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Nota di contenuto	; Part I: Conceptualizing public participation in constitution making processes -- Participation - to unveil a myth / Abrak Saati -- Letting the constituent power decide? Merits and challenges of referenda in constitution making processes in Africa / Markus Beockenfeorde -- ; Part II: Participation in constitution making processes -- The flawed public participation in the Egyptian constitutional process / Mohamed Abdelaal -- The 2011 constitution-making process in Morocco: a limited and controlled public participation / Francesco Biagi -- Participation in the Tunisian constitution-making process / Nedra Cherif -- The role of participation in the two Kenyan constitution building processes of 2000-5 and 2010: lessons learnt? / Rose W. Macharia and Yash Ghai -- The Francophone paradox: participation in Senegal and in Central African Republic / Manuel Wally -- People and constitutions: the case of Zambia / Boniface Cheembe -- Public participation under authoritarian rule: the case of Zimbabwe / Douglas Togaraseyi Mwonzora -- The role of civil society in the Libyan constitution-making process / Omar Hammady -- Public participation and elite capture: a yet incomplete struggle towards a new constitution in Tanzania / Philipp Michaelis -- Mission impossible? : opportunities

and limitations of public participation in constitution-making in a failed state - the case of Somalia / Jan Amilcar Schmidt -- The process of drafting a citizen driven constitution in South Sudan: which role for the public? / Katrin Seidel -- ; Part III: Participation in context: does it make a difference? -- Wanjiku's constitution : women's participation and their impact in Kenya's constitution building processes / Jill Cottrell -- Societal engagement, democratic transition, and constitutional implementation in Malawi / Matteo Nicolini, Martina Trettel -- Public participation and the death penalty in South Africa's constitution-making process / Heinz Klug -- A success story of participation? : LGBTI rights in South Africa / Veronica Federico -- The cross-cutting issue of religion in the Tunisian participatory constitution-making process / Tania Abbate -- Does participation help to foster constitutionalism in Africa? / H. Kwasi Prempeh.

Sommario/riassunto

During the last decade of the 20th century, Africa has been marked by a "constitutional wind" which has blown across the continent giving impetus to constitutional reforms designed to introduce constitutionalism and good governance. One of the main features of these processes has been the promotion of public participation, encouraged by both civil society and the international community. This book aims to provide a systematic overview of participation forms and mechanisms across Africa, and a critical understanding of the impact of public participation in constitution-making processes, digging beneath the rhetoric of public participation as being at the heart of any successful transition towards democracy and constitutionalism. Using case studies from Central African Republic, Egypt, Kenya, Libya, Malawi, Morocco, Senegal, Somalia, South Africa, South Sudan, Tanzania, Tunisia, Zambia and Zimbabwe, the book investigates various aspects of participatory constitution making: from conception, to processes, and specific contents that trigger ambivalent dynamics in such processes. The abstract glorification of public participation is questioned as theoretical and empirical perspectives are used to explain what public participation does in concrete terms and to identify what lessons might be drawn from those experiences. This is a valuable resource for academics, researchers and students with an interest in politics and constitution building in Africa, as well as experts working in national offices, international organizations or in national and international NGOs.
