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Satang Nabaneh, Adem Adebbe, and Gaye Sowe, *The Gambia in transition towards a new constitutional order*. Publisher: Pretoria University Law Press (PULP), Pretoria, 2022, 334 Pages, ISBN: 978-1-7764116-58.

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The book *The Gambia in Transition Towards a New Constitutional Order* contains 12 chapters. The chapters are classified into three sections, the first section named "constitution making and human rights protection" from chapters 2 to 6, the second section named "Governance and Democracy building processes" from chapters 7 to 9, and the third named "cross cutting perspectives" from chapters 10 to 12. This book deals with the constitutions in the Gambia, from independence to the proposed constitution in 2020.

The second chapter focuses on presenting how the constitution was drafted in The Gambia in 1946 (at that time the Gambia was a British colony and had not yet gained its independence). It was in place until the year 2020, which witnessed the introduction of a new constitution to replace the 1997 constitution. However, it did not obtain the required approval in parliament to obtain the approval of the voters. It is approved through a public referendum, so it is scheduled for the year 2023, according to other research sources, until it is re-submitted to parliament again; Therefore, the focus of the chapter is on the process of drafting the constitution and describing the main features of each constitution that the country has witnessed throughout its history, and the response of political actors to it. The book mentions in this chapter that five constitutions were drawn up between 1946 and 1962, i.e. before independence, and that there are three constitutions that were drawn up since independence, namely the 1965 constitution of independence, the 1970 constitution of the first republic, and the 1997 constitution of the second republic, which was still in effect until this time. Chapter three begins by providing a historical context for constitution-building efforts in The Gambia and then sets out a framework for constitution design in the post-authoritarian period (The period of former President Yahya Jammeh's rule). This chapter examines the methods and principles of participatory constitution building in terms of the processes set out in the Constitutional Review Commission Act of

2017. Section IV analyzes the vexing challenges of constitutional design in post –authoritarian Gambia. This chapter concludes by restating the main threads of participatory constitution building that ensure constitutional democracy and the rule of law. The authors believe that the process of designing the new constitution should involve everyone, even supporters of the previous regime (the authoritarian regime).

The fourth chapter revolves around freedom of the media as an essential component of the right to freedom of expression and serves as the cornerstone of every free and democratic society. The book considers that the post-independence constitutions of the Gambia have failed to provide acceptable standards for the broad constitutional protection of freedom of expression and the press, hence this chapter presents a study accurate and critical of the behavior of post-independence governments towards media freedom through the constitutions they set and the laws they promulgated and imposed. It reveals deficiencies in the constitution of 1970, 1997, as well as the draft constitution of 2020 with regard to its clarification of the promotion and protection of media freedoms. The fifth chapter reflects the current situation of economic, social and cultural rights in the Gambia, and puts forward an argument for the inclusion of justiciable economic, social and cultural rights in the draft Gambia Constitution of 2020 while also highlighting some of the arguments against such inclusion and also lays out the rights that should be guaranteed in the constitution as well as the procedural and institutional framework for the enforcement of the chapter in these rights, he believes that the inclusion of these rights in the constitution is necessary to ensure accountability of the government regarding them. He also believes that it is an important step towards democratic, social, and economic transformation in the Gambia, and the success of this project will depend on the strength of the courts and other state institutions in carrying out their role and enabling them to be independent. The sixth chapter deals with political participation from the perspective of the executive, legislative and judicial authority. The chapter also reviews the applicable legal frameworks at the international, regional and national levels. This is followed by a discussion on the nature and status of women's participation in governance processes. The chapter then examines the challenges and opportunities facing women in the political scene. The 1970 constitution serves as a major source for guaranteeing human rights, including the protection of woman from violence and all forms of discrimination. It is worth noting that the National Council for Women and the Woman's Office were established under "The National

Council for Women ACT" in 1980, and the council consists of 65 members with eight appointed advisors representing women's interests throughout the country. In January 2019, a new Ministry of Women, Children and Welfare was established to be socially responsible for policy formulation, resource mobilization, monitoring and evaluation at the highest level.

The seventh chapter assesses the recent experience of the contentious elections of 2016, which marked a major shift from a highly authoritarian system of government to a multi-party system, and asks whether a genuine, inclusive, and liberal electoral democracy has now been established in The Gambia. The chapter also provides a detailed reflection of the selected articles in the new Gambian constitution of 1997 that relate to elections in a more detailed manner than other current works. The analysis concludes with the need to introduce an amendment that defines the presidential term, after which the president may not run for office, which was ignored by the previous constitutions in the Gambia, as there was no specific number of terms for holding the presidency of the state. The eighth chapter discusses the participation of civil society in the historic presidential elections in the Gambia of 2016 and their aftermath, highlighting the efforts of those organizations in ensuring free, fair, transparent and violence-free elections and their important role in consolidating democracy. The study also stated during this chapter that although the establishment of "The Independent Electoral Commission" (IEC) and "The National Council for Civic Education" (NCCE) by Jammeh's administration were positive steps towards democratic issue. His absence or marginalization led to the absence of transparency and the issue during the period of Jami's rule, contrary to what he pledged in the early days of the coup to support transparency in governance.

The ninth chapter sheds light on the experience of Mauritius in ensuring the representation of all ethnic groups in parliament, especially minorities, and that is a good example of how the Gambia can guide and ensure the representation of different groups in Gambian society. Therefore, the chapter begins by covering the historical background of the political system in both The Gambia and Mauritius, and presenting how this is done. Political representation of minorities in the Gambia, as well as Mauritius, especially in Parliament, including an analysis of the legal framework in the Gambia and its reforms, and determining whether it guarantees adequate representation of minorities in Parliament. In Gambian society, he also proposed the introduction of a quota system to ensure women's participation in Parliament. The tenth chapter explains the

complex journey to pursue the truth, justice, and compensation for the victims of collective abuse, and discusses the lessons learned from other transition processes, with an emphasis on proposing strategies to ensure sustainability and long post-transitional impact. It stands as follow:

First, a detailed explanation of the transitional justice elements. Second, an explanation of the historical context that leads to the current transition. Third, the main considerations of a comprehensive transitional justice process in The Gambia was the first several initiatives undertaken by the new government. This began in 2017 to organize the National Conference of Stakeholders on Justice and Human Rights in May 2017.

The eleventh chapter shows that the constitution is the basis of the modern state, and the importance of the constitution increases in a country undergoing a transitional phase, as it not only confirms the commitment of the new government to human rights and the rule of law, but also creates a framework that reduces the risks of returning to tyranny, and therefore reviewing the constitution of the authoritarian regime or replace it is an essential element in the transitional justice process. The chapter includes four parts: clarifying the meaning of judicial dialogue and drawing the mechanisms by which the claimed benefits are achieved, the role that the judicial dialogue previously played within the Gambian judicial system, the mechanisms through which the dialogue is conducted, and a brief conclusion containing recommendations directed towards the development of the Gambia's constitution.

The last chapter in the book explains the implications of rejecting the new draft constitution, the most important of which are the enormous repercussions on the delicate and ambitious transitional agenda. The new constitution was expected to serve as a basis for comprehensive political, legal, social, and institutional reform in The Gambia, including the work of the truth, "Reconciliation and Reparations commission" (TRRC). To establish an official record of past violations and crimes and the national commission for Human Rights and support the judiciary to play a major role in the accountability of the state. However, the disagreement between the government and the opposition over considering the term of office of the current president at the time of submitting the draft constitution is the term of the first presidency. The current president refused that and demanded that this period be a transitional period that is not counted within the two terms that were proposed for the terms of the presidency in the new draft "constitution," postponed the Gambia's adoption of a new constitution

that establishes a democratic life is characterized by freedom, human rights, peaceful transfer of power, comprehensive transitional justice in The Gambia. Finally, this book presents an accurate and objective analysis of the constitutional development in the Gambia over the year, and it is recommended for researchers to refer to it for the study of the constitutional development, whether in the state of the Gambia or any other country.

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