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University of Nevada, Reno

**Observing the Transition to Democracy in Postcolonial Africa: Anglophone vs.  
Francophone**

A thesis submitted in partial fulfillment  
of the requirements for the degree of

Bachelor of Arts in Political Science and the Honors Program

by

Amanda L. Sharkey

Dr. Robert Ostergard, Jr., Thesis Advisor

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We recommend that the thesis  
prepared under our supervision by

**AMANDA SHARKEY**

entitled

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Robert Ostergard, Jr., Ph.D., Thesis Advisor

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Tamara Valentine, Ph. D., Director, **Honors Program**

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## Abstract

The scope of this research is intended to examine the effects of colonization under the two dominant empires of France and Great Britain over their former African colonies. Through this thesis, I will attempt to answer the following question: **What effect did the differing colonial policies and institutions that were introduced by the French and British empires in their African colonies have on the transitions to democracy that these colonies made in the years following their independence?** I will start this thesis by examining the literature that has been compiled on the colonial ruling practices and the tendencies of both the British and French empires within their African territories. I will then produce a case study of two different African countries, one of the former French colony of Senegal and one of the former British colony of Nigeria, and will examine how each country's institutions of governmental administration, education and language, and judicial structure have shaped over the years since their establishments under colonial rule. I will then conclude by using these case studies to determine if the institutions that were adopted by the countries from their former colonial empires helped provide more successful transitions to democracy compared to one another upon independence.

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## Introduction

Since decolonization, the continent of Africa in general has been plagued by underdevelopment, economic crises, political turmoil, and severe corruption. A majority of countries have experienced encounters with military coups that have taken over as governmental regimes, experienced horrendous civil wars and other violent events, and more. Other nations however, such as Botswana and South Africa to name a couple, have achieved numerous governmental successes, the promotion of peace and equality under law, and have been able to maintain stable regimes. What factors could have contributed to these different postcolonial experiences?

When ruling over their respective African colonies, France and Great Britain both took different approaches as to how they handled the indigenous populations as well as the institutions they chose to introduce within their colonies. **For this research, I am interested in understanding how the formal institutions that were introduced by the colonial empires of the French and the British have contributed to the transitions to democracy in modern African countries of Senegal and Nigeria after independence.** By reviewing the literature, I will outline the key features of each of the two colonial empires in regards to their implemented institutions on how they administrated their colonies, the types of judicial structures that each metropole implemented into their colonies, and the systems of education that they established within their colonies, along with the languages through which education was to be conducted. The analysis of these general features of colonial rule will provide an adequate foundation to then further analyze individual countries from each of the colonial empires. I will examine the factors

that paved way for decolonization in Africa as well as the trends that most African nations followed post-independence, including their experiences with differing ideologies, different governmental regimes, and corruption.

After discussing the existing literature, I will conduct two case studies to put the literature into action. I will study the countries of Senegal and Nigeria, the former being a former French colony and the latter a former British colony, in attempt to understand how their experiences under colonial rule from the two different empires have helped shape the administrative, educational, and judicial institutions that are in place in their modern, postcolonial form. I will evaluate the levels of democracy in my selected countries by the representativeness of each governmental administration, the presence or absence of authoritarian regimes or military coups during given periods throughout the nations' histories, any societal uprisings that have affected administrative structure and policy, and other elements that could have affected democratization. With the findings from my case studies, I will conclude this thesis by comparing and contrasting how each of the influences under colonial rule have produced institutions that contributed positively or negatively toward each country's transition to democracy and I will evaluate my findings in a larger context to explain the democratization trends on the continent of Africa. The uniformity of institutions that were implemented by the French, in terms of administration especially, appear to have rendered a more successful transition to democracy in Senegal over time compared to that of the British in Nigeria. Although these cases may be unique compared to other African experiences with the British or

French, this study helps contribute to the research on African democracy as well as colonial and postcolonial experiences.

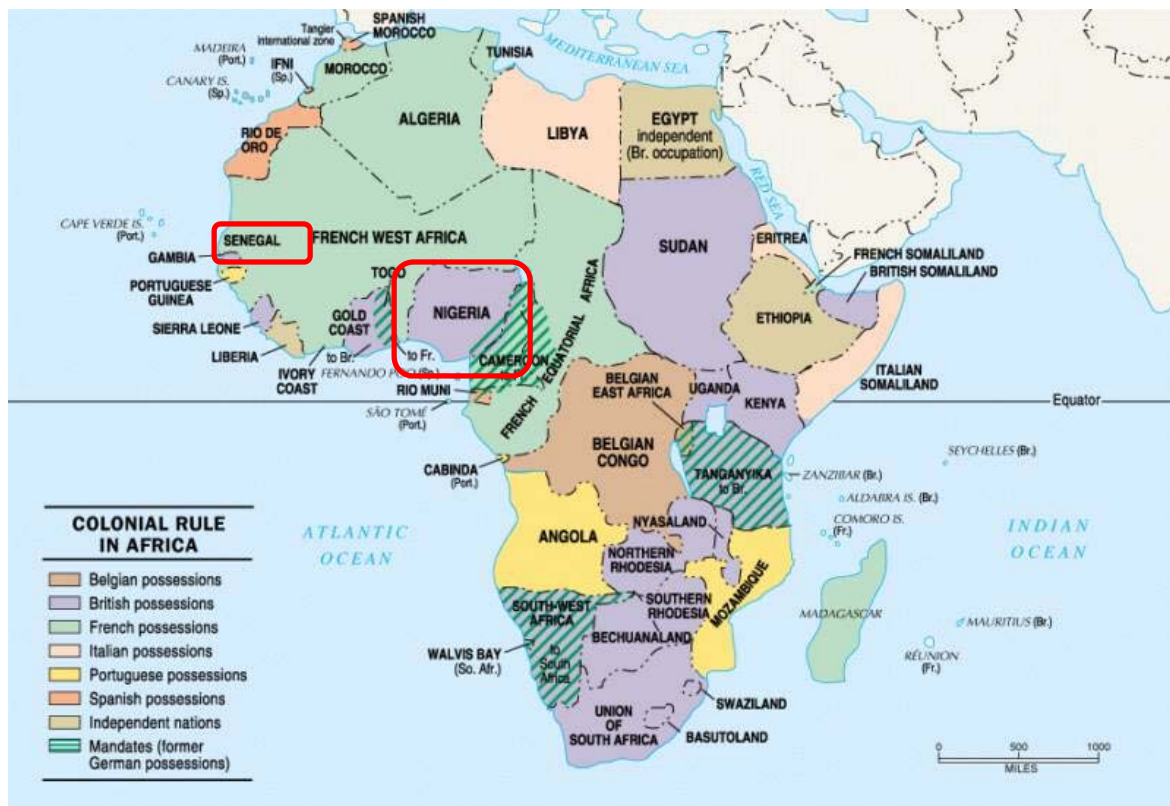


Fig. 1. Colonial Rule in Africa. “The Scramble for Africa.” n.p. Cabinda Free State, n.d. Web. 9 May 2015.

## Literature Review

When dealing with the modern state of development in Africa, we must dive deep into the historical backgrounds and relationships each former colony experienced with its ruling empire. Although both the British and French occupied what were mostly non-settlement colonies in Africa, their similarities in colonial policy tended to be few and far between. The differences between British and French colonial rule created a unique setting for future development and growth after independence was achieved in each

colony. It is important to understand the role institutions played in colonial life, notably the preservation of primitive institutions and practices and the implementation of institutions native to the ruling empires, to see how these institutions have shaped over time. Two different categories of institutions present in every society that we can observe. Douglass North (1991) defined institutions as, “the humanly devised constraints that structure political, economic and social interaction. They consist of both informal constraints (sanctions, taboos, customs, traditions, and codes of conduct), and formal rules (constitutions, laws, property rights),” (97). The British in general took a more hands off approach, allowing the continuation of several informal indigenous institutions, including native languages in educational and judicial contexts as well as the use of customary law, and also modifying newly-introduced British formal institutions to better suit each individual colonial environment (Ajayi: 1960; Grier 1999). The French, in contrast, treated their colonies as direct additions to the empire with the intention of having the colonies become complete embodiments of French society on a smaller scale, implementing strict language requirements, judicial institutions, and the formal institutions of French administration (Grier 1999). We will look at the literature compiled by various scholars discussing the colonial experiences under both British and French rule, particularly the formal institutions of administrative practices and ruling methods, implemented judicial systems, and the policies regarding colonial education as well as the influence that the languages of the empires had upon educational institutions.

### *The British Experience in Africa*

## I. Administration: Indirect Rule

The major European powers, notably Great Britain, have had a place on the continent of Africa for several centuries, particularly since the explorations of the continent that were missioned by Portugal in the late 1400s (Whittlesey 1937). Up until the end of the 19<sup>th</sup> century, most European empires held a place in Africa notably for imperialist and trade purposes. However, the Berlin Conference of 1884-1885 that was held in Congo paved way for further European expansion and influence on the continent. The conference called for the partition of Africa and set boundaries on African territories for the European empires to claim and divide, and the empires then established ways to rule their new territories (Athow and Blanton: 2002; Griffiths: 1986; Stone: 1988; Whittlesey: 1937). The British seized much of central and southern Africa and utilized this new territory to extract mineral wealth and cultivate cash-crops for the profit of the Metropole, or the British motherland (Babou: 2010; Rodney: 1973). Although the British utilized the resources within their colonies similarly as other European powers did, it was common policy for the British to approach their colonial rule fairly loosely. According to Grier, “it was agreed that the British government, and her agents thereof, should have total control over four areas: the constitution, foreign relations, international trade, and public lands. The last two were quickly eliminated, as the British did not want to give cause to rebellion or discord in the colonies,” (1999: 319). The British incorporated their doctrine of Indirect Rule in Africa, which was also commonplace in their other colonies abroad, and allowed many indigenous institutions to remain and thrive in their original

context, while also introducing British institutions that were often flexible to indigenous customs (Crowder 1964).

Implementing British administrative policies and formal institutions in Anglophone African colonies varied slightly depending on the previous native social and judicial structures that the indigenous populations were familiar with, even if said institutions were traditional and informal. The British implemented a decentralized system of governing its African colonies and often relied on native chiefs, who were indigenous ruling authorities, to discuss policy and administrative goals within the colonies, and the British tended to let these local leaders call the shots unless the circumstances required direct British intervention (Crowder: 1964, Grier: 1999). As explained by Michael Crowder, “Though indirect rule reposed primarily on a chief as executive, its aim was not to preserve the institution of chieftaincy as such, but to encourage local self-government through indigenous political institutions, whether these were headed by a single executive authority, or by a council of elders,” (1964: 198). Some Anglophone colonies did not have an obvious form of traditional ruling style, so in these cases, the British intervened to the point of assigning or creating the roles of local chiefs or advisory boards, or in relatively few cases, the British needed to send in British-born authority figures to rule over territories (Crowder 1964).

The British did not put forth the effort to assimilate the cultural elements of the native Africans to resemble or model British standards and permitted the chiefs and local rulers in the majority of the colonies to interpret the British laws and practices in ways that would also accommodate the continuance of indigenous norms. The lack of desire to

assimilate the natives was simply because the British colonial system was established as an “economic plan focused on maintaining stability,” (Athow and Blanton 2002). Along with the absence of assimilation practices, the British had no intentions of granting any form of citizenship to the indigenous populace, even to those who were rulers of the various territories within the British colonies (Athow and Blanton 2002). The British made it clear that they did not expect their colonies to completely adopt British culture nor did they have the desire for the colonies to do so. Interaction between the British ruling elite and the indigenous chiefs was minimal and social relationships typically were poorly established between the educated Africans and the British (Crowder 1964).

## II. Colonial Judicial Systems

The British implemented a relatively flexible policy in the African colonies when dealing with the judicial systems. Ajayi points out, “The very basis of ‘Indirect Rule’ or the indirect method of British administration by resort to the use of indigenous institutions meant that a total replacement of customary law by English law could not have been contemplated even as a long-term objective,” (1960: 108). The British influence had a very small effect on the customary law that was in place in the African colonies, more so in Western Africa compared to Eastern Africa. It was not a goal of the British to completely abolish the native laws and customs, and many of the judicial procedures brought in by the British sought to preserve many forms of customary law (Allott 1969). The British recognized indigenous tribunals and court systems, even those of Islamic origin in certain cases, which allowed this native institution of customary law to continue and thrive throughout the colonial era. These native courts tended to be more

structured and influenced by British legal practices in various parts of East Africa, and the legal systems in West Africa relied heavily on customary norms (Allott 1969). East African courts typically had a dual system in place: a set of indigenous tribunals supervised by British authority, and a set of standard, professional English-structured courts (Allott 1969: 13). British West Africa such as Nigeria didn't necessarily have strict application of British legal practices and essentially relied on customary law as the basis for legal procedures.

Informal institutions of customary law were typically upheld by British-established courts and administrations if they were neither contradictory to natural justice and good conscience nor incompatible with legislation that was passed in the given territories (Allott: 1957; Ekow Daniels: 1964). Many British legal doctrines embodied in the formal institution of common law, especially the concept of *stare decisis*, were important in the evolution of customary law in the colonies. Often the British and native courts utilized formal or informal legal precedents, notably indigenous precedents if they were still relevant, when it came to ruling civil and criminal cases (Ajayi: 1960; Allott: 1969). Fullerton Joireman recognized that common law systems, as introduced by the British, appeared to be superior when it came to the effectiveness of the rule of law as compared to the civil law systems that were introduced by other European empires, and she believes this difference could be the result of the British's lack of a strong reliance on a strong, centralized bureaucracy that needed sufficient funding to carry out legal processes (2001: 591-592). These common law systems provided more rights for property owners, investors, and individuals, as well as provided more sufficient checks



on the bureaucracy and executive administrations because the idea behind common law is to provide the individual protection of rights from the state or governing body (Fullerton Joireman: 2001; Lee and Schultz: 2012).

### III. Colonial Educational Systems

Education systems were weak and underdeveloped in all regions of Africa, but it appeared that the British were more accepting of the expansion of primary and secondary systems for native Africans and were more accommodating than their French counterparts. As stated by Walter Rodney, “British colonies tended to do on average somewhat better than French ones with regard to educational activities, largely because of missionary initiatives rather than the British government itself. Ghana, Nigeria, and Uganda were fairly well off as far as colonial education went. Of course, that was in a purely relative sense, and the absolute numbers involved were never large,” (1973: 383). The presence of Christian missionaries played a role in the pursuit of establishing educational provisions because they were the primary British group to push for the expansion of education within the colonies to gain more Christian converts by improving the literacy of the African populace (Omolewa 2006). In Nigeria, for example, missionaries collaborated with local merchants, who required educated and competent individuals to help with their affairs, to establish the first secondary schools in the region in the mid-1800s (Omolewa 2006: 267).

The indigenous Africans in British colonies did not necessarily need to be of administrative or ruling distinction to receive an education, and many pushed the colonial authorities to grant more access to educational institutions than typically permitted by

colonial rule. Some British colonies experienced problems caused by too many African students completing primary educations which resulted in the shortage of economic opportunities for the educated and the shortage of enrollment space in secondary education facilities (Omolewa: 2006; Rodney: 1973). The educational curriculum that was implemented in the early 20<sup>th</sup> century was seen as ineffective and irrelevant by whites and Africans alike; many deemed the educational practices as being too European and impractical for the lives of the African students. Reforms were carried out in the 1920s and 30s to establish a more useful curriculum for the average African student in an applicable context (Omolewa 2006). Many secondary African schools either incorporated or heavily relied upon indigenous languages and vernacular to conduct lessons and teach students, and the introduction of English into the educational environment varied throughout the colonies. Some African students were suspicious or even offended that they were not receiving extensive English lessons in school, assuming that the British did not think they were capable of learning the language efficiently or that their knowledge of English would threaten British superiority (Omolewa 2006). Whether these assumptions were true or not, the use of indigenous languages appears to have aided the Africans in order to gain a more solid educational background than those belonging to other colonial empires because they were able to learn new material in their maternal language, easing the learning process (Grier: 1999; Omolewa: 2006; Rodney: 1973). Finally, the British had tended to allow the training of indigenous peoples to assume teaching positions within the colonies, rather than solely sending instructors from Great Britain into the African colonies to teach (Grier:1999).

Overall, the British were relatively lenient with indigenous ways of life and local customs as long as stability was maintained within the colonies and there were no significant interferences with British imperial policies and procedures. Since the British did not regard the Africans as an extension of the British motherland nor were the Africans allowed privileges of British citizenship, this may have helped establish a newfound sense of native community within the Anglophone colonies since the customs of the Metropole were not strongly imposed on the Africans. Relationships between the British and Africans were typically not personal and interaction was normally carried out to conduct business or colonial protocol. It would appear that this type of indirect rule would aid in the promotion of self-sufficiency within the colonies, as the Africans would gain more hands-on approaches in regards to their interactions with the judicial and administration systems. Finally, since there was not a strong push to completely abandon native languages and tongues with the implementation of English, the Africans may have been able to mesh both colonial and native experiences together as an adaptation to a new way of life in Africa, although it may not have always been desirable.

### *The French Experience in Africa*

#### I. Administration: Direct Rule

In relation to the Berlin Conference, the French empire also solidified their influence on the continent of Africa. The French primarily seized control of West and North African colonies and similarly utilized the colonies for resource extraction to benefit the empire (Rodney 1973). In contrast to the Indirect Rule policy that was carried out by the British when it came to structuring formal administrative institutions within

the colonies, the French implemented Direct Rule, being more centralized hands-on with their approach (Grier 1999). Describing the French colonial experience, Whittlesey states, “In the administration of the French colonies Frenchmen occupy all the important positions, though properly trained Africans are allowed to fill subordinate posts, and in special circumstances even to become French citizens,” (1937: 363). Furthermore, he claims, “The French mode of administration is in theory the flat antithesis of the British. France is in Africa to make Frenchmen out of the Africans. To this end African life is given no official recognition. Administrative officers from France rule directly, native leaders being allowed to handle their own people only by sanction of custom, never of law. All land is French, except that which an individual African registers with the French authorities.” (1937: 367).

There were significantly more French administrators residing in colonial territories compared to English, and the French less frequently relied on native chiefs and leaders to enforce laws and supervise over administration. Instead, the French created “cadres” or “chefs de canton” which were a select few Africans who received a French education and became part of an élite African group that was assimilated into the French culture (Crowder 1964). These educated Africans did not hold the same kind of power as traditional native chiefs would, but each one served as “un simple agent du gouvernement colonial central,” or one of many agents of the French government (Crowder 1964: 205). It did not appear that the indigenous Africans in these colonies placed the assimilated Africans in very high regard and the assimilated elite seemed to be merely “puppets” of the French government (Rodney 1973).

Up until the turn of the twentieth century, it was a primary goal of the French government in Paris to conduct a complete assimilation process in the African colonies, both procedurally and culturally, so the Africans could model the superior French culture (Grier: 1999; Rodney: 1973). The French came to the realization that total assimilation would not likely be achieved in as an overall goal in their African colonies because it was incredibly costly and required significant administrative bodies, so they transitioned to the model of *politique d'association* for ruling procedures. Even under this new policy of ruling the colonies, there were many elements of assimilation that remained intact and this new policy could have been considered a looser version of assimilation. African citizens were still encouraged to learn and speak French, and classes were still instructed in French, the goal to grant French citizenship to the “civilized” Africans still remained in place, and the French administrations that were established in the various African territories were all structured the same and did not take local and native customs and ways of life into consideration when creating policy (Crowder 1964). The French governmental framework was strict and left little room for the accommodation of indigenous traditions and structures of governance. The French did, however, encourage individual land ownership and various property rights were protected by the law (Whittlesey 1937).

## II. Colonial Judicial Systems

Similar to administrative structure, the judicial systems that were implemented in colonial life were structured after the judicial institutions of France. The civil law system that was implemented emphasized the role of the citizen within the state and that the state

was the supreme element of which the citizen needed to obey (Fullerton and Joireman 2001). Although there were some “customary” courts in action – customary law wasn’t necessarily customary (Mann 2009) – in the French African colonies, most of the courts were under the discretion of French authority. In 1881, the *indigénat* code was first applied in the colony of Algeria, and the French utilized this code throughout their colonies until roughly 1946 (Crowder: 1964; Fullerton Joireman: 2001; Mann: 2009). The *indigénat* was a system of laws used to rule over the native Africans and rulers could impose various different penalties on the natives if they acted against this code. “For nearly sixty years, the *indigénat* had enshrined administrative power and ensured that colonial administrators – particularly *commandants* – could inflict swift punishments for any challenge, real or perceived, to their personal authority and that of the colonial state,” (Mann 2009: 334). The code was reformed several times and finally by 1924 it contained twelve offenses that were deemed punishable if the indigenous committed them, one of which simply being the act of disrespecting France or French culture (Mann 2009). This code served as a factor of intimidation over the Africans, and the white *commandants* could use the code as a way to carry out punishment extremely quickly, often the same day that the offense was committed. Exemption from the code for select women and children began to grow in the 1930s, and eventually more and more exemptions were granted for various groups of natives (Mann 2009). For example, some natives who took an oath to the Christian religion fought for exemption because they claimed being a member of the church abolished their “native” status, and some natives that were granted positions of “neighborhood chiefs” which still under the elite African status gained exemptions from the harsh *indigénat* code (Mann 2009). With continued reforms and

exemptions granted, the *indigénat* system was legally removed after the end of WWII, although some *commandants* tried to hold onto this code after it was eliminated. Many of the *chefs de canton* were released from their positions at this time as well. Some of the *indigénat* policies still lingered within the colonies until they gained independence in the 1950s and 60s. (Crowder: 1964; Mann: 2009).

### III. Colonial Educational Systems

The role of education was generally limited in the French colonies and only the Africans who gave into French assimilation or were a part of the African elite were able to receive educations. The French structured the colonial education systems like those in place in France and they had French-born instructors sent over to teach courses.

Schooling was primarily conducted in French; the students were introduced to the language as soon as they began their education and indigenous languages typically had no place in the French-structured classrooms (Rodney: 1973; White: 1996). The use of missionaries in establishing educational provisions also played a role in certain French colonies including Senegal, but due to the secular nature of the French 'État,' missionary work was not as heavily relied upon as was in the British Empire. "In 1922, France put forth a decree which further limited missionary activity in education. According to this decree, the establishment of a new school in the colonies required government permission, government-certified teachers, a government curriculum and the exclusive use of French as the language of instruction," (White 1996: 11).

Receiving the French-styled education broke down the barrier for natives to be considered as civilized, and these people often went on to hold the chief positions, such

as the *chefs de canton* and *chefs de quartier* (neighborhood), and were eligible to gain French citizenship in some cases (Crowder: 1964; Lee and Schultz: 2012; Mann: 2009; Rodney: 1973). The French saw their education systems as providing ways for the African students to transition into modern times as well as a superior civilization. The French believed that the Africans simply did not have the means of transitioning to a civilized society on their own and needed the help of French assimilation to evolve their culture toward modernity (White 1996). Although their policies were much stricter, the French demonstrated significantly higher levels of respect for the educated Africans compared to their British counterparts. In referencing the reflections of Abdou Moumouni, Bob White states that the French often treated the assimilated and educated Africans as they would their own sons (1996: 17).

The French were much stricter than their British counterparts on the ways that they implemented formal administrative, judicial, and educational institutions. The concept of the French *État* is of utmost importance in French life because the centralized state is in charge of regulating virtually everything that has to do with government. The continuation of the French State into its African colonies extends the elements of a strict, organized French society, but whether the policies of assimilation and French domination have been influential on the evolution of African culture cannot be determined until we examine the modern-day implications of these colonial influences, and we will pick back up with this examination in later chapters.

*Independence and the Evolution of African Governmental Regimes*



## I. Decolonization

Several factors paved the way for African independence and decolonization. The ending of World War II also brought forth the weakening of the French and British empires, and the Pan-African movements that were already present in both the United States and throughout Africa were finally able to take root and begin to blossom. Both empires were well aware that ideas for independence were becoming a dominant way of thinking in their colonies and they both had no choice but to eventually oblige. British imperialism took a major hit once the Indian Empire was released at the end of the war, and African nationalist ideals were pursued (Binaisa 1977). African independence began its conquest in 1957 with the official sovereignty of the Gold Coast colony, which is present-day Ghana. By the end of the 1960s, the vast majority of African colonies had gained their independence and even had their own representation in the United Nations (Binaisa 1977).

To achieve a state of independence, most Anglophone and Francophone African colonies were required to establish regimes that modeled liberal democracies, following “the metropolitan model,” (Crowder 1987: 18). While some genuine nationalist movements were present and wished to create accountable government in Africa, many of the African leaders who constructed constitutions reflecting the views of their colonizers did so half-heartedly and many of these constitutions were ignored or poorly enforced shortly after independence was issued (Crowder 1987). It has been clear to see that this idealized regime form did not pan out to be realistic but rather a fantasy for the majority of postcolonial African states and in its place there were many different

authoritarian regimes that swept over the African continent throughout the years following independence.

## II. Prominent Ideologies

With the hopes of touching on the ideologies and themes of postcolonial African states, the concepts of Pan-Africanism and Socialism were two prominent features that were associated with African independence. It was believed that the unity of the African continent and interstate cooperation was an essential building block for economic development and prosperity (Marcum 1963). Socialism, with influences from the Soviet Union, was seen to coincide with the notion of Pan-Africanism due to various ideological similarities: “cooperation, egalitarianism, and liberation, and both draw inspiration from the strong myths of traditional communalism and contemporary nationalism,” (Marcum 1963: 6). The Soviet impact did not directly affect the continent of Africa during the colonial period, but it crept into Africa through European communist parties that had some interaction within the continent, such as the French Communist Party (Gorman 1984: 167). Ideals of socialism were successfully planted in many parts of Africa prior to independence and African nationalists utilized this ideology to further push for decolonization.

In the years following independence, Soviet leadership was skeptical about the movement toward socialism in African because they viewed many of the African nationalists as products of a bourgeois society. As stated by Gorman, “If African leadership did not explicitly voice their solidarity with socialism, they were often dismissed as 'reserves' of imperialism,” (1984: 170). As time went on, however, there was

a newfound push for African socialist conversion and with that came the acceptance and flexibility of socialist development in Africa, even if the USSR saw various policies and practices as unorthodox (Gorman 1984). Some socialist and communist political parties were present in African nations, including Senegal. The Soviets began to offer scholarships to African students with hopes that they could provide socialist educations to Africa's younger generations to further their cause. Some educational programs went to the extent of urging students to completely reject and criticize their current governmental systems in Africa, and the outcome of this pressure was mixed. Some students returned to Africa from their time in the USSR feeling disillusioned and refused the Soviet teachings, but even with some expressed opposition, many others embraced socialist ideology and advocated for socialist implementation in their countries (Crawley 1965).

Socialism was initially attractive to Africans for numerous reasons. As stated by Seydou Badian Kouyate, who was a government official in Mali, in regards to the typical African condition, "You cannot be a capitalist when you have no capital," (Pitcher and Askew 2006: 7). Above all else, many Africans believed that the adoption of socialism provided the following benefits: "(1) a language to promote the modernization and unification of emerging nation states, (2) centralized control of economic resources, (3) consolidation and expansion of the state, (4) emphasis on revolutionary change, and (5) international bonds to the wider community of socialist/communist states (promising economic, political and military assistance)," (Pitcher and Askew 2006: 7). Socialism remained an important ideology in Africa until the fall of the Soviet Union, and the post-Cold War era is where we began to see the pursuit of democratic institutions and

principles such as privatization and political pluralism in many African countries that formerly clutched onto socialism.

### III. Authoritarianism and Corruption

The vast majority of African regimes, including those with socialist ideologies, experienced some kind of authoritarian regime at one point or another post-independence, and often these regimes were mixed or hybrid. Authoritarian regimes are non-democratic and can be classified as personal or dictatorial, ruled by a single party or oligarchy, or military-ruled (Lai and Slater 2006: 115). A common distinction of many authoritarian regimes that began to seize power in Africa after independence was that they usually embodied the element of neopatrimonialism (Bratton and Van de Walle 1994).

Patrimonialism is a structure of rule that is based on the values of personal connections and loyalties and can be embodied through systems of patronage and clientelism (Pitcher et al. 2009). Those individuals who prove to be loyal and provide some kind of incentive or service for a leader is left with power, influence, or safety in return. In its *neo* condition, this system of patronage and personal relationships is seen at a bureaucratic and institutional level in a modern context.

Scholars have inferred that neopatrimonialism persists in Africa because of its colonial roots that generated patron-clientelism behavior. “The survival of clientelism, its reconfiguration in an era of dependency and modernization, and its existence alongside a bureaucratic logic thus give the contemporary state its neopatrimonial character,” (Pitcher et al. 2009: 132; Bratton and Van de Walle: 1994). Neopatrimonialism, in opposition with the rational-legal authority that is discussed by Max Weber for deriving its authority

through law and impersonal governmental institutions, undermines institutional legitimacy and can lead to severe corruption and unchecked power for the leaders of an authoritarian regime (Johnston: 2014; Pitcher et al.: 2009). Political and economic affairs become intertwined, public and private property become difficult to distinguish, and the leader and the state become interchangeable. Many citizens who are not a part of the elite circle of influence often experience oppressed rights and little representation in political matters (Johnston 2014). In order to combat this type of rule, scholars have argued that political pluralism needs to become a priority as well as a dedication to respect the rule of law and the promotion of legitimate government (Johnston 2014).

Along with authoritarianism and neopatrimonialism, the presence of military-controlled regimes and military coups have also been seen throughout the post-colonial era. Authoritarian regimes do not necessarily need legitimacy to maintain power as long as they have an effective and powerful military supporting them (Keller 1996). However, if authoritarian leaders lose support or if rule becomes too unstable, the military has been known to step into power, expelling former leaders from their roles, ignoring or rejecting the constitution in place, and removing other governmental institutions (Anene 1997). Depending on the type of individuals that are leading in these military regimes, these coups can pave way for the transition to a different regime type and potentially democratization of the state, or it could lead to further authoritarian experiences. If military leaders prove to be autocratic, their own personal ambitions and motivations can certainly influence their policy agendas and can further promote corruption, instability,

and ineffective government such as the previous authoritarian regimes that held power. (Anene: 1997; Decalo: 1973).

The role of civilian participation and appointments within the military is important in order to understand how a military regime can transition or further delay transition into a successor regime. John Anene studied the different levels of influence that civilian cabinet appointments in military regimes often experience and how these appointments can be a contributing factor of the “third wave” of democratization highlighted by Samuel Huntington that has been sweeping over African in the past few decades (1997). Anene claims that if, under an idealized form, military democrats and civilian democrats join forces and there is pressure placed upon military leaders for democratization as well as a structured removal of military agents from key governmental operations, the military will be pushed to initiate a regime transition (1997: 78). The civilian cabinet members will monitor and guide the transition through policy implications and eventually the military rule will be phased out and dissolved with a new civilian-led democratic regime in its place (although maybe not permanently). In contrast to a democratic transition, however, military coups can also utilize civilian cabinet positions to further the cause of autocratic leaders and can continue down an authoritarian path like previous regimes. Autocratic military leaders can still use a high volume of civilian appointments into positions of power, but there is often a high turnover rate as leaders seek to fill positions with civilians that also share autocratic tendencies (Anene 1997). This creates governmental institutions that display authoritarian characteristics: little checks and balances on leaders in power, self-interested politicians and rulers,

corruption, and so on. Although the military regime is “civilianizing,” it could still be far from “democratizing” (Anene 1997: 77).

The existence of military coups and regimes in Africa is far from subtle and a majority of the countries have experienced some sort of military rule since independence. Although military has engaged some civilian participation into the political system, it has often continued the abuses carried out by autocratic leaders as military personnel who have tried to pursue their own personal agendas, and transitions toward democracy typically have not had substantial successes following these regimes. Keller (1991) argued that true civilian rule of military forces without autocratic ambitions is necessary for strengthening the democratic institutions within a country.

A commonality under authoritarian regimes is the weakness and oppression of the informal institution of civil society by the regime leaders (Bratton and Van de Walle: 1994; Johnston: 2014). Civil society often represents nonpolitical associations and collaborations of individuals, whether it is through community organizations, religious groups, and so on that come together with a common interest and have the ability to directly influence political forces. Scholars have argued that civil society itself can be a key driving force behind regime change if it is formal and developed, as well as if the timing is favorable (Bratton and Van de Walle: 1994; Keller: 1996). After African countries gained independence, civil society and civic organizations faced two situations: they were either utilized by political institutions, or they were rejected and restrained by the ruling government (Keller 1996: 206). It is an observed trend that civil societies tend to lay low in regards to becoming involved in political affairs until political instability

becomes undeniable and crises emerge. Social groups can mobilize to control the political ineffectiveness and if their efforts prove to be cohesive and powerful, the ruling regime has no choice but to abide or try to fight off the social pressure with its own mechanisms of force.

Assuming that civil society does have an impact in policy transition and is victorious over the incumbent regime, it is likely that civil society will die down again until there is another crisis that arises in the political atmosphere (Keller 1996). Civil unity and mass mobilization can be a contagious element and in many cases, it has proved to be an exogenous factor of regime transition (Keller: 1996; Wejnert: 2005). After composing a significant quantitative data set to carry out her studies, Barbara Wejnert determined that transitions to democracy are positively correlated to spatial proximity and that regional patterns through the diffusion process can influence neighboring countries to pursue democratization if others in the area already have (Wejnert 2005). She argues, “The closer countries are to each other, the greater the number of possible linkages through which democracy can be promoted or spread,” (2005: 56). Civil societies within one country that have pushed for democratic transitions can affect civil societies amongst other nations within proximity; there is not necessarily a domestic barrier.

Although we have seen that spatial proximity and civic organizations can be driving forces behind democratization, this logic is not a science nor is it necessarily guaranteed for every African country that falls into these applicable categories. Africa is particularly interesting to study due to the fact that all regimes, even the ones that are



striving for the same outcome goals for their regimes, tend to be unique from all others and these differences are deeply rooted culturally and from differing colonial experiences. African regimes are products of their own individual histories, and many prove to be 'hybrid' in the sense that they can display overlapping combinations of parliamentary systems, dictatorships, military rule, and single-party governments (Bratton and Van de Walle 1994). These hybrid regimes can embody more democratic institutions and principles than others and can qualify as being more liberal or free than others. Some countries have implemented democratic practices early on after independence was achieved, and although some of these practices have died off after regime transitions, some have remained active and intact. "African regimes have varied in the degree of political participation allowed, most obviously, through the timing and frequency of legislative and executive elections. Postcolonial African regimes that have held elections have rarely limited the franchise," (Bratton and Van de Walle 1994: 470). In general, political and regime instability was not uncommon throughout the several decades following independence for many African states.

A final peculiarity, however, has been the recent stagnation of transition or progression for these African countries. As mentioned in previously, after the collapse of the Soviet Union, there was a jump in democratization from the end of the 1980s to the mid-1990s, but after that, progression slowed and in some cases essentially flat-lined (Peiffer and Engleburt 2012). Currently, many of the countries that were regarded as 'free,' 'partially free,' or 'not free' according to Freedom House data, which is one of many organizations that assesses the levels of democracy and civil rights within

countries, remain in the same category as they did two decades previously. Peiffer and Englebert succinctly explain the modern African condition in the following manner:

“While it is not unusual for regime characteristics to correlate over time within regions, such consolidation is surprising in Africa, not only because its more democratic regimes endure despite missing several of the alleged prerequisites of democracy (like sufficient income levels), but also because its ‘hybrid’ regimes seem to be in a state of equilibrium, neither transitioning towards more democracy nor reverting to the full-fledged authoritarianism they displayed before the 1990s. It is typical of these regimes that they hold regular elections and provide their citizens with some liberties, while nevertheless using autocratic and clientelistic means to maintain their effective monopoly over power. Thus, the large proportion of partly free or hybrid countries in Africa (at 48 percent the largest of any region in the world) has become a steady feature of its regime distribution rather than a stage in the continent’s course towards or away from democracy,” (2012: 358)

It is difficult to determine what fate awaits Africa and its transitional stagnation. This thesis, however, is more concerned with understanding the current condition of select African countries and whether their colonial histories with both ruling empires can offer us insight as to why they have reached their current level of democratic development. The political and societal institutions that were inherited from former ruling empires and the ways that they were modified and utilized after independence are of particular interest to my research. In the remainder of this work, I will target and examine

specific examples of institutional adoption and modification throughout the years in my selected countries of interest, both from former French and British colonies, to see if there are any connections between colonial rule and modern application. We will look at the varying regimes that have held power throughout the post-colonial history, the evolution of institutions, the roles of civil societies, and more in attempt to understand if experiences with either the British or French empire could have aided their newly independent colonies toward more democratic successes or failures.

### **Methodology**

After reviewing the literature that examines the formal institutions and policies of the British and French empires in colonial Africa, I will spend the remainder of this thesis identifying and analyzing the effects that the former ruling empires had over their former colonies after those colonies had gained independence. With Alexander George and Andrew Bennett's book (2005) *Case Studies and Theory Development in the Social Sciences* as my guide, I decided to conduct a case study analysis of two African countries – one a former French colony and one a former British colony – to observe their political and societal histories from their independences to more current years. My goal through these case studies is to observe the implementation of democratic institutions and policies within these countries, and to determine if any lingering formal institutions or policies that were administered under colonial rule have inhibited or aided the transition to democracy within the Africa countries.

The lingering formal institutions from the former empires that I will be examining as my independent variables for this research are those which were outlined and

discussed in my literature review: the administrative practices and ruling methods of the British and French authorities (which will be examined as the governmental regimes and institutions that were adopted upon independence and that evolved throughout the years that followed in the African countries), the various judicial systems that are present in the African countries, national education institutions and policies, and the languages in which education and administrative procedures are conducted. The successes of democratic institutions that have taken root in these African nations to determine the overall transition to democracy will be the dependent variable of this study.

For the purpose of conceptualizing my dependent variable, I will use the definition given by Seymour Lipset that identifies democracy as, “a political system which supplies regular constitutional opportunities for changing the governing officials. It is a social mechanism for the resolution of the problem of societal decision-making among conflicting interest groups which permits the largest possible part of the population to influence these decisions through their ability to choose among alternative contenders for political office,” (1959: 70). With the research compiled through my case studies, I will evaluate the levels of democracy in my selected countries by the pluralistic or unitary nature of political parties and representation in government, the presence or absence of authoritarian regimes or military coups during given periods throughout the nations’ histories, any societal uprisings or wars that have affected governmental structure and policy, and other elements that could have affected democratization. For a final observation to provide a numerical standard, given by the Polity IV scale of democracy, I will examine the authority trends of democracy that have been assigned

since independence for both countries to give a visual overview of the process of democratization that has ensued, related to the countries' postcolonial experiences.

For my case study analysis, I will choose to examine the countries of Senegal and Nigeria as representatives of their colonial empires. Following the advice of George and Bennett, I selected two separate cases that had similar structures initially (being the models of administration adopted by the countries that resembled their previous colonial metropolises) to observe the variance that followed. Since the influence of colonial rule on the transition to democracy is my "phenomenon of interest" (George and Bennett 69), I selected two cases that were similar in terms of their postcolonial connection to their respective former empires. Senegal, being a former French colony, incorporated and retained numerous administrative institutions from France, and the Senegalese constitution that was drafted upon independence embodies many elements of the French "État." The former British colony of Nigeria, although employing a federal system of government, retained numerous British institutions and policies such as a bicameral parliament, common law system, and so on. Furthermore, both African nations are regionally sub-Saharan and have strong Islamic ties that influence governmental structure and policy, which can present an interesting element of analysis as to how these two countries deal with the presence of Islam in their societies.

My case studies of these two countries will attempt to answer the same sets of questions that will be applicable for both historical analyses (George and Bennett 86) to determine the role that colonialization under each empire has had on the process of democratization within Senegal and Nigeria. How have the formal colonial institutions

and policies of administrative structure, judicial system implementation, education, and introduced colonial languages versus native languages impacted the transition to democracy in these two countries since they gained independence? How have these formal colonial institutions and policies shaped political and societal institutions in these countries since independence? The next two chapters on Senegal and Nigeria will help answer these questions and draw conclusions for this research.

## **Senegal**

### *Colonial Overview*

French intervention in Senegal before independence has similarities to the colonial standards that were traditionally implemented under the French empire in other colonies, but other conditions were present that were unique to the Senegalese case. Senegal presented a relatively standard case of French colonialism in regards to various policies and institutions that were initiated under the French empire. The judicial, administrative, and educational formal institutions that were pursued by France throughout its colonies typically remained the norm in Senegal as well. Although Catholicism was brought over by some of the French, secularism was still implemented in political policies. The French language was taught and used as the dominant language in schools, the Napoleonic Civil Code was adopted, and the French government sent over civil servants and other authority figures to preside over the colony (Creevey Behram 1996: 281).

The level of freedom from French authority in Senegal, however, appeared to differ from other Francophone African colonies. Particularly in the Four Communes, the most urbanized areas in Senegal, the French allowed political activity to be carried out by the indigenous populations (Fatton, Jr. 1986 [2]). Although this political participation mostly came from the ‘African elite’ that received French educations, it sparked the beginning of an active political scene in Senegal. “Thus, unlike most ‘peripheral nations,’ Senegal experienced a rather ‘democratic’ form of imperial domination, and this decisively impinged on its postcolonial politics,” (Fatton, Jr. 1986 [2]: 299). Also, the use of French ‘cadres’ is particularly important while examining Senegal, especially in relation to its Muslim background. French North Africa is characterized with an Islamic presence, and the French interaction with Muslim groups traditionally was uncooperative and caused administrative obstacles for France. Senegal, although sub-Saharan, shares the presence of Islamic groups within the nation, and the relationship between the Muslims and French government was a bit different in this case (Creevey Behram 1996).

The French had difficulties collaborating with the Senegalese masses due to extreme cultural differences, and rather than dismissing or restricting local Islamic groups, French authorities relied on regional leadership groups who could moderate between the French government and Senegalese locals. These ‘moderators’ were local Muslim Sufi brotherhood groups who learned to speak French and could act as the voice of various local tribes and communities as representatives in front of the French State (Creevey Behrman: 1977; Creevey: 1996; Fatton, Jr.: 1986; ). Marabouts, as they were referred to, were utilized by the French to unify the various regions of the Senegalese

colony and to perform numerous tasks for the French government, such as tax collection and the promotion of groundnut labor and trade, which was Senegal's chief export (Creevey Behram: 1996; Fatton, Jr.: 1986 [1]). From World War II to the Senegalese independence, the system of marabout authority was well-defined and structured so that the French would not have to interfere with local affairs unless an issue arose that the marabouts could not effectively control (Creevey Behram 1996). This reliance on local marabouts displays the French's transition from complete assimilation to their policy of association in the later years of colonization and reflects the more indirect ruling policies the French pursued as independence was drawing closer (Beck 2001). The presence of marabouts in local and regional politics did not end once independence was gained in 1960, and they continued to shape national policy in the years that followed.

### *Senegalese Independence*

#### I. Administrative Institutions and Political Regimes

Once the period of colonization came to an end, Senegal had a brief membership in the Mali Federation in June 1960 before becoming a fully independent nation in August of that same year ("Senegal Profile – Timeline" 2015). The nation was headed by President Leopold Senghor and Prime Minister Mamadou Dia. The two leaders were immersed in a bitter power struggle, with Senghor being part of the Christian minority in Senegal and representing a staunchly pro-French position, and Dia who was actively engaged in nationalistic policies and attempted to loosen the European economic and political grip on Senegal (Diouf 1992). After two years of sour relations, Dia attempted a coup d'état over Senegal, which was the only coup attempt in all of Senegal's history



(Villalon 1994). With the aid of French forces present in Dakar as well as the support of regional marabouts who favored Senghor, Dia was arrested and removed from power and Senghor assumed the role as head of state, highly centralizing power and creating a unitary political system (Beck: 1997; Fatton, Jr.: 1986 [1]). Senghor's party, the Union Progressiste Sénégalaise (UPS), later known as the Parti Socialiste (PS), was the only political party with any kind of power in Senegal until 1976 (Villalon 1994). Although opposition parties were technically allowed under the constitution of the Second Republic of Senegal in 1963, the established "winner-takes-all" system made it difficult for opposition parties to have any kind of success in the government (Beck: 1997; Villalon: 1994).

Senegalese government under Senghor's centralized leadership reinforced patronage systems and clientelistic relationships at all levels of the governmental structure. "The second Senegalese republic, proclaimed in March, 1963, led to the complete presidentialisation of the system under Senghor, giving him exclusive responsibility for elaboration and implementation of all national policy. His authority as president was further reinforced by the inclusion of Article 47 which gave him 'exceptional powers' under certain circumstances – to be determined at his sole discretion," (Diouf 1992: 119). All of Senghor's staff and members of the bureaucracy below him relied on his authority to derive their own power and influence in the government, establishing relationships based off clientelism. The judiciary, the members of which were appointed by Senghor, and the Parliament, through which he would assign his own loyal party members to positions in the National Assembly, were not removed

from Senghor's direct influence either (Beck: 1997; Diouf: 1992). Members of the bureaucracy operated in tightly knit patronage networks and ultimately carried out action and policy in the name of the Parti Socialiste to keep their positions of power within the government. "Consequently, all government and party officials, whether elected or appointed, were ultimately dependent upon Senghor's patronage, this fact blurring the distinction between their legislative, judicial, and administrative functions," (Beck 1997: 8). Patronage and clientelism existed even at the regional and local levels.

The usage of marabouts to represent and unify local populations by the national government and by local constituents as well created a patron-client relationship, with the marabouts playing a dual role. The most powerful regional marabouts were incorporated into the PS political system and were responsible for acquiring support from locals for Senghor and his government, and in return the marabouts would be guaranteed political and economic stability and support from the political party (Beck: 1997; Boone: 1990; Clark: 1999; Creevey Behrman: 1977). Rural locals were especially reliant on the marabouts to make sure that their interests were being represented at the national level, so the marabouts played the position of the patron in this respect. The marabouts were also seen as the clients for the Parti Socialiste government and furthermore President Senghor because they relied on the government to secure their level of power and influence over their regions (Beck: 1997; Boone: 1990). Senghor's regime remained in power a little over twenty years, with the help of the marabouts' ability to secure enough rural votes every election to keep him in power (Beck: 1997; Clark: 1999).

Although Senghor's regime faced very little opposition, there were still groups who opposed the Parti Socialiste and expressed dissatisfaction with economic and political conditions within the country. As unemployment and economic crises sparked toward the end of the 1960s, many strikes were carried out to push for administrative and educational reforms. Senghor responded to these uprisings in various ways, and although some repression was carried out by his regime, such as the arrests of some citizens and the declaration of a state of emergency to combat the strikes of 1968-69, he typically tried to refrain from using coercion or violent control (Beck 1997: 11). Something particularly interesting about Senghor's rule is that although he was able to perpetuate the supremacy of his socialist party, he also began to lead Senegal down the path of political liberalization slowly but surely. In 1970, he decided to bring back the office of prime minister after the overthrow and arrest of Dia to decentralize his power over the executive branch and Abdou Diouf was selected for the position, who would eventually become the second president of Senegal once Senghor resigned his position at the end of 1980. Senghor also called to reform the constitution during the mid-1970s to allow for a basic establishment of multiparty politics within Senegal, with three political parties in place to represent the ideologies of socialism (his party), democratic liberalism, and Marxist-Leninism (Beck: 1997; Diouf: 1992). Even with the additional representation of ideologies, the Parti Socialiste remained the most influential party in the Senegalese government, particularly within the executive branch, until the election of 2000.

Senghor had altered the constitution before he left office so that his political successor would be the prime minister of the state (Diouf 1992). Many had opposed this

constitutional provision and viewed Senghor's actions as countering democracy; nevertheless, Prime Minister Diouf was sworn into office in early 1981, also a member of the Parti Socialiste. While some groups in Senegal were opposed to Diouf's presidency, the marabouts typically embraced the new president warmly not only because he would continue to pursue the Parti Socialiste platform that they were used to operating under, but also because he was a Muslim president and more removed from French influence compared to his predecessor Senghor (Clark 1999). While trying to curb disapproval of his presidency, Diouf continued down the path of political pluralism and legalized all political parties in Senegal within months of his inauguration, leaving the country with roughly 14 new political parties. He also legalized various labor unions, organizations for women, and economic organizations to help curb corruption and embezzlement (Diouf: 1992; Fatton, Jr.: 1986 [2]).

Marabout support was largely on Diouf's side throughout the first few years of his presidency. However, with the establishment of new political parties, popular unrest began to form with the electoral process in Senegal and many argued that the PS was rigging elections in Diouf's favor and still had unfair advantages with their domination of the National Assembly. Political and economic crises were on the rise toward the end of the 1980s and into the 1990s, and the beliefs that the Parti Socialiste had committed serious voter fraud during the 1988 elections had citizens outraged and the Diouf regime suffered from instability (Beck 1997). Many pushed for a modified electoral code to make national elections more consistent and fair for all parties, and in 1991 an Election Code Commission was established to create amendments to ensure freer and fairer

elections in 1993 (Beck 1997). Many of these newly established provisions were disregarded throughout various levels of the election process in 1993, and although Diouf won reelection for a third time, it would be his last. Into the late 1990s, some marabouts leaders quit openly supporting the PS and the party itself continued to divide and lose support. There was low voter turnout in the legislative elections of 1998 and many PS party members deserted the party to join other parties (Vengroff and Magala 2001). Finally in 2000 during the presidential election, Diouf lost his final reelection attempt to Abdoulaye Wade, a member of the Senegalese Democratic Party, in the second round of elections that took place in March of that year. Although Diouf tried to retain power through his Parti Socialiste into the new millennium, his actions that pursued political liberalization since his inauguration eventually helped spark the events that led to his downfall. The Parti Socialiste also finally saw its political downfall after being the dominant national party for 40 years.

Since independence, Senegal has been deemed an “*état laïque*,” or a secular state, by all ruling political regimes. This non-religious political affiliation from the state was directly adopted from the French model of government after the Senegalese encounter with it during colonialism. An interesting paradox to Senegal’s secularism, however, is that even at the time of independence, roughly 90% of the nation’s inhabitants were self-proclaimed Muslims (Creevey Behram 1996). There has been a general acceptance of secularism in Senegal throughout the nation’s history. Although the marabouts were religiously affiliated, most maintained the notion that they were not politically motivated by their religious ideologies (Villalon 2004). Relations between the small Christian

minority and the Muslim population have typically been peaceful and accommodating in the societal sphere. Some radical Islam reform movements rose during the 1990s seeking political control, but overall they never posed serious threats to secularism within the nation (Clark 1999). When Wade took office, he made several changes to the Senegalese constitution in 2001, attempting to reestablish the characteristics of the government. “Most dramatically, the first published draft of the new Senegalese constitution proposed by Wade after his election omitted the term *État laïque* (the secular state). The omission produced an immediate and vociferous uproar in the press and among intellectuals, and in the final version the term was restored,” (Villalon 2004). The secular nature of Senegal remains intact and Senegal remains as one of the few completely secular Muslim nations in the world.

## II. Judicial Institutions

The judicial structure of Senegal that is outlined in the national constitution was almost directly adopted from the French model. The constitution established a Constitutional Council, a Supreme Court, a Court of Accounts, and various Courts and Tribunals (Constitution du Sénégal). The most notable difference between the French judicial system and the judicial system in Senegal is related directly to the influence of Islam in terms of familial matters. “Before 1972, Senegal had several different law bases for its courts in uneasy co-existence. Family matters could be tried under French law, in traditional courts, or in Islamic courts depending on the nature of the issue and the interested party's own claim of affiliation... Like most rulers of independent African states, [President] Senghor was forced to find a consistent system of law to be adopted

nationally. The Code was his effort at providing a coherent national body of civil law although it is not based on one system but drawn from the three bodies of laws, with heaviest emphasis on French and Islamic laws,” (Creevey Behram 1996: 296). President Senghor adopted this law in attempt to standardize national law so it would work to balance out concerns from feminists and Western groups that were putting pressure on him to increase familial rights for women, as well as to accommodate for Islamic marriage and familial traditions. The Code de la Famille was constructed by the following provisions:

“The Code spells out the specific rules and obligations of marriage, divorce and inheritance. Those who declare themselves not Muslim have a slightly different variation in what applies to them but many features are common and based on French law. For example, after 1972, all marriages must be witnessed by the civil service, either through a separate second (or preceding) ceremony or by the presence of the official at the religious ceremony. People may have Islamic marriages (in a mosque) or customary marriages according to local tradition or Catholic marriages in a church-but these were not legal unless registered civilly. Girls had to be at least sixteen and had to agree to the marriage. Muslims, self-declared, were faced with a number of decisions. They had to decide at the time of marriage whether it would be monogamous or polygamous and both man and woman had to agree to this decision. No longer could men divorce women by simply declaring three times that they did so. Divorce had to be heard by civil court and permitted only according to a specific set of reasons such as infidelity,

or unalterable incompatibility. Women could equally bring suit for divorce in family court. Husbands were forced to pay alimony and child support, which they had not done, although they retained the right to determine where the children would be raised,” (Creevey Behram 1996: 296-97).

This civil family code sparked much debate between both feminist groups and actively religious Muslim groups, both claiming in some way that the Code still didn't accommodate for all of the desired goals. Women were still seen as inferior to men in relationships through this code, and some Muslim groups argued that this code was contrary to and even violated aspects of the Sharia (Islamic) law (Creevey 1996). Attempts to modify the code have been made throughout Senegalese history, and even under Wade's presidency an organization was established in 2003 in attempt to reform the code but Wade struck down the demand (Villalon 2004).

### III. Educational Institutions

The structure of formal education system in Senegal has remained incredibly similar to its French counterpart since independence. The official language in Senegal is French, as proclaimed by the Senegalese constitution, and although several other national languages are also recognized by the constitution, French remains the language that is used in all kinds of formal education. Much of the Senegalese elite at the time of independence received their education in France, and those who did not still received a French-based curriculum in Senegal (Schraeder and Gaye 1997). The Senegalese constitution, under Article 22, gives the right to an education for all children and the State has the responsibility to provide and establish public schools (Constitution du Sénégal).



Many Senegalese have argued that the French spoken and taught in Senegal is the 'purest' in Africa and strive to continue the promotion of 'la Francophonie' to retain their strong standing in the Francophone world (Schraeder and Gaye 1997).

Similar to those that took place in Paris during the same month and year, Senegal experienced education-related strikes by university students in the capital of Dakar in May of 1968. After observing the intensity of the French strikes began a couple weeks prior, Senghor was worried that Senegal would end up in a similar uproar and decided to declare a "state of emergency" once the striking began on his own soil. These strikes didn't prove to be as effective initially in Senegal as they were in France, and educational reform didn't make more significant strides until the Diouf presidency. Around the same time when Diouf was initiating policies to legalize labor and teacher unions, an educational policy was pursued to alter the old system. "Designed to replace the former educational system (which basically was inherited from colonialism), this new policy would be adapted to the socio-cultural specificities of the nation, and would reflect the needs of the population," (Diouf 1992: 122). Although large improvements have been seen with the extension of education to Senegalese children and the continued practice of a rigorous French-based curriculum with modifications to benefit Senegalese students, the education system in Senegal is far from being perfected. "Formal education in Senegal continues to be conducted in French and resembles the French school system. While the formal education system has created a Senegalese elite, according to the UNDP Human Development Report (2002), around 62% of the population of Senegal does not possess basic literacy skills. Among women, 72% are not literate," (Kuenzi 2006: 6).

### *Summary*

The Senegalese case presents some interesting points worth exploring. First, although the republican form of democracy implemented and pursued during the ruling regimes of Senghor and Diouf, although flawed, proved to be rather enduring. Senegal is one of the rare cases in Africa that has been able to successfully curb any attempted military coups as well as maintain consistent authority over the nation. Even with presidential authoritarian tendencies, the widespread practice of patronage-clientelistic relationships, and an almost unitary political party system in place for four decades, Senegal has still experienced relatively low levels of political violence and has maintained stability within its governmental structure.

Second, the concept of maintaining political secularism has appeared to have benefitted Senegal throughout history. While religious and ethnic wars and uprisings have plagued other independent African nations (such as Nigeria), the general respect for keeping the Senegalese government secular has reduced political backlash and limited oppression for Muslims under the law, as well as other small minority groups such as the Christians and traditional African religious groups. The centralized structure adopted from the French metropole and its secular policies to create unity within the state may have saved Senegal from serious social conflicts that could have damaged democratic practices and institutions that have evolved over time. Finally, the use of marabouts to serve as local representatives during the colonial era and their continued usage after independence helped create a uniform system of politics that the populous had become familiar with before the French removed themselves from Senegal. This continuation in

political practices helped ensure stability within the country and likely made the transition from colonial rule to independence smoother for the nation as a whole since procedure didn't drastically change.

Observing the Polity IV democracy scale for Senegal from independence until 2013 (see Fig. 2), the experiences under Senghor and Diouf can be mapped out visually to observe the increase in democracy throughout the years. Despite the attempted military coup by Dia in the early 1960s, which can be seen as the green declining line on the Polity IV graph, Senegal experienced gradual increases in democracy under Presidents Senghor and Diouf throughout the forty years of rule under the Parti Socialiste. The transition of political power under President Wade's election in 2000 further increased the level of democracy in Senegal, as the Polity IV ranking jumped from a -1 to an 8 in a matter of a couple years following 1999. Senegal's democracy level has remained relatively stagnant since 2000, although experiencing a small decline around 2005, but otherwise a high level of democracy has been able to flourish into modernity.

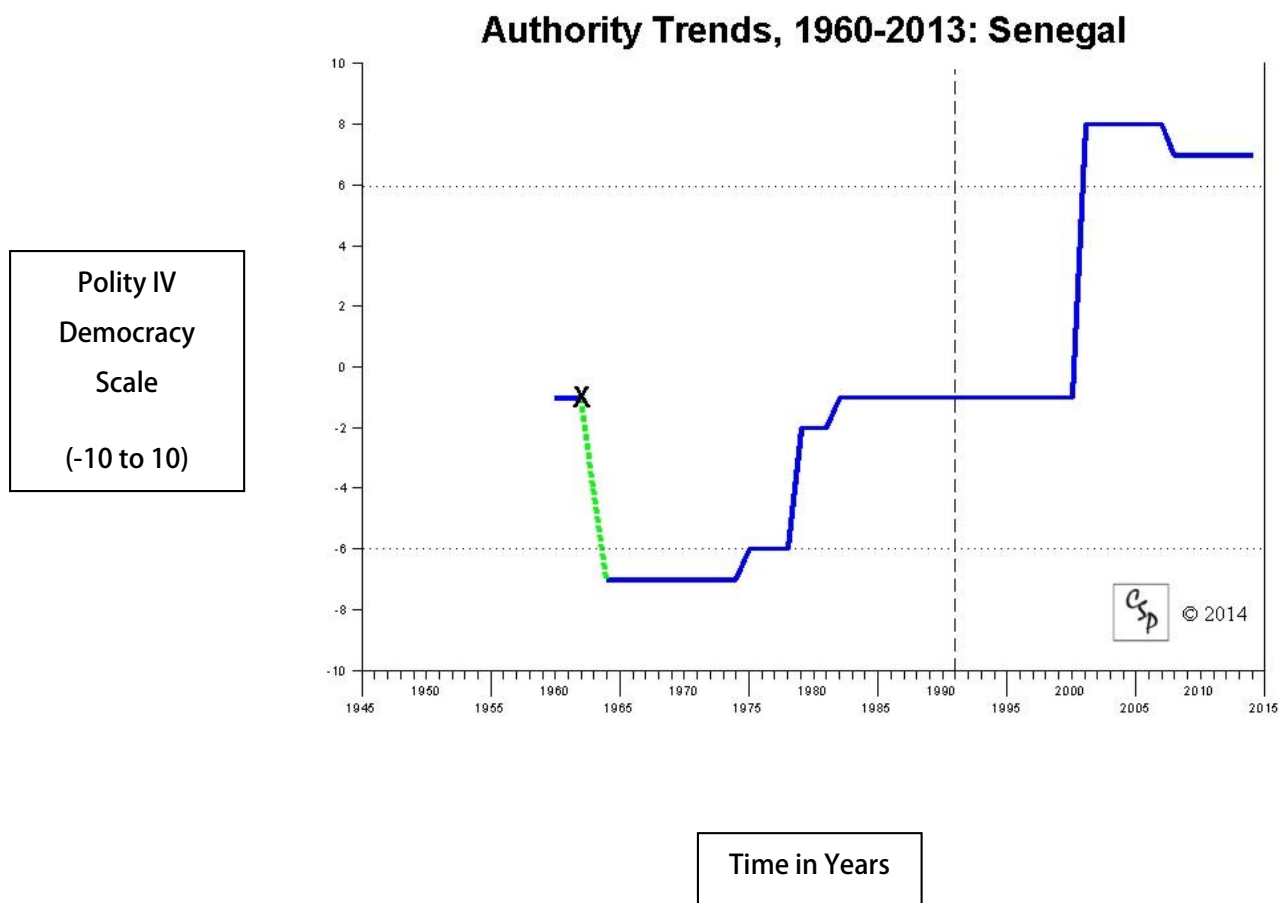


Figure 2. Authority Trends, 1960-2013. “Polity IV Individual Country Regime Trends, 1946-2013.” n.p. The Center for Systemic Peace, 6 June 2014. Web. 17 April 2015.

## Nigeria

### *Colonial Overview*

British influence in Nigeria during the colonial era was somewhat unique in that the various regions of Nigeria were managed under slightly different ruling policies. All regions of Nigeria have complex backgrounds and ties with various ethnic groups and have been shifted around and grouped together throughout colonial history until

unification of regions became more solidified in the early 1900s. Northern Nigeria, which was previously known as the Niger Territories of the Royal Company of Niger, was heavily influenced by F.D. Lugard, who later became the first Governor-General of Nigeria in 1914 up until his resignation in 1919. Lugard's policies for the implemented form of rule in the Protectorate of Northern Nigeria, once it was established in 1900, strongly embodied the concept of Indirect Rule that was well-known for the British Empire. As stated by Ikime, "The corner-stones of that system were Native Authorities, Native Courts and Native Treasuries," (1968: 423). By the amalgamation of 1914, the three main regions that remained until independence were established in Nigeria: the Protectorate of Northern Nigeria, the Protectorate of Southern Nigeria, and the Lagos Colony and Protectorate (Afigbo: 1991; Elaigwu and Galadima: 2003).

The southern regions of Nigeria experienced vastly different administrative and ruling institutions from the British compared to the northern region prior to (and arguably even after) the amalgamation. The Lagos Colony had been ruled as a Crown Colony from Britain since the mid-1800s and it received the direct implementation of various British institutions such as a legislative council and an Anglo-judicial system, along with the incorporation into the British commerce system and numerous Christian missionary groups who worked actively to convert the indigenous population (Afigbo 1991). The Protectorate of Southern Nigeria had experienced less direct involvement from the British, although their presence was significantly more prominent than in Northern Nigeria. In southeastern Nigeria, the British utilized warrant chiefs that they appointed from the indigenous populace, but scholars have debated on whether these chiefs were

influential members of the traditional tribes or if they were simply used by the British because they were members of indigenous society that adapted more easily to British policies (Ikime 1968).

Even with the usage of the warrant chiefs in the administrative procedures of the Protectorate of Southern Nigeria which is seen as more of an indirect ruling policy, elements of Direct Rule were evident and there was a European presence that watched over the native institutions in action. An example of Direct Rule is that a British officer would be president over all of the native courts in the region and the British could sit in on the native tribunals (Ikime 1968). With the amalgamation of 1914, Lugard attempted to convert the three regions all to embody indirect rule by introducing the policies that he utilized within Northern Nigeria. "What in fact Lugard saw as the unification of the North and the South was the imposition on the South of all the systems that were operating in the North, to wit, Indirect Rule, Direct Taxation, Provincial Court, Land Law, etc. Nothing that he came to find in the South was considered good enough - not even the Legislative Council - for adoption in the North," (Akpan 1978: 16). He also imposed a Native Court Ordinance to allow native courts to be unaffected by European influences and a Native Authority Ordinance to bring administrative power back to indigenous groups. Even with the amalgamation's policy to create uniformity within the three regions, the different administrations still operated largely according to their own terms and policies that had been introduced there initially by British authorities, and the southern regions felt discontented because their established administrative procedures had been rejected and deemed as inferior under this new incorporated system.

Lugard had ultimately failed in trying to achieve a unified Nigeria during the colonial era, but it still set the stage for his successors to continue down the path of achieving unity (Afigbo 1991). The British were able to successfully implement a relatively unified military in colonial Nigeria that was headed by British officers, and the military remained rather passive and apolitical during this period (Amadife 1999). Aside from the military, however, conflicts over geographical boundaries and various commerce policies that existed between the different regions perpetuated until the end of decolonization, primarily with Northern Nigeria's lack of access to the southern ports. "Grafted onto the regions, the political parties in government – the Northern Peoples Congress (NPC) in the North, the National Council for Nigeria and Cameroons (later for Nigerian Citizens) (NCNC) in the East, and the Action Group (AG) in the West – used the regions for effective competition," (Elaigwu 1988: 175). With the northern versus southern rivalry and distrust, along with the ways that the British initially divided the colony of Nigeria up into regions and implemented differing administrative institutions policies, it seems inevitable that Nigeria would later adopt a federal structure of government upon independence so that each region could retain some of its own sovereignty and authority from one another.

Colonial educational institutions policies also differed between the northern and southern regions. Most primary education in Nigeria and the standards for such occurred in the two southern regions, which had the majority of the colony's Christian missionaries. Northern Nigeria was dominated by an Islamic presence (there were Christians in the north too, but they were definitely a minority), so the missionaries

settled in the south at large, and by making use of certain tax revenues, they were able to promote the spread of primary education and the English language (Patterson 1955). The promotion of education began to be seen as a necessity and a responsibility as the colony approached the years of decolonization, and Nigerian politicians in the southern regions sought to create and maintain universal education standards across the colony even before independence. Muslim schools existed in the north, but opportunities for early education were nowhere near as accessible compared to in the south, and women had even fewer opportunities in the north to gain an education. However, the southern system was imperfect and faced severe teacher shortages during the colonial era, making universal access to education unattainable (Patterson 1955). There was also a strong push by Nigerians to develop systems of higher education that were compatible to those in Britain, and universities slowly but surely began to make their appearance in Nigeria before independence was gained (Ajayi 1975).

### *Nigerian Independence*

#### I. Administrative Institutions and Political Regimes

Nigeria became an independent country in October 1960, and it was established with both a federal structure and a British-style majoritarian parliamentary system (Akindele and Oyediran: 1986; Suberu: 2008). At the time of independence, there were three regions and a capital, and a fourth western region was created in 1962, thus still leaving a huge Northern region and dividing the southern regions into three newly divided regions – the Western region, the Mid-Western region, and the Eastern region. The uneven divide of the regions from the colonial era left the Northern region with just



over half of the nation's population and it dominated the representation in parliament. Even with the dominance in parliament, the southern regions had earlier and stronger connections to Westernized education systems from their colonial and Christian backgrounds and also had better economic opportunities due to their location on the coast with port access, which the north feared. As stated by Elaigwu, "It may be suggested that there was a relative division of functions between the North and the South that maintained some delicate balance in the political system. The Northern control of political power was counterbalanced by the South's monopoly of economic power in the country," (2002: 75). Ethnic and political distrust between regions persisted throughout the next few years, and finally the civilian government was overthrown by the country's first military coup in January of 1966 by General Ironsi in attempt to transfer strong regional governmental powers to a unitary power. Ironsi's coup was replaced by General Gowon's in July of the same year after violent backlash spurred from the North (Akindele and Oyediran: 1986; Elaigwu: 1988). Gowon sought to maintain the federal system but he did so under military rule rather than civilian rule, and created twelve states to try and even out the structural imbalance that was presented by the four existing regions since independence. The Eastern Region was still discontent with the structure of the government and felt that the Northern Muslims would try to eliminate the Biafran Christians, and the Eastern Region seceded from the federation in 1967 as Biafra, sparking the Nigerian Civil War that lasted until 1970 (Elaigwu and Galadima 2003).

Until nearly the end of the century, it appeared that the Nigerian military was essentially the only element of the federation that was able to remain relatively unified.

From Nigeria's independence in 1960 to the creation of the Fourth Republic under the 1999 constitution, Nigeria was under military rule composed of several different coups for roughly thirty years (Amadife: 1999; Elaigwu: 2002). When Biafra surrendered in 1970 and the sun set over the civil war, General Gowon still held power over the military and announced to the nation that his coup would be working on reestablishing democratic rule over the course of the next six years. Gowon's power was cut short however and was transferred to General Murtala Muhammed in 1975, who "immediately undertook the most radical clean-up exercise in Nigerian history to rid the government and bureaucracy of corrupt officials," (Amadife 1999: 626; Obi: 2000).

Corruption still lingered throughout the government and military ranks in Nigeria over the years, especially with the creation of new states and local governments. "Subsequently, state and local government creation became instruments of political control and patronage. In these circumstances, states were created simply to spread centers of development evenly across the country, since new states were to have direct access to federal funding and to meet pressures for equal distribution between north and south and between east and west. The creation of states and localities ultimately became channels of advancement for the regional elites who occupied (or determined the occupants of) the resultant expanded political and bureaucratic positions that emerged from the exercise," (Aiyede 2009: 255). General Muhammed himself, although active in his pursuit to curb corruption, increased the number of states from twelve to nineteen in 1976.

Muhammed promised the nation that Nigeria's government would be handed back over to civilian control on October 1, 1979, but he was assassinated in 1976 and wasn't able to carry out the job himself. General Olusegun Obasanjo took his place and tried to continue with the transitional plans to civilian rule that Muhammed had put in place (Amadife: 1999; Obi: 2000). Under his regime, he was able to create a Federal Electoral Commission to regulate parties, membership, and campaign contributions for future elections. By 1979, five parties were able to participate in national elections and Shehu Shagari, the candidate from the National Party of Nigeria, was inaugurated as president of the Second Republic (Amadife: 1999; Elaigwu: 1988; "Nigeria Profile – Timeline"). His regime lasted approximately four years, and it was seen as a period of corruption and mismanagement of power and resources. It is understandable that the public of Nigeria began to distrust civilian authority, and by the end of 1983, the government of the Second Republic collapsed and the nation's fourth military regime, led by General Muhammadu Buhari, assumed power (Amadife: 1999; Elaigwu: 1988). Buhari's regime lost support quickly as it had passed several unpopular laws and did not try to maintain its accountability.

Two years after gaining power, another coup d'état seized power over the military, removing Buhari from his position of Head of State (interestingly enough, although Buhari's regime displayed authoritarian qualities, he would make his return into the Nigerian political spotlight about thirty years after his regime ended). General Ibrahim Babangida, the nation's new leader in 1985, promised early on that he did not intend to overstay his welcome and wanted to remove the military from power as soon as

the nation was stable enough to do so, and was confident that his military regime would be the last that Nigeria experienced (Amadife: 1999; Obi: 2000). Babangida's regime established and authorized two political parties in the country with the hopes of reducing corruption to prepare for future civilian elections, which were the Social Democratic Party (SDP) and the National Republican Convention (NRC). He also attempted to restructure the Nigerian economy, and increased the number of states in the country, first to twenty-one states total in 1987, and then to thirty states in 1991 (Amadife: 1999; Elaigwu: 2002). After delaying the presidential elections that were supposed to be held in 1992 due to campaign corruption, Babangida allowed for elections to be held in the middle of 1993. The leader of the SDP, Moshood Abiola, was announced to have won the majority of the votes, but the results were annulled almost immediately by the military and he was never inaugurated ("Nigeria Profile – Timeline").

Babangida reassumed power only to resign shortly after, due to widespread fear by the public that he never intended to rid the nation from military rule. He was followed by his successor Ernest Shonekan who led the Interim National Government eighty four days until the nation's sixth military coup, headed by Sani Abacha, took over at the end of 1993 (Amadife: 1999; "Nigeria Profile – Timeline"). Abacha planned to lead the country toward another transition that would render a civilian-led government by 1998, and although he initially suspended many political activities within the nation, he created a Constitutional Conference Committee in 1994 to begin drafting the nation's new government that would take up when the military stepped down. Five political parties were also established, and all supported Abacha to run for president in 1998 when the

transition was complete (Obi 2000). Abacha ended up dying in 1998 before the transition was able to be completed under his regime, and General Abdulsalami Abubakar took power in July of that year. His regime transition was the shortest in Nigerian history, when he handed power over to a civilian government on May 29, 1999. During his short time as Head of State, Abubakar released political detainees in the name of human rights, constructed a commission to examine the constitution of 1979 and the one that had begun to be drafted under Abacha's regime as well as a committee to review the stances of Nigerians to make recommendations to a newly drafted constitution, created the Independent National Electoral Commission, and established three political parties to be active in the upcoming elections (Obi 2000). After elections had been held in 1999, Abubakar stepped down from power and Olusegun Obasanjo, who had been the military ruler in power that handed over power to President Shagari in 1979, was sworn into office on May 29th as the first President of the Fourth Republic ("Nigeria Profile – Timeline;" Obi: 2000).

The 1999 constitution has several key features. It recognizes the thirty six states that were created since independence, along with the federal capital of Abuja that is located almost in the direct center of the country, and 774 local governments. Nigeria experienced a relatively weak center of the federation in the years that followed independence, but several factors that the country experienced throughout its nearly-forty year trek toward a democratic government led to the increase of the national government's power as of 1999. These factors included the nation's experience with military rule, the civil war, the creation of states that established more governing bodies

throughout the country, a desire by the public for federal stability and unity, and international trade and globalization (Aiyede: 2009; Elaigwu: 2002). The federal government has a National Assembly, composed of a Senate and a House of Representatives, as well as a federal executive branch, headed by a national president. Similarly, each state has its own House of Assembly for local legislative representatives, and a state executive branch that is headed by a governor. The federal government is in charge of federal finances, interstate commerce, raising and funding the military, and so on, and the state governments are responsible for similar things at the state and local levels (Aiyede: 2009; Constitution of the Federal Republic of Nigeria 1999). The Nigerian Constitution also abstains from adopting a national religion, but accommodates for various religions through its judicial system (see the section “Judicial Policies”).

With the adoption of the new constitution in 1999, the issues that had led Nigerian politicians to adopt a federal structure for the nation were still very much prevalent, with ethnic and regional groups being weary of one another. At the turn of the century, Nigerian politicians at all three tiers of administrative government were uncertain on how the distribution of power would play out, and desperately wishing to avoid a second civil war, relations amongst these three different governments could be rocky as each level tried to establish their jurisdictions of power in action (Elaigwu 2002). It is likely that as the country progresses down the path of democracy, with the creation and maintenance of democratic institutions, power from the federal government will slowly begin weaken as it shifts more to subnational governments. However, as ethnic conflicts are still present in

modern times, the federal government will always have a strong role to ensure national peace and unity.

## II. Judicial Institutions

Before Nigeria gained independence, the colony had utilized several different judicial systems to rule over the indigenous populace. Given that the northern region had the largest Islamic population, the British authorities had allowed for the freedom of religion within the area to ensure peaceful colonization, and thus this religious flexibility meant that the judicial system could be influenced by informal Islamic institutions and principles. The practice of Sharia law, which is seen as the law of God, was adopted in Northern Nigeria, and by the time of independence in 1960, Northern Nigeria was the only location in the world outside of Arabia that enforced Sharia law in both criminal and civil matters (Elaigwu and Galadima 2003: 126). The British common law system was also adopted at the time of independence, but many northern Muslims felt that this system of law was not compatible with their lifestyles. The different constitutions of Nigeria have been crafted so that both common law and Sharia law can have a place in society to accommodate for all citizens' legal needs. This judicial plurality has lasted throughout Nigeria's history and still holds in the current constitution.

The Constitution of 1999 provides for a Supreme Court of Nigeria, a Court of Appeals, a Federal High Court, a High Court of the Federal Capital Territory, a High Court of a state, a Sharia Court of Appeal of the Federal Territory, a Sharia Court of Appeal of a state, a Customary Court of Appeal of the Federal Capital Territory, and a Customary Court of Appeal of a state (Constitution of the Federal Republic of Nigeria

1999; Nmehielle: 2004). Initially, Islamic law was limited to civil cases that often involved matters such as marriage, and it was used as a form of customary law that could be applied to Muslims. The formal Penal Code was what directly applied to criminal cases within Nigeria. However, after the draft of the Fourth Republic's constitution, several governors in Northern Nigeria declared the complete adoption of Sharia law within their states. Currently, there are twelve Nigerian states that either have full Sharia law or apply it in regions where the Muslim population is dominant (Elaigwu and Galadima: 2003; Nmehielle: 2004). The full implementation of Sharia law in the various states has sparked ethnic, religious, and political backlash, and there is still a debate about whether the states have the constitutional authority to allow religious courts to have complete implementation since Nigeria is constitutionally a secular nation. There have also been human rights concerns over the punishments that have been proscribed under Sharia law in the 21<sup>st</sup> century. In 2002, two separate cases of women committing adultery were sentenced to death by stoning under Sharia law, and thanks to public outcry and the overturn of the ruling by an Appeals Court, the women's lives were spared. Debates over Sharia law have branched out to the international arena, and there are concerns that these laws are unfavorable for women's rights and equality (Nmehielle 2004).

The informal institution of customary courts within Nigeria varies between the differing regions, and still carries out practices of former indigenous tribes from the area. Although the formal common law institution that was adopted from the British has become quite common as the main court system outside of Sharia, many customary courts still are operational, or principles of former customary courts are still in practice.



Using one of many circumstances of indigenous legal practice as an example, a customary practice that is still commonly used in the eastern regions within Igbo populations is the use of juju oaths rather than English-style oaths to ensure that the person testifying is telling the truth. These juju oaths are sworn against oneself in a fearful manner, and this is a way for the person to make sure that they tell the truth or else they will be cursed and punished by their own juju. Many different supernatural beliefs hold a place in African customary law in general (Oba 2008). Finally, the use of an adopted British-style formal judicial system is still very much prevalent in Nigeria and has been incorporated directly into the constitution. The Federal Supreme Court, the Federal Court of Appeals, and the Federal High Court, as well as the courts of appeal and high courts within each state (beside the twelve who have adopted Sharia) all operate according to common law principles, which embody legal doctrines of equality under law (Nmehielle 2004). Even with Nigeria's rich plurality of judicial systems in place to accommodate different groups, it has been seen that the country's rule of law ranking is still one of the worst throughout the world (Daniels et al. 2011).

### III. Educational Institutions

The most current Constitution of Nigeria states, "The Government shall direct its policy towards ensuring that there are equal and adequate educational opportunities at all levels," (Constitution of the Federal Republic of Nigeria 1999, Section 18). In 1976, the government enacted the Universal Primary Education Scheme, with the goal of providing free primary level education across the nation. Due to the fact that Nigeria is one of the most linguistically diverse countries on the continent of Africa, the governmental has also

allowed for the promotion of various languages in the education system. The three most common indigenous languages (Hausa in the north, Yoruba in the southwest, and Igbo in the southeast) are used at the primary level throughout the nation, and it became standard in the 1980s to use the most dominant native language for at least the first three years of primary education, and then to use English for as a supplemental language so that it can be utilized at the secondary and tertiary levels (Reichmuth: 1989; Unoh: 1985). Arabic also has its place in the education system, particularly in the northern region in Islamic school environments or even simply with the teaching of the Koran. As provided by the Constitution, regional indigenous languages can be utilized along with English for conducting “business” for state governmental affairs, such as in the House of Assembly, and for other official purposes (Constitution of the Federal Republic of Nigeria 1999, Section 95). The government of Nigeria supports the promotion of a multilingual educational system because although it is well-known that the knowledge of the English language is important as a universal language inside and outside of Nigeria, it has been observed that the use of a mother tongue early on in the educational process helps provide “a necessary prerequisite for effective literacy acquisition,” (Akinnaso 1993: 256). This system also helps provide extended lingual access to the majority of the population to carry out with their daily affairs.

The Nigerian institution of higher education, as noted previously, had been actively established since the end of the colonial era, and the states take pride in the high standards that have been set and achieved for tertiary education. The education system (the university system in particular) dealt with issues of federal neglect under the periods

of military rule, as funding was a little over half the amount as national defense spending. This angered many because Nigeria was not at war and the allocation of money to the military was corrupted by practices of patronage, and many riots and backlash resulted from funding cuts (Anugwom: 2002; Reichmuth 1989). Educational unions have had numerous problems with the federal government throughout Nigeria history, fighting over issues of funding and the quality of education, and it has been argued that the clash created by these unions with the government has actually perpetuated an educational crisis at the tertiary level, with the norm of the problems since the 1990s being that the systems are often overcrowded yet underfunded (Anugwom 2002).

### *Summary*

Several key aspects of Nigeria's history have led the nation down its current transitional path to democracy in its own unique way. First, the dominance of a military regime as a governmental structure since independence has opened a Pandora's Box to a national distrust of civilian-led government, and authoritarianism and corruption were able to actively remain in the government for the forty years following decolonization. Secondly, the hugely diverse population of Nigeria and its unbalanced division since the colonial era has perpetuated a sense of ethnic and religious hostility amongst different groups and regions into the current decade. The federal structure of government that was implemented during decolonization was supposed to be able to curb regional conflicts that arose over time, but even divided power between a federal body and local subunits has been unable to effectively manage national conflicts over time.

The formal administrative institutions have been mostly stable since the 1999 constitution, but violent ethnic clashes and terrorist groups have had a place in Nigerian society since the turn of the 21<sup>st</sup> century. Islamic states and authorities have still been battling against the federal government for forms of sovereignty over religious and legal mandates. With the most recent presidential election of Muhammadu Buhari in March 2015, which was the first presidential election in Nigerian history that saw a peaceful transition of power to an opposition party, it will be interesting to see how democracy plays out over the next couple decades in a country that has long been dominated by sentiments of national disunity and disappointment.

Observing the Polity IV democratic scale for Nigeria since independence to 2013 (see Fig. 3), we can see the dramatic fluctuations between democracy and authoritarianism experienced through the various military coups that ruled. Nigeria started off with a relatively high democratic rating, around an 8 on the Polity IV graph, but once ethnic turmoil progressed up until the first military coup took over in 1966, democracy levels sharply declined. Democracy levels remained low until the four year period of civilian rule from 1979-1983, and during these four years we see democracy rise to a score of 7. However, with the return to military rule in 1983, the democracy score dropped back down to a -7 and remained low until the constitution of the Fourth Republic was drafted in 1999. Ever since the early 2000s, Nigeria's democracy score has remained stagnant at a 4, but this score could rise in the next couple years since the most recent election in 2015 proved to be the most democratic in Nigerian history, with a smooth transition of political power to an opposition party.

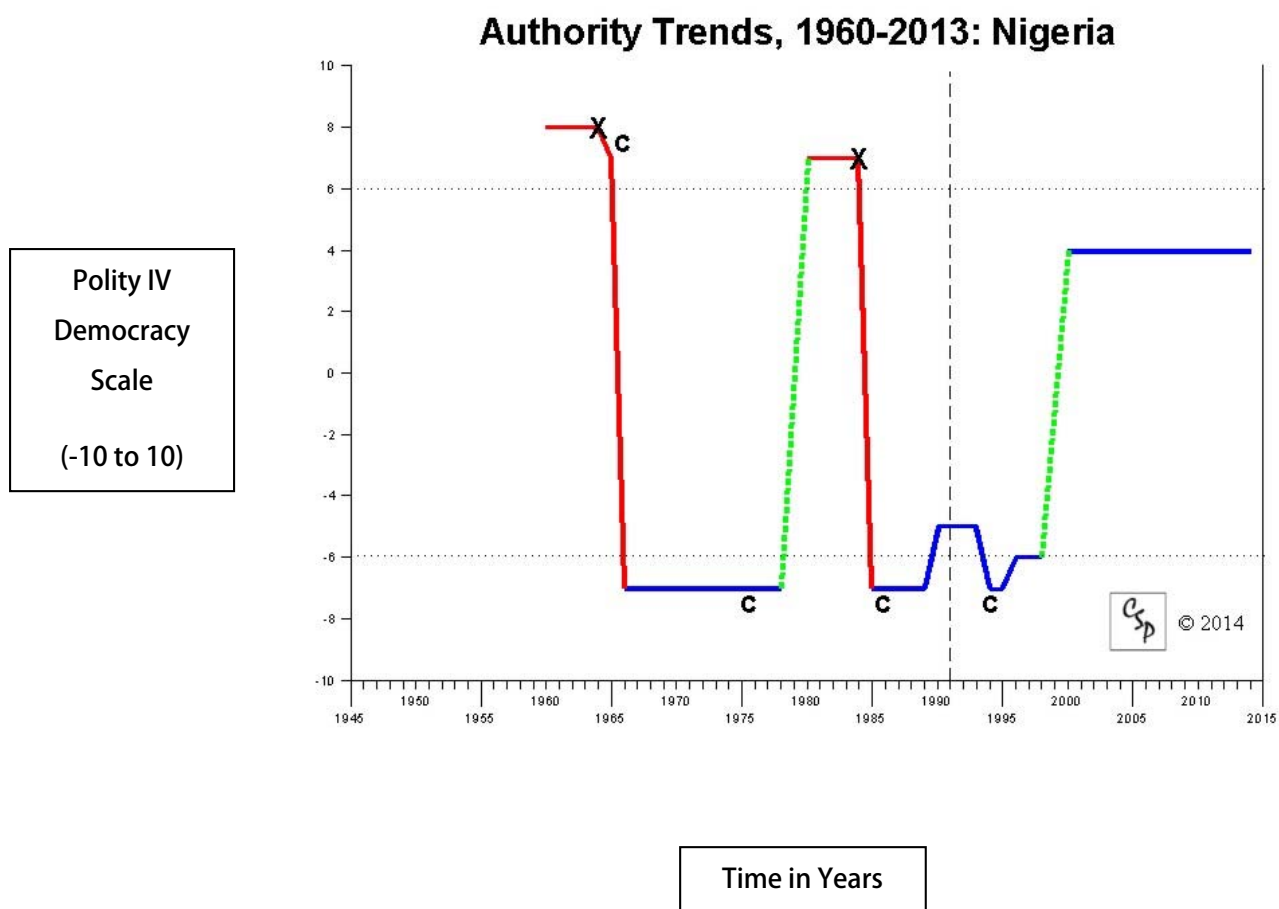


Figure 3. Authority Trends, 1960-2013: Nigeria. “Polity IV Individual Country Regime Trends, 1946-2013.” n.p. The Center for Systemic Peace, 6 June 2014. Web. 17 April 2015.

## Conclusion

After examining the two differing cases of post-colonization in Senegal and Nigeria, it is difficult for me to determine which of the two colonial empires, the French or the British, created a better environment to support a successful transition to democracy. The continent of Africa itself is encompassed by such tremendous diversity, and each individual nation presents its own nuances that can be uniquely identified from

other nations. Even with the standards that the two colonial legacies maintained over their African colonies, discrepancies arose and adjustments were necessarily made by each empire to accommodate for the local conditions within each of their colonies. With regard to Senegal and Nigeria, both colonial empires had to accommodate for the Islamic presence within these colonies, and the policies that were implemented during the colonial era played out differently for each country after independence.

Assessing the main differences between the two current independent African nations, several distinctions can be made that appear to have colonial roots attached. First, according to data collected by the UNESCO Institute for Statistics, literacy rates in Nigeria appear to be slightly higher than those observed in Senegal, for both adult and youth populations (International Literacy Data 2013). These higher literacy rates could be attributed to the legal usage of native languages in primary education, linking back to Nigeria's former relationship with British Indirect Rule, as well as the determination of the Nigerian government for establishing the formal educational institution of universal primary education throughout the nation since the colonial era. The diversity of the Nigerian formal educational institutions also provides more opportunities for students of different backgrounds to achieve an education that is more compatible with their needs and personal background. Since French is the dominant language is the primary language of instruction in Senegalese education and the formal educational system is structured that like of France's, there could be difficulties that arise with attaining literacy since native languages are not as frequently utilized. Also, since missionary groups were the most common under the colonial era to establish systems of education within colonies,

particularly in the British colonies, a country like Nigeria with colonial ties to a Christian religion received more opportunities to establish educational institutions compared to the secular nature of the French colony, which did not have a strong missionary base in Senegal.

Second, the more structured formal administrative institutions and hierarchy that was established in Senegal upon independence came directly from its colonial authority, and the Senegalese constitution was modeled incredibly closely to that of the French *État*. President Senghor's Francophile mentality assured that his nation would carry out similar French policies and the relationship that was maintained with France provided transitional support, both economically and politically. The standard French colonial principles of Direct Rule and assimilation would appear, in the case of Senegal, to have actually aided in creating a stable governmental structure since independence. The Senegalese may not have always liked the implemented policies from France, but there were never any significant kinds of societal revolt or backlash that severely harmed the government and state structure of Senegal, and the country never fell under any kind of military coup throughout its independent history. The Senegalese *État* was strong and centralized from the beginning like that of the French, and regional governments and authorities were always down a level in terms of hierarchical power compared to the national government.

I would argue that the most important administrative adoption from France was that of strict secularism within governmental and political policies throughout the years. In terms of proportion, Senegal is more of a true Islamic nation compared to Nigeria, yet

the influences of Islam and the religious conflicts that are associated with them have never reached such extremities in Senegal as they have in Nigeria. The small Christian minority in Senegal could have likely been oppressed by a strong Islamic majority since independence, but the nation has been able to maintain a mutual ethnic and religious respect between the two groups over time. I firmly believe the strong secular principle adopted from France contributes to this because without any allowance for religious favoritism in governmental policy, the two religions plus smaller indigenous religions do not have to compete against one another for preferred policies. The Senegalese government, like France, has always had zero tolerance for it.

Nigeria on the other hand appears to be far more complicated. As noted, Nigeria also took a secular approach when creating the nation, but like that of Britain, its policies were more accepting and loose toward various religious groups within the country, also linking back to Indirect Rule during colonial times. Nigeria could be disadvantaged in this aspect compared to Senegal because Nigeria simply has a significantly more diverse ethnic and religious population, and Indirect Rule has thus provided for the requirement to be more accommodating. The British colonization of Nigeria may have been the major contributor to the country's ethnic clashes due to poorly divided colonial territories that were drawn for convenience to manage Nigeria and with little regard to ethnic tribal boundaries. Regional distrust and competition resulted from this division and unfortunately didn't fade away at the time of independence.

Nigeria's choice to adopt a federal system of government as a formal administrative institution, which has been seen by other former British colonies,



including India and Australia, was made with the intentions to provide regional sovereignties so the major ethnic groups residing within these regions wouldn't feel oppressed by a national authority or by other regional interests (since Northern Nigeria had the most representation in the National Assembly). The federal system was weak from the start and initial prospects of democracy seemed hopeless with the rise of the first military coup less than ten years after independence. Also, the remnants of British indirect ruling policies can be seen throughout Nigerian history. The British, with Lord Lugard leading the charge, did not necessarily wish to provide significant administrative structures within Nigeria as a whole, aside from its more direct involvement in Lagos. The goal of the British was to come in and extract resources, while letting indigenous tribes rule over themselves as long as there were no significant conflicts that arose during the process. The lack of implemented structure from British Indirect Rule in Nigeria, I would argue, didn't provide the country with adequate experience of self-governance nor did it provide and establish the political resources necessary for Nigeria to effectively manage its independent nation. Nigeria may have had a stronger base of educated citizens that were competent to involve themselves in political matters, but the lack of structure and experience prohibited that knowledge from being applied successfully.

Finally, the formal judicial institutions that were adopted and modified from each colonial empire seem to contribute to the current state of democratization within each country. The strict adoption of the French Civil Code in Senegal provides more structure within the nation because every citizen is guaranteed the same legal rights and procedures. The one exception of the Islamic Familial Code does not significantly alter

the judicial system, as it does not have widespread jurisdiction except for the areas of marriage and family matters for self-proclaimed Muslims. Nigeria's formal judicial system again presents more nuances due to its high level of legal and judicial diversity. The plurality of formal institutions of common law, along with the informal institutions of Sharia law and customary law creates an interestingly unbalanced structure, and jurisdictions over certain cases can be confused at various levels. Nigeria's rule of law is likely negatively affected by these competing judicial forces, and conflicts have certainly arisen over the years. Currently, the allowance of informal Sharia and other customary laws have sparked controversy since some procedures can be seen to be in contradiction to various modern provisions of human rights.

Before I conducted my case studies, I was under the impression that the British formal institutions would provide more opportunities for democracy in the former African colonies upon independence than the French formal institutions for several reasons. Intuitively, it seems to me that the policy of Indirect Rule by the British would provide more opportunities for democracy to thrive compared to the policies of French Direct Rule and assimilation. Indirect Rule would appear to provide systems that promote self-government, cultural and religious freedom, and collaboration amongst fellow citizens, but these concepts unfortunately did not transition well to the Nigerian post-colonial context. Likewise, the more oppressive methods of Direct Rule and assimilation from the French would appear to limit participation, limit individual freedoms and liberties while oppressing native identities, and prohibit self-sufficiency, but these policies translated into a relatively stable Senegalese government that provides for

political freedoms while lacking severe religious and ethnic conflict. The uniformity and structure that were established under Direct Rule seem to actually promote long-term democratic transitions even with the initial oppression of informal native and cultural institutions.

To provide a visual display of the democratization trends of the two African countries I examined through this research, I utilized the Polity IV democratization scale that ranks countries on a scale of -10 to 10 to assess the level of democracy present within the countries each year. For these two countries, the beginning year is 1960 (independence) and the most recently measured year is 2013. According to Polity IV data, Senegal's democracy rating has incrementally increased throughout the years following independence, aside from the first few years after 1960 when there was an attempted military coup. Senegal currently falls around a 7 on the democratic scale, being an established democracy. The consistent regime instability in Nigeria throughout the years following independence is also well displayed through the Polity IV chart. The different fluctuations can be linked back to a different military coup or attempted civilian headed government up until the 1999 constitution was implemented. Nigeria falls currently at a score of a 4, being classified as an open anocracy (Polity IV Individual Country Regime Trends, 1946-2013, refer back to Figures 2 and 3).

After completing these two case studies, I believe that France's strict and structured formal institutions during colonization have better prepared its colonies for democratic transition upon independence compared to the loose and relatively flexible formal institutions implemented by the British. Aside from its formal educational

institutions, the French's administrative and judicial institutions that were introduced into its colonies were successful because they left little room for ideological, religious, and ethnic clashes to ensue, whereas the more tolerant administrative and judicial institutions that were introduced by the British left room for societal debate and created discrepancies in jurisdictions and policies. Due to the nuances that are present within each differing African country, these two cases could be true to the general Franco- and Anglo-colonial trends in Africa, or they could be outlier cases that do not necessarily fit the standard African conditions under colonial rule. There are several former British African colonies, including South African and Botswana for example, that have incredibly high democratic ratings compared to Nigeria, and various former French African colonies such as Morocco and Cote d'Ivoire that have lower democracy scores than Senegal, as well as formerly French Algeria that experienced an incredibly violent civil war after independence. Each unique colonial background could have helped shape their democratic successes or failures in the modern era.

If I were to continue my research on this topic, I think it would be beneficial to examine African colonies from both Francophone and Anglophone backgrounds that did not have as dominant of an Islamic presence to see how the results vary, if at all. Also, the country of Cameroon would present an interesting case to study since it had colonial ties to both France and Great Britain, along with Germany. The formal institutions of administrative procedures, implemented judicial systems, and implemented education and language policies that lingered from the colonial era still appear to be relevant in terms of democratization. However, other institutions not examined through this research, both

formal and informal, as well as the vast diversity within the continent of African and within each individual nation itself may be determining factors as to how democratization has played out throughout the African continent since independence.

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