

An Investigation of the Place of Democracy in Africa Regarding Majoritarianism and Minorities' Rights

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Abstract: The paper examines the perception of democracy and gives evaluation of its concrete and possible influence in Africa with a specific situation and its impact on minority rights. The paper copes that the way the perception of democracy is understood and practiced in some African countries is perilous as it is concentrated on mere majoritarianism at the cost of minorities' rights. Specific reference to racial, ethnic, and sexual minorities is given to demonstrate why majoritarianism ought to be scrutinized in Africa. The paper is not blind, however, to some impediments of democracy in Africa making it difficult to apply some principles of democracy. Thus, the paper also examines some of the difficulties encountered in the democratization of Africa. The author of the paper proposes some principles that could end the problems of the African concept and application of democracy and rejects the idea that liberal democracy is alien to African countries. This paper does not claim to be in-depth about every African situation but attempts to give a wide-ranging representation by choosing some African countries to serve as samples.

Keywords: Democracy; Africa; Majoritarianism; Minorities; Right.

INTRODUCTION

The notion of democracy has been a question of debate, particularly amongst political scientists, politicians, and lawyers. In contemporary times, it is now a song sung by almost everybody in every place. More than often, it has either been underestimated or overvalued depending on various situations, it is discussed or is being sorted for. For example, scholars like Mahatma Gandhi view democracy on account of how a country treats minority.

The degree of democracy in African countries varies from one country to another. Some practice authoritarian regimes as a thesis, a functional multiparty system as an antithesis, and imperfect democracy as a synthesis between the two extremes.

In the recent past, Africa has reported bloody uprisings against dictators especially in the fight for democracy, ethnic cleansing as a result of elections, especially in Kenya, and horrible acts against immigrants in countries like South Africa. The explanations are given for the unhappy unpleasant status quo of uprisings, especially after polls are mainly twofold. That is, the leaders are undemocratic and the citizens are fighting for democracy. It is a letdown that the perception of democracy in most African countries has been condensed to a set-up where the majority have their way and the minorities are denied their say.

This paper largely seeks to answer the following questions;

- i) What is the perception and place of liberal democracy in Africa regarding majority and minority rights?
- ii) Do African countries have democratic or semi-authoritarian regimes?
- iii) What is the operative role of the church in ensuring institutionalized stable democratic government to counter the excesses of majoritarianism to protect minority rights?

Definition of terms

Democracy- The term originates from the Greek word *dēmokratia* which means the rule of the people or majority (Laski, 1933). The concept of democracy has thus been referred to as meaning the 'rule by the people for the people' (Fayemi, 2009). The common understanding of democracy, especially pure democracy has been presupposed to mean majoritarianism. (Mansbridge, 1982)

It is comical that irrespective of the notion of democracy dating long back in history, being claimed to be operative in many African countries and the only hope to counter the African problems, there is no consensus on the definition. We can argue that the definition of democracy is flexible and can stretch in any direction.

Pennock (1979) defines democracy as;

“As government by the people, where liberty, equality, and fraternity are secured to the greatest possible degree and in which capacity is developed to the utmost, employing including free and full debate of common problems, differences, and interest”

There are two schools of thought on the definition of democracy. That is, the maximalist and the minimalist. The maximalist for example asserts that democracy does not entail elections only but also guarantees civil and political rights (Diamond, 1988). This is in line with liberal democracy which is a model of democracy that can be practiced anywhere and so a practicable solution to Africa's problem.

The minimalist, Like Karl Popper and William Riker on the other hand, postulates that the minutest fundamental of democracy is the presence of elections inside the political range of a country (For this school of thought, democracy should be perceived as a ‘system wherein parties win and lose elections.’ One where government administration is replaced by another without post-election as with the case of Kenyan elections. This is the system practiced by most African countries and it is closely linked with majoritarian democracy which inflicts the right of the minority.

Semi -authoritarianism- this is a portico democracy, that is, a government with political arrangements with democratic institutes has elected parliaments, and embraces systematic elections. They have by name autonomous judiciaries. They have institutions that are accepted as democratic by the majority but at the same time have very serious difficulties in the operation of the democratic system. Semi-authoritarian regimes amend constitutions anytime they want. (Falana, 2008)

The majoritarianism-The term is used to denote a democratic system where the majority views are the basis of decision making. (Chengeta, 2011) Majoritarianism or majoritarian democracy as the procedural aspect of liberal democracy mainly entails a multi-party system wherein political parties contest in elections and the party that attains majority votes forms the government whilst the ones losing form the opposition. In this way, the votes of the majority supersede the minority votes hence, their rights are majorly encroached on. It is commonly termed ‘the will of the majority.

Minorities- it is usually given a descriptive definition. It describes a situation where a state minority is usually numerically inferior, non-dominant, and possesses ethnic, racial, or religious distinctiveness apart from the majority. It is further understood as discrimination of people on similar grounds like sexual orientations, disability, religious affiliations, and linguistics. (Chengeta, 2011)

BACKGROUND TO AFRICAN DEMOCRACY

The history of African democratization can be traced back to the fight for independence from the colonialist. It also came as a result of pressure from the international community and donor nations to adopt liberal democracy as a pre-condition for aid hence many African leaders were forced to abandon authoritarianism and adopt liberal democracy. (Nwauwa, 2020)

The incorporation of democracy in Africa is placed to have started fairly recently in history by speculative researchers. Some of these scholars claim that the democracy in Africa is a result of decolonization and the fall of communism. (Thorvaldur, 2013). In 2013, Gylfason wrote that democratic arrangements of régime saw considerable surges when communist administrations in Europe cut down, which had the bump as a consequence of swelling the figure of democracies within the African states. To be specific, he stated that "the number of democracies in Africa rose from four to 17 while the number of autocracies fell to single digits". (Nwauwa, 2020)

Authors like Doorenspleet and Nijzink (2014), with a case study of Ghana, claim that democratization happened when régimes were representatively voted through a trademark of assessing democracy, i.e., party systems. (Reske & Lia, 2014)

There is a diversity of accounts all over the academic treatise on what impelled democratization in Africa. For Adejumbi (2015) it is the vital gauge of democracy which he considered to be "the introduction of multiparty elections in utmost African states in the 1990s" (Adejumbi, 2015). Previous to democracy, Adejumbi is a protagonist of the impression that utmost post-colonial states were authoritarian, which was later thrown down by "internal and external factors", as well as unstable surroundings, communally and economically, unambiguous separations of "ethnicity, religion, class, and the region" across African states were a vital obstacle to the democratic administration of a state's affairs, which has since been claimed to have been overcome to a higher degree, with many countries in Africa being branded as 'free'.

It is until February 15, 2012, when The African Charter on Democracy, Elections, and Governance ("ADC") came into force. Its core goal is the reassurance and advancement of democracy and human rights on the African landform. The ADC is the foremost obligatory area tool implemented by African Union members that efforts to expansively talkon fundamentals that are essential for the institution of liberal democracies. It also encompasses a numeral of extensive requirements concerning illegal variations of régime. For example, the ADC is the first lawful tool approved by African Union members that admit that an unlawful alteration of régime comprises any alterations to the constitution or authorized instruments of a member state that overstep the values of democratic alteration of régime. Most of the African leaders changed the constitution to retain power.

Unfortunately, it is until January 30, 2007, when African Union members ("AU") executed the ADC, however, it came into force on February 15, 2012. The key aim of the ADC is the reassurance and advancement of democracy and human rights in Africa. With the exclusion of a few African states such as Mauritius, Ghana, South Africa, and Botswana, the utmost African states generally rank poorly on leading international democracy indices. Uganda and Chad are Examples of African countries that stay to brawl with attaining a feasible democracy. Ugandan President Yoweri Museveni has controlled Uganda for the last 35 years and Chad President Idriss Deby has stayed in power for the last 29 years.

Regardless of several countries claiming to be democratic, predicaments of 'civil war, massacre, poverty, bribery, and insecurity among others still define the path of many African states. (Fayemi, 2009)

Majoritarianism And Rights of Minority

The issue of majoritarianism against the rights of a minority remains an unpleasant status quo in Africa. This could be a result of the African ideology stressing collectivism at the expense of individualism. Thomas Chengeta on majoritarianism states that majoritarianism versus the rights of minorities remains a thorn in the flesh in Africa. It is a long thin line that authoritarian-democratic leaders result from leading to tyrannous majoritarianism which is hazardous to the minority rights. This is where the majority have confidence in the legality of their activities, principles, perceptions, and the rights of minorities are not considered in any way. Chengeta identifies two main majoritarianism that is common in Africa. These are; ethnic majoritarianism versus ethnic minorities' rights and hetero-sexual majoritarianism versus 'sexual minorities' rights. (Chengeta, 2011)

1.1. Ethnic majoritarianism versus Ethnic minorities' rights

In Africa, the subject of majoritarianism is mainly prejudiced by the background in most cases people in Africa cluster together not because they are inclined toward similar political principles but rather by the fact that they share the same culture or ethnic group, race, or tribe. Thomson Chengeta justified largely the above case as posited below.

1.2. Post independent 'black' majoritarianism versus 'white' minority rights.

before independence, there was minority tyranny against the majority tyranny due to colonialism. Almost all African countries were under the yoke of minority rule. During this era, it was the minority's interest against the right of the majority who were the indigenous people. The indigenous people were not only politically marginalized but also economically by the white minority.

In Kenya for example, fertile land for farming was taken by the white minority as was the South African case of the apartheid era. The minority people mobilized against the minority to fight for their rights. The struggle here was to overthrow the minority rule and replace it with the majority rule. The Africans called this democracy.

It was this organized detestation against 'white minority rule' and subjugation that led to the independence of many African countries with the 'black majority government' being authorized into supremacy.

Since its independence, Africa has experienced an unpleasant clash between the black majority and white minority which end up in the 'tyranny of the majority.' The clash is more wholly exemplified by the right to possessions in most of the African constitutions. Due to the heritage of colonialism, the right to possessions led many poor Africans who are the majority to take the property of the white minority. (Chengeta, 2011)

The above case can be demonstrated by the Zimbabwe case where the majority who are black seized land from the white minority in 2000, who erstwhile to that year, regardless of being that the minority white-possessed more than half of the Zimbabwean land. Surprisingly, the idea of seizing the land from the white

minority was also supported by members of the Movement for Democratic Change (MDC). The MDC leader, Mr. Morgan Tsvangirai purportedly said that if he becomes the president of the country, he will not reverse the 2000 Mugabe Land policy. In all these cases, it is evident that the right of the majority of black is what is considered at the expense of the minority white. The right to own property by the white minority is not respected. In all these, the rule of law is not applied in Africa and it is problematic to hit the perception of democracy without one side inclination because democracy involves justice, fairness, and accountability to all despite racial or ethnic groups.

1.3. Ethnical majoritarianism versus 'tribal' minorities and indigenous majority versus migrant minority.

perceiving the notion of democracy as 'having the support of the majority is unfavorable to both the white minority and other ethnic minorities of the indigenous group. Most African leaders give the impression of the idea that as long as they are voted in by the majority then they are democratic. (Masani, 2020) The implication of this is that the minority tribe will never taste power as in most cases the majority ethnic groups merge to form a coalition to rule as in the case of Kenya. The resources are also channeled to these minority ethnic groups and the rights of the minority are not fully respected.

Botswana is a good case where more funds have been directed to the majority of Tswana whereas the minority groups are overlooked. Botswana is viewed as one of the efficacious democracies in Africa and in fact, one of the Botswana presidents received a prize for showing great democratic leadership qualities. The notion of democracy in most African countries spins around majoritarianism to the threat of minorities. As ethnic leaders in Africa endeavor to serve and please their ethnic groups, favoritism and fraud become common in these countries and democracy is brutally diluted. (Bratton, 1999) Resultantly, ethnic minorities in a given country remain poor and their communities underdeveloped. They say, 'it is our time to eat' is common as in the case of Kenya.

1.4. Majority religion versus minority religion

Shortly after ascending into power in Sudan in 1989, General Omar Al-Bashir addressed a gathering with a copy of the Koran in one hand and a Kalashnikov rifle in the other. Bashir's revolution manifested the launch of Islamic authoritarianism that dispensed pitilessly with Muslims and non-Muslims. The right of the minority non-Muslims was infringed when a new Islamic penal code was promulgated in 1991. The code disseminated public crucifixion for armed robbery, stoning for adultery, and death for apostasy. (Martin, 2005) Apart from enforcing their brand of Islamic rule, the regime promoted also Arabization and the Arabic language as the language for education. This denigrated the culture of non-Arabic peoples. (Martin, 2005)

1.5. Hetero-sexual majoritarianism versus 'sexual' minorities' rights

Another problem of majoritarianism in most African countries that claim to be democratic is the persecution of sexual minorities by the majority of heterosexuals. The African constitutions expressly do not provide for minority sexual rights. This they defy even against the international human rights instruments. Almost all African countries criminalize same-sex relationships and marriages except South Africa in their constitution which guarantee the fundamental rights of all including sexual minority. Ugandan members of parliament for example pressed for the death penalty for homosexual acts. The bill was presented on 14th October 2009 by Bahati David a member of parliament. The bill begins;

"The object of this bill is to establish comprehensive consolidated legislation to protect the traditional family by prohibiting (i) any form of sexual relations between persons of the same sex and (ii) the promotion or recognition of such relations".

These clearly explain what democracy is for the African countries. It means what the majority agrees on is what is democratic.

Politicians, religious leaders, and most institutions in Africa openly reject sexual minorities. Some are even expelled from learning institutions especially boarding schools in Kenya and heads of these institutions are also interdicted on this basis by the teacher's service commission. Maseno Principal Paul Otula interdicted over a sodomy scam. Politically privileged for example, Robert Mugabe declared that sexual minorities have no rights at all and they are worse than dogs.

The criminalization of sexual minorities has led to adverse discrimination of the minorities in almost all quarters of Africa. For example, there is marginalization in terms of services such as medical care, and learning institution. Homosexuals in Kenya are certain that they must hide their sexual orientations for fear of custody, discrimination, and rejection even from their clan and family members.

The majoritarianism argument in Africa is that homosexuality and other sexual deviations are against African traditional morality and values. (Waliggo, 2020) This statement may not be entirely accepted since some communities in Kenya accommodated the sexual minorities in their culture and traditions. (Chengeta, 2011)

4.0. Do African countries have democratic or semi-authoritarian regimes? African style of democracy.

Disturbingly an inquiry being progressively inquired is whether democracy is unproductive in Africa, or correspondingly, whether democracy is unfeasible or possibly not appropriate for Africa: this, given the circumstance that several African countries, which are purportedly democratic, are branded by awful abuses of human rights, tribal conflicts, ethnic profiling, life presidents and corruption and poverty and constitutional amendments for the benefit of the incumbent.

The current arrangements of administration across the African landform are varied. Therefore, when discoursing a subject as extensive as democracy in Africa, it is imperative to contemplate specific countries as the vital component of scrutiny, which have been modeled by world freedom indices. The NGO Freedom House categorizes the arrangements of governance in Africa to incorporate democratic, autocratic, and 'hybrid regimes'. (Freedom House, 2020) By scrutinizing the innumerable indices used to ration democracy, political analysts, NGOs and scholars submit it to be manifest that the contemporary arrangements of governance integrate fundamentals of democracy, however, there is a need to add an organized and institutional modification to be branded 'democratic', without which they are 'hybrid regimes'.

To answer the question of whether African countries have democratic or semi-authoritarian regimes, we need to investigate the measures of democracy and correlate the measures to the situation in some African states. This in summary will answer when is a democracy, democracy?

MEASURES OF DEMOCRACY

There is a variability of recommended replicas used to degree democracy in the world. Freedom House's *Freedom of the World* index suggests a framework that gauges the mark of freedom and subsequently democracy in nation state. This archetypal is grounded upon the ethical moralities of articles of international law, namely the UDHR of 1948. (Freedom House, 2018) This Index creates an arithmetic grade for countries between 1 and 7, and the status is designated as 'Free', 'Partly Free', or 'Not Free'. This designation is branded upon assessing the degree to which "political rights and civil liberties" are appreciated by inhabitants and supported by the government. (Freedom House, 2020)

Freedom House stated in 2018 that the state of democracy in the contemporary global system is in a state of "dramatic decline", and this decline situation is in every region of the world. Out of all countries in Africa, only a few states were enumerated as 'free' under the freedom index. These are South Africa, Sao Tome, Nigeria, Botswana, Senegal, Cape Verde, Namibia, South Africa, Principe, Benin, and Ghana.

The NGO's website discourses that the "crisis of democracy", is faced in the whole world with 37% of the worldwide inhabitants existing in conditions that are specifically not unrestricted. This NGO marked 2017 as the year that the greatest deterioration of democracy was noticed. It reports that; "the basic tenets of democracy include, assurances of free and fair elections, the minority rights, freedom of the press, and the rule of law" to face grave intimidations. Unsurprisingly, all of these were experienced in African regimes that were listed as 'partially free' or 'not free'.

Another index for measuring democracy is the 'Economic Freedom' index from the Fraser Institute. This index scrutinizes features of a state's economy, counting its incorporation into the world economy and trade liberalization to investigate whether a state reveals commercial liberty that matches the standards of democracy. (The Fraser Institute, 2016) The institute continues to list the constituents of an economically 'free' state. These include voluntary exchange coordinated by markets, personal choice, freedom to enter and compete in markets, and defense of individuals and their possessions from antagonism by others".

Current assessments issued by the Fraser Institute utilizing the index enumerated most African states to be included among the 'least free' in the world. In 2016 for example, the government of Angola was graded 155th internationally based on her economic freedom with a score of 5.7 out of 10. To reach such a conclusion the analysis included also the size and varied parties in government, the authorized system, and the capability to trade universally in the world.

The Fraser Institute and Freedom House also offer an arithmetic measure of how democracy is executed in African states. Judith Van Allen (2001) in the institute, ground democracy on the role of social activities and social equality to justify the level of democracy and protection of human rights by the state. She continues to observe in her study of the case in Botswana that scholarly discourses in Africa mainly focused on the conflict between males and females privileged. (Allen, 2001)

Generally, numerous leaders from Africa erroneously claim that democracy is “un-African,” “Western” or somehow anti-African “culture.” they state the situation in China’s economic rise without democracy. This makes them think about development first and later building democracy. We can categorically assert that democracy in Africa is ‘sugar coated’; from the outlook the regimes are democratic but they are essentially un-democratic within the system. From the numerous incidences in the African system of governance, we can conclude that most African leaders use semi-authoritarianism instead of liberal democracy. A successful democracy is where there is harmony between the majority will and the minority’s rights (Rukambe, 2020)

THE ROLE OF THE CHURCH AND CIVIL SOCIETIES; A THEOLOGICAL RESPONSE

It is improbable to imagine that African states will swiftly inverse course deprived of interior compression from some forces to institutionalize a steady democratic régime. The forces can be from the church, civil societies, or business class. Some of the challenges that must be pushed by these groups are power struggle, lack of an influential middle class, colonial legacy, and imaginary unsuitability of western democracy with African culture. In this struggle, the worth of the church civil society, and business class in the shift to democracy cannot be over-emphasized.

It is incumbent upon the church to promote civic education by heart-rending individuals away from rationalizing about the government and inspiring them to contemplate what they need without dread and search for it. The church must partake in state affairs not to support it but to offer checks and balances to it and fight for the protection of the rights of individuals. Here they must put it clearly in the interest of the people from the lowest level to the highest level. Many régimes are always not ready to form an empowering atmosphere. But by standing up, the church can assert and force régimes to. It is essential to preserve the principles of resistance and always question authoritarian rule when they tend to go against core issues in the community, especially regarding the rights of humanity and rule of law.

Colonial inheritance is a key hindrance to democracy in Africa. African regimes cannot transit from authoritarian colonial regimes to democracy and ignore colonial authoritarian impacts on the socio-political setting. For example, the splitting up of various communities and ethnic groups by the colonial boundaries brought traditional enemies to the neighborhoods, and no effort was made by the colonialists to enhance tolerance because of their strategy of divide and rule. To have democratic stability in Africa, the church must initiate religious, ethnic, and tribal tolerance. This would promote coexistence and inclusivism hence human rights would be protected.

Another challenge to democracy in Africa is that African countries from their beginning were indeed frail and multi-ethnic, hence problematic to serve them in the style of western democracy. The colonial boundaries tend to be a challenge in having clear, feasible, and cohesive economies. With the theology of inculturation in the liturgy, the church should hereby regard indigenous structures and institutions of authority to blend with western democracy for it to be feasible. Democracy in Africa can only be viable if it is an African fully-fledged democracy, based on a Pan-Africanism philosophy and nurtured along with cultural belief, permitting democracy to be believed and letting it to establish rather than being executed. A forced democracy will never work. The USA took almost 200 years to mature into a democracy so Africa needs more time to have its democracy mature. It must be left to ripen since democracy is a process and not an event.

CONCLUSION

The bid of the perception of democracy in many African states has been geared toward majoritarianism. Most African leaders continue to enjoy much power and are answerable to none. The lawmaker and the law lords are submissive to the executive. There is no transparency and bribery in the stanza in the song. Consistent elections are tantamount to ethnic violence. The majority intimidates the minority. Right to humanity are rights of the powerful as if others are not human, it is what can be referred to as an ‘animal farm’. the time is mature that African states must now understand that it is ‘liberal democracy which can let individuals realize that the individuals of creation are unified by their shared human race far-off more than they are separated by their distinct individualities’. (Courley, 2009) The notion of democracy is outlandish

where only the views of the majority prevail. Any African state searching for a resolution to Africa's difficulties should realize that it is liberal democracy since it has a comprehensive footing of moral power and can result in synchronization between the minorities and majorities. (Angle, 2000) For Africa to thrive they must take democracy firm by avoiding sugar coating democracy.

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