

THE SIXTH STELLENBOSCH ANNUAL SEMINAR ON CONSTITUTIONALISM IN AFRICA
(SASCA 2018)
IN STELLENBOSCH, SOUTH AFRICA, 4. – 6. SEPTEMBER 2018



Since the 1990s, multiparty elections have been held regularly in most African countries to constitute a legitimate democratic government. However, the prospects of multiparty elections have diminished and the democratic quality of elections has steadily declined over the last few years.

Questions posed by the organizers were:

- How can we stabilize the rocky African constitutionalism boat through the stormy seas of authoritarian revival and prevent the democratic recession spiraling into a depression?
- How can Africa design systems that will ensure that elections will be genuinely competitive and be a real contest between competing approaches to nation-building and not a contest between enemies?
- How can Africa reduce the cost of losing an election and encourage incumbents and opposition parties to accept defeat and continue to play by the rules of the democratic game?

To contribute to this discourse, the KAS Rule of Law Program for Sub-Saharan Africa in collaboration with Stellenbosch Institute for Advanced Study (STIAS), the Institute for International and Comparative Law in Africa (ICLA) of the Faculty of Law, University of Pretoria and the South African Research Chair in Multilevel Government, Law and Policy (SARChI) at the Dullah Omar Institute, University of the Western Cape organized the *Sixth Stellenbosch Annual Seminar On Constitutionalism In Africa (SASCA 2018)* on the theme *Democracy, elections and constitutionalism in Africa*.

The seminar brought together legal scholars, judges and legal practitioners from Africa as well as international scholars who have researched and published on the related issues. They shared insights on the current challenges facing elections, democracy and constitutionalism in Africa.

The seminar offered participants an opportunity to deliberate on what needs to be done to lift the continent from the present democratic doldrums and how the present challenges can be overcome and genuine democracy, constitutionalism and the rule of law can become a living reality in Africa. Part of it was to develop realistic and imaginative variations to existing designs that adequately take into account the present predicaments.

Topics of the presentations and discussions focused on how to make democracy work in Africa, case studies of authoritarian multiparty democracies, the role of political parties in functional democracies, the enhancement of democratic quality through electoral process and the promotion of inclusive and participatory democracy among others.

The seminar was graced and enriched by keynote addresses of the South African Chief Justice Mogoeng Mogoeng and the Kenyan Chief Justice David Maraga. Also in attendance was former South African Constitutional Court Judge Albie Sachs who was a co-drafter of the South African Constitution.



Dr. Arne Wulff during his welcome remarks

Chief Justice of Kenya David Maraga (L) and Chief Justice of South Africa Mogoeng Mogoeng (R) in their Ghanaian attire reserved for accomplished elders as was presented to them by the organisers in recognition of their contribution towards the promotion of constitutionalism in Africa

