REVIEW II of Regional Developmentalism Through Law: Establishing an African Economic Community, Jonathan Bashi Rudahindwa, Routledge, 2018.

By:

Prof. Scott Newton

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The hallmark of Jonathan Bashi's masterful analysis of the uniquely multifarious and variegated processes which set Africa apart from all other regional integration theatres (the Americas, Europe, Southeast Asia) is its lucidity. His organising concept of 'regional developmentalism through law' as distinct from regionalism per se or regional economic integration is a genial critical and discursive move. It effectively critiques and corrects the concealed neoliberalism of integrationist discourse by 1) restoring the means-end relationship of regionalism to development, and 2) foregrounding the centrality and polyvalence of law as mechanism. For Bashi, the role of rules is not to serve markets, but to fashion, construct, and condition them.

Colonialism (the coercive incorporation of African territories and populations on structurally disadvantageous terms into a capitalist economic and political order), statist developmentalism (the assertion of economic sovereignty with the aim of accelerated industrialisation and "catch-up" development), and neoliberalism (the renunciation of state economic intervention and the correlative cession of responsibility for co-ordination to national and transnational markets) as discourses and practices all share a common failure to reckon with the specificities of African political, economic, social and material history and circumstances: in Bashi's view whatever their (striking) differences, they are effectively all generic and non-African solutions to emphatically specific and African problems. The stigma of developmental retardation which serves to demarcate the African continent from the other five can itself be understood as the cumulative consequence of consistently genericising African circumstances in theory and practice, of getting African development wrong.

Bashi uses the 1991 Treaty of Abuja and its intention to corral the scattered integration efforts underway with a view toward an eventual (continental) integration of (regional) integrations in the form of the African Economic Community (AEC) as the analytic and historical starting point. As a critical lawyer rather than an economist or political scientist, Bashi is preferentially equipped to reckon with the role of law as the hidden plumbing and wiring, the effective circuitry, of integration efforts, and moreover to reckon with the political choices that law encodes and operationalises. His sophisticated comparative analysis meticulously differentiates the structure, functions, histories, and contingencies of the range of legal and judicial mechanisms employed and deployed in the diverse economic regionalist projects, policies, and politics represented by the non-African cases of the EU, Mercosur, Nafta, and ASEAN and the African cases of ECOWAS, EAC, and OHADA. He is particularly adept at elaborating, contrasting and evaluating differences in rules, procedures, and processes at the fine grain. Throughout, he provides the reader with a road map and signposts, indeed a 'textual satnav,' that enables that reader to understand exactly how each point developed—the consequences of unification as opposed to harmonisation in the case of OHADA—fits into the organisation of the framing argument.

Bashi does address colonialist integration efforts (the 1895 Federation of

French West Africa, the 1910 Southern African Customs Union and the 1917 East African Community) as having adumbrated for, and then bequeathed to, the decolonised states a pressing task, but his historical frame is very much post-colonial. As a result, the initial or enabling conditions underlying the drive for African regionalism don't come in for any extended consideration: the discrete patterns of continental fragmentation across the vagaries of competitive and accelerated colonisation, and the way decolonisation consolidated those patterns. Nonetheless, in a compelling style that is all the more persuasive for being understated and even, Bashi has woven an analytically powerful master narrative out of the bewildering multiplicity of African regional integration stories. It is a supremely accessible monograph, one which should find a readership well outside disciplinary or geographic specialists.

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