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BOOK REVIEW

HP Dlamini, *A Constitutional History of the Kingdom of Eswatini (Swaziland), 1960–1982*, African Histories and Modernities, Cham, Palgrave, Macmillan, 2019, e-book ISBN: 978-3-030-24777-5.

This work sets out to give a critical account of the history of Swaziland's constitutional development. It focuses on the history of the constitution-making processes during the reign of King Sobhuza II and deals with colonial and post-colonial Swaziland from 1960 to 1982 (p. 17). The writer, Hlengiwe Dlamini, insists, with some justification, that this is a novel historical study of this nature. The book is nonetheless similar, in some respects, to Luise White's, *Unpopular Sovereignty* which examines contestation about the African franchise in federal and territorial franchise commissions and debates covering five constitutions in colonial Zimbabwe.¹ The breadth and depth of Dlamini's historical study and her use of wide-ranging sources is impressive. Research for this book spanned over two continents (Africa and Europe) and was carried out in four countries (Swaziland/Eswatini, South Africa, Ghana, and the United Kingdom) to access several repositories that include the Eswatini National Archives at Lobamba, the libraries at the University of Eswatini and the University of Pretoria, the Ghana National Archives in Accra, the National Archives in the United Kingdom, and the Bodleian Libraries at Oxford. Beyond the archival sources and secondary literature, a veritable source that emerges in this book is the writer's reliance on oral interviews that are neatly and tactfully fused

¹ L White, *Unpopular Sovereignty: Rhodesian Independence and African Decolonisation* (Chicago: University of Chicago Press, 2015).

into the narrative of the book. The author has done a remarkable job amassing and assessing research material from the various archives consulted for this work. The outcome is a truly outstanding body of work that is executed in an accomplished manner. The research displays originality, and the presentation is lucid, crisp, compelling, and shows scholarly maturity.

The book is divided into 8 chapters, of which Chapter 1 serves as the introduction. Chapter 2 identifies the major participants in the making of the independence constitution and outlines their political viewpoints. The participants were the monarchists, the white Swazis, and the leaders of modern political parties (or the Progressives) while South Africa was an engaged and interested interloper. Chapter 3, which is perhaps the best, brings out the dialectics in the constitution-making process. The emerging contestations set as rivals, the conservative Swazi monarchy and their White allies against Swaziland's emerging political parties who espoused liberal democratic ideals and radical nationalist viewpoints. Chapter 4 continues with the discussion from the preceding chapter by highlighting the backroom manoeuvres by Apartheid South Africa and White Swazis leading to a coalition between King Sobhuza II and the White Swazi Party to participate in the 1964 elections. The coalition produced an electoral whitewash but, more importantly, side-lined the liberal and radical voices from the constitution-making process thereafter. Chapter 5 traces the processes leading up to the adoption of Swaziland's 1967 independence constitution. The writer notes that fundamental disagreements between the Swazi monarchy and white Swazis were only resolved when Britain assumed the role of final arbiter and declared Swaziland a constitutional monarchy. Chapter 6 proceeds to explore the five-year lifespan of the constitutional monarchy until it was repudiated in 1973. Chapter 7 considers the political scenario in Swaziland in the aftermath of King Sobhuza's 1973 repeal of the constitution. The writer refers to this period as a "constitutional void" up to the point when the King introduced what he referred to as the *tinkhundla* system of governance. Chapter 8 is the conclusion of the book. Beyond the 8 chapters, two appendices serve to provide a wider context and understanding of issues raised in the main text.

Dlamini, in my view, has successfully presented a new perspective to the decolonisation story of Africa and in the process complicated existing grand narratives. Often some revisionist narratives have tried to present King Sobhuza II of Swaziland and King Moshoeshe II of Lesotho, among other post-independence leaders, as trailblazing founding fathers of post-colonial states in Africa. However, even though Dlamini does not overtly set out to challenge these narratives, the work under review counters histories that present a linear transition from the colonial to the post-colonial state. In examining Swaziland's constitutional history, Dlamini consistently

stresses that white and black interests often overlapped or were entangled. Dlamini's emphasis on the input of "side-line" diplomacy from South Africa adds an interesting dimension to the process of decolonisation in Southern Africa. Indeed, it shows that the Apartheid state played a midwife's role in bringing about Swaziland's independence. In all, such detailed discussions of the constitution-making processes in Africa are a welcome addition to the historiography and help discredit or challenge accounts that compress history and reduce it to channels that privilege certain political voices while silencing others.

However, while the stated objective of the book is to capture the "complexity and specificity of Swaziland's constitutional history from 1960" up to 1982 this sense of Swazi "exceptionalism" is overstated to the point of masking more than it reveals. Several countries in Southern Africa share many similarities with Swaziland, and these include Botswana and Lesotho. Both these countries are dominated demographically by a single ethnic group, i.e. the Tswana and Basotho respectively (making up around 80 per cent of the total population in each country) just as the Swazi make up 84 per cent of Swaziland's total population. So the Swazi ethnic homogeneity, that the writer points to does not make Swaziland unique but similar to Botswana and Lesotho. Again, historically both countries were British protectorates (along with Swaziland), and they were granted independence at around the same time as well. Botswana, for instance, had an influential royal family in the paramount chieftainship of the *Bamangwato*.² But, unlike in Swaziland, the leading *Bamangwato*, Seretse Khama, paradoxically "used his prestige to reduce the powers of the traditional chiefs and transfer these powers to the new democratically elected central government".³ Khama also "encourage[d] the people to identify with the new nation-state rather than continue the parochial tribal loyalties".⁴ If we are to transfer the writer's line of argument to Botswana, could this have been because Khama himself, unlike Sobhuza II, was western educated and less enamoured to the "very considerable but essentially mundane day to day duties which went with chieftaincy"?⁵ Suffice to say, such comparisons to account for why Swaziland, and not the other former British protectorates, developed into an absolute monarchy would have added an extra layer of nuance and texture to the narrative which has been drowned in overdrawing Swazi exceptionalism. Additionally, an exploration of

2 W Henderson, "Seretse Khama: A Personal Appreciation", *African Affairs* 89 (354), 1990, p. 27.

3 JA Wiseman, "Botswana: The achievement of Seretse Khama", *The Round Table: The Commonwealth Journal of International Affairs* 70 (280), 1980, p. 409.

4 Wiseman, "Botswana: The achievement of Seretse Khama".

5 Wiseman, "Botswana: The achievement of Seretse Khama".

the mind-set or psychology of the major actors or stakeholders identified in part 2 of the book, beyond economic or political interests, would help in further appreciating the competing standpoints in the constitution-making process in Swaziland.

Secondly, the author presents a false analogy by lauding King Sobhuza as a benevolent and paternal despot because unlike his African contemporaries such as Macias Nguema and Idi Amin, he had a lower (dead) body count (see Chapter 7).⁶ However, since the central focus of this book is to do with matters constitutional, Sobhuza arrived at this post-1973 “void” after “slaughtering” the constitution itself and all the independent institutions that acted as safeguards against the King’s excesses. An easy example of this can be seen in the stalemate between the King and the judiciary over the Ngwenya Affair, in which Sobhuza insisted on deporting a political rival, Thomas Ngwenya, despite the court’s ruling (pp. 285-288). The *tinkhundla* system that replaced the repealed constitution in 1978 can hardly be celebrated because the electoral constituencies only rubber-stamped royal nominees to the Legislature and Cabinet. The lack of strong independent institutions has been identified as the bane to Africa’s development by many scholars but more compellingly by Daron Acemoglu and James Robinson.⁷ So rather than applaud the fact that Sobhuza hardly incarcerated political opponents there is room here to assess the short to long-term implications of weak institutions in Swaziland.

Last, the author is too modest in confining the book’s purview too narrowly on how the constitution shaped or influenced political developments in Swaziland. While the point is plainly spelt out on how successive constitutions were important in describing and delimiting political power there is still considerable latitude, that has been left unexplored, on how the constitutions (and the process of making them) regulated societal norms, public life, and the economy more so in the post-colonial order. Also, questions arise on what rights were accorded or extended to women and minority ethnic groups in Swaziland such as the Zulu and Shangane people? The answers to these questions have to do, in part, with the writer’s working definition of what a constitution is. Indeed, there is some discussion in the introduction about this in which both the narrower definition to do with a body of laws governing the country and the wider definition that encompasses the country’s social code and foundational principles are outlined (pp. 7-8). Unfortunately, we are left wondering which definition Dlamini adopted for this

6 I counted two instances where this name was misspelt as “Ngeuma” in the book i.e. p. 280 and p. 330.

7 See, D Acemoglu and JA Robinson, *Why Nations Fail: The Origins of Power, Prosperity, and Poverty* (New York: Crown, 2012).

book? As such, as far as this work goes, the ensuing discussion only holds for a particular context leading up to 1982 and mostly around the politics of the nation. This, in itself, leads to further questions on whether King Sobhuza II's benevolent and preservation norms were maintained after his death under King Mswati III? A postscript would have been in order here or at least some fleeting attempt to address these concerns in the introduction. Put differently, what type of society (not just political) emerged out of the intrigues, conflicts, and contestations that characterised the constitution-making processes in Swaziland? Perhaps these are questions that Dlamini seeks to develop in a sequel to this book? If that is the case, I certainly can't wait.