

nistration territoriale: L'impossible Comparaison entre les Droits Constitutionnels Espagnol et Français?"), *Pascal Richard* ("Le Régionalisme différencié e France, en Italie et en Espagne: Un Enjeu et une Trace..."), *Andrea Romano* ("Influenze Costituzionali Spagnole sul Costituzionalismo Italiano. Nota sulla Genesi dello Statuto della Regione Siciliana"). Den gleichsam harmonischen Schlussakkord mit Ausblick in die Zukunft gibt hier *Karl-Peter Sommermann* ("El Federalismo Cooperativo").

Die Fülle der in diesem Monumentalwerk zusammengetragenen Aspekte und die ganz unterschiedlichen Herangehensweisen lassen erahnen, welche Herkulesarbeit allein die Gliederung dieses Stoffs für den Herausgeber und sein Team gewesen sein muss. Dafür gebührt ihnen hoher Respekt. Dass der Band nicht auf eine einheitliche Sprache getrimmt ist, macht seinen besonderen – eben europäischen – Charme aus. So ist dieses Buch, selbst wenn nicht alle europäischen Staaten vertreten sind – Skandinavien etwa fehlt komplett – zusätzlich etwas sehr Schönes: Ein profundes Kompendium des Verfassungsrechts in Europa.

*Paul Steinbeck*, Berlin

*Heiko Meinhardt*

### **Free At Last! Malawi's Democratic Transition**

National Initiative for Civic Education, Balaka/Malawi, 2004, 445 S.; ohne Preisangabe; englische Übersetzung: *Paul Childs-Adams*

With the burgeoning of scholarship on regime change in the post cold war era, Malawi has not been an exception as a subject of study on democratic transition. One of such studies on Malawi is that by *Heiko Meinhardt* that was first published in German in 1997 under the title "Politische Transition und Demokratisierung in Malawi" and has, in 2004, been translated into English bearing the title as indicated above.

In this book, *Meinhardt* does not present the reader with any new theory of regime change. As a matter of fact, he makes no such claim "to propound any new theory" (p.6). What he does is to employ such theories to explain the democratisation process that took place in one country, Malawi, as a case study. In this regard, he takes recourse to the three phased transition paradigm (political liberalisation, transition and consolidation) as developed by Samuel Huntington to provide a detailed analysis of Malawi's democratisation process. This (Malawi) is a country which despite conditions that theoretically were inimical to transition towards democracy, experienced unprecedented political reforms, which saw the country being one of the first in sub Saharan Africa to be included in the category of the 'third wave' of democracy at the beginning of the 1990s.

Consistent with the transition model that is adopted, the book is essentially divided in three parts. The first part analyses the political liberalisation or, as *Meinhardt* calls it, the collapse of the authoritarian regime (chapters 6 to 14). This part begins with a discussion of Malawi's three decades of Dr. Kamuzu Banda's authoritarian rule. *Meinhardt* then moves on to explain and analyse factors that were responsible for the disintegration of this autocratic regime. He notes that although domestic factors were also at play, it was, on balance, the external factors, in form of political conditionalities, that were manifested in the freezing of aid on grounds of poor human rights record that torpedoed Dr. Banda's iron rule. Given the extent to which this small and poverty stricken country was (and continues to be) dependent on donor aid, *Meinhardt* argues that it was these donors and not domestic actors who had a far more overwhelming political and economic leverage over Dr. Banda's government.

In the second part of the book (chapters 15 to 20) *Meinhardt* analyses the transition process that, in his view and also basing on the transition theories he uses, started with the holding of the referendum in 1993 – during which Malawians (63%) opted for introduction of multiparty democracy – and concluded with the founding elections of 1994 in which Kamuzu Banda and his Malawi Congress Party (MCP) lost power to the United Democratic Front (UDF) with Bakili Muluzi as president. Like in the first part, the study makes a detailed analysis of the role that various actors, both domestic and external, played in this transition period. While external actors are regarded to have been decisive in the political liberalisation phase, the study notes that during the transition phase, domestic actors were equally instrumental. The multi-stakeholder Public Affairs Committee (PAC) and the Presidential Committee on Dialogue (PCD) that had been created prior to the referendum were, for instance, crucial in the establishment of an institutionalised negotiating council, the National Consultative Council (NCC) that in essence managed and implemented Malawi's largely peaceful democratic transition. Other domestic actors that played an active role during this period included the armed forces who for the first time in Malawi's history "intervened actively in politics" (p.272) by disarming the Malawi Young Pioneers (MYP), which was a para-military wing of the MCP.

In the last part of this book, *Meinhardt* takes a closer look at the process of democratic consolidation. He outlines and analyses the emergence and establishment of new political institutions like the adoption of the new Constitution whose role is critical in nurturing Malawi's nascent democracy. The role of other actors like civil society organisations and the media is also analysed in this part of the study. This last part concludes with the author's reflections on the prospects of democracy in Malawi. His assessment is not novel. Democracy is a "long-term process and will undoubtedly not be linear: the consolidation process involves setbacks as well as successes" (p.427).

To be sure, *Meinhardt* makes a valuable contribution to democratisation studies. Through this study, he has demonstrated the utility of theories that are always in need of empirical testing. However, like these theories, the study is not void of contestation. That Malawi's transition started with the referendum and ended with the holding of the founding elections

is, for instance, arguable. The same applies to the categorisation of the post 1994 period as a phase of democratic consolidation. The weaknesses in these categorisations are manifested in that although *Meinhardt* included in this translated version of his publication the period between 1996 and 2003, he does not say much as to what state the consolidation phase is. One also wonders as to whether the efforts taken by the Muluzi administration in 1995 to 'dismantle' the 'old (MCP) regime' through the de facto nationalisation of the Press Trust, a conglomerate that was owned and controlled by Kamuzu Banda (chapter 26) are part of democratic consolidation as the author implies by including this subject under part three of this book. It would appear, from this chapter that these efforts had to do more with politics of retribution than democratic consolidation as the UDF feared that MCP, through the Press Trust, may become "the best financed (hence strong) party". These 'shortfalls' notwithstanding, 'Free at Last' is a book that needs to be appreciated and read not only by those who are interested in Malawi, but also those who would wish to take part in the debate on democratic transition theories and the role of external actors.

*Augustine Titani Magolowondo, Lilongwe*