green argues persuasively that African social and political patterns were crucial in shaping the Atlantic Slave Trade, he is careful to emphasize that this active participation in Atlantic commerce did not somehow protect African societies from its violent consequences. For example, Green shows that Cape Verdean trade connections with the Sereer in Senegambia fueled frequent wars with Jolof to the north, with slaves being exchanged on the coast for military commodities, especially horses. Green's approach to the touchy question of African culpability in the slave trade should satisfy both those pushing for greater recognition of African agency as well as those concerned that responsibility for the horrors of Atlantic slavery may be shifted unfairly away from Europeans.

Although Green's purported emphasis is on social and cultural transformations, one of his key contributions is to demonstrate that current estimates for the volume of the sixteenth century slave trade are far too low. He attributes this to an underestimate of contraband trade, providing evidence to suggest that current Trans-Atlantic Slave Trade Database figures may only represent around half the true number of enslaved Africans brought to the Americas during this period of time. Following Walter Rodney, Green argues that the political and social changes taking place in Western Africa could not have reflected a small-scale slave trade, further bolstering his upward revision of sixteenth century slave trade numbers.

Overall, *The Rise of the Trans-Atlantic Slave Trade in Western Africa* is a strong contribution to the study of the slave trade and the Atlantic World, and it may serve as a point of departure for future scholars interested in Atlantic creolization. In particular, historians interested in the development of racism in the Atlantic world should find Green's work compelling. The chapters are organized logically and evidence is presented clearly in Green's sturdy prose. While more maps (there are only four) might have benefited readers unfamiliar with the geography of the region in question, it is possible to locate most of the places mentioned with

relative ease on those that are provided. If this study is perhaps too dense for most undergraduate courses, it should find its way into graduate-level seminars.

Andrew Barsom, *Michigan State University*

Iyorwuese Hagher. 2011. *Nigeria: After the Nightmare*. Lanham, MD: University Press of America. 165 pp.

Nigeria, as much as any other country in Africa, has produced a long and impressive lineage of indigenous thinkers. They have been among the most eloquent and incisive commentators on the dysfunctions of the colonial state, the resource curse, corruption, and the other dilemmas of postcolonialism including both domestic and Western sources. Throughout *Nigeria: After the Nightmare* Iyorwuese Hagher praises this proud intellectual history—indeed, allusions to figures like Wole Soyinka, Chinua Achebe, and Ken Saro-Wiwa constitute one of the book's dominant strains. What makes *After the Nightmare* so disappointing is its failure to honor in form the legacy to which it often refers. Hagher's work lacks clarity, consistency, rigor, and creativity. Thus, Hagher never manages to accomplish the audacious task he sets for himself in this book—to apply the lessons of Nigeria's recent history to the challenge of shaping a Nigerian democratic renaissance.

Hagher fails in this attempt due to, for lack of a better word, sloppiness. *Nigeria: After the Nightmare* is divided into three clearly defined parts which suggest an obvious logical progression: "The Brink Scenario," "Nightmare Scenario," and "Revival Scenario." From the start, though, the purpose and thesis of the book are unclear. In the introduction, Hagher states that it is chiefly about the lost decades of military dictatorship between 1966 and 1999. But in the first chapter, Hagher is preoccupied by events *since* 1999, and especially since Christmas 2009 when Umar Farouk Abdulmuttalab smuggled an explosive device onto an American airplane. Hagher spends most of Parts I and II making the case that Western politicians and intellectuals are "false prophets" actively engaged in a "western hope and dream that Nigeria will collapse" (p. 42). In Chapter 1, Hagher broadly outlines the challenges for Nigerian democracy, which he identifies as Western meddling in the country's political and economic affairs, first and foremost, as well as globalization, the resource curse, and corruption. Chapters 2 through 5 expand upon, or merely repeat, these themes with heavy emphasis on the intentionally destructive role of the West and usually without sufficient sourcing.

Hagher's contention that the West is undermining Nigerian progress is not necessarily dubious. But his claims and generalizations throughout the book are often unsubstantiated and logically questionable. For instance, he claims that "President Obama clearly snubbed Nigeria" (p. 13) by choosing to visit Ghana during his first visit to Africa. He also makes the repeated accusation that the West is engaged in a global racist conspiracy directed at Nigeria, but he never goes beyond blanket speculation of the matter. Even so, it is not entirely clear what exactly constitutes "racism" in Hagher's account. He seems to suggest that "racial difference" (p. 40) explains why Canada, and the rest of the West, prefers to engage with Ghana and Somalia rather than Nigeria—again, an unclear and unsubstantiated claim. Nor does he explain why the West overcame cultural and racial differences with East Asia to form the "enduring

partnership based on dialogue and mutual respect" (p. 16) he identifies as a model for Western-African relations.

More alarming is Hagher's tendency to contradict himself and, worse, overlook some of the real social, political, and governance problems facing Nigeria. His treatment of corruption is the supreme case in point. In Chapter 3 ("Affliction") and Chapter 6 ("The Role of Intellectual Leadership in National Revival"), Hagher discusses the severity of corruption in the country and identifies, albeit without any real depth or citations, a number of complex phenomena related to corruption including the issue of fertilizer subsidies and agricultural marketing boards. He writes, "For almost three decades, Nigeria became a corrupt haven, and corruption became a norm rather than the misnomer as people without goods or services became richer and richer" (p. 70). Conversely, Hagher castigates Hillary Clinton and Richard Joseph of the Brookings Institute for leveling the very same kinds of critiques (p. 14) and goes so far as to say that Transparency International's corruption ratings of Nigeria placed that organization as a "Western collaborator" in the global racist conspiracy (p. 61). Additionally, Hagher too often cites the creation of agencies to fight, for instance, corruption and poverty as proxies for actual solutions to Nigeria's problems. He states, accurately, that average Nigerians "hate litigation" and would rather forgive than "[waste] more time at police stations and courts" (p. 18). One wonders how much this sentiment may be the result of enormous inadequacies, corruption, and distrust of these institutions. Hagher does not consider the matter. Lastly, Hagher overstates Nigerian ethnic and regional reconciliation after Biafra, comparing it favorably to the post-Civil War U.S.

Hagher shows some effectiveness in identifying Nigeria's problems, and to be sure, Part III benefits heavily from Hagher's unique insights on Nigerian politics and society. Chapter 6 on the role of public intellectuals is the most convincing in the book. He argues that the military regime era in Nigeria produced a brain drain from which the country has yet to recover. Worse, Nigerian intellectuals at home and in the Diaspora have by and large shown little commitment to the development of democracy. "No nation can grow without ideas," Hagher states. "Nigeria and Africa need to rekindle the intellectual flame that Africans on the continent and in the Diaspora engaged in fighting colonialism" (p. 107).

To be sure, the author is well-served by his background as a politician, diplomat, academic, activist, and artist once he turns the discussion inward. Indeed, the strengths of this book come when Hagher is most reliant upon his depth and diversity of experience, as well as his enviable mastery of language. His literary talents are clearly evident in the opening and closing narratives of the book as well as in the poignant tale of a soldier who Hagher reunited with his Igbo daughter many years after their separation during the Biafran War (pp. 66-67). It is clear that Hagher's immense passion for his country is borne from a lifetime dedication to its improvement. And so, perhaps the best success of this work comes in the author's noble attempt to restate the Nigerian narrative with an indigenous voice. Despite such flickering moments of wisdom, however, Hagher himself is short on ideas in *After the Nightmare*.

Aaron R. King, *University of Florida*

Joseph Hellweg. 2011. *Hunting The Ethical State: The Benkadi Movement of Cote d'Ivoire.* **Chicago and London: The Chicago Press. 291 pp.**

Joseph Hellweg weaves together captivating discussions of a crime wave that took over Cote d'Ivoire in 1990s, the failure of the Ivorian police to control the situations, and how these events eventually led to the emergence of a group of poor and politically marginalized individuals to assume the role of the people's defenders as part of the movement called Benkadi. The introductory chapter describes the movement as composed Dozos, that is, hunting societies skillful in ritual sacrifice. The hunters often make sacrifices to their tutelary spirit named Manimory and utilize their initiative logic to rescue people. In chapter two, the author describes the roots of political and socio-economic instability in Cote d'Ivoire as background to Benkadi's appearance. As Hellweg describes it the instability gives the hunting societies an opportunity to create a suitable place for themselves in national life. Moreover, there is an increase in the growing wave of ethnocentric nationalism between Islamic and indigenous culture within their home areas, and between the entire region, and the economically dominant Christian in the south. The author affirms that the northern-descended Jula and Syenara-speaking Muslims are regarded as second-class citizens. Chapter three makes a closer contextualization of hunter life in Denguele, describes how hunters assume ethical responsibilities towards non-hunters at their initiations. The work reveals that hunter's rituals have variations on the ritual ties that bound non-hunters life as interrelated parts in a long life time cycle of exchange.

The author unfolds different types of hunter sacrifices. He highlights that hunters often perform seasonal sacrifices to protect themselves while hunting, and that the more the sacrifice, the more a hunter's security related concerns appearing. Chapter four intimates that Manimory, the tutelary spirit, plays a central role in all hunter activities. Chapter five explains "disappearance" to be a unique power that assumes hunter's wellbeing in the forest. The background to the Benkadi movement is discussed in chapter six: transnational origins on how the Ivorian`s hunters embrace Benkadi's goals; how the Benkadi movement spread through permission from one village to another; and the reinvigoration of the entire moral community to combat crime.

Chapter seven details the ways in which Benkadi hunters used and misused *dozoya* (moral expectations). This chapter provides ethnographic vignettes of Benkadi security work from four major Ivorian cities: a case of burglary in Yamoussoukron; a hunter's urban security measure in San-Pedro; trials of suspects in both Odienne and Abidjan. However, dozos also commit atrocities against the same people they are trying to protect. They include cases of rape, murder, and beating. Chapter eight highlights the power in the nightjar's call and explains as well how hunter musicians sang at hunter funerals and at Benkadi meetings. These songs are often composed to evoke problems in order to resolve them; for instance, songs that call to mind the danger of neglecting a dead dozo's spirit, songs that publicize as an antidote to rapture of agreement, and songs to mobilize non-dozos to support Benkadi in its work. The last chapter concludes by arguing that hunters' controversial attempts to confront crime in Cote d'Ivoire actually foreshowed greater tensions to come. The author submits that hunters adopt the security prerogative of the Ivorian state as a result of the long history of migration and ongoing tensions with state security agents due to national hunting law. The author concludes that the

hunters have actually transferred their protective responsibility as hunters in more than rural Cote d'Ivoire to southern urban and rural areas.

Hunting the Ethical State efficiently accomplishes its stated task to inform scholars and university undergraduates in the area of African traditional religion and cultural studies, and anyone interested in the real workings of politics and society in Africa. Whether for or against the state, the author deserves commendation for his success as a scholar who validates through in-depth research that ordinary people with extra ordinary vision can reshape a nation by transforming it through the use of African science, that is, hunting power with the potency of ritual sacrifice. These hunting societies sought to reform what they saw as the Ivorian state's immoral abandonment of the poor in the face of crime. The book's only major weakness is the overuse of numerous subtitles that interlace all nine chapters. This shortcoming is excusable when considering Hellweg's goal, which is to offer multiple insights regarding the core of African religious heritage, politics and human security. Readers are therefore invited to enter into, and imaginatively participate in a rich discussion with multiple perspectives.

Sunday Awoniyi, *Adekunle Ajasin University, Nigeria*

Dorothy L. Hodgson. 2011. *Being Maasai, Becoming Indigenous: Postcolonial Politics in a Neoliberal World.* **Bloomington and Indianapolis: Indiana University Press. 265 pp.**

Dorothy Hodgson examines how the international indigenous peoples movement shaped political activism in postcolonial Tanzanian Maasai communities. Her fundamental objective is to demonstrate that by embracing the conceptual identity of "indigenous," Maasai activists were able to engage with state officials through the medium of transnational institutions and non-governmental organizations (NGOs). Moreover, she illuminates the extent to which this strategy opened space for "political action in [a] world shaped forcefully by the legacies of colonialism and the pressures" of neoliberalism (p. 21). Her analysis attempts to address the reasons why "historically marginalized people in Africa decide to become indigenous." From this perspective, her work underscores "identity politics" as emphasized by Frederick Cooper and others while also challenging those such as Arjun Appadurai who question the relevance of the "state" in "shaping political positionings" (pp. 4, 23). Instead, her research reveals that Maasai claims for recognition and rights ultimately depended upon interaction with and confirmation from the Tanzanian nation state.

The book consists of five chapters, the first two of which chart the beginning and developmental stages of Maasai activism under the indigenous rubric. Becoming "indigenous" was, as Hodgson demonstrates, often a controversial strategy. Moringe ole Parkipuny, a leading Maasai politician, was among the first advocates for employing this principle in Tanzania. Postcolonial neoliberal economic and land policies had encouraged patterns of exploitation and human rights abuses that were especially hard on Maasai pastoralists. In spite of achieving international United Nations recognition, the Maasai as well as other Africans still faced opposition from their own nation states. Governmental elites in Tanzania, for example, remained largely dismissive of these special identity claims and argued, "we are all indigenous in Africa" (p. 26). To overcome this obstacle, Parkipuny and his supporters directed their

activism through transnational networks and NGOs. Nevertheless, as chapter three, "Precarious Alliances," demonstrates, structural problems within these NGOs and their inability to provide immediate assistance fomented mistrust among Maasai pastoralists. They especially resented NGO leaders who they accused of "corruption and greed." While Maasai farmers struggled daily to find the basic necessities of life, these officials were seen driving around in new cars and enjoying greater levels of material prosperity than those they were supposed to help (p. 109). Chapters four and five, perhaps the most important in the book, reveal how Maasai activists pragmatically "repositioned" themselves to negotiate with neoliberal state officials and, more importantly, how their activism affected the everyday lives of Maasai men and women. The 2005 livestock policy, for example, demonstrated both the limiting and leveraging effects of their activism. On the one hand, Hodgson argues, the final policy contained restrictive language consigning pastoralists to the status of "livestock farmers," while on the other hand their "sophisticated" engagement with state officials was an achievement on its own (p. 172). In spite of these modest gains, neoliberal land policy continued to marginalize Maasai pastoralists and many still lived in poverty.

To frame her analysis, Hodgson employed an innovative, and I would argue, comprehensive methodological approach, which she identified as "nodal ethnography." This approach allowed her to examine important Maasai documents, websites, and proposals, but also provided her with exceptional opportunities to attend their regular political meetings and take part in annual United Nations Indigenous Peoples forums. She was present, for example, at a 2005 workshop of Tanzanian pastoralists where the Livestock Policy Task Force presented its findings. Her unique perspectives, therefore, contribute a level of detail and analysis that provides readers a distinct sense of what indigenous political activism meant for the Maasai. While some may question her objectivity and indeed the professional pitfalls of such an approach, Hodgson is careful to point out her position remained that of an "interlocutor" rather than a "collaborator" (p. 15). Her insightful observations, therefore, not only enrich our understandings of the Maasai culture, but also convincingly show the variegated manners by which ordinary Africans continue to confront neoliberal policies in postcolonial states. This is an important and well-written book that deserves serious consideration. Dorothy Hodgson has taken a complex subject and presented it in an engaging and highly readable account. I recommend her book to anthropologists, historians, and anyone interested in how modern Africans deal with the legacies of colonialism. Scholars teaching graduate and postcolonial survey courses will find it especially useful.

David Livingstone, *University of California San Diego*

Paul Hopper. 2012. *Understanding Development: Issues and Debates*. Cambridge, UK: Polity Press. 332 pp.

From a global standpoint, the complex nature of development poses numerous challenges to scholars, state actors, and the international community concerned with how this relatively new paradigm can be adequately incorporated into local institutional frameworks in the Global

South. As a remedy, Hopper's book takes a comprehensive look at the nature of development in the Global South using specific examples to relay important points missed by some westernized conceptualizations of development. Most importantly, Hopper incorporated non-western contributions to the field of development as an alternative way of understanding this intricate agenda. Hopper's work studiously recognized "other" interpretations of development to underline various approaches to development and convey the distinctions that exist.

The opening chapter, "Theorizing development," served a very important function of setting the foreground for the analyst and non-analyst. For example, notions of the "third world" and the infamous "North-South" divide are challenged to stress a faulty foundational argument based on geographical perspectives. According to Hopper, the "third world" may very well serve as a reminder of the stark inequalities persistent in our global village. However, this skewed impression of the global South should not be a *bona fide* descriptive terminology and justification for the West to portray under-developed regions in very derogatory manners. Moreover, one should be cognizant of who does the labeling and why? In addition, how geographical perception of development impacted economic theories such as modernization, structuralism, and dependency theories were tackled to expose difficulties and familiarities constant within the developmental framework.

Hooper's presentation of the nexus between culture and development cannot be overlooked. Perhaps, the developmental agenda has been difficult to achieve in certain regions of the world because it underestimated the influence of customs and traditions in the implementation phase. For Hopper, global culture informed the kind of development that occurred in certain places. For example, "McDonadlization" provided a vivid illustration of how culture supports the progress of development and the complexity involved. Simply put, McDonaldization represented the ability of certain principles to be popularized and transported across the globe. Critics, though, maintained that global transportation of commodities and services are sensitive to interactions between the local and the global.

To triangulate Hopper's argument, cultural interactions with development penetrate critical debates and future trajectories on gender. After three global conferences on women held in Copenhagen, Nairobi, and Beijing, women's right gained more recognition at international policy circles where state actors made commitments to conventions and treaties upholding the rights of women in their respective countries. Despite this landmark development, most institutions in the Global South remain patriarchal and favor men at the expense of their female counterparts. As a result, developmental agendas geared towards women in the family, economic, political, and social sectors are greatly hindered as a result of inequality between men and women.

Hopper falls short when addressing how negative cultural tendencies have hampered women's effort towards development. To be fair, he maintains the overt role of male bias in the developmental process. But this analysis made no substantial connections to deep rooted factors affecting women as a result of negative culture and traditions. Put in another way, women's role in development cannot be isolated and must therefore be addressed within context. For instance, Hopper should have provided a brief analysis of the Committee on the Elimination and Discrimination against Women (CEDAW) to illustrate significant achievements and

challenges in the struggle for equality. In this regard, Hopper's book represented an incomplete discussion of developmental growth within gender relations.

The correlation between "Women in Development (WID) and Women and development (WAD)," with emphasis on the terms "in" and "and," augment the descriptive roles women play in their struggle towards development. A critical difference between the two blocs confirmed that WID focused on the premise that securing the rights of women could be attained without restructuring societies, while WAD attacked the real sources of women's oppression, namely global capitalism and the imperative need to change power structures. Both positions confront different angles of gender discrimination.

When WAD and WID challenge each other's conceptualization of women's concerns, it lends room to be caught up on particular arguments that undermine other perspectives. This kind of approach removes attention from the core origins of the problem when efforts should be geared towards ensuring that women's voices receive equal attention. Nonetheless, critiques put forth by proponents and opponents of gender and development, gender environment and development, postcolonial perspectives, and the empowerment approach were well documented.

The overall attitude towards gender mainstreaming is lethargic though Hopper gives it much accolade. For example, Hopper records endeavors made by non-governmental organizations (NGOs) and some state actors to redefine policies to be inclusive of women. In addition, the roles of intermediaries such as NGOs are discussed to emphasize some exponential contributions towards participation and representation. Hopper grants that NGOs play a very significant role in the creation of new treaties or in their ratification. More than serving the purpose of grass root experts that have firsthand knowledge of the issues as they unfold, they also serve as an oversight function in their native countries. Yet, NGOs consistently combat challenges, which usually cause them to tread cautiously as opposed to aggressively in dealing with gender sensitive cases.

In subsequent chapters, the reader is exposed to provocative debates on trade and the role of international financial institutions such as the World Bank Group and World Trade Organizations and their frantic interests aimed at keeping the economic status quo. On the contrary, scholars like Claude Ake (see, for instance, his 1996 *Development and Democracy in Africa*) championed the need for a new developmental paradigm for Africa which originates from within not without. Hopper supported Ake's logic which challenged an economic arrangement where Africa and other regions in the Global South are designated as primary producers. Ake contends that this relationship must be severed and the Global South especially Africa must be self-reliant.

For the most part, Hopper provided a proper articulation, summary, and analysis of the debates on conflict and security, gender, health, trade, and education as they affect the developmental efforts. Hopper's work is recommended for a highly intelligent appropriation of important debates within developmental circles both at the local and international level. His writing style will definitely attract young scholars in the field of development beginning to get acquainted with the debates. In addition, Hopper's work is accessible to both intellectuals and the general public because his tone solicits the attention of every global citizen. In a very

systematic and thoughtful manner, Hopper deals with developmental concerns intrinsic to the Global South while giving regards to positive and negative influences from the West.

Ifunanya Nwokedi, *Howard University*

Andrew Ivaska. 2011. *Cultured States: Youth, Gender, and Modern Style in 1960s Dar es Salaam*. **Durham: Duke University Press. 276 pp.**

Tanzania has a complex colonial history, having been variously colonized by the Portuguese, Arabs, Germans and the British. This compounded the country's cultural heritage in terms of adding multiple external aspects to its socio-economic, political, and cultural life. Andrew Ivaska focuses on the city of Dar es Salaam right after independence and points out the influential externally derived cultural practices that were in place. Upon gaining independence in 1961, the country's new government attempted to eliminate cultural practices such as music, ways of dressing, and some of the laws associated with the former colonial power.

Chapter one begins with European and African cultural controversies that occurred after independence when the nation's leaders sought to return to its pre-colonial culture by obstructing all colonial practices. The establishment of the *Operation Vijana movement* was aimed at banning in Dar es Salaam what was considered as a modern manner of dressing. The most highly targeted group were women who wore wigs, trousers, and miniskirts. In opposing such dress, the nation was acting against modernity, which was viewed as an imitation of colonial culture. To illustrate how difficult it is to define a topic as complex as "modernity" the author brings up the dress of the Maasai, one of the Tanzania's most prominent ethnic groups. Their manner of dressing leaves some parts of the body uncovered. Although this is not an imitation of colonial culture, national authorities perceived Maasai dressing as "shameful" and degrading for the nation.

Chapter two introduces the decency struggle between men and women in Dar es Salaam. Women came under physical and psychological attack for wearing supposedly indecent miniskirts, tight dresses, and wigs. These forms of dress were associated with prostitution. In order to eradicate prostitution, reduce urban population, and maintain the nation's culture, the authorities in Dar es Salaam initiated a decentralization process whereby men and women were forced to return to the villages. The following chapter discusses of university students in trying to bring about changes in the society. The book demonstrates how the country placed its faith to the youth, as they were the source of change for the future generations. University students struggled for a better administrative system, but they were barred by the ruling system due to the fact that challenging the system was supposedly against the nation's political culture as it was in most African countries. Apart from presenting socio-political conflicts between the educated youth and the ruling system, Ivaska also examines university gender relationships. Male university students felt that their women colleagues ignored them where social relationships were concerned. Female students preferred dating wealthy men, known as "sugar daddies," to male students who were not wealthy enough to support their needs.

As with other African countries Tanzania reformed its laws upon gaining independence, since many of the existing laws were the product of the colonial administration. The book's

fourth chapter presents the debate over marriage laws between men and women based on polygamy, polyandry, and monogamy. The discussion focuses on whether the law should remain based on the monogamous system as established by the colonial power or the system of polygamy that existed in the pre-colonial period. The polygamy system also favored the Islamic cultural practice of marrying more than one wife as opposed to Christianity, which allowed for only one wife. The goal of reforming the law was to maintain women rights and equality in the society. The book discusses an interesting women's movement that demanded the right of polyandry as opposed to the polygamy system that most men voted for.

The author examines gender issues, youth, and modernity in the early post colonial period in Dar es Salaam and different movements aimed at refining the nation's culture after independence. Even though the book is set in the 1960s, the reader would find it helpful if the author could have included a panoramic view of the current state of affairs in the twenty-first century. This would have made a distinction between what occurred in the 1960s and what pertains currently in Tanzania, particularly in the big cities. In spite of this shortcoming, the book remains a potential benefit for college students in African studies, post colonial African history, political science, and cultural studies in East Africa and Tanzania in particular. It provides information on how the newly independent government took charge after colonial rule in terms of maintaining the nation's culture.

Beatrice Mkenda. *University of Wisconsin Madison*

Messay Kebede. 2011. *Ideology and Elite Conflicts: Autopsy of the Ethiopian Revolution.* Lanham, Maryland: Lexington Books. 388 pp.

This book provides a cutting-edge approach to understanding revolutions that center on elite conflict. It explains the complex causes and consequences of the 1974 Ethiopian Revolution that overthrew a monarchy and brought major transformations through the adoption of radical ideology by political elites.

Messay Kebede, an Ethiopian professor and political commentator who teaches philosophy at the University of Dayton, critically examines the literatures on revolution and presents the main theories distinguishing between political and social revolutions. He claims that the Ethiopian revolution, though less studied, is one of the great social revolutions in the twentieth century along with those of China and Russia. He then refutes the conventional wisdom that the role of students and intellectuals in the revolution was decisive and argues that elites and their conflicts over power explain the outcome of the revolution.

Using a narrative approach, the author covers a wide range of topics. In reviewing the ideological and sociopolitical origins of Emperor Haile Selassie's regime, he focuses on issues of political cooptation, social blockage, and the creation of discontent. In all these areas, Haile Selassie was reluctant to make reforms, and the author depicts him as traditional and autocratic with an overriding tendency to control power using modern institutions like the bureaucracy and the army. These tendencies led to a loss of legitimacy that facilitated the regime's downfall by the very institutions it created to protect its power. In explaining this outcome, Kebede

shows how the educated and reform-minded members of the ruling elite erred in their assumption that they would lead the social protests that preceded the revolution. He also explains how the social blockage marginalized a major part of the educated elite that was consequently attracted to the then dominant ideology of Marxism-Leninism.

In 1974, following popular demands for economic reforms, social unrest spread rapidly, and the government failed to respond effectively to the demands. With the absence of political or civic organizations to lead the social movement, the military formed a representative committee, the Coordinating Committee of the Armed Forces, Police, and Territorial Army (the Derg). With a brief but bitter internal struggle, the Derg led by Mengistu ascended to power. It then adopted the radical ideology of the marginalized elite, thereby setting the course of the country along socialist lines. As Kebede observes, the Derg hijacked the political revolution and used the radical ideology to justify its exclusive control of power and its use of violent repression in its campaign to eliminate rival groups. Thus, the author resolves the conundrum of why elites may embrace a radical ideology that seems to go against their interests and social position.

One of Kebede's innovative contributions is his use of psychobiography to explain the role of individual traits in shaping revolutions. Thus, he closely analyses the two sides of Mengistu's narcissism: on the one hand, his determination, authoritarianism, and devious traits suited his seizure of power. On the other hand, his negative "paranoia, quick temper, and sense of invincibility" hindered efficient handling of the war with the insurgents and brought his downfall (p. 317). By raising this less explored issue of the psychological pathology of leaders and its influence on events, Kebede has made a valuable contribution to the study of social revolutions.

Another important contribution is Kebede's focus on elite competition to analyze ethno-nationalism as a byproduct of the revolution. He shows how elites vying for power use ethnicity as an instrument for mass mobilization and how this became a legitimatizing force to claim power in contemporary Ethiopia. This analysis along with the philosophical reflections on the relationship between ideology and elite interests presented in the final chapter, gives a fresh perspective to understanding Ethiopian politics.

This is a very informative book as it offers much needed help for comprehending a critical period in Ethiopian history. In well-researched and organized chapters, it presents a synthesis of both classical and contemporary works on revolutions in general and the Ethiopian revolution in particular. This makes it useful for readers who already know a lot about Ethiopian politics as well as for those who are novices to the subject. Moreover, the book has a multidisciplinary character and uses innovative and sophisticated analysis that makes it appealing to political scientists, philosophers, and historians and can serve as a guide to understanding revolutions in the Third World.

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Paul S. Landau. 2010. *Popular Politics in the History of South Africa, 1400-1948*. **Cambridge: Cambridge University Press. xvi, 300 pp.**

It is rare to read a book that is both exhilarating and frustrating. It is rarer still to read a book that you can judge by its cover since the title warns you that you are in over your head. With an ambitious and grand vision, Landau magnifies the southern African frontier, or better still frontiers, to expose the fraudulent and fictitious history of the "tribe." It is important that his purview is southern Africa because one of the historical myths being upended is that the "tribes" of South Africa and its erstwhile neighboring protectorates have nothing in common with each other. What Landau offers in his magisterial consideration of both the minutiae and grand designs of colonialism in southern Africa is a critique of officially-sanctioned tribalization as well as an alternative vision of what African politics actually looked life before the "coming of the European."

The choice of *longue durée* periodization and the scaled-up and expansive geography within which Landau's characters play their parts is not new to southern African history. In an attempt to retire the myth of "South African exceptionalism" as well as offer a better term than "precolonial" African history and politics, historians of southern African have been making bold statements about re-imagining the world that existed before colonial intrusion as well as African reactions to being intruded upon. From this perspective Landau's *Popular Politics in the History of South Africa, 1400-1948* sits comfortably next to Norman Etherington's *The Great Treks: The Transformation of Southern Africa, 1815-1854* (2001). In the latter book, Etherington took one of the sacred stories of Afrikaner nationalism, namely the Great Trek, and turned it into a common story of southern Africa. Similarly, Landau punctures and deflates the grand narratives of southern African identities by showing how identify formation was not only a common practice but also a common prerogative which many marginal groups fought hard to preserve in the face of a bureaucratic apparatus bent on recognizing only those groups who could claim a tribal moniker and maybe also a hereditary chief. In his attempt to move beyond the precolonial / colonial/postcolonial quandary, Landau uses language, especially political speech, to trace the structural and conceptual patterns that endured despite Christian missionization, colonial expansion, and the creation of the nation states that today border South Africa even while they provide for its labor needs. In this task, Landau shares the same ambitions as the editors of *The Cambridge History of South Africa: From Early Times to 1885*, who chose to use the open-ended "early times" rather than commit to an inception date of southern African history. Landau's choice of 1400 is not as open-ended, but it leaves plenty of room for indeterminacy.

In a neat conclusion, Landau enumerates the six main points of his book. It's a compelling synthesis that functions effectively as a prompt for a book review. The very first summation captures the book's most articulate argument: "At first South Africa was not a place of tribes, nor of counterintuitive tribal beliefs. *Then* it became so" (p. 246). As an alternative to "tribe", Landau conflates topography and populations by writing about "highveld" peoples and political traditions. Throughout the book, the people who would later be called "Tswana" are depicted as shape-shifting pragmatists who were reluctant to be wedded to a single defining characteristic and were therefore open to mixing and borrowing, or what Landau prefers to define as *métissage*. This tendency towards flexible political practices is depicted as both a

strategy for survival and a sagacious grasp of the vicissitudes of power and the powerful. If chiefly power was itself a shifting sand dune, then it follows that Landau would make his second proposition that, "The desire for self-rule in spite of declining access to land was made, more and more, into a religious matter, subject to regulation and policing" (p. 247). Moreover, this scarcity and competition over land led to gendered violence that, as Landau, concludes meant that "Men's identities were portable and durable; women's were not" (p. 41). When missionaries, and their sometimes *métis* accomplices, enter the highveld scene they are confronted by this violent succession of crisis and opportunity and the fact that women were often the first victims was noted but not acted upon. In other words, this was a world dominated by men's ambitions, in Landau's terms "hypermasculinized conduct" (p. 40), and it therefore follows that conversion to Christianity and the deployment of Christian idioms would also be the province of masculine action. This confluence between the land and religious questions, leads to the third proposition that, "The destruction of highveld people's access to land necessarily preceded the development of mass Christianity" (p. 248). This explanation of the popularity of Christianity and its apocalyptic predictions is one of Landau's most inspired contributions to the history of conversion in southern Africa. In laying out the evidence for the attractiveness of the biblical word, Landau depicts highveld people speaking and writing with prophetic fervor about succession disputes, the loss of land, the loss of youth, and ultimately the loss of time itself. Thus, it is that he finds in this language that mixes indigenous and mission vocabularies a desire for the restoration of a world that once was: "Twentieth-century highveld millenarianism was the reoccupation of Christian thought by the desire for actual restorations" (p. 250). He summarizes the meaning of this hybrid speech thus: "Once we stop thinking in terms of 'peoples,' who had 'beliefs,' the highveld's political tradition, in its real situation in history, comes better into focus" (p. 248). From this identification of an enduring political tradition whose domain is the whole of southern Africa, Landau then demolishes the assumption that such traditions were inevitably swept away by colonialism. In his fifth summation of the book, he states: "The division of the past into pre- and post-phases has been only too convenient to Western imperialism's mode of accumulation. The concept of the coming of 'modernity' similarly is presentist and unhelpful" (p. 249).

There is no doubt that Landau's *Popular Politics* is destined to be a classic text for southern African history, and many generations hence will pore over its erudite interpretations and probing enquiries. However, the admirable qualities of the book may also be its most challenging qualities. Although he clearly explains why terms such as highveld and métis are preferable and more descriptive than "Griqua" and "Coloured," Landau presumes that his terms do not carry baggage of their own. Métis, for example, creates the impression that "mixed" people were all mixed in the same way with the same consequences. They were not. Whether one was "mixed" because your father was a missionary who married an indigenous woman (James Read), or whether you were "mixed" because your father was a Xhosa missionary who married a Scottish woman (Tiyo Soga), it didn't all add up to métis culture. The reason why "Coloured" is an odious term and a misnomer is not that it particularizes "miscegenation" but exactly that it makes it seem that "race mixing" was always aimed in the same direction – the dilution of "pure white" blood. The term métis is loaded with a similar

history of the fear of "miscegenation" and in the case of southern Africa, a better term will always be wanting because "Colouredness" is still constantly changing.

Hlonipha Mokoena, *Columbia University*

Julie Livingston. 2012. *Improvising Medicine: An African Oncology Ward in an Emerging Cancer Epidemic.* **Durham: Duke University Press. 228 pp.**

Julie Livingston's work, *Improvising Medicine: An African Oncology Ward in an Emerging Cancer Epidemic*, paints the daunting, yet innovative, picture of cancer control services in an oncology ward in Botswana's capital city of Gaborone. Through a combination of an extensive literature review, archival research, and ethnographic methods, Livingston offers a superb, detailed and meticulous analysis of cancer in Botswana—and in many ways, sub-Saharan Africa at large. Moreover, Livingston brings the reader with her, commenting not only as an anthropologist, but also as a human being, and she even admits that as a reader, one must "rely on [my] words and your imagination to grasp the humanity in the pages that follow" (p. xi). Such a positionality affords the reader the opportunity to see her as a researcher, an inquirer, and a healthcare provider—by doing research and in many parts of the book, playing counselor, as well as a friend or family member, like many of us, who have been affected by cancer in some way.

Improvising Medicine indeed illuminates key issues facing cancer control globally. Livingston begins her work by describing oncological treatment facilities, chief among them being her research site—the oncology ward of Princess Marina Hospital (PMH)—offering the reader insights into a normal day at the oncology ward. More specifically, though, the author sets the stage for three points that she successfully and gracefully argues in the subsequent chapters: (1) cancer care in Africa is marked by improvisation at various levels, (2) cancer and cancer care is a deeply social experience and phenomenon, and (3) cancer and the way it is approached in Africa will immensely shape the future of global health practically, theoretically, scientifically, and morally. More than that, though, Livingston not only situates the idea of cancer control in sub-Saharan Africa geographically, but she also contextualizes cancer control within medical anthropology, political economy, bioethics, and the practice of medicine. For example, in a field and context marked by economic challenges in the age of post-colonialism and post-independence, how does a physician with limited arsenals of chemotherapy treat five patients over a period of weeks? Shall all of the medicines be given to just one patient because the process must occur over a scheduled set of therapies every so often? Or, should all patients be given a dose with the hopes that future doses will be available in the coming weeks? Livingston highlights these dilemmas as well as those ranging from patient autonomy and market economy.

After tracing the rise of cancer as an epidemic in Botswana, Livingston devotes her second chapter to the political economy of cancer and cancer control in the region. Juxtaposing market economy and development with the stories of Batswana miners and patients, she "map[s] circuits of toxicity and knowledge" to discuss cancer's prevalence on the global agenda of health and the ways in which cancer was ignored in Africa until it was illuminated as a sexually

transmitted disease (pp. 29-51). She follows this chapter with an embodiment of cancer—by this I mean how is cancer experienced and understood from the patient—partially through an effective comparison of cancer and cancer treatment as it is experienced in the global North versus the global South. Livingston poses salient questions: how is breast cancer—its diagnosis, prognosis, chemotherapy, amputation and sociality—in the United States the same or different from breast cancer in Gaborone? To what extent does exposure to a breast cancer prevention advertisement lead women to seek preventive treatment in the resource-poor setting that is Gaborone? Yet, Livingston still dives deeper into the "moral intimacies of care"—the sociality of cancer control, the role of the family and extended relatives, and the bittersweet connection between pain and laughter for all parties involved when dealing with unknown prognoses, emotions, and realities. Distinctly, Livingston touches on the salient nature of community and social relations among Batswana. She briefly mentions the existence of Tswana medicine and spiritual healers as a source of medical help (p. 70). Nevertheless, Livingston could have expanded her ethnographic account of cancer by presenting additional conversations with Tswana healers, spiritual healers, and patients who seek these modes of healing. Given, as E.C. Green has noted, that up to 80 percent of people in sub-Saharan Africa still seek traditional healing as a primary form of healthcare, Livingston's inclusion of these discussions would further our understanding of the relationship—and the phenomenology—between cancer and Tswana medicine.[1]

   Improvising Medicine constantly challenges the reader to consider the intrinsic and intimate relations between the isolating nature of cancer and disease and the role of sociality in cancer care. In doing so, she reminds us that not only is oncology a field with immense questions, but it is also one where answers to these questions are often blurred, unknown, improvised and situated within larger conversations on bioethics, politics, and global health agendas. Cancer remains a global issue, and it is expected that annual cancer deaths will reach thirteen million by 2030.[2] With 90 percent of the world's cancer control infrastructure located in developed nations, Livingston's book adds to the growing wealth of knowledge on cancer and cancer control in sub-Saharan Africa. Cancer control will continue to necessitate multi-faceted approaches and perspectives from various disciplines, and Livingston's work is a superb contribution in further understanding cancer control in Africa.

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<div align="right">Zachary Obinna Enumah, *Yale University*</div>

Michael R. Mahoney. 2012. *The Other Zulus: The Spread of Zulu Ethnicity in Colonial South Africa*. Durham, NC: Duke University Press. 292 pp.

In *The Other Zulus*, Michael R. Mahoney considers the evolution of ethnic identity among the African people of the British colony of Natal. Chronologically, he occupies a space between studies of the precolonial Zulu kingdom, which show that peripheral subjects like the future

Natal Africans were not considered Zulus, and those focusing on the early twentieth century when Zulu identity was well established. *The Other Zulus* explores how and why Natal Africans began this transition.

Mahoney fixes the turning point in the quarter-century between 1880 and 1905. At the beginning of this period, Natal Africans overwhelmingly supported the British in the Anglo-Zulu War of 1879; at its end, the Poll Tax Rebellions (also known as the Bambatha Rebellion and the War of the Heads) of 1905-06 saw rebels and their supporters opposing the government in the name of the Zulu king. In the intervening years a convergence of economic, environmental, and political pressures had undermined traditional sources of authority, changing the balances of power between chiefs and subjects, patriarchs and family members, men and women, and creating multiple "axes of conflict" within African society (p. 89). *The Other Zulus* argues that the development of Zulu identity in Natal began with ordinary people—not African elites or colonial officials, but young men—seeking to resolve this tension by remaking traditional institutions in a way that acknowledged changing circumstances while preserving structures.

In order to explain how Zuluness contributed to this goal, Mahoney begins by explaining, in the first two chapters, that encounters between Natal Africans-to-be and the precolonial Zulu state left a legacy of violence and distrust, precluding Zuluness before 1879. Instead, Natal Africans lived within a system defined by the basic building-block of the patriarchal household and the stable political unit of the chiefdom, with an overlay of colonial authority that was forced by its weakness to accommodate itself to those institutions. Chapter 3 describes the undermining of African social structures after 1880 and its outcomes, including increased economic independence for junior members of households like the young men who traveled to South African cities as migrant laborers. Chapters 4 and 5 contain his central argument: in the diverse context of Johannesburg, migrants from Natal chiefdoms began to see themselves collectively as Zulus. Back in Natal, they applied Zuluness to the task of repairing their communities, using it as "a blank canvas upon which different Africans could paint their very different visions of the future, and yet still believe that they were all united" (p. 157).

Mahoney presents his position as a way to rebalance a literature which, he argues, tends to focus on conflict within African society and on the actions of African and colonial elites. In order to trace countervailing trends in the primarily oral culture of ordinary Africans, chapters 5 and 6 examine the protests and rumors that swirled around the rebellion. He mines the rumors collected by the colonial state from a network of African informants; their stories of the Zulu king Dinuzulu's leadership of an anticolonial movement, though not grounded in fact, illustrate the spirit of the times. He further argues that young men's deployment of these rumors articulated "a vision for the future that was neither traditionalist nor anti-traditionalist, but rather a melding of the two" (p. 178). Zuluness was central to that vision, with Dinuzulu serving as a symbol behind which Natal Africans who had rejected Zulu identity in the days of Zulu power could gather, and as a rebuke to colonial attempts to legitimate their rule.

At the same time, Mahoney makes clear that Zuluness was never the only identity occupied by Natal Africans or a panacea for them. This acknowledgment of ambiguity is both a strength and a contribution to the weak point in the study. *The Other Zulus* is designed as a history from below and as a local history, and to that end it concentrates on a chiefdom from northern Natal, the Qwabe. Yet given that even within the Qwabe, who were politically divided for part of the

period, he describes differing outcomes based on local circumstances, a broader approach to Natal African society could have added weight to the study's conclusions and provided a stronger frame for its use of rumors. One wonders how representative the patterns he describes were for other parts of the colony where people also became Zulus. That being said, this is a rich and thought-provoking study. *The Other Zulus* is an important contribution, not only to the social history of Natal and South Africa but to our understanding of the development of ethnic identities in colonial Africa and globally.

Sara C. Jorgensen, *University of Tennessee at Chattanooga*

Johnson W. Makoba. 2011. *Rethinking Development Strategies in Africa: The Triple Partnership as an Alternative Approach: The Case of Uganda*. Vol. 5. Africa in Development Series. Oxford, Bern, Berlin, Bruxelles, Frankfurt am Main, New York, Wien: Peter Lang. 269 pp.

Throughout the last decades non-governmental agents have tried to make up for the shortcomings of state and market in development efforts, but not always with success. Makoba therefore calls upon these non-governmental organizations to put a stronger focus on "achieving long-term economic development in less developed countries" (pp. 87-95). He introduces the concept of triple partnership, which "focuses on three major actors, namely the state, the non-governmental sector and donor agencies" (p. 2) and would see the aforementioned actors working together rather then one filling the gap left by another.

Chapter one gives a broad overview of development strategies in Africa. The introduction to the topic shows the author's in-depth knowledge of the history and the current situation of this sector and draws on a wide range of sources. Makoba outlines his main argument for the triple partnership model, which according to him may bring about the success many other strategies failed to accomplish. The reader may occasionally miss contextualization of the richness of figures and statistics cited. Despite the well researched facts, which provide a valuable source not least for experts in the field, it is unfortunate that the author allows the odd generalization about the African continent, thus resulting in a somewhat blurred picture. Statements such as "African states are corrupt, inept and mismanaged" fail to conceptualize corruption or clearly define "mismanagement of states" (p. 9).

While the first chapter brings forward a general perspective on development, the second chapter focuses on the case Uganda (p. 47). It gives insight into how various development strategies in Uganda have failed or at least hindered the reduction of poverty. Such, it is argued, was the case when neo-liberal strategies were imposed upon the country by international agencies such as the World Bank and the International Monetary Fund. Furthermore, the author highlights that similar to other African countries the possession of natural resources has led Uganda to a paradoxical situation known as "resource-curse hypothesis" (p. 79). The third chapter takes a closer look at microfinance institutions (MFIs), an economic development aid strategy brought to rhw fore by Muhammad Yunus and his Grameen Bank in Bangladesh (pp. 87-95). The chapter starts out by giving an excellent insight into the discussion of the strategy and effectiveness of MFIs through comparison of different developing countries. Makoba then

turns back to Uganda in order to show the history of MFIs and different forms and funding since the early 1980s (pp. 95-114). This is followed, in chapter four, by a discussion of the downside of MFIs and their various critical aspects. These include the possible creation of dependency, the lack of transparency, and the capitalist modes by which some MFIs operate. The author claims that MFI impact studies are widely missing, which "can be attributed to methodological problems and lack of data" (p. 137). Thus the "reliability of the impact assessment is still open to debate" (p. 138).

Chapter five draws attention to the attempt of commercialization of MFIs, which according to the author is "a rare opportunity to combine socially responsible investment with profitability" (p. 170). However, drawing from a *New York Times* book review of S.A. Strom's *A Marriage of Differing Missions*, Makoba asserts that the challenges are manifold up to the point that in some cases "the need to generate returns for investors overwhelms the social mission" and thus may make it evermore difficult to distinguish "between microfinance and money lending" (pp. 171, 174). Chapter six, "The Triple Partnership for Development in Africa," is dedicated to the requirements of this development model to be fruitful. Makoba identifies the "failure of African political leadership" as being the "core of Africa's economic and political crises" (p. 182). However, successful strategies and improvement in important aspects such as the way donor money is being handled or are identified (p. 214). A concluding chapter provides a useful summation of the arguments outlined in the book.

The book's strength lies with the author's critical assessment not only of the work of NGOs and MFIs as such but also of the triple partnership he proposes. It provides the reader with a balanced, well researched, and highly informative discussion. However, the author's aim is not to give a concrete agenda on the tier of implementation of the triple partnership approach. It's strength is to highlight the notion that despite all failures and difficulties of various development strategies, there are possible alternative strategies worth thinking about. Drawing from lessons learned by various institutions would add value to the project of sustainable development and could lead to success. Therefore, the book is a must read not only for academics and students working in the field but also for policy makers, aid workers, and business leaders who seek to bring about a positive impact not just for their organizations but for the people affected by their actions.

Julia Büchele, *University of Basel*

Jenny S. Martinez. 2012. *The Slave Trade and the Origins of International Human Rights Law*. Oxford: Oxford University Press. 254 pp.

The Slave Trade and the Origins of International Human Rights Law explores the ways in which efforts to suppress the trans-Atlantic slave trade led to the creation of international human rights law. Much of the work is focused upon the "forgotten" story of anti-slavery courts, which she argues operated as the first international human rights courts. Called the Mixed Commissions because the judges that comprised these tribunals represented different countries, these courts were charged with enforcing diplomatic agreements outlawing the slave trade. Martinez demonstrates that an evaluation of the suppression of the slave trade and the role

these courts played can usefully inform current debates and the struggle to formulate and enforce international human rights law.

The monograph provides a useful overview of the efforts to abolish the trans-Atlantic slave trade. Although much of this story may be familiar to historians, the emphasis on the Mixed Commissions offers a fresh and useful narrative. While her focus is often on the actions of Britain and the United States and their complicated and strained relations during this period, her work does cover a wide array of nations and their role in abolition. Mixed Commission courts operated throughout the Atlantic World, including: Freetown, Havana, Loanda, Suriname, Rio de Janeiro, Boa Vista, Spanish Town, Cape Town, and New York. While the British Royal Navy was by far the most active in patrolling and stopping illegal slavers, other nations, including France and the United States, at different times and with varying affects also participated. Although Martinez's synopsis of abolition offers little that is original, those new to its study, academics interested in the legal mechanisms of abolition, human rights scholars without a background in anti-slavery, and students can gain much from this overview.

The "forgotten" story of the Mixed Commission makes for interesting reading. One reason a history of the Mixed Commission is so valuable is it provides the opportunity to examine biases as judges from a variety of countries administered international law. While some judges may have been lenient on fellow nationals, Martinez asserts that much impartiality did exist. A significant problem was getting other officials to enforce regulations. For instance, some port officials in Havana allowed ships to disembark even when it was obvious that they were equipped for slave trading (p. 95). Judges did not operate independently as they received instructions from their governments. This dialogue allowed judges to influence slave trade policies as they made recommendations on how to better enforce the law. The Mixed Commissions played an important role in stopping the trans-Atlantic slave trade and, according to the author, helped to free some eight thousand people (p. 6). The achievements of these courts are all the more incredible considering the great difficulties they encountered. Mixed Commissions were often hamstrung by poor, weak, or vague treaties, and the high mortality and morbidity rates meant that judges were often absent and colonial officials with little or no training were relied upon to administer justice.

The British strove to make slave trading analogous with piracy. This would mean that slave traders would be regarded as *hostis humani generis* (enemies of mankind) and that slavers could no longer hide behind national flags as anyone, regardless of nationality, suspected of slave trading could be searched and, if found guilty, punished for their participation. The idea that slave traders were *hostis humani generis* had the potential to serve as the basis of an international agreement that would privilege the protection of humanity over national sovereignty. While Martinez is quick to highlight the role of state sovereignty and national ambition in blocking a truly international response to slave trading it is clear that the concept of *hostis humani generis* as applied to the slave trade had an important impact on the development of international human rights law. Martinez argues that the legal mechanisms (of which *hostis humani generis* played an important part) developed to stop trans-Atlantic slavery laid the basis for two central aspects of modern international human rights law, "the concept of universal jurisdiction over human right abusers, and the concept of crimes against humanity" (p. 114). These two ideas are central to our current understanding of human rights and international law.

British efforts failed to create binding international law that would allow nations to stop those suspected of transporting slaves regardless of nationality. Instead by employing its military might, economic pressure, and bribery, the British created a series of bilateral treaties. While the treaties themselves could be rather weak, Martinez argues that the spirit of the treaties, especially the acknowledgement of the immorality of slave trading, made it difficult for nations to oppose future efforts aimed at its abolition. This demonstrates that national sovereignty is not an absolute barrier to the practice and protection of international human rights. It also suggests that a powerful nation (and here Martinez draws parallels with the United States) can do much to influence the formulation and enforcement of international human rights. The British employed the excuse of the spirit of the treaties (even those that had expired) to continue enforcement even when strictly speaking they had no legal basis to do so.

Martinez convincingly argues that by including anti-slavery in the narrative of international human rights law, scholars and practitioners of international law can gain useful perspectives. The traditional narrative of the development of human rights during the Enlightenment and its flowering after the Second World War and especially at Nuremberg leaves much out. She argues that inserting abolition and the Mixed Commissions into the narrative of the evolution of human rights law allows scholars to move beyond the narrow scope of rights laid out in documents like the United States Constitution and the French Declaration of the Rights of Man, which are largely concerned with the relationship between state and citizen. Abolitionists argued that slavery should be the concern of all and should not be exclusively expressed, protected, and defended through the relationship of citizen and state. They argued that certain basic fundamental 'rights' must be global and should be applied to all and in doing so made an important contribution to modern understandings of international human rights.

On the whole, this is a thought provoking book that will be of interest to many audiences including, but not limited to, those interested in international human rights law, historians of abolition, and students. The monograph would serve as an excellent addition to those teaching abolition or international human rights by offering an important counterweight to the state and citizens understanding of human rights.

John Rankin, *East Tennessee State University*

Volker Matthies. 2012. *The Siege of Magdala: The British Empire against the Emperor of Ethiopia*. **Princeton: Markus Wiener Publishers. 207 pp.**

In 1868, some 30,000 British troops (mostly Indian to be precise), marched over 400 miles into the Ethiopian highlands under the command of General Robert Napier. Their twin objective—the liberation of a number of Europeans who had been held hostage since the early 1860s by Emperor Tewodros of Ethiopia and chastising the emperor for daring to defy the mighty British Empire. In the end, they succeeded in the former objective. The latter eluded them as the mercurial emperor denied them the satisfaction of dragging him in chains to London by committing suicide when he saw all was lost, thereby attaining the status of a national hero.

The story, full of drama fit for a Hollywood movie, has been told and retold. The official record of the expedition (T.J. Holland and H.M. Hozier, *Record of the Expedition to Abyssinia*, 2 vols.), richly illustrated and amply documented, came out only two years after the event. Other participants of the dramatic encounter, including the famous Henry Morton Stanley of David Livingstone fame, gave their own version of events soon after. In more recent times, scholarly interpretations of the episode (Richard Pankhurst and Sven Rubenson) have been accompanied by more popular accounts, focusing on either *The Abyssinian Difficulty* (Darrell Bates) or *The Barefoot Emperor* (Phil Marsden).

It is a measure of the enduring fascination of Maqdala (the Ethiopian rendering of the mountain stronghold where the final battle took place) that Volker Matthies has deemed it fit to come out with yet another book on the subject. Originally written in German, it has been translated by Steven Rendall for the benefit of the English-speaking audience. It is rather misleadingly entitled *The Siege of Magdala*, as it deals with a lot more than the final battle. At any rate, the British did not lay siege to Maqdala; they stormed their way into it. The book begins with a rather sketchy background into the country that the author prefers to call "Mysterious Ethiopia." It then recounts and analyzes in detail the circumstances that led to the expedition, the organization of the expeditionary force, its "long march" from the town of Zula on the Red Sea coast to the Ethiopian interior, the "Aroge Massacre" (as the only battle Tewodros's forces were able to give is aptly described), the storming of the Maqdala fortress, and the withdrawal of the expeditionary force after the sacking and looting of Maqdala.

Richard Pankhurst, in his foreword, rather charitably compliments the author for his "extensive use of Ethiopian sources." It is rather the extensive use of German sources that lends the book added value. These include the accounts and reminiscences of many of the German officers and other observers who had been invited to witness the expedition first hand. Otherwise, although he frequently cites Sven Rubenson's standard diplomatic history (*The Survival of Ethiopian Independence*), the author has chosen to rely on the official report (Holland and Hozier) for the sometimes faulty English translations of Tewodros's many interesting letters rather than the more carefully translated documents in Rubenson's *Acta Aethiopica*. Some familiarity with Ethiopian names would also have averted the irritating use of the term "Amharan" for "Amharic" and the misnaming of Gafat as Gafar (p. 19).

The book has a contemporary ring with its evocations of "humanitarian intervention" and "embedded journalists." Its account of the port town of Zula that sprouted overnight on the coast and served as the base for the operations of the expedition—complete with a bazaar and a tavern curiously enough named after Tewodros (the very target of the entire expedition)—is detailed and fascinating. The book is also richly illustrated with a large number of engravings and a few useful maps. A novelty of the book is the use of boxes to highlight important events and personalities, even if they occasionally tend to be too long (cf. pp. 31-33) or the choice of topic perhaps too capricious (e.g., Gerard Rohlfs, pp. 83-84).

On finishing the book, the reader is left with the distinct impression that the expedition was launched more as a matter of honor than out of overriding concern for the hostages, many of whom were not British subjects. The author persuasively argues that the British were out to erase the far from sterling performance of British arms in the Crimean War and during the suppression of the Indian Sepoy Rebellion. At any rate, the costly expedition could have been

avoided had the British authorities had the elementary decency of acknowledging the letter of the intensely proud emperor to Queen Victoria. As it turned out, the hostages were generally well-treated and many of them were not particularly keen to return to their country. Even more incomprehensible is the senseless—almost vindictive—sacking of the Maqdala fortress and the looting of so many precious historical treasures.

Bahru Zewde, *Addis Ababa University*

Philip Muehlenbeck. 2012. *Betting on the Africans: John F. Kennedy's Courting of African Nationalist Leaders*. **Oxford: Oxford University Press. 333 pp.**

Betting on the Africans is a remarkable addition to a growing body of works that explore Africa's complex and diverse interactions with external powers during the Cold War. Muehlenbeck brilliantly captures how the intense post-war nationalism and decolonization in Africa coincided with the Cold War politics to cause a significant shift from Dwight Eisenhower's indifferent attitude toward Africa to John F. Kennedy's commitment to the continent "both in rhetoric and substance" (p. xiii). Taking a top down approach in analyzing the ideas that shaped Kennedy's engagement with African leaders, the author argues that Kennedy's Kennedy's choice of "personal diplomacy over modernization theory . . . proved to be a more effective strategy for improving US-African relations" (p. xv).

The book is divided into two parts. Part one contains seven chapters that focus on Kenndey's relationships with selected Africans leaders, revealing how Kennedy used "personal diplomacy" to win "over the sympathies" of African peoples (p. xxi). The author shows in chapter one that the US had limited engagement with Africa under Eisenhower because he had "little personal involvement in the relations between the United States and Africa" (p. 33). The second chapter contends that Kennedy's relationship with Africa was guided by four broad principles such as opposition to "European colonialism," acceptance of "African nonalignment," increased aid to promote "Africa's development," and a resort to "personal diplomacy" to create pro-American governments in the continent (p. 44). Muehlenbeck discusses in chapter three how Kennedy's personal diplomatic engagement with Ahmed Sekou Toure of Guinea, who his predecessor Eisenhower perceived and dismissed as a committed communist ally, helped "move Guinea toward the West" (p. 71).

Kwame Nkrumah of Ghana, a radical African nationalist, dominated the discussion in chapter four. Despite his frustrating and less successful attempts to court Nkrumah, Kennedy, as the author insists, remained unwavering in his dedication to African nationalism, believing that "winning the hearts and minds of the Third World was essential to competing in the Cold War" (p. 86). In chapter five, the author explores Kennedy's tricky relationship with Julius Nyerere, revealing how Kennedy's "rhetorical support for the idea of African self-determination without the use of sanctions or other direct pressure against Portugal or South Africa" disappointed nationalists in the region (p. 120). Muehlenbeck makes the case in chapter six that although Kennedy courted Gamal Abdel Nasser of Egypt and Ben Bella of Algeria less successfully, he "forestalled the potential for anti-Americanisms in the region (p. 140). As he

demonstrates in chapter seven, Kennedy's obsession with more radical African nationalists reflected his belief that they were "waves of the future" while perceiving conservative, pro-American African leaders such as William Tubman of Liberia and Felix Houphouet-Boigny of Ivory Coast as "relics of the past" (p. 141).

Part two of the book is a thematic treatment of how Kennedy's approach to African nationalism affected other elements of US foreign policy toward Africa. The four chapters in this part focus on the intense conflict between Kennedy and Charles de Gaulle of France over Africa and Kennedy's "half-hearted" attempt to strengthen relations with blacks in apartheid South Africa. The author also shows in part two that while Kennedy's commitment to civil rights in the US enhanced his reputation in Africa his cordial relationship with African leaders paid off during the Cuban Missiles Crisis when African leaders denied the Soviet landing rights in Africa.

For the most part, *Betting on the Africans* is probingly analytical, but the author minimizes Kennedy's half-hearted support for freedom movements in southern Africa by describing it as "certainly not his finest hour" (p. 120). Kennedy's failure in southern Africa undermines the author's argument that Kennedy was fully committed to African nationalism. It is difficult to accept the author's argument that Kennedy's choice of personal diplomacy "demonstrates that his feelings . . . were genuine and deep" (p. xiv). Given its protracted racial tension and bloody conflict, the southern African region in the 1960s was an area where Kennedy missed the opportunity to demonstrate his "genuine" "feelings" toward African nationalism. The author's inability to interrogate this gap in Kennedy's foreign policy underscores the regrettable bias that typifies Eurocentric writings about Africa.

Muehlenbeck correctly describes Kennedy as a pragmatist whose desire to win the Cold War made "other considerations . . . to take precedence over his desire to aid African nationalism" (p. 120). The author, however, ignores to fully link those "considerations" to the US policy of creating, nurturing, and collaborating with African leaders adjudged to protect its economic interests notwithstanding the harm those regimes inflicted on their countries. It is questionable and unconvincing for the author to assert that "pragmatic, strategic considerations" convinced Kennedy of Africa's importance "not economic interests" (225). Kennedy was unquestionably a good person; his inability, however, to carry through most of his well-intentioned programs in Africa during his short-lived tenure reflects—not his failure as a person—but the limitations of the US presidency. More importantly, it highlights the decisive and enduring influence of multinational corporations in shaping US foreign policy. These gaps notwithstanding, this book is approachable and accessibly written, and it is a refreshing and well-documented insight into Kennedy's intricate and captivating encounter with Africa. It is strongly recommended for scholars, students, and general readers seeking to understand the hype, hypocrisy, and hysteria surrounding the US and the Soviet Union's engagement with Africa during the Cold War.

Ogechi Anyanwu, *Eastern Kentucky University*

Garth Myers. 2011. *African Cities: Alternative Visions of Urban Theory and Prac*tice. **London: Zed Books. 242 pp.**

The urbanization of African societies is taking place in ways that challenge theories and models taken as dominant in the field of urban studies. Based on this central idea, Garth Myers explores the non correspondence between the African urban context and current urban theories in a form that should not be seen as just one more addition to the already vast library on urban Africa, since it is likely to contribute to important changes in the way cities in Africa are perceived and researched, even by the most progressive urban scholars based in developed countries.

Myers offers, in this well written book, a strong argument in favor of a revision of how cities in Africa are discussed, questions the use of models and metrics of Western developed countries in the study of cities in Africa, and proposes the use of "African urban concepts and experiences to speak back to theoretical and practical concerns in urban studies and disciplines that study cities more generally, while at the same time contributing to African studies as a field" (p. 1). He suggests a look at the complexity of African cities from new perspectives, comparing African cities with one another, instead of accepting them as examples of all that went wrong with urbanism. For Myers, African cities should not be seen as a category of non-city when compared to the western urban paradigm. He recommends an alternative to this predominant view, that African cities being viewed and researched as multifaceted, different from one another, and sharing a number of common challenges. These are: overcoming colonial inheritances of poverty; overcoming underdevelopment and social spatial inequality; forging non-violent environments; and coping with globalization. He does this in the six main chapters that make up the book.

The first chapter ("What if the Postmetropolis is Lusaka?") lays out what Myers considers to be the five themes of African urban scholarship in relation to Lusaka and have been influenced by the discourse of Edward Soja on the post-metropolis. He poses the question in this manner: "What happens, I ask, if we start the discussion about 'what has been happening to cities over the past thirty years' from Lusaka, or any other African city, rather than LA?" (p. 18). In answering this question, Myers identifies five main issues in Lusaka (postcolonialism, informality, governance, violence, and cosmopolitanism) that may be an example of trends and themes in other cities in Africa and which can then be the basis for new visions of urban theory and practice in the continent and for the creation of an agenda for African urban studies. Each of these five issues is then examined and dissected in detail in one of the remaining five chapters.

The first issue—postcolonialism—is dealt in chapter two ("Postcolonial Cities"). The author surveys the postcolonial facets of African cities, more than a half century past independence for many African countries, referring, among other legacies, to the fact that urban hierarchies in most of these former colonies remain imbalanced, the internal urban form continues segmented, and even the new capital cities built after independence reveal some traits of the colonial urban tradition. In the following chapter ("(I)n(f)ormal Cities"), Myers discusses the terms, origins, and scope of informal settlements in African cities. The author focuses on the daily struggles of residents in the informal settlements, so common in Africa cities, and in particular the struggles over land and housing in the center and on the periphery of the city. His main goal is to shed light on informality in city life in Africa and how it relates to the informal sector and informal

settlements, and the clashes of rationality between informal and formal areas and processes within cities.

Chapter four ("Governing Africa's Cities") addresses the third issue, that of governance, and examines the governance challenges of African cities and the responses of local governments and citizens to them, in particular with a focus on governance and service delivery. Myers discusses governance, service delivery and justice in African cities, interrogates the efforts to devolve in new ways agency to urban residents, what he terms hybrid governance, and discusses paths towards more just cities in Africa. This is followed in chapter five ("Wounded Cities") by the fourth issue—violence—in which the author dissects the case of Mogadishu. Although usually considered as an example of cities wounded by violence, it can still be seen, in Myers' opinion, as an ideal setting for alternative ideas about cities. Based on postcolonial literary criticism (e.g., the writings of the Somali novelist Nuruddin Farah), Myers highlights the importance of African cultures and urban visions in the process of linking the African city to the rest of the world, showing that even in the most wounded cities of Africa there are alternative visions that challenge mainstream perspectives of African urbanism.

The fifth and final issue that Myers identifies is the subject of chapter six ("Cosmopolitan Cities"). The author discusses the influence of globalization on the city in Africa and shows how globalization and cosmopolitanism have had a major impact on them, contrary to what is widely proposed in urban studies, and that not all these influences have been negative, suggesting that cosmopolitanism can be part of the better futures he seeks for African cities.

Garth Myers summarizes his main arguments and suggests a research agenda for African cities in the "Conclusion," explaining how a comparative approach to African cities might contribute to changing urban theory and practice in the continent and urban studies more broadly. In sum, considering the innovative perspective that Myers adopts and the evidence provided, the book will certainly be an important addition to the literature on alternative visions of urban theory and practice in African cities. For that reason it is a book valuable to graduate and post-graduate students and researchers in the broad field of urban studies in Africa and for urban planners as well.

Carlos Nunes Silva, *University of Lisbon*

Beatrice Nicolini. 2012. *The First Sultan of Zanzibar: Scrambling for Trade in the Nineteenth-Century Indian Ocean.* Princeton, NJ: Markus Wiener Press. xxvii, 179 pp.

For Africanists, the innovation in *The First Sultan of Zanzibar* is that it is an "Oman-centric" account of the political relationships established in Zanzibar at that time. This is different than more traditional accounts, which place the European colonial powers, be they Britain, Portugal, or France, at the center of the colonial story. When Nicolini puts Oman at the center of her narrative hub, the relationships between Zanzibar, Oman, and Makran in Baluchistan are highlighted, rather than the European capitals. Ironically, Nicolini does this by using the familiar sources of the British English language colonial archives. Thus, although, the story is indeed, as she intended about the Oman-centric trade-based "thallasocracy," it is still told through the eyes of the British colonial servants who directed The Great Colonial Game.

As is well-known, when the Europeans arrived in East Africa in the nineteenth century, they encountered merchant-based trading networks based in Zanzibar that reached deep into the Tanzanian interior.   Merchants had by that time established interior trading posts in Tabora, Ujiji, and eventually on into what is now the eastern Congo using the trade organizations of Oman-based Arabs. These Arabs operated from fortresses staffed by their Baluchi soldiers, African allies, and slaves. From these stations the merchants not only received British explorers like Burton and Livingstone, they also exported slaves and ivory to their plantations on the Indian Ocean islands. Indeed, this trade proved so lucrative that Sultan Saiyid Sai'di (1797-1856), the Sultan of Oman, in 1840 moved his capital from Muscat to Zanzibar from whence he continued to rule enterprises extending into central Africa, Zanzibar, the Persian Gulf, and into Baluchistan.

The strength of Nicolini's book is in the first half, where she emphasizes the Oman-Zanzibar-Mekara relationship and its role in the Indian Ocean world of the nineteenth century. Her use of the obscure term "thallasocracy" highlights that these were trade-based relationships, rather than Westfalian-style sovereignty. Particularly intriguing is Nicolini's argument that European concepts of sovereignty, with its emphasis on formal boundaries, citizenship-based loyalties, and non-interference are a poor fit for the Oman-centric world relationship she describes. Sultan Saiyid Sa'id, she points out, was the master of a web of far-flung relationships, not a sovereign maintaining a monopoly over the use of military force in a particular territory. She explores this thesis well in the first half of the book.

The book's second half focuses on the British and French struggles for influence in the Indian Ocean world with each other and in the context of later British opposition to the slave trade. This half will be of interest to historians studying more traditional colonial relationships, and it is quite different from the first half, which is about relationships between Makran, Oman, and the east African coast.

After reading Nicolini's book, I found myself wanting to know more, which is a sign of an intriguing book. In particular, I want to know more about the role of the Baluchi military who supported the Arab Sultans of Oman and Zanzibar. As Nicolini describes, they made their way into the Tanzanian interior, probably in the 1830s and 1840s, extending Omani thallosocratic-style sovereignty into unexpected places. I also was curious about what Arab sources, including those in Omani archives, have to say about these events. Indeed, Nicolini cites interviews with the descendants of the Arab trader Tippu Tib, who lived in Muscat as recently as 1993. What else might be available in Oman for linguistically sophisticated historians interested in nineteenth century east African exploration? Finally, I wanted to know more about the relationships within the Zanzibar court; despite the title of the book, this is not a biography of Sultan Saiyid Sa'idi. But, there is enough here to indicate that a full-scale biography of a man who ruled over such an intriguing socio-political arrangement is needed.

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Gloria Nne Onyeoziri. 2011. *Shaken Wisdom: Irony and Meaning in Postcolonial African Fiction*. Charlottesville and London: University of Virginia Press. 178 pp.

While it goes without saying that postcolonial African fiction inscribes human experience through the manipulation of verbal and rhetorical resources, the mode of discourse (language) in the depiction of both identity and ideology have been relegated to the background. Herein lies the relevance, necessity and aptness of Gloria Onyeoziri's *Shaken Wisdom*, a book that illuminates African fiction, linguistic theories (irony related), and gender studies. Written in a laconic and lucid language, the author's mastery of African culture and mores, orature, and linguistic theories were brought to the fore. *Shaken Wisdom* is structured into five chapters and gives an analysis of the cultural, linguistic, and historical problems of unearthing irony in postcolonial African fiction. Despite the fact that the author makes passing reference to various African writers, her tool of primary analysis consist of six literary works by Chinua Achebe (Nigeria), Ahmadou Kourouma (Cote d'Ivoire), and Calixthe Beyala (Cameroon). These authors stand as a representation of postcolonial African writers, and their works help the readers in understanding the place of irony in African communities. Since theorists of irony such as D.C Mueke, Wayne Booth, Philippe Hamon, and Linda Hutcheon have analyzed the ironic contents in European literary works, *Shaken Wisdom* is a writer's quota to fill such a lacuna in postcolonial African fiction. In the author's own words, "the goal of the study is to consider the relationship, within the context of African literary discourse, between irony and meaning. What is the purpose of irony, and how does it work in its various forms as part of the process of communication" (p. 2). A pedestrian definition of irony signifies a case in which the opposite of what is meant is said. But in this context, the power of language which suggests more than what the hearer/reader first seemed to have heard/read is referred to as irony. Alongside the fact that Onyeoziri delineates the form of irony in traditional forms of African discourse, the book also expatiates on the role of irony in postcolonial African fiction. In the current postcolonial milieu, irony has been used by writers as a weapon of resistance against tyrannies in African societies. In the same vein, it is a two edged sword that can be used to interrogate both the repressed and the oppressor.

The colonial invasion of the continent and the need for local authors to hide their critique of their mode of governance necessitated the use of irony. Also, this is in order to escape censure and get European publishers, readers, and critics and to show that various (though spurious) claims lacked depth. In the same vein, this approach also gained momentum during the present postcolonial era in which dictatorship (civilian, military, or monarchical) holds sway. The first chapter traces how the historical condition of contemporary African literature mutated into ironic function(s). The traditional potentialities and language in Achebe's *Anthill of the Savannah* (1987) stand as the canvas for analysing irony by which political oppression is depicted. Achebe uses irony both at the lexical and utterance level to teach and correct those in power. In the second chapter, the author gives a caveat that an irony can't be understood purely by its poetic figure alone but within the pragmatic framework of the way in which the language is used. Thus, the problem of irony is connected with interpretation and rhetorical competence of the receiver or hearer. She explores the difference between semantics (conceptual meaning) and pragmatics (meaning assumed or produced by the speaker). Achebe's *Anthill of the Savannah*

(1987) and Kourouma's *Monne, outrages et defies* (1990), *Monnew* (1993), and *En attendant le vote des bêtes sauvages* (1998) serve as textual materials.

The next chapter discusses the importance of proverbs in Kourouma's works and their role in the production of irony. Discussing Kourouma's texts, the author uses Edgar Lapp's pragmatic approach to unearth many ironic utterances. Kourouma uses characters like Koyega and Djigui to subtly infuse ironic statements. In the fourth chapter, Achebe's *Arrow of God* is used to investigate proverbial expression as a significant aspect of African literary writing. Thus, it provides hints on how proverbs (Igbo, in this case) serve as a linkage between orature and literary texts. The proverbs were subjected to Neal Norrick's analysis of irony (1985).

The last chapter deals with the new conception of ironic voice – a voice in the face of sexual and racial oppression. It is an (ironic) intention of a woman struggling to be heard above traditional strictures. Eve Marie and Edene of *savage passions* (1999) and *Les arbes en parlent* (2002) are the ironical women in the analysis of Calixthe Beyala's works. These two characters are in a potential struggle with the colonial and patriarchal structures. Eve Marie's writing is seen as a defiant act that later gives birth to her "words of survival, resistance and revolt" (p. 126).

Shaken wisdom is a rich mine of information and one of those rare books that broaden one's knowledge of postcolonial African fiction (language and literature). It is hereby recommended to all lovers of knowledge especially African literature students.

Oguntoyinbo Deji, *Faith Academy, Ota, Nigeria*

Philip M. Peek (ed.). 2011. *Twins in African and Diaspora Cultures: Double Trouble, Twice Blessed.* **Bloomington and Indianapolis: Indiana University Press. 376 pp.**

Twins in African and Diaspora Cultures: Double Trouble, Twice Blessed examines what it means to have twins, how twins identify, and how twins are treated as well as their significance or insignificance in African and Diasporan cultures. It explores various cultural and religious practices, artistic performances, and representations in what Peek characterize as doubling and twinning to provide readers with a broader understanding of this subject. Peek and his contributors who come from wide range of disciplines and backgrounds rely on visual representations, photographs and narratives about twins from various regions, gender, age brackets, ethnicity, and socio-cultural background for their analysis. The work provides insightful details and relies mostly on secondary materials, chanting, photographs, and stories about fertility. They seek to illuminate past perceptions about twins and shed new light on what twins symbolize in recent times. The thrust of the book is that those who give birth to twins and African societies in general no longer see twins as a problem or a curse. Rather, they see twins as a blessing and a value to society. In the words of Peek, "twinness seems far more related to symmetry, reconciliation, harmony, and synthesis than to oppositions and conflicts…demonstrate unification rather than bifurcation…consonance instead of dissonance, positive not negative" (pp. 26-27).

The book is divided in four sections with each addressing overlapping, converging and diverging themes. The first half covers the African continent, mostly the Western part, whereas

the end includes selected Diaspora regions. Indeed, the definition of twins varys from one location to the other: for the Nyoro twins are invisible beings and for the Nuer they are seen as birds (pp. 5, 7). These kinds of perceptions are juxtaposed with other forms of meaning. The analysis shifts from early literature especially by anthropologists who largely generalized twin birth. *Twins in African and Diaspora Cultures* therefore captures the exceptional nature of twins and the ways in which their stories, beings, spirituality, identity and varying personalities are celebrated both in their personal interactions with one another and with the larger societies they reside. In doing this, the book shows that although twins are mortal beings, they live in other forms after death. Specifically, some African societies use sculptures to symbolize the spirit of dead twins (p. 56). The personification or ritual reminds us of their two-ness and oneness in tandem (p. 74). Babatunde Lawal's chapter in particular shows how Yoruba cultures and cosmology "reinvent" a dead twin. According to Lawal, the living twin wears the cloth of the deceased sibling in a way to explain how the spirit of the dead still lives (pp. 93-94).

The latter part of the book provides aspects of Diaspora coverage. Ysamur Flores-Pena's chapter on the Lucumí Yoruba culture in Cuba explores how Yoruba experiences in the New World explains how Diasporic folklores and narratives contributes to the perception of twins elsewhere. Part of the chapter brings attention to the representation of twins in Catholic rituals and performances (p. 108). Pena concludes by highlighting the strength of Lucumí cultures, particularly the ways in which its physical and spiritual motifs are deeply wired to the cultures of Africa, the Caribbean, and others. Marilyn Houlberg's chapter focuses on twins (*marasa*) in Haiti and shows their duality in public space including restaurants, shops, on billboards and vehicles as well as nightclubs and churches (p. 273). Stefania Caponia on the hand provides a new insight into the meaning of Diaspora twins in Brazilian cultures and religions.

Twins in African and Diaspora Cultures accomplishes its task of providing an overview and an update on doubling and twinning in selected areas in Africa and the Diaspora. The work, however, has a few weaknesses. The scope for redefining views about twins is narrow. In general the application of "Africa" and the "Diaspora" are somewhat overstretched in the analysis. For instance, the use of the word "Africa" tends to extend the definition or perception about twins although very few countries on the continent are discussed in the book. When searching for a book that provides a broader coverage on twins in the Diaspora in particular this book will not provide all the answers. Yoruba representation, performance, and celebration of twins permeate most parts of the book. Despite such shortcoming, this book will prove useful to general readers and academics alike, especially those who are interested in religion, cosmology, cultural transfers, sociology, history, and anthropology. Indeed, this is a good introduction to the topic, but other works will be needed to provide a comprehensive analysis of other ethnic and language groups omitted from this book. They include, for example, Akan, Wollof, Mandingo, and other major groups on the African continent and those who crossed the Atlantic to Jamaica, Columbia, Puerto Rico, and other Atlantic dispersed communities.

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Marleen Renders. 2012. *Consider Somaliland: State-Building with Traditional Elders and Institutions.* **Leiden: Brill. 281 pp.**

Renders begins her monograph with a story that quite wonderfully captures the complete contrast between Somalia and Somaliland. During the summer of 2005, BBC TV journalist Simon Reeve shot a series called "Holidays in the Danger Zone: Places that Don't Exist." He distinguished southern Somalia (recognized by the international community as a state) from Somaliland in the north (unrecognized by any state as a state). In the former, he merely represented the degree of anarchy by buying a Somali diplomatic passport from an independent passport-maker in the Bakara market in Mogadishu, as everything was on sale. In the latter case, the state of affairs was contrastingly distinct, with Reeve coming across people stopping for red lights.

Out of the ruins of the Somali Republic, a methodical democratic polity with institutional *bricolage* has emerged. For the better part of the last two decades, Somaliland has been limned as an African miracle or even as the "Switzerland of Africa" and the "best kept secret." Several Somali observers, who seemed to admire personalist—if not Siadist-style—regimes, attributed such state-(re)building success to Mohamed Haji Ibrahim Egal, an old hand in Somali politics and the deceased former president of Somaliland. I should add that what is beyond dispute is that Egal, a career politician, masterfully did an incrementally outstanding chore as Somaliland president (1993-2002) that he had not had the chance in doing as prime minister (1967-69) in Somalia. In the eyes of this reviewer, Somaliland's search for recognition seems similar to the situation of a nomadic Somali camelman, who, after finding himself in a point of no-return, lamented a bit ruefully of the fate of his beast thus:

> One of my she-camels falls on the road
> And I protect its meat,
> At night I cannot sleep,
> And in the daytime I can find no shade

To identify Somaliland's recipe for success, Renders examines political and state (re)construction in the secessionist entity. Somaliland, argues Renders, "manifested attributes that theoreticians of state-building love: a modern, instead of a clan-based system of political representation, government institutions that have expanded to the regions, increased government oversight over social service delivery and increased government oversight over revenue collection and spending" (p. 153). Yet she scarcely defines what she meant by state within the local context, apart from her classification a la Max Webber. Citing the 1996 World Bank report, which highlighted a deep "crisis of institutional capacity" in Africa, anchored in the dichotomy between "original and transplanted institutions" (p. 23), Renders sets out to explore "institutional reconciliation" by employing those two conceptions. In the Somali context, constructing a modern, viable state entails a balance to neutralize the impact of the clan and state's monopoly of violence, primarily owing to the pastoralist clan system that endures no state institutions, let alone authoritarian structures. Thus, civil society groups (and other concerned citizens) have to undertake great efforts to preclude clan politics from penetrating into the state edifice.

The clan elders lacked the political attributes and technocratic expertize necessary to take Somaliland on the path of peace and sustainable development. Historically, the traditional clan

elders were representatives rather than leaders of the clans. In the absence of viable state institutions, clan elders and clan institutions, nonetheless, became the most important medium of power and politics in Somaliland (and some parts of Somalia). As such, the realms of the clan system and state are inseparable, so it is important to trace them, particularly the role of the traditional leadership in establishing Somaliland, which now enjoys democracy and stability that other regional states are unable to garner.

Such an indigenous state formation derives from the leverage of the traditional clan leaders who, albeit regarded as an anachronism by some local Somali critics, were instrumental—and played the most significant role—in state institution-building of Somaliland. From the outset, the task of creating a "clanless state institutions" was thorny. The maturity of Somaliland state arrangements was reflected by the fact that the clan elders were included, some of whom in the past had sided with the erstwhile dictator Siad Barre, whose army had done much mayhem in the territory and to Somalia in general. The result, states Renders, was a "negotiated" state, when many states in the global South suffer from lack of legitimacy in disregarding the indigenous traditional institutions.

Successive post-independence Somali politicians considered traditional elders as a primordial inappropriate for community representation, though they at times used them for their own political ascent, but the clan elders were suppressed under the military regime; only those favored due to clan affiliation and sycophantic elders were left out. Siad Barre's regime not only oppressed Somaliland communities socio-politically but also suffocated them economically by suspending the *franco-valuta*, which was a credit system allowing local traders to have import commerce licenses with their foreign currency. Renders observes that the elders then formed the basis upon which the clan rebel groups relied. Subsequently Siad Barre's army, inflicted a ferocious reign of terror on the local residents during the 1980s. This was to lay the basis for Somaliland's secession proclamation in May 1991. During the dictatorial rule, the clan elders became politicians and, following the fall of the regime, they had reaffirmed their role and emerged as brokers of clan politics, as fierce contestation over state machinery led up to a bloody conflict, with each sub-clan vying for a lion's share in the spoils of the government. This time the clan elders returned to the political scene to mediate warring groups, for they intermingled with politicians in ways never seen before so that they moved with them at every turn and everywhere. While on that way, their number multiplied, so much so that it witnessed two half-brothers claiming the same title of a clan chieftainship.

Though the traditional leaders reasserted their symbolic rule over their communities after the collapse of the military dictatorship in January 1991, Renders points out how citizenship and nationality are very fluid concepts in the Somali context, for the clanship is the only one domineering that is more or less cloudless. She explains that the tradition in which the clan elders performed their authority was completely shattered in the eastern Somaliland regions, in part due to chronic corruption and heavily politicized culture that accepted several former military officers and politicians assuming the title of clan chief. The price of becoming a *garaad*, as chiefs are locally known, was very high and seen as a sign of survival to escape from a destitute life. Here the words of one local resident who stated that the clan leaders "are the new warlords here" (p. 194) encapsulated the role of the politicians-cum-traditional leaders.

Consisting of a cluster of clan families, of sub-clans, of sub-sub-clans, and so on and so forth, Somaliland's earlier approach to state-building, it could be contended, built on grievances from unrivalled atrocities committed by the military dictatorship. During this autocratic regime, the Somali state became characterized by clan-based hegemony guided by oppression and intimidation. When Siad Barre adopted clannism as a means to mobilize adherents and obtain ground support, rebel groups, including the Somali National Movement (SNM) that liberated Somaliland from his rule, utilized the same tactic in appealing to their fellow clanspeople to rally behind their cause. It was here that the inconsequential traditional clan feuding among clans was revived, only this time the contestation was not for pasture, water, and land grabbing (as it was historically) but rather for state resources through an armed conflict. Then the clan elders became involved in political process during the formation of such a rebel movement.

The Siadist military dictatorship organized a counter-insurgency militia known as the "auxiliary forces" comprising of northern clans allied with the regime, altering the course of fighting into one between (and within) local clans. Siad Barre's devotees, in this case Somaliland's *bête noire*, recently convened a conference in Sool, eastern Somaliland, where they proclaimed a clan-centered administration only in name and on paper with the assistance of neighboring Ethiopia. It is worth noting that the claim to the Sool region (as well as Sanaag) is disputed by both Somaliland and Puntland, an autonomous breakaway clan-based administration in the former *Somalia Italiana*. Hence the area districts now have both Somaliland mayors and Puntland mayors. This gives a clear indication of how the notion of nation-state is an anathema to the Somali clan structure, which seeks to stand as a state for (and in) itself. Another prominent case in point is Gaalkacyo, a town in northeast central Somalia, which has two different police forces from Puntland and Galmudug, another clan-centered administration. Clan mini-state adventures can be labelled as an "organised crime" since they seek to foster a new way of clannism that fostered hatred among the disparate Somali communities instead of constructing cohesive communities.

With the development of a strong "Somaliland consciousness"—the identity that reached beyond clannism—it appears now that under no circumstance would Somaliland be prepared to return to a (re)union with Somalia. For instance, the local residents still associate rule from Mogadishu with the oppression and dictatorship that traumatized them in the 1980s. Though Renders does not seem to be aware of this, the paradox of Somaliland secession lies in the positions of the three highly-educated and prominent Omaar brothers: one is a unionist who recently became a Foreign Minister in Somalia; another, a long-time human rights activist, is a secessionist; the youngest is an Al Jazeera television journalist who falls halfway between his brother or at times is a combination of both.

The author has had her own Simon Reeves' experience. Her first visit to the territory propelled her into "a search for the roots and the nature of statehood and state-making outside the Western worl" (p. 263). Her frank conclusion is that Somaliland is a successful case of a classical Weberian state of hybrid polity but cannot be imported to fix problems in the other Somali territories insofar as a state is makeable, primarily because of too many "parameters and variables." Rebuilding the state is not a technical fixation but rather a political pursuit. It is a pity that Renders does not refer here to Joel Migdal's (1998) study (which is featured in her

bibliography) that the traditional leaders, a crucial part of Somaliland's hybrid state, weaken state structures in the way they question the latter's monopoly of violence.

A few flaws are worthy of mention prior to concluding the review. Render's treatment of Abdirahman Tuur, the first Somaliland president, as opposed to Egal, the second president, seems unbiased. When assessing administrations led by the two leaders, the author does not take into account the idiosyncratic circumstances in which they had operated at the peak of the political bedlam in the early 1990s. True with real terms, Egal is remembered to have bought peace by bribing war-weary opponents. Moreover, the author's assessment of the United Nations Operation in Somalia (UNOSOM) was also altogether negative. And affiliating Jama Ali Jama, a contender for Puntland regional presidency in 2001, with al Itihaad, an extremist Islamist group, is both misleading and baffling. Jama's administration was annihilated by Ethiopia by using such allegations of linking it with al Qaeda in order to groom its favorite warlord Abdullahi Yusuf for the Somali presidency. In a nutshell, though this reviewer would have liked to have seen more references on primary Somali sources where appropriate, the study is somewhat overshadowed by some avoidable inaccuracies. First, the Transitional National Government of Somalia was formed in Djibouti in August 2000, not in 2001 (p. 187). Second, the Puntland authority was declared in August 1998, not in July (p. 184). Overall, however, this is an excellent contribution to the scanty scholarship on Somali state-formation.

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Lorelle D. Semley. 2011. *Mother is Gold, Father is Glass: Gender and Colonialism in a Yoruba Town.* **Bloomington: Indiana University Press. 235 pp.**

The Yoruba saying, "mother is gold, father is glass," is Semley's point of departure for her study on gender and colonialism in Ketu, Benin. She employs oral traditions, archival sources, and interviews to demonstrate that gender relations in Yoruba history and culture are contradictory. At the symbolic level, comparing mother to gold implies that women are more valuable than men, yet women, as wives, are often considered subordinate to men. Also, in a society where men are more dominant, fathers are compared to glass, signifying that they are less valuable and their presence more illusory (p. 3).

Using the concepts of "public motherhood" and "public fatherhood," Semley illustrates the possibility of rethinking gender in West Africa. She suggests that it is important to interrogate the symbolic power of husbands and fathers and the presumptive disempowerment of mothers and wives by examining the relationships between mothers and fathers and between wives and husbands. As such, Semley posits that examining these relationships illuminates the "multiple and changing relationships between women, men, power, and vulnerability" (p. 161).

Chapter one elucidates the important relationship between "public mother" and "public father" figures in establishing the kingdom of Ketu. Chapter two focuses on Ketu's neighboring kingdoms, Oyo and Dahomey. In Oyo, women's power was inextricably linked to the King, and exercised through the office of "public motherhood". "Public motherhood" had nothing to do with biological mothering but with the execution of "key roles in the ritual, religious, political and economic-well being of the community" (p. 33). Although Semley is detailed about

women's ritual and religious activities, she does not adequately expound the ways in which women played key leadership roles in political and economic aspects of the community.

Semley cogently demonstrates that the slave trade contributed to the displacement of "public mothers" in Dahomey. Women were needed instead as wives for reproduction, labor and prestige (p. 47). The king used women to demonstrate his power by offering them as presents to solidify relationships. However, one downfall of accumulating many women was that their loyalty was not always to the king, which thus left the king vulnerable.

Chapters three to five highlight the multiple positions of Ketu women as vulnerable and powerful. Women were vulnerable because of the subordinate roles as wives and slaves and through their exploitation by French colonial administrative policies. The French administration briefly recognized elderly women's leadership by appointing two women as colonial intermediaries for six years, but colonial policy quickly focused more on domesticating women as biological mothers who could reproduce and maintain a healthy labor force. Semley also notes that women exercised power as "mothers" despite their inferior status as wives and slaves and reveals that some women did not conform to French expectations of womanhood. Chapter six examines the ways in which access to 'modern goods' and trading gave men economic independence to control how they became husbands and fathers as well as challenged the "distinctions the French wanted to make between the 'evolved' Africans who would lead and the 'masses' who would follow" (p. 116). In these four chapters, Semley impressively presents in-depth information with clarity and surprising readability ease. However, the seeming contradiction between the discussion on the declining status of titled elderly women as "public mothers" during the Atlantic slave trade and the French colonial administration's observation of the importance of "public mothers" is not clearly reconciled.

Chapter seven centers on the women priests of Candomble, a Brazilian African-based religion, founded in the nineteenth century by three enslaved "mothers" from Ketu. The Candomble women priests are called "mother-in-saint," and they lead alongside their male counterparts, "father-in-saint." Semley explains that while mothers and symbols of their power have been preserved on both sides of the Atlantic (p. 151), the "mother-in-saint" is vulnerable to the power dynamics of race and gender and has to negotiate her identity around racialized and sexualized images of "Black motherhood." Semley concludes by describing Ketu's first woman mayor, Lucie Tidjani. The author uses Tidjani's experience as mayor to envision a "public motherhood" that embraces the identities of mother and wife but also extends women's power beyond these two identities to challenge the hierarchy that propagates women's vulnerabilities in society.

While *Mother is Gold, Father is Glass* is an innovative approach to gender in the African context, it does not convincingly demonstrate, as insinuated in the prologue and the title, the ways in which men were truly vulnerable. Nevertheless, this is an engaging and informative book for scholars interested in African history and gender.

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Jean-Michel Severino and Olivier Ray. 2012. *Africa's Moment*. David Fernbach (transl.). Malden, MA: Polity Press. 317 pp.

According to popular publications such as *The Economist* and *Time Magazine*, Africa is rising. We are certainly living in Africa's moment. Yet for Jean-Michel Severino and Olivier Ray, this moment comes at a time when literature on the continent is outdated and lacking in clarity. In *Africa's Moment*, Severino and Ray set out to update our way of thinking about the continent. They do so without embracing either the Afro-pessimist or Afro-optimist camps. Instead, their book provides a general overview of Africa "at the time of its metamorphosis" and predicts how this metamorphosis will shape Africa's future. By metamorphosis, Severino and Ray refer to the demographic and development shifts on the continent in the late twentieth and early twenty-first centuries. Thus the focus of the book is primarily on population growth and economics.

Severino and Ray's biggest fear for African development is its rapid population growth and urbanization. They argue that African states will face a crisis of instability if they are unable to address the social needs of these new populations. On the flipside, they contend that urbanization is having a positive effect on African stability by making traditional, ethnic and tribal ties obsolete. The urbanities that they describe are more nationalist than their ethnicity-driven, rural dwelling compatriots. This is especially true for those who are born in Africa's growing cities. These urbanites do nott speak their ethnic language or practice their ethnic traditions. They are truly Kenyan and Congolese or perhaps more specifically, Nairobian and *Kinois*. The authors see the future of Africa resting on the shoulders of the new, growing urban middle class. They don't seem to have a problem with the loss of language and culture that occurs in the wake of this transition. Nor does their analysis provide convincing evidence that these urbanites are truly beyond ethnicity. For example, see the Kenyan election violence in 2007, which was largely related to ethnic tensions in urban centers manipulated by political elites.

Since both authors are economists by trade not surprisingly chapters focusing on economic issues provide the most thorough analyses of the book. At points, their work reads like a justification of World Bank structural adjustment policies (SAPs). Their prescriptions for good governance, economic diversification, and privatization ring loudly throughout the work. However, they also acknowledge that these structures take time to develop and must be done through local demand rather than international pressures. For example, Severino and Ray write, "The rock of local circumstances is far more solidly anchored than the fragile bark of international decrees—led on by the sirens of ideology and the hit-and-miss steering of its captains" (p. 170).

It would be impossible to summarize the present challenges and potential future for a continent as diverse and complex as Africa in a little over 300 pages without sacrificing depth of analysis. The result is a book that reads like a lengthy literature review and/or a collection of briefing papers, with examples from various (mostly Francophone) countries and anecdotes from the authors' personal experiences sprinkled throughout. Even though the book's analysis is surface-level and relies on overgeneralizations, *Africa's Moment* is a useful primer on African development and recent history that is easily accessible for mass consumption. The greatest contribution of this work is that it attempts to tackle the present and potential future for African

countries by addressing a complex set of demographic and economic factors. The writers provide a Francophone perspective that is rarely available in English. Their views on structural adjustment policies are controversial, but novel in an era of anti-SAP consensus. Some readers will likely find the book's disorganization and lack of thesis confusing or even frustrating. Others will find the authors' generalizations unwieldy and crave a more systematic, deep analysis than the book provides. However, if the goal of *Africa's Moment* is to stimulate discussion and serious thought about the current and future state of the continent, then the book is fairly successful.

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<div align="right">Amanda B. Edgell, University of Florida</div>

Matthew Stanard. 2012. *Selling the Congo: A History of European Pro-Empire Propaganda and the Making of Belgian Imperialism***. Lincoln: University of Nebraska Press. 387 pp.**

Belgium ruled the Congo from 1908 until 1960. Stanard's chief goal in *Selling the Congo* is to explore the ways in which the production of imperial and colonialist propaganda affected the Belgian nation and its self-conception during the era of direct Belgian rule of the Congo. In order to achieve this aim, he sets about a thorough examination of Belgian propaganda relating to the Congo while under direct rule.

Prior to 1908, the Congo was not a colony of Belgium but rather the private possession of its king, Leopold II. During this period, Leopold set about plundering the natural wealth of the Congo for his own ends. Stanard attempts to demonstrate that the colonial period under Leopold II laid the foundations for much of the imperial propaganda that was later prevalent in Belgium. Traditional scholarship has often portrayed the Belgians as "reluctant colonists" who inherited the Congo rather than actively having sought to obtain it. Stanard does a convincing job of thoroughly shattering this myth through his examination of propaganda and the attitudes of Belgian from this period.

The falsity of the "reluctant colonist" picture is nowhere made clearer than with the author's examination of the attitudes of the Belgian people towards Leopold II after his death. For the most part, they Leopold viewed as a founder and a hero who undertook the task of civilizing the Congo. Belgians expressed gratitude for his ability to obtain the Congo as a colony through his personal efforts and to then bequeath it to the Belgian nation. Even as late as ten years ago, the people of Belgium celebrated the rule of Leopold II by erecting a statue in his honor that emphasized his role in the acquisition of the Congo.

At the same time, however, Stanard is emphatic in showing that we do ourselves a great disservice if we fail to make an important separation between the period of Leopold's rule and

the time of direct Belgian rule because there exist a number of salient and interesting differences between the two periods. Whereas the government disseminated most of the propaganda during Leopold's rule the period of direct Belgian rule occasioned propaganda measures from several institutions. These included missionaries and private enterprises that profited from the exploitation of the Congo.

Most of Stanard's conclusions rely upon the five forms of media through which pro-empire propaganda was disseminated in Belgium. These include expositions, museums, pro-empire education, monuments, and colonial cinema. He shows how Belgian world fairs and museum displays worked hand in hand with pro-empire education to reinforce a positive reaction to the notion of empire. The picture that emerges is that though Belgian rule of the Congo was exploitative, it was not so to the same extent as during Leopold's time, a period marked by wanton cruelty and the stripping of resources from the Congo. Instead, Belgian pro-empire propaganda sought to portray its rule of the Congo as a civilizing mission undertaken by the Belgian nation and aimed at the benefit the people of the Congo.

Perhaps the strongest part of Stanard's work is the way in which he draws conclusions about Belgian self-identity on the basis of pro-empire propaganda. Prior to its possession of the Congo, Belgium played no role on the world stage. Through its possession of such a vast and rich colony, Belgians came to view themselves with more pride and as a player in world affairs. More importantly, the possession of the Congo served to lessen the ethnic tensions that had long existed between the Flemish and the Walloons. Given the stark difference between the European inhabitants of Belgium and the dark-skinned inhabitants of the Congo, the differences between the Flemish and the Walloons came to pale in comparison. In that sense, the colonial occupation of the Congo had the beneficial effect on creating a sense of unity among the people of Belgium that had hitherto not existed.

In order to support his claims, Stanard draws utilizes several kinds of sources. Much of his supporting evidence comes from libraries, archive collections in Brussels, and government records. On the whole, Stanard does an adequate job of achieving his stated intentions in *Selling the Congo*. Given that the study of imperialistic sentiment and propaganda in European nations during the first half of the last century has received relatively little attention, his book serves as an illuminating introduction to the topic. It has the added virtue of directing its attention not so much to Leopold's ruthless rule of the Congo as his personal colony but rather to the period of direct rule, a topic that has been neglected for far too long in the study of modern European history. Though its focus is on the small nation of Belgium, it is nevertheless able to reveal a great deal about the attitude of Europeans towards colonialism and the importance of pro-empire propaganda in the shaping of national identity.

One of the central virtues of *Selling the Congo* is its appeal both to serious scholars who focus on European colonialism and to amateur enthusiasts who have an interest in modern European history. Stanard's style is formal though not to the point of being pedantic. Though Stanard's claims and arguments are not as concise as one might have hoped, it must be admitted that he does a good job of closing of historical possibilities that might serve as objections to his claims. Stanard seems extremely well-informed regarding his subject matter though he seems to have less appreciation and understanding for the situation in the Congo region during this period than for Belgium. In short, this book is recommended not only

because of its intrinsic merits but also because it addresses in a serious way a particular aspect of European history that has for the most part been entirely overlooked by historians.

Stanard's study, however, is not without flaws. Many readers are likely to be disappointed by the fact that he does little to connect up the imperialistic attitudes of the Belgians with those of larger colonial powers such as France and Great Britain. He does not seek to tell us whether the Belgian occupation of the Congo was in any important sense different from the occupation of other lands. In addition, he does not focus much on the shift in the perceptions of the Belgian people regarding the possession of the Congo that eventually led them to grant the Congo its independence in 1960.

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Timothy Stapleton. 2011. *African Police and Soldiers in Colonial Zimbabwe, 1923-80*. Rochester: University of Rochester Press. xiv, 313 pp.

Timothy Stapleton has written a searching and detailed study of African police and soldiers in white minority-ruled Rhodesia from the attainment of colonial self-government in 1923 to the independence of Zimbabwe in 1980. Stapleton captures the contradictory implications of the white regime's dependence on black Rhodesian security forces to maintain law and order in the segregated territory. He also explores how African security forces both contributed to the maintenance of white social control by using violence in defense of the state, and undermined it by becoming part of a socially mobile and educated middle class and by demanding equality of promotion, housing, benefits, and security of tenure on par with white soldiers and policemen.

Divided into eight chapters, Stapleton's book provides a deep perspective into every aspect of the lives and vocations of African security forces from recruitment and motivations for enlistment to demobilization and veterans' pensions and benefits. Other chapters explore education and social mobility; perceptions of security forces; daily camp life; the objections of enlisted personnel, particularly as regarded limited opportunities for advancement; and travel and danger on duty. He exhaustively researched documentary sources in the National Archives of Zimbabwe and synthesized secondary sources into a coherent narrative. The magazine *Mapolisa*, a newsletter by the British South Africa Police (as the Rhodesian police force was called until 1980), was a gold mine of information recording African voices from and views on the profession. While *Mapolisa* is an incomplete record as it had a white editor, it nonetheless provided Stapleton with a worthwhile and largely unexplored body of material.

Perhaps the most helpful contributions of Stapleton's study involve his observations about aspects of daily life that are rarely explored in traditional academic histories. He unearths fascinating testimonials from minority voices such as disabled veterans and immigrants from Northern Rhodesia and Nyasaland, and he reaches topics that are under-researched, such as leisure, sport, and recreation. The most original chapter was the shortest and likely most difficult to write: the experience of women as police and soldiers and as wives and mothers of security service members. Like men, women faced opportunity and danger on duty as well as the cross-cutting implications of racial discrimination in the colony, but additionally suffered from lower salaries, reduced promotion potential, and restrictions on marriage. In researching

an archival-based history as detailed as Stapleton's, the underemphasized and undermemorialized voices of women are unusually difficult to discern. His meticulous approach pays off as he strings together tiny nuggets of detail into a complex narrative that found women's motivations in joining service and challenges during and after to be just as complex as those of their more numerous male counterparts.

Because Stapleton's conclusions are often not ambitious and are limited to the sources he has, he occasionally provides too much detail, with some repetition in the earlier chapters. In addition, the sharply contrasting experiences of African police forces in the townships and African regiments fighting overseas in Burma and colonial Malaya are not fully compatible with the book's conceptual organization. The experiences of African police and soldiers at times seemed only superficially comparable, and it is not obvious that they should have been treated together. But Stapleton would acknowledge the limitations of necessity inherent in the book. We cannot know from a study so reliant on documentary evidence, for instance, whether African soldiers and police were accomplices to torture, prison abuse, or extrajudicial executions involving African nationalists, and whether they had conflicted feelings in doing so. We cannot know from Stapleton's study the private moments of grief for the loss of comrades and friends in battle, the torment of post-traumatic stress disorder, or the guilt of survival or of complicity. The answers to these difficult questions fly under the radar and would be better explored in subsequent research based on oral histories of military and police veterans.

This is not to undermine the most important benefit of Stapleton's study: the digestion and organization of an extraordinary amount of primary and contemporaneous material. Although his conclusions are not necessarily expansive, the completed work is a strong and broad-ranging foundational text for later researchers. Stapleton's development of how African police and soldiers forced reforms in the service, for instance, down to the details of their uniforms, job duties, and accommodations, is a case study in how Rhodesians of African descent used their agency to undermine or reinforce racial segregation and alter relations with the white state. Despite their ambiguous social position, many conducted themselves with valor: African soldiers were among the first to master parachuting from aircraft, for instance, and undercover police played a critical role in security operations during the Rhodesian War. Stapleton's study also provides strong supporting material for studying the role played by African war veterans of World Wars One and Two, especially the disabled and wounded, in contributing to African nationalist protest politics either as symbols or as participants. These are undoubtedly worthwhile points of departure for future research, and Stapleton's text will be the foundational source for later scholars.

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Guy Vanthemsche. 2012. *Belgium and the Congo, 1885-1980.* Cambridge: Cambridge University Press. 289 pp.

Belgian historian Guy Vanthemsche examines three major themes in this remarkable investigation of historical linkages between Belgium and the Congo: the burden of empire; the colonial power's economic gains from the colony; and the reciprocal influences between colony

and the metropolis before and after decolonization. Based on a rich array of data, meticulous research, and an exhaustive documentation of useful sources on these themes, this book succeeds in providing clarity on the history of the Congo and how it resembles or differs from that of other colonial territories.

With respect to the "burden of empire" thesis, or the notion that colonial territories were a financial drain on the metropolitan power, Vanthemsche follows in the footsteps of Jean Stengers, the father of Belgian colonial historiography, who had invalidated this thesis in the Congo case by showing in his 1957 book, *Combien le Congo a-t-il coûté à la Belgique,* that the Belgian taxpayer paid hardly anything for the colonial enterprise in Central Africa. Vanthemsche points out that even before the Congo became a Belgian colony in 1908 the first colonial regime under King Leopold II was not a financial drain on the Belgian treasury. For while the king borrowed heavily from the government to finance his colonial adventure, the Belgian state spent approximately forty million gold francs in the Congo Free State (CFS) but earned sixty-six million gold francs from the real estate property that Leopold II relinquished and the public works that he had financed with CFS revenues. Thus, as the author concludes, "the Congo Free State was ultimately profitable to Belgium" (pp. 160-61).

Likewise, since Belgium refused to support the colony financially, Congo state finances remained separate from Belgian state finances throughout the entire colonial period, from 1908 to 1960. On the other hand, it was the Congo that provided financial support to Belgium, including lending money to the Belgian government in exile in London during World War II and providing military assistance to the Allies. As for the much-touted Ten-Year Plan of economic and social development (1949-1959), it turns out that it was not financed by Belgium, as the colony was required to borrow the funds.

Did the colony benefit the metropolis economically? According to Vanthemsche, the total share of the Congo in Belgium's total trade was modest, but imports of raw materials from the Congo and exports of metal construction and metallurgical products were very important for specific sectors of Belgian industry. He also agrees with the conclusion of Belgian scholars Frans Buelens and Stefaan Marysse that colonial corporations, and the mining firms in particular, performed much better with respect to total return for stocks than their Belgian counterparts. Thus, while the economic and social ties between Belgium and the Congo were of little concern to Belgian society as a whole, they were very important for large financial groups and an exclusive Belgian elite.

The third and most innovative theme of the book concerns Belgian linkages with the Congo, both colonial and postcolonial, together with their relative weight in contemporary political, economic, and cultural life in the two countries. If seventy-five years of Belgian imperial presence did undoubtedly leave a significant impact in the Congo, the most interesting question today is relative to the impact, if any, of the Congo on Belgium from the colonial experience of former Belgian administrators, missionaries and company personnel, as well as the presence of a growing number of Congolese residents in Belgium. Vanthemsche offers an interesting but limited glimpse of this vast area of inquiry. Much of his analysis deals with the declining role and influence of Belgium in the Congo, a decline that is in part due to lack of sufficient preparation for independence, support for the Katanga secession, the assassination of Patrice Lumumba, and the Mobutu dictatorship.

Placing this decline in Belgian political, economic, and social ties with the Congo in a comparative perspective, Vanthemsche shows how Belgium as a colonial latecomer had too little time in which to cultivate the kinds of relations that the British, the Dutch, the French and the Portuguese established with their respective colonies. Consequently, the number of Belgians who returned home following decolonization and the number of Congolese who moved to Belgium since independence pale in comparison to what happened with the major colonial empires. While it is true, as the author points out, that the Congolese community in Belgium is the eleventh largest foreign group in Belgium, its political weight and cultural presence do rank much higher.

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Nina Wilen. 2012. *Justifying Interventions in Africa: (De)stabilizing Sovereignty in Liberia, Burundi and the Congo*. **New York: Palgrave Macmillan. xi, 225 pp.**

In a well-written and tightly organized book Nina Wilen examines the crucial puzzle in humanitarian intervention: how does "one stabilize a state through external intervention without destabilizing its sovereignty" (p. 179)? To answer this question she employs a novel constructivist study of the discourses in sovereignty in the regional and international interventions for Liberia, Burundi, and the Congo (Kinshasa). She argues that sovereignty is defined by three components: the international and regional interpretive communities, the people within the state, and what she calls the logic of representation—the loop between those in power and the people. Interventions can possibly be seen as legitimate or destabilizing depending on the community involved.

Wilen also analyzes sovereignty in relation to UN nation building and developmental missions that followed these interventions. She privileges the concepts of capacity building and local ownership. Through interviews and primary documents she argues that the UN often works for the local population, and not with it—which is a subtle but important difference. The UN might have meant well in these post conflict nations, but it suffered from unrealistic demands and impossible timetables, combined with pressure from donor nations to get something done. The UN also inadvertently created a brain drain by hiring the best and the brightest and away from local governments. Wilen argues that in end: "local ownership and capacity building . . . function more as 'rhetorical legitimizers' [of the UN] than as channels to increase local participation" (p. 182). These missions have challenged the concept of sovereignty and created a culture of dependency.

Her overall conclusion is that intervention in Africa is indeed a paradox. In two of her cases (Liberia and Burundi) national sovereignty was destabilized by the actions of regional organizations. In the Congo, the Angolan and Zimbabwean led intervention strengthened President Kabila's sovereignty, but possibly at the expense of future state building. For Wilen, intervention is like an inversion of the saying, "good fences make good neighbors" (p. 189). External intervention (the violation of sovereignty) becomes a process to maintain international order (external sovereignty), not actually strengthening the internal sovereignty (and thus protection of the people) within a state. By the 1990's, the global solution seems to have

developed along the lines of creating "weak fences for troubling neighbors." This is a thought on which Wilen ends, on a troubling note: "If the aim is *controlling* our 'troublesome neighbors' rather than building strong sovereign states, then the idea of stabilizing through intervention might not be as paradoxical after all" (italics added; p. 189).

While reading this book two thoughts came to mind. First, to paraphrase Kwame Nkrumah *control* of economics is sovereignty. In all three cases, UN missions created dependent nations that rely on international aid to survive. However, 'international aid' can be a powerful weapon. All one has to do is look at the foreign aid discrepancies between Burundi, Rwanda, Uganda, and Laurent Kabila's Congo in relation to who supports them. What economic flexibility the Congo now has comes from its ability to forge bilateral treaties for its vast mineral resources. This is exactly what Mobutu did—traded his external legitimacy as the sovereign ruler for private access to public resources. In this light, what does stabilization really mean? Does it not lead us back to the discourses of neo-liberalism and neo-colonialism that undercut sovereignty? A second theme that emerges from this book is the role of regional African organizations. The post-Cold War era was marked by African institutional experimentation of how far one can push the traditional understanding of non-intervention. The African wide sanctions regime in Burundi is a prime example. These interventions, as interest driven and flawed as they were, became one of negotiation between neighbors and institution building. It also empowered nations like Nigeria, Tanzania, and South Africa. While it does not justify their actions or the corruption, one has to wonder if these cases provide a regional learning curve in dealing with future conflicts on the continent.

Overall, the strength of *Justifying Interventions in Africa* is its theoretical contributions to the paradox of sovereignty and humanitarian intervention. This was one of the most exhaustive well written literature reviews on the subject of sovereignty I have ever read. Wilen's work is original, creative, and presents a compelling methodology of how to measure discourses and apply them to empirical case studies. Overall this book is more about sovereignty than it is about Africa. But, if you are interested in the theoretical and practical applications of sovereignty then this book comes highly recommended if not essential.

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