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## **Negotiating Statehood: Dynamics of Power and Domination in Africa**

**Tobias Hagmann and Didier Péclard**

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### **ABSTRACT**

This article, which forms the introduction to a collection of studies, focuses on processes of state construction and deconstruction in contemporary Africa. Its objective is to better understand how local, national and transnational actors forge and remake the state through processes of negotiation, contestation and bricolage. Following a critique of the predominant state failure literature and its normative and analytical shortcomings, the authors identify four key arguments of the scholarly literature on the state in Africa, which concern the historicity of the state in Africa, the embeddedness of bureaucratic organizations in society, the symbolic and material dimensions of statehood and the importance of legitimacy. A heuristic framework entitled ‘negotiating statehood’ is proposed, referring to the dynamic and partly undetermined processes of state formation and failure by a multitude of social actors who compete over the institutionalization of power relations. The article then operationalizes this framework in three sections that partly conceptualize, partly illustrate who negotiates statehood in contemporary Africa (actors, resources and repertoires); where these negotiation processes occur (negotiation arenas and tables); and what these processes are all about (objects of negotiation). Empirical examples drawn from a variety of political contexts across the African continent illustrate these propositions.

### **INTRODUCTION**

Since the mid-1990s, African states have occupied a prominent place in discussions about state failure, collapse and reconstruction (Bates, 2008;

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The authors have contributed equally to writing this article as well as editing the volume of which it is a part, and should thus both be considered ‘first authors’. We would like to thank Jean-François Bayart, Christine Bichsel, Bettina Engels, Gregor Dobler, Peter Geschiere, Markus V. Hoehne, Urs Müller, Jean-Pierre Olivier de Sardan, Timothy Raeymaekers, Klaus Schlichte, Ulf Terlinden and the anonymous reviewers of *Development and Change* for helpful comments in refining our argument. We are particularly grateful to Martin Doornbos for his stimulating insights and editorial advice in the preparation of the volume. Earlier versions of this article were presented at a number of academic gatherings, most importantly the AEGIS European Conference on African Studies in Leiden in July 2007. Didier Péclard acknowledges the support of the Swiss National Centre of Competence in Research North–South (NCCR North–South).

Herbst, 1997; Milliken, 2003; Williams, 2006). According to the prevailing rhetoric they have fallen prey to an array of destructive forces in the aftermath of the Cold War, while the purported 'disconnection' (Bach, 1991) of the African continent from the 'globalized' rest of the world further accelerated this process. These forces include savage privatization policies spearheaded by the Bretton Woods institutions (van de Walle, 2001), the growing influence of criminal groups and activities (Bayart et al., 1999; Nordstrom, 2004), the rise of rebel movements and warlords (Clapham, 1998; Reno, 1998) and a gradual institutionalization of violence (Richards, 2005). Consequently, many academic works portray post-colonial African states in virtually pathological categories. They are perceived to be threatened by 'collapse' (Zartman, 1995), 'failure' (Rotberg, 2004), 'fragility' (Stewart and Brown, 2009) and 'weakness' (Jackson and Rosberg, 1982) as they degenerate into nightmarish 'shadow' (Reno, 2000) or 'quasi' (Hopkins, 2000; Jackson, 1990) states, void of popular legitimacy and administrative capacity. Rebuilding the deficient bureaucratic apparatuses of sub-Saharan African governments then becomes a major preoccupation and challenge for international donors (Englebert and Tull, 2008).

Dominant though they still may be in much policy discourse about Africa — particularly in the realm of development, peace-building and 'anti-terrorism' — arguments about state failure and collapse have been subject to growing criticism. In 2002, the collection of articles edited by Milliken and Krause (2002) demonstrated the complex and non-linear nature of processes of state failure and collapse, and showed that the latter remained an exception even in the context of African civil wars of the 1990s. Critics of the state failure paradigm contend that state weakness in Africa is nothing new, but rather a long historic continuity (Engel and Mehler, 2005: 91).<sup>1</sup> Furthermore, administrative practices such as the levying of taxes may continue in the relative absence of the state, as Trefon's (2007) research in the city of Lubumbashi in the Democratic Republic of Congo (DRC) demonstrates. To this day the only case of complete and prolonged state collapse is Somalia, which has remained without a central government since the downfall of Siyad Barre in 1991. But even in the war-ravaged central and southern parts of the country, Somalis have responded to state collapse by (re-)activating informal, mostly clan-based, security and governance mechanisms (Menkhaus, 2007: 74). And while African states may erode institutionally, 'fragmented imageries of stateness' (Nielsen, 2007: 695) may persist among ordinary people who continue to make strategic use of these imageries in pursuing their everyday lives.

Ideal-typical notions of the state as a monopolist of legitimate physical violence, as an autonomous bureaucratic apparatus, as the embodiment

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1. Or, as Bratton (1989: 425) cautioned some twenty years ago: 'The state in Africa may be incompletely formed, weak, and retreating, but it is not going to wither away'.

of popular sovereignty, and as a spatially and territorially coherent entity enjoy global prominence (Schlichte, 2005: 6). These ideal-typical notions constitute the analytical lenses through which scholars interpret state politics around the world. The global diffusion of a set of normative state ideas which derives from the European historical experience explains why African states are often 'identified as failed not by what they are, but by what they are not, namely, successful in comparison to Western states' (Hill, 2005: 148). Underlying this 'pathological' approach to state institutions in Africa are essentialist, teleological and instrumentalist conceptions of state and political authority (Hagmann and Hoehne, 2009). State failure proponents tend to reify African states as a-historical 'things', as given and fixed sets of institutions rather than as political processes. Despite political sociologists' earlier call *not* to view states as 'the outcome of a linear process of differentiation' (Badie and Birnbaum, 1983: 54), most observers implicitly and falsely assume that in the long run all states will converge towards a model of Western liberal democracy. The overly instrumentalist character of much of the state failure literature is also evidenced in its emphasis on order and stability, which reflect distinctly Western geopolitical and humanitarian interests (Call, 2008).

One could also argue that the popularity of state failure concepts not only indicates a malaise with the post-colonial African state, but, more fundamentally, reflects a growing dissatisfaction with what are increasingly criticized as stereotypical Weberian state conceptions (Kapferer, 2005: 286). The heuristic limitations of mainstream Western political science have encouraged researchers to resort to either more empirically grounded or more conceptually innovative approaches to public and state authority in Africa. In this process some have forged their own vocabulary and concepts in order to grasp statehood in Africa from a less normative perspective. This is the case with the volume on *Twilight Institutions: Public Authority and Local Politics in Africa* edited by Christian Lund, who forcefully called attention to the fact that African public authorities may 'wax and wane' as 'state institutions are never definitely formed' (2006: 697).

In recent years a growing body of literature has documented the creativity of African societies in coping with the limited statehood and political turmoil that became the hallmark of African politics in the 1990s (Raeymaekers et al., 2008: 8). In parallel with the retreat and erosion of the post-colonial state in Africa 'new forms of power and authority' had sprung up across the continent (Ferguson, 2006: 102). Structural adjustment, democratization and decentralization programmes effectively facilitated the return of local power centres in Africa to the detriment of the centripetal agenda of existing nation-states (von Trotha, 2001: 1617). In countries as diverse as Mali, Chad or Mozambique contemporary types of political regulation, accumulation, investment and institutionalization proceed at the local level beyond the reach of conventional states. In many cases the prolonged absence of a central government has provided room for the formation of societal political orders

'beside the state' (Bellagamba and Klute, 2008: 11). The most prominent example is the Republic of Somaliland, a political entity which has all the attributes of a modern nation state except for international recognition (Bradbury, 2008). It is the ideal-typical example of an African political order that is characterized by what sociologists and political anthropologists refer to as 'para-sovereignty', that is, a non-state political order that shoulders local state functions, but operates in parallel and independently of the national power centre (von Trotha and Klute, 2004). The realities of non-state or 'partially state' political and economic regulation forcefully challenge the idea that state failure equals anarchy or a breakdown of order (Roitman, 2005).

The normative shortcomings of the state failure literature and the complexities of empirical statehood call for alternative ways of conceptualizing state and political authority in Africa. Attempts to forge alternative perspectives on contemporary statehood must draw on the insights provided by the existing literature. Beyond the great diversity of theoretical schools and arguments on the state in Africa, four main arguments seem to have achieved a certain consensus. In many ways they apply to African states as much as to states all over the world.

First, states must be seen as historical processes that include and span the pre-colonial, colonial and post-colonial periods. The historicity of the state in Africa has been emphasized most prominently by Bayart (2006) who argues that the state in Africa must not be seen as an imported product, but one that has long been appropriated by African societies and elites. Statehood in Africa should thus be understood as the emanation of particular historic types of African modes of governing. The importance of colonial legacies in African politics such as the reproduction of decentralized, racialized 'despotism' has been highlighted by Mamdani (1996). The call for historical scrutiny extends to the analysis of evolving relations between states and citizens (Lewis, 2002). Rather than assuming *a priori* distinctions between the pre-colonial, colonial and post-colonial periods, one has to be aware of African states' historical trajectories through these different periods. Thus the colonial state was strongly shaped by 'indigenous social forces' (Berman, 1998: 332) as colonial rulers relied on and incorporated numerous local intermediaries to govern, while post-colonial states 'exacerbated and institutionalized' many of the deficiencies of colonial administrations (Paul, 2008: 219).

Second, the idea that states are external to society is erroneous. Rather states are deeply embedded in social forces, as Migdal's (1998: 2001) 'state-in-society' approach compellingly demonstrates. Long gone are the days when a first generation of area specialists and political scientists considered state power in Africa to be autonomous, as John Lonsdale suggested some thirty years ago (1981: 148). Contemporary accounts of statehood in Africa abandon a narrow focus on formal state actors and institutions for a more sociological reading of the multiple 'power poles' (Bierschenk and Olivier

de Sardan, 1997: 441) that exist within, at the interface, and outside of the bureaucratic apparatus. A wide range of actors, state officials and non-state actors are involved in 'doing the state' (Migdal and Schlichte, 2005: 14–15), both in co-operation and in competition with the state (Arnaut and Højbjerg, 2008: 20). Hence, innovative studies of the state consider the elusive boundary between state and society 'not as a problem of conceptual precision but as a clue to the nature of the phenomenon' (Mitchell, 1991: 78).

Third, states are not only the product and realm of bureaucrats, policies and institutions, but also of imageries, symbols and discourses. Governments exist not only as the result of routinized administrative practices, but also because ordinary people imagine and represent the state in their everyday lives (Gupta, 1995: 390–3). The almost metaphysical idea of the state has become universalized and hence hegemonic (Hansen and Stepputat, 2001). State institutions themselves incorporate numerous cultural and political representations, discourses and activities that give meaning to their practices (Nagengast, 1994: 116). While one doesn't have to go as far as Abrams (1988 [1977]: 75–6) who sees the 'state system' as an 'essentially imaginative construction', it is essential that political analysis deals with the state in terms of both its materiality and its 'social imaginary' (Castoriadis, 1987).

Fourth, at the core of state formation processes we find attempts to institutionalize and legitimize physical coercion and political power. Max Weber's (1947) key insight that successful bureaucracies transform coercion or power (*Macht*) into domination (*Herrschaft*) — a type of authority that is based on obedience and recognition rather than sheer physical force — remains highly relevant. State actors must legitimize their authority to appear acceptable to those they govern (Abrams, 1988 [1977]: 76). The same applies to non-state or non-bureaucratic power holders, although they rely on a different set of legitimization strategies. State-building thus becomes a process of accumulating *Basislegitimitäten* or 'basic legitimacies' (von Trotha, 2001: 10). A relational concept of power that looks at the 'relations between the governing and the governed' (Gledhill, 1994: 22, cited in Hagberg, 2006: 780) is instrumental in trying to decipher contemporary forms of power and domination. It is through an empirical analysis of variegated transformations from power to domination and from domination to power that state formation and erosion can be grasped in Africa and elsewhere (Schlichte, 2005).

## NEGOTIATING STATEHOOD: A HEURISTIC FRAMEWORK

Building on these important theoretical precedents, we propose an interpretative approach to processes of state construction and deconstruction in contemporary Africa. The objective of this *analytic* of statehood in Africa is

to better understand how local, national and transnational actors forge and remake the state through processes of negotiation, contestation and bricolage. Our proposed framework explores by whom and how state domination is fashioned ('actors, resources, répertoires'), where these processes take place ('negotiation arenas and tables') and what the main outcomes and issues at stake are ('objects of negotiation'). Our main ambition is to provide a heuristic framework for the investigation of past and ongoing dynamics of state domination. Hence, the proposed 'negotiating statehood' framework does not provide an explanation or causal model of state failure and formation. Nor does it apply to all states at all times and in all places. It is neither a theory nor a concept in the strict sense, but rather a way of looking at and grasping dynamic and complex dimensions of statehood.

Although we give emphasis to the dynamic and partly voluntaristic aspects of political institutions, the approach sketched in this section is best thought of in conjunction with existing studies that call attention to the more structural aspects of African states. Population densities and infrastructure (Herbst, 2000), rural political economies (Boone, 2003) and local property rights regimes (Lund, 2008) have a strong bearing on the structural conditions of state domination in post-colonial Africa. The 'negotiating statehood' framework is, however, geared primarily towards the more conjunctural processes of state domination in post-colonial Africa. Furthermore, it is also a call for an alternative approach to current processes of state formation and disintegration on the African continent, an approach that is interpretative rather than normative in scope, sociological rather than state-centric in philosophy, and dynamic rather than static.<sup>2</sup> It is hoped that our framework offers an innovative approach to dynamics of empirical statehood beyond the limits of the state failure paradigm or the unhelpful emphasis on 'figures, numbers and formal structures found in much political science literature' (Eriksen, 2001: 304).<sup>3</sup> Four core theoretical propositions underpin our research agenda.

First, negotiating statehood refers to the dynamic and, at least partly, undertermined processes of state (de-)construction. These processes are fuelled by constantly evolving 'relations of control and consent, power and authority' (Munro, 1996: 148). Rather than assuming a linear evolution of state formation or erosion processes, we concur with Lund's (2006: 697) dictum that 'state institutions are never definitively formed, but that a constant process

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2. Our reflections are not limited to analyses of the African state, but apply to states in general. From the vantage point of a political sociology of the state, there is no difference *per se* between African and non-African states. The historical, social, political and economic conditions in which these different states emerge differ considerably, however.
  3. This does not mean that research on the everyday practices of bureaucrats and other state officials in Africa is not of great interest, as the collaborative research project 'States at Work. Public Services and Civil Servants in West Africa' by Thomas Bierschenk, Carola Lentz, Mahaman Tidjani Alou and Jean-Pierre Olivier de Sardan forcefully demonstrates. For a preliminary synthesis, see Bierschenk (2010).

of formation takes places'. The emphasis on the partial 'undeterminedness' of state domination does not imply that the evolution of statehood is arbitrary or disembedded from social interests and political economy. Neither does it mean that one cannot distinguish between qualitatively different phases of institutionalization or de-institutionalization of state and political authority. What it highlights is the non-linear and non-teleological trajectory of empirical statehood in post-colonial Africa and elsewhere. Hence, our framework attempts to explore the constant interplay between processes of state building, defined as 'a conscious effort of creating an apparatus of control', and state formation as a historical process of 'vulgarization of power' (Berman and Lonsdale, 1992: 5).

Second, studying how statehood is negotiated in Africa leads us to consider the diverse strategies by which variegated actor groups compete, both successfully and unsuccessfully, over the institutionalization of power relations into distinct forms of statehood. To do this one must understand 'state-society relations' (Bratton, 1989: 408) as well as the intrinsic characteristics of government bureaucracies and how these relate to other forms of power. Domination is never or rarely exerted exclusively by one power, but is rather the product of multiple powers. As Olivier de Sardan (2006: 186) elegantly put it, there are at least two kinds of power, 'the power everybody has and the power only some people have'. In other words, human beings are not only 'shaped by power, or by different techniques and practices of government' (Abrahamsen, 2003: 199), but they themselves shape power and government techniques and practices. The 'ways of ruling' (Rose and Miller, 1992: 177) of state and political orders cannot be understood in disconnection from the multiple actors that 'struggle for social control' (Migdal, 1998: 31).

Third, the negotiating statehood framework emphasizes the profoundly contested nature of the state and the host of conflictive interactions inherent in defining statehood. Negotiation over state power is particularly pronounced as this is the site where political struggles condense (Poulantzas, 1978). While currently fashionable 'state-building' and 'reconstruction' discourses project a consensual image of how state institutions are established on the African continent (see Cramer, 2006 for a critique), we draw attention to the power differences that inhabit these processes. Contrary to commonsensical assumptions, negotiation does not occur between co-equal parties or in an inclusive manner (Leach et al., 1999). Rather it engages heterogeneous groups with highly differentiated assets, entitlements, legitimacy and styles of expression. Not everything is or can be negotiated and not everyone takes part in negotiating statehood. But the political configurations and institutional arrangements that result from such negotiation processes must be seen as imprints of domination by the more powerful over weaker groups.

Fourth, rather than reducing statehood to a limited set of functional attributes or arbitrarily defining minimal criteria that need to be fulfilled in



order to call a state a state, we propose a more grounded approach to statehood whose starting point is empirical and not judicial.<sup>4</sup> The aim of the negotiating statehood framework is not to classify or measure states in Africa. Its objective is to understand the transformations of power that find their expression in distinct forms of statehood in Africa as well as to grasp how non-state powers and sub-national authorities engage and disengage with the existing state. The primary unit of analysis is therefore what Olivier de Sardan (2008: 2) calls 'real governance', which can be observed with qualitative and quantitative research methods. This does not resolve the definitional questions posed by the notions of 'state' and 'statehood'. Described by Foucault (1991: 103) as 'no more than a composite reality and a mythicized abstraction', we prefer the notion of statehood, which we define with Schlichte (2005: 106) as 'a field of power whose confines are decided upon with means of violence and whose dynamics are marked by the ideal of a coherent, coercive, territorial organization as well as by the practices of social actors' (authors' translation).

The following sections operationalize these theoretical propositions. Partly analytical, partly methodological in nature they offer insights on how to understand actors, arenas and objects of negotiation. Most of the examples used to empirically illustrate the negotiating statehood framework are drawn from the eight studies that follow, which form the backbone of this volume. While these case studies privilege a national or sub-national perspective, the same considerations apply just as well to foreign, transnational and external players and interests that shape statehood in Africa. At the same time, while numerous fields of state intervention such as health, education, infrastructure provision and other public policies do not figure prominently in this volume, they are all the objects of interest to our proposed framework.

## **ACTORS, RESOURCES AND REPERTOIRES**

Who negotiates statehood in contemporary Africa? A wide array of grassroots, national and transnational actors and groups participate in this process. Contrary to the view that only state actors such as government officials, politicians, or military leaders embody and define statehood, it is also forged by actors that are not part of its formal politico-administrative structure. Numerous social groups of different social standing, organizational capacity and political influence are in the spotlight. They include state actors such as higher and lower echelon bureaucrats, political parties, customary authorities, professional associations, trade unions, neighbourhood and self-help organizations, social movements, national and international NGOs, churches and religious movements, but also guerillas, warlords, 'big men',

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4. The difference between 'empirical statehood' and 'judicial statehood' goes back to Jackson and Rosberg (1982).

businessmen, multinational corporations, regional and international (government) institutions and foreign states.

However, categorizing actors according to functional attributes does not explain the means and logic of action by which these actors become involved in shaping political authority. For methodological purposes, we propose to consider both the *resources* that individuals and organized interest groups have at their disposal and the competing *repertoires* that they mobilize in their interactions. Resources refer to the material bases of collective action; they include tangible and intangible assets such as bureaucratic capacities, organizational skills, finance and ability to mobilize funding, knowledge and technical expertise, control over physical violence, international networks, political alliances and, very importantly, access to state resources. These resources, the importance of which varies across time, space and political contexts, are distributed unequally among competing actor groups, which partly accounts for the ability of some groups to dominate others politically.

In parallel to material resources, actor groups muster symbolic repertoires to further their interests, to mobilize popular support, and to give meaning to their actions.<sup>5</sup> They do so by referring to existing, and by (re-)inventing, repertoires that legitimize their exercise of or their quest for political authority. Currently prominent repertoires on the African continent include references to 'good governance', 'human rights', 'democracy', 'development', nationalism, anti-Western ideologies, ethno-politically defined types of citizenship, and religious and cultural identities. These repertoires are brought into play both to defend and to challenge existing types of statehood and power relations. They encounter varying degrees of success and acceptance by the parties involved in negotiating statehood in Africa; while foreign diplomats might applaud a political party's vows to further 'good governance', disenfranchised rural and urban communities might respond most enthusiastically to calls for the establishment of *shari'a* or the displacement of 'foreign' labourers. The state itself is an important producer of repertoires as 'it is in the realm of symbolic production that the grip of the state is felt most powerfully' (Bourdieu, 1994: 2).

The studies assembled in this collection attest to the wide variety of actors engaged in 'negotiating statehood' processes. Looking at what he calls 'non-state governance' in and around the city of Butembo in the eastern DRC in the midst of civil war, Timothy Raeymaekers shows how, in a context of near absence of the central state, arrangements between local cross-border traders and rebels led to the emergence of new regulating mechanisms. These not

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5. According to Bayart (2005 [1996]: 110) these repertoires or 'discursive genres' not only consist of oral and written discourses, but include popular modes of communication such as gestures, music and clothing. Repertoires are not uniform bodies of language and thought, but mostly hybrid norms, discourses and ideas that have been amalgamated in past political interactions. Studying these repertoires requires a researcher's sensitivity to the various and open-ended ways in which these norms, discourses and ideas evolve in time and space.

only 'produced' governance at the local level, but also linked this periphery of the Congolese state with its centre in a renewed fashion. In northern Côte d'Ivoire, Till Förster demonstrates how power and legitimacy are being negotiated between rebels of the *Forces Nouvelles* movement, who took over the northern half of the country in 2002, local hunters' associations as 'traditional' providers of security, especially in rural areas, and those, rebels or not, who offer new economic opportunities to the population. As the Ivorian state strives to redeploy its administration after the 2007 Ouagadougou peace agreement, it also has to negotiate with those new forces imbued with the social, political and cultural legitimacy acquired or reinforced through the years of conflict. In Namibia, Lalli Metsola examines how former combatants of the ruling South West Africa People's Organization (SWAPO), which fought for independence from apartheid South Africa, draw on the memory of the struggle in order to claim social benefits and pensions. They have thus negotiated not only their inclusion in the post-colonial nation state but also, more generally, the symbolic contours of the Namibian polity. War was also central in the making of Somaliland, and the Somali National Movement (SNM) and local clan elders have played a key role in carving out this new de facto state after 1991. However, as Ulf Terlinden and Marleen Renders argue, in order to understand the emergence of Somaliland and the way statehood is negotiated in this 'hybrid political order', one needs to take into account a vast array of other actors, starting with clans and clan leaders upon whom their contribution focuses, but not forgetting religious authorities, businessmen and remnants of the former state apparatus.

Attempting to understand states for what they are and do instead of what they fail to achieve presupposes that one takes 'official' state representatives seriously. This is what Anita Schroven does in her study of Guinean public servants in a small town in the midst of the general strikes of 2007. She explains how middle-range *fonctionnaires* or bureaucrats deal with their dual identity as citizens of a country in deep crisis and as members of a state apparatus that was built on the idea that party, state, power and the people were indistinguishable. The dilemma confronted by the *fonctionnaires* — to either be loyal to the state or to side with fellow citizens — stands as a metaphor for the changing dynamics and political tensions that characterize statehood in Guinea. Similarly in Mozambique 'the party' — the *Frente de Libertação de Moçambique* (Frelimo), which has been in power since independence in 1975 — has been congruent with 'the state' for much of the country's post-colonial history. This was certainly the case under the one-party state system of the socialist period between 1975 and 1992. But, as Jason Sumich argues, the democratization process that followed the socialist period and civil war after 1992, coupled with the liberalization of the country's economy, did not erode Frelimo's control over the Mozambican state apparatus and the nation as a whole. Rather, they allowed the ruling party to channel through its own structures popular as well as elite demands and strategies of upward social mobility.

Control of the former single party over the state is also a dominant feature of Angolan politics. Angola's formal democratization, which began after the end of the civil war in 2002 and culminated in the September 2008 national elections, resulted in a sort of de facto return to a single-party state system based on tight control of the country's resources. As Inge Ruigrok illustrates in her study of two regional elite associations in Southern Huíla province, despite the authoritarianism of the *Movimento Popular de Libertação de Angola* (MPLA), the post-war transition period has opened up avenues in which new actors can renegotiate relations between the central state and its peripheries by drawing on memory and identity politics. Relationships between the centre and the periphery of the state in another context of single-party authoritarian rule are also the focus of Asnake Kefale's contribution on 'ethnic federalism' in Ethiopia. Focusing on Oromo and Somali clans along the internal borders between the Oromo and Somali regional states, his article shows how federal restructuring has permitted 'ethnic entrepreneurs' to instrumentalize ethnic decentralization policies by renegotiating power balances both at the local level and between the centre and the periphery.

Beyond the sheer variety of actors involved in negotiating statehood, three points can be made at this stage. First, it is obvious that in order to fully appreciate the complexity of statehood in Africa, research needs to go beyond formal state structures and encompass actors who have little to do with the 'modern state', or who are even accused of debilitating states, such as the 'traditional' hunters' associations in northern Côte d'Ivoire; merchants, traders and rebels in eastern DRC; clan leaders in Somaliland; or local elite associations in Angola. If this point has been made repeatedly by Africanist scholars over the last twenty years, it has not translated into policy discourse and practice of foreign donors and diplomats.

Second, the articles in this collection offer many examples of the great fluidity of the frontiers between state and non-state actors. As eastern DRC, northern Côte d'Ivoire or Somaliland clearly show, the fact that local (state) governance in crucial areas such as security provision and basic service delivery is in the hands of traders, rebels and clan leaders, is part and parcel of state formation in these areas. These complex dynamics can only be understood if one looks at the way in which actors negotiate their relationships to the state, how they at times 'produce' statehood without realizing it, and how at other times they consciously and willingly contribute to 'constructing' states (Berman and Lonsdale, 1992).

Third, actors involved in negotiating statehood require resources. Assets such as money, weapons, or access to land, water and cattle, for instance, are crucial but, as noted above, symbolic resources and the ability to draw on social and cultural repertoires in order to give social meaning to one's actions, are just as important.<sup>6</sup> Competing groups identify themselves and others

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6. There is a growing literature on this; see for instance the way in which 'figures of success' frame political life in post-colonial Africa (Banégas and Warnier, 2001).

by mobilizing semantic fields and cognitive representations that translate into strategies of inclusion and exclusion (Schlee, 2004). The ways in which identity, memory and nationalism are strategically employed by former combatants in Namibia in order to negotiate their status in the new Namibian polity, and the skills developed by cultural entrepreneurs in central Angola in mobilizing memories of pre-colonial kingdoms with the intention of substantiating present day claims about a new balance in centre-periphery relationships, are cases in point.

## NEGOTIATION ARENAS AND TABLES

Where can we observe these negotiation processes? A key challenge confronting the researcher is to identify the confines of the political space in which actor groups bargain material and symbolic dimensions of statehood. For methodological purposes we propose the term 'negotiation arena' to convey the sense of locations of negotiations; this transcends classical political scales and units of analysis such as the state-society dichotomy or the local-national-international levels.<sup>7</sup> Sociologically speaking, negotiation arenas structure social actors' scope by conditioning — but not pre-determining — their inclusion in or exclusion from negotiation processes. Negotiation arenas have spatial, social and temporal dimensions — where are they situated? who has access? over what time period do they occur? — which need to be traced empirically on a case by case basis. Within these arenas statehood is negotiated in more or less formalized and routinized ways. While some negotiation arenas are dominated by longstanding conventions on how and by whom statehood is defined, others lack predefined or commonly recognized procedural modalities for decision making.

Examples of negotiation arenas abound in the articles which comprise this collection. In Namibia, SWAPO war veterans temporarily turned the public space into an arena in which they claimed, through public demonstrations and media campaigns, that their participation in the liberation struggle should be recognized in the form of pensions; this led to heated debates about what Lalli Metsola calls the 'liberation narrative'. In Mozambique, the ruling Frelimo party has managed to impose itself and its structure as the only arena in which access to the state can be negotiated, despite the introduction of multi-party politics after a long period of single-party rule. As Jason Sumich argues, this has reduced the space for negotiation to a minimum. Against a similar background of one-party domination, Inge Ruigrok describes how, in Angola, local elites are at pains to turn the key issue of power balance between the centre and the periphery into a negotiation arena in the new

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7. This idea is inspired by Bierschenk and Olivier de Sardan (1997) who speak of 'political arenas'. Olivier de Sardan's (2006: 186) concept of arena draws upon Bourdieu's (1990 [1980]) social field theory.

post-war context, using cultural associations meant to revive the memories of past local grandeur. In Ethiopia, the state's policy of ethnic-based self-determination and decentralization provides local political leaders with an arena in which they can claim power over other local groups as well as extract administrative and budget resources from the federal and regional government.

Negotiation arenas are difficult to locate geographically as they are embedded in social relations between contending groups and are characterized by spatio-temporal dynamics and a certain informality. In order to distinguish between formalized/recognized and non-formalized/non-recognized negotiation settings and actor groups, we propose the metaphor of the 'negotiation table'. A negotiation table represents a formalized setting where contending social groups decide upon key aspects of statehood over a given period of time. A wide range of negotiation tables exists, from diplomatic conferences involving heads of states, through donor consultations between international financial institutions and local NGOs, to meetings by customary chiefs under the village tree. Two common denominators characterize negotiation tables and distinguish them from negotiation arenas: first, interactions and decision making occur on the basis of an existing procedure or protocol (diplomatic conventions in the case of meetings between heads of state, customary law in the case of village meetings); and second, participants at the negotiation table recognize their counterparts as legitimate stakeholders in deciding upon a particular political matter.<sup>8</sup> The clan conferences that were so instrumental in building state institutions in Somaliland, and the meetings between cross-border traders in Butembo in eastern DRC and armed rebels of the RCD-ML (*Rassemblement Congolais pour la Démocratie – Mouvement de Libération*), during which agreements on the protection of business operations were made, are examples of such negotiation tables in a context where the central state is anything but present.

While the negotiation table represents the locus at which selected aspects of statehood are decided upon in formal terms, the negotiation arena represents the broader political space in which relations of power and authority are vested. The latter hosts a varying number of actors, some of which are recognized as participants of formal decision making at the negotiation table (typically 'big men', politicians, businessmen, diplomats, but also religious leaders, NGO representatives, military commanders, etc.) and others who have been denied access to the negotiation table (typically minority groups, women, groups with a lower socio-economic status). In order to understand the making of statehood from a dynamic and sociological perspective it is imperative not to confine one's analysis to negotiation tables, but to account for the entire negotiation arena in which statehood is embedded. In a sense, one of the great successes of war veterans in Namibia was to force a shift

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8. Interactions at the negotiation table need not necessarily be face to face; furthermore, negotiation tables and negotiation arenas may overlap.

in the debate on the role and place of former combatants within Namibia (as opposed to former exiles) from the informality of negotiating arenas (the street, the press) to more formal debates at a negotiating table (in this case Parliament). A new Bill was eventually passed in 2007; but if the Bill marked a certain opening up of the category of war veteran, Metsola also clearly shows how debates at the negotiating table were dominated by the state and its own narrative about the liberation struggle.

Negotiation tables and arenas can also have a metaphoric element, as exemplified by the Guinean 'tea parlour' analysed by Anita Schroven. Here, state *fonctionnaires* meet regularly and discuss in a rather formal manner their role and responsibilities as civil servants in the midst of nation-wide demonstrations and a deep political crisis. At the same time, they address more informally such key issues as the relationship between the state, the party and the people. The *Préfet* of Forécariah, a small town in coastal Guinea which is the focus of Schroven's study, resolved to spend most of the time during the national strikes sitting in front of the *Préfecture*, thereby demonstrating concomitantly the physical presence of the state in the midst of a deep political crisis and a certain empathy towards his fellow citizens on strike. In a sense the *Préfet* metaphorically confirms one of our central arguments: that the state is the product of complex processes of negotiation that occur at the interface between the public and the private, the informal and the formal, the illegal and the legal.

## OBJECTS OF NEGOTIATION

Part of the literature on the state in Africa still assumes that there is a neat differentiation between the realm of the state and the realm of society. This differentiation then leads observers to expect clear-cut boundaries between private and public, legal and illegal, indigenous and foreign, collective and individual domains. Political configurations that contradict these dichotomous categories are deplored in normative terms, as debates about 'corruption' or state failure on the African continent demonstrate. In contrast, we argue that the main characteristics of the boundaries upon which the classical conception of the state relies are their elusiveness and their constant redefinition by the actors involved. These elusive boundaries constitute major political objects in processes of negotiating statehood as the contributions to this collection clearly show.<sup>9</sup> Three main recurrent objects of negotiation are documented in the following pages.

Security provision, or rather the state's inability to cater for the security of its citizens, is usually considered the most important indicator of state failure in Africa. The loss of the state's monopoly over the exercise of legitimate

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9. For further examples see, for instance, Olivier de Sardan (2004).

violence translates into an upsurge of armed movements, private militias or vigilantes, private security companies and criminal gangs that respond to public demands on the security market (Mehler, 2004) and thereby contribute to the further erosion of the state. Two of the studies which follow show how much more complex and blurred the situation actually is.

At first sight, the agreement reached in and around Butembo between local traders and rebels in order to ensure security in the midst of war appears to be another example of how the Congolese state is little more than a fiction in much of its territory. Yet, Timothy Raeymaekers argues that this phenomenon must be seen as the expression of a 'fundamental *reinterpretation* of local economic and political regulatory practice' rather than a collapse of the state's regulatory capacities. Moreover, these security agreements go beyond the simple and immediate needs of transborder commerce. Raeymaekers convincingly argues that, as a result of the political role that Butembe traders played locally, they gradually came to influence politics at the regional and national levels in the DRC. This process gave way to what Raeymaekers calls a 'scaled form of politics, in which the local increasingly determines the behaviour and chances of survival of politics at the national level' (Raeymaekers, this volume). In a similar vein, Till Förster shows how security provision in northern Côte d'Ivoire has been a key element in the effort of the rebel *Forces Nouvelles* to be recognized as a legitimate authority through a complex mix of identity politics, military power and strategic alliances. As 'sons of the soil' in northern Côte d'Ivoire, in the context of heated debates about autochtony and *ivoirité*, they had the 'basic legitimacy' that many state representatives lacked, while their military capacities provided them with the necessary power to exercise control over the northern part of the country. However, as Förster shows, threat alone was not enough, and the rebels had to come to terms with the *dozo* hunters' associations whose social legitimacy as guardians of law and order had much deeper cultural roots than the rebels' own. As the central Ivorian state strives to redeploy itself and its authority to former rebel zones in post-conflict Côte d'Ivoire, debates and negotiations around the provision of security will be central to the establishment of new forms of statehood.

The institutional structure of the state, and especially the balance of power between the 'centre' of the state and its 'peripheries', is a second recurrent object of negotiation within this collection. Issues pertaining to the deconcentration and decentralization of state power appear, first and foremost, to be a privileged terrain for negotiation processes. This is especially the case where, as in Ethiopia and Angola, states with a long history of centralized rule are combined with authoritarian governments. In both cases, the territorial redefinition of regions and peripheries within the state allows for the instrumentalization of identity politics at the local level in attempts to claim authority and access to state resources. In both cases, too, it seems clear that institutional rearrangements of state power contribute to blurring frontiers



between state and non-state actors, between private and public domains. In the 'hybrid political order' of Somaliland described by Terlinden and Renders, the institutional nature of the state is also the complex product of negotiations that take place, on the one hand, at the local level between clan leaders and newly emerging state representatives and, on the other, between the local and the national arenas. As the authors argue, with the arrival of new, urban-based political leaders, businessmen and 'clan-based power brokers' (Terlinden and Renders, this volume) the power of regionally-based clan leaders is being called into question.

A third recurrent object of negotiation featuring prominently in this volume is linked to memory, identity and the politics of belonging. Processes of state (de-)construction in Africa have been shaped by dynamics of inclusion and exclusion: the question of defining who belongs and who does not belong to the nation (state), who is indigenous and who is foreign, is a crucial object of negotiation (Dorman et al., 2007). Beyond the straightforward issue of pension entitlements for war veterans in Namibia, what is at stake is what Metsola calls the 'liberation narrative', that is, the grand narrative of the struggle against apartheid that structures the ruling party's own definition of the Namibian nation state. This grand narrative determines the boundaries of the legitimate dominant order of Namibian politics. If the war veterans are seen as a threat, it is precisely because they want to shift these boundaries towards a more inclusive perception of 'Namibian-ness', thereby opening up new avenues of access to the state. Memories of the war, or rather the power to write and tell the 'grand narrative' of the civil war in Mozambique, is also at the centre of Frelimo's claim to embody the state, as Sumich suggests. The management of these post-war repertoires has been a key element in Frelimo's strategy to control the democratization of the country. For their part, the cultural associations in Angola that Ruigrok studies also draw on identity politics as well as memories of pre-colonial and colonial rule at the local level in order to find new inroads into the state. More broadly, the growing political importance of discourses of autochthony in recent years (Cutolo and Geschiere, 2008; Geschiere, 2009) has shown how negotiations about the boundary of inclusion/exclusion are central to statehood in Africa, as the recent history of Côte d'Ivoire sadly reminds us (Banégas, 2006; Marshall-Fratani, 2007).

The list of objects of negotiation presented here is far from exhaustive, and could be extended to include many other key aspects of state domination. What the different case studies demonstrate, however, is that, when trying to circumscribe the objects of negotiation relating to statehood in Africa, we need to take into account that their contours are fuzzy and moving over time. In other words, there can be no conclusive list of dimensions of statehood that are subject to negotiation, but rather a changing patchwork made out of the multiple objects of negotiation that are manifest at the boundary of state and society, private and public, legal and illegal, indigenous and foreign, collective and individual.

**THE HEGEMONIC QUEST OF THE STATE IN AFRICA**

One of the key issues raised by the studies in this collection and the theoretical reflections that bring them together relates to the scope and limits of the negotiating statehood framework that we propose for the analysis of the dynamics of power and state domination in post-colonial Africa. As Martin Doornbos argues in his concluding piece, in some particular contexts, especially under authoritarian rule, power imbalances may be so strong that talking of 'negotiation' overstretches the actual meaning of the term 'virtually beyond recognition' (Doornbos, this volume). Besides, international principles concerning the sanctity of state borders may clash with internal processes of negotiating statehood and impose severe limits, as in Somalia. The important question that arises here is whether the instances of negotiating statehood as presented in this volume are the result or the expression of a particular moment in the history of states in Africa, or if they correspond to a general trend in the historicity and trajectories of these states. In other words, are the multiplication of actors intervening in public policies and social, political and economic regulation, the constant opening up of new negotiation arenas, and the ever-increasing number of objects of negotiation that emerge along the blurred boundaries between state and non-state, between public and private, all indications of what Crawford Young (2004) recently described as 'the end of the post-colonial state in Africa'?

The answer, as usual, has to be nuanced. Several aspects of the recent history of the African continent underscore the conjunctural dimension of the processes highlighted in this volume. Three of them seem of particular relevance here. Firstly, the overall backdrop against which processes of negotiating statehood can be observed today is one of recurrent crisis. As Young (2004: 37) puts it, 'by the end of the 1970s, the first clear signs that the post-colonial state was not only falling short of its ambitious designs, but facing a systematic crisis, began to appear'. Since then, elements including neoliberal policies of structural adjustment imposed by international financial institutions (Pitcher, 2002), democratic conditionality (Doornbos, 2006) and civil wars (Cramer, 2006) have contributed to the weakening of states as centres of political and administrative power. In other words, the gradual retreat of the state in certain key areas of governance such as health, education, the building and maintenance of infrastructure and rural development is undeniable. Far from creating a power vacuum, this retreat has been paralleled by the growing role of non-state actors such as international NGOs, political and economic entrepreneurs, rebel armies and forces, clan and ethnic networks as well as religious movements, in the fields from which the state has gradually withdrawn (or which it never occupied in the first place). In this sense the number of actors, arenas and objects of negotiating statehood has tended to rise over the last decades across sub-Saharan Africa.

Secondly, there are particular conjunctures during which the room for negotiation and political redefinition is more important than in others. This

is the case in most post-civil war settings and it is not by chance that all the contributions in this volume are concerned with political developments in post-conflict contexts. Indeed, armed conflicts are moments of intense and often rapid social and political change, where issues such as citizenship, nationhood, representation of social or ethnic groups in the state apparatus, distribution of resources, etc., emerge as new items on the political agenda, or are reinterpreted and imbued with new meaning in the course of conflict (Chabal, 2009).<sup>10</sup> Conflicts open up new arenas of negotiation where social actors contest for power and control as well as for the definition of statehood in the aftermath of conflict. In many cases violent inter-group conflicts either result from or lead to shifts in power balances. New actors may emerge in the political fray and may try to 'sell' the social and political capital they have accumulated in times of conflict, and thus demand new positions within the state structure. The state itself has often played an important role in the emergence of these new actors as it 'discharges' or delegates the means of exercising violence to non-state actors in an overall context of the 'privatization of the state' (Hibou, 2004). Yet, the potential for negotiation clearly depends on the outcome of the conflict itself. In Angola, for instance, the outright victory of the MPLA over Unita after twenty-five years of civil war has permitted the party in power to engineer an 'authoritarian reconversion' (Péclard, 2008) by reducing the political space left to other actors, even if, as Ruigrok shows in this volume, the relationship between the central state and its 'peripheries' continues to be strongly contested.

Thirdly, the 'end of the post-colonial state' (Young, 2004) also corresponds to a moment when the dynamics of the continent's 'extraversion' (Bayart, 2000) have taken a new turn. The increasing importance of Chinese entrepreneurs and capital in Africa (Alden, 2007), progressive 'South–South globalization' (Perrot and Malaquais, 2009), and the growing significance of migration, diasporas and remittances have shaped African economies and financial flows since the end of the Cold War. Even though these new developments have not altered the continent's structural dependency on the outside world, they have opened up new avenues through which African political societies can negotiate the terms of their dependency. This has resulted in new opportunities for rent-seeking and new social forces such as the 'NGO bureaucratic bourgeoisie' (Hearn, 2007) that emerged on the continent in the 1990s as a result of donors' decisions to channel aid resources to non-governmental institutions. By these and other processes, political power in Africa is increasingly 'internationalized' and statehood partly suspended (Schlichte, 2008).

However, there are also strong indications that the 'negotiability' of statehood in post-colonial Africa is not conjunctural, but structural. Indeed, if

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10. A good example is Somalia where protracted civil war transformed Somali society through a violent modernization (Hagmann, 2005).

we look at processes of state formation in Africa in terms of a 'hegemonic quest' (Bayart, 2009 [1993]) — the attempt by ruling elites to strike a balance between coercion and the exercise of force on the one hand, and the establishment of 'legitimate domination' on the other — it is possible to see negotiation as a central process and a recurrent theme of the history of statehood in Africa. The formation of the colonial state in Africa has been one of the arenas in which African political societies have negotiated their relationship with 'modernity' and engaged with the new 'rules of the game' that the colonial conquest imposed. These negotiation processes occurred, of course, against the backdrop of outright violence, coercion and exploitation on the part of the colonizing powers. But, following Bayart and Bertrand (2006), one can argue that in the *longue durée* the colonial encounter also led to 'imperial hegemonic transactions' that integrated African elites and societies into the new political order that emerged at the interface of colonizers and colonized. During the course of these transactions, processes of devolution of state powers to non-state actors played a key role (Mbembe, 2001): chartered companies ruled over much of the colonial territories up until the end of the nineteenth century at least; security was often provided by private companies both in and around plantations and in certain city areas; and Christian missions were a key element in sectors such as education, health and rural development. As Ferguson and Gupta (2002: 993) accurately point out, 'in Africa and elsewhere, domination has long been exercised by entities other than the state'. In other words, the delegation of state attributes to non-state actors, or rather negotiation processes over the exercise of state functions, have been part and parcel of state formation in Africa since the early colonial times. The hegemonic quest of the state in Africa is in many ways the history of these negotiations.

## CONCLUSION

In this introduction we have elaborated the broad contours of an interpretative approach towards understanding the state, political power and authority in contemporary Africa. The heuristic framework that we have outlined rests on the assumption that processes of state (de-)construction are dynamic and partly undetermined, that the analysis of state institutions must be embedded in a broader understanding of state–society relations, that state building and formation is inherently conflictive and contested and that empirical rather than judicial statehood constitutes the analytical point of departure. Drawing attention to the actors, resources and repertoires, the negotiation arenas and tables as well as the objects of negotiation, we have proposed a particular set of concepts to grasp contemporary dynamics of state power and domination in Africa and elsewhere. It is hoped that this volume will stimulate reflection and debate on the conceptual tools that we use to decipher the state and politics. Ultimately, however, its relevance depends on its

ability to contribute to, inspire and facilitate empirical research on everyday political processes on the ground.

Illustrating the relevance of our heuristic framework, the examples cited in this introduction have been mostly drawn from the case studies that follow. They all shed light on key dynamics of statehood in different regions of the African continent while providing empirical depth to some of the theoretical propositions outlined here. This said, the scope of the negotiating statehood framework is not confined to the examples provided in the essays of this collection. Moreover, the fact that this volume focuses exclusively on Africa should not be read as a statement on the particular 'nature' of the state in Africa, making it ontologically different from the state elsewhere. The perspective that we adopt attempts to avoid the normative deadlock in which institution-centric political science research on the state has remained trapped, especially when expressed in terms of 'state failure' and 'weakness'. In this sense, our negotiating statehood framework is applicable way beyond the confines of Africa. It is our hope, therefore, that this volume will contribute to debates on the 'dynamics of states' (Schlichte, 2005) in general, and thereby also contribute to bringing African politics and states back from the realms of the exotic.

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