States and Social Contracts in Africa

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For perfectly understandable reasons, much writing about contemporary Africa has focused on instances where there has been a partial or complete breakdown of central authority—as was true of Liberia and Sierra Leone in the 1990s or is the case in Somalia today—or where predatory rulers holed up in capital cities have lived off the rents derived from oil and mining enclaves: for example Chad, Congo-Brazzaville or the Democratic Republic of Congo (DRC).[1] Accounting for the more extreme configurations is a necessary exercise, as is the effort to explain how a degree of normality is possible in the absence of a functioning state.[2] What is problematic is when these cases are made to stand for Africa as a whole. There has been a trend in recent scholarship to posit a pattern common to pretty much all African countries, with the possible exception of Mauritius, Botswana and South Africa: namely endemic levels of clientelism, which turn all government institutions into ciphers of particularistic interests and have an in-built dynamic towards chronic instability.[3]

Accompanying this inclination to flatten the African landscape, there has been a movement away from investigating institutions towards a narrower concern with how networks function. Indeed, many contributions that are ostensibly about the state are really dealing with something entirely different. For example, Jean-François Bayart's *The State in Africa* has a great deal to say about conceptions of power, but it tells us surprisingly little about the state in Africa—at least in an institutional sense.[4] If pushed, the authors in question would no doubt insist that the state is so impregnated with societal interests that it can only be studied as embedded within society rather than being artificially separated from it. In this vein, Patrick Chabal and Jean-Pascal Daloz conclude:

> Hence, the notion that [African] politicians, bureaucrats or military chiefs should be the servants of the state does not make sense. Their political obligations are, first and foremost, to their kith and kin, their clients, their communities, their regions, or even to their religion. All such patrons seek ideally to constitute themselves as 'Big Men', controlling as many networks as they can . . . We are thus led to conclude that, in most African countries, the state is no more than a décor, a pseudo-Western façade masking the realities of deeply personalized political realities.[5]

In a subsequent collaborative work, they reiterate that the existence of the state is not something inevitable or normal, but grew out of a very particular European history. To this day, they maintain, the formal existence of a state in somewhere like Nigeria is confounded by the reality of quite different logics at play.[6] Forget trying to apply Western concepts to African realities, we are told, and focus on what is actually happening.

This may sound like wise advice, but the reality is that the amount of research which actually traces how networks function—rather than merely asserting their existence—is surprisingly limited outside of the cases of the oil-rich states. The most recent work on the state has (significantly perhaps) been carried out by anthropologists rather than by political scientists, and often tends to support the view that institutions

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[1] The literatures are too vast to capture here, but indicative are David Keen, *Conflict and Collusion in Sierra Leone*, Oxford 2005; Lansana Gberie, *A Dirty War in West Africa: The RUF and the Destruction of Sierra Leone*, London 2005; Stephen Ellis, *Mask of Anarchy: The Destruction of Liberia and the Religious Dimension of an African Civil War*, London 1999; William Reno, *Warlord Politics and African States*, Boulder, CO 1999; and, for the oil states, Ricardo Soares de Oliviera, *Oil and Politics in the Gulf of Guinea*, London 2007. There is a whole research industry on 'failed states', in which Africa features most prominently. See, for example, I. William Zartman, *Collapsed States: The Disintegration and Restoration of Legitimate Authority*, Boulder, CO 1995; Robert I. Rotberg, ed., *When States Fail: Causes and Consequences*, Washington, DC 2003 and *State Failure and State Weakness in a Time of Terror*, Washington, DC 2003; and Ashraf Ghani and Clare Lockhart, *Fixing Failed States: A Framework for Rebuilding a Fractured World*, New York 2008.

[2] For example, Peter D. Little, *Somalia: Economy Without State*, Oxford 2003.

[3] Two parallel accounts are Jean-François Bayart, Stephen Ellis and Béatrice Hibou, *The Criminalization of the State in Africa*, Oxford 1999; and Patrick Chabal and Jean-Pascal Daloz, *Africa Works: Disorder as a Political Instrument*, Oxford 1999.

[4] Jean-François Bayart, *The State in Africa: The Politics of the Belly*, London 1993.

[5] Chabal and Daloz, *Africa Works*, pp. 15–6.

[6] Chabal and Daloz, *Culture Troubles: Politics and the Interpretation of Meaning*, London 2005, pp. 261–8.

remain rather important.[7] Despite the realities of everyday corruption and chronic inefficiency, there is a surprisingly deep-seated attachment to bureaucratic rules and behaviour.[8] These may be honoured in the breach, but they remain a constant frame of reference for the actors concerned, and not just because they can be manipulated for personal gain. The most interesting set of questions is how institutional structures are moulded to deal with everyday realities, such as the scarcity of manpower and logistics (including uniforms, petrol, vehicles and telephones) and the inadequacy of official remuneration. The underlying message here is that institutions in Africa are not elaborate fictions or a cover for something else, but help to inform the behaviour of official and non-state actors alike in fundamental ways. Ticking off African states against a checklist of criteria derived from an ideal-type, and then finding them wanting, may create the appearance of instilling greater analytical rigour, but in reality it closes down an analysis of how institutions actually work.

'Bringing the state back in' has become a cliché, but undoubtedly there is a need to integrate an analysis of social dynamics with a closer examination of African state logics. This entails a number of overlapping agendas. Firstly, there is a need to return to a sustained study of political phenomena at different levels simultaneously—that is, local, regional, national and indeed trans-national. Although the first two used to be the preserve of a rather conventional American political science, a multilevel approach is fundamental to any attempt at understanding African politics. Secondly, the role of the state in mediating the production and reproduction of social inequalities—which has become lost in a rather mushy literature about neo-patrimonialism—should receive far greater attention than it presently does. Finally, there is a need for a comparative approach that does not conflate experiences, but opens up the possibility of understanding a range of phenomena across African countries as well as a mechanism for understanding the salient differences. In what

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7 Thomas Bierschenk and Jean-Pierre Olivier de Sardan, 'Powers in the Village: Rural Benin between Democratization and Decentralization', *Africa*, vol. 73, no. 2, 2003, pp. 145–73; and Giorgio Blundo and Pierre-Yves Le Meur, eds, *The Governance of Daily Life in Africa: Ethnographic Explorations of Public and Collective Services*, Leiden and Boston 2009; for an account of bureaucratic activity, see Brenda Chalfin, 'Cars, the Customs Service and Sumptuary Rule in Neoliberal Ghana', *Comparative Studies in Society and History*, vol. 50, no. 2, 2008, pp. 424–53.

8 On corruption, see Giorgio Blundo and Olivier de Sardan, *Everyday Corruption and the State: Citizens and Public Officials in Africa*, London 2006.

follows, I wish to demonstrate, primarily through a comparison of four West African countries—Ghana, Togo, Senegal and the Gambia—how a return to political economy can help to create a more complex picture of how African states and peoples have engaged with one another. These examples cannot stand for Africa as a whole, but they do provide an insight into the workings of countries where the state has not collapsed or been skewed by the flow of oil rents. The article falls into four parts. In the first, I briefly sketch out the existing landscape of writing on African states in order to be able to better position my own interpretation. I then turn to a comparison of colonial states and their enduring legacies. In the third section, I examine the reasons why many of the social contracts became untenable in the last decades of the twentieth century. Finally, I deal with the potential for the emergence of new social contracts in contemporary Africa.

I. WRITING THE AFRICAN STATE

The central question that underlies most of the literature on African states is why they have proved to be such weak Leviathans or, phrased in more normative terms, why they have failed to generate meaningful public goods. The answer is typically sought in some combination of historical and structural factors. On the resolutely historical side of things, Jean-François Bayart seeks an overarching explanation in a history of African 'extraversion' dating back to the era of the slave trade, which warped African institutions in fundamental ways.[9] Whereas his account takes the long view, many still continue to insist on colonialism as the operative watershed. Hence it has been argued, in a stronger and a weaker version by Basil Davidson and Patrick Chabal respectively, that pre-colonial traditions of statecraft were fractured during the colonial takeover.[10] The result was that imported institutions lacked basic legitimacy, while the indigenous forms that were permitted to continue were stripped of their mechanisms of accountability—coming to embody what Mahmood Mamdani has described as 'decentralized despotisms'.[11]

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[9] Bayart, 'Africa in the World: A History of Extraversion', *African Affairs*, vol. 99, no. 395, pp. 217–67.

[10] Basil Davidson, *The Black Man's Burden: Africa and the Curse of the Nation-State*, London 1993; Chabal, *Africa: The Politics of Suffering and Smiling*, London 2008, pp. 92–3.

[11] Mahmood Mamdani, *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism*, Princeton 1996.

Crawford Young has also emphasized the heavily coercive character of the early colonial state and the manner in which certain habits of violence have continued down to the present. This is an interpretation that draws deeply on the author's work on the DRC, for which it has the greatest resonance alongside early iterations of the settler state in eastern and southern Africa.[12] Whereas Young and others have highlighted a glaring lack of hegemonic pretensions in the vastness of the Belgian Congo, Joshua Forrest reveals how the travails of Guinea-Bissau since independence have to be viewed in the light of the singular failure of the Portuguese colonial state to make its writ run in the tiny enclave.[13] While older literatures on the liberation wars against the Portuguese posited that the very need to mobilize the rural population would help to forge new kinds of structures of popular power, the Lusophone countries have not looked so distinct in the long run.[14] The differences that are apparent in some post-liberation states arguably have less to do with the state *per se* than with the mentalities of the leaderships who have tended to equate the interests of the movement with those of the nation. This is starkly apparent in Eritrea, following its war of 'liberation' from Ethiopia, but it is also evident in Zimbabwe and Angola.

On the structural side of things, explanations can be subdivided into those that are basically architectural and others that emphasize neo-patrimonial logics. For Jeffrey Herbst, the challenge is to account for the differential capacity of African states to 'broadcast' their power across national space.[15] His contention is that the demographic reality of highly dispersed populations has created an impediment to effective governance. Herbst notes that Africa's largest states tend to face the problem in an exaggerated form, with pockets of relatively dense population often separated by great distances. For this reason, they have been the most prone to failure.[16] By stark contrast, Catherine Boone starts from the

[12] Crawford Young, *The African Colonial State in Comparative Perspective*, New Haven 1994, pp. 124–40.

[13] Joshua Forrest, *Lineages of State Fragility: Rural Civil Society in Guinea-Bissau*, Oxford 2003.

[14] See, for example, Davidson, *Liberation of Guiné: Aspects of an African Revolution*, London 1969; and *Eye of the Storm: Angola's People*, London 1973.

[15] Jeffrey Herbst, *States and Power in Africa: Comparative Lessons in Authority and Control*, Princeton 2000.

[16] For a comparison of the record of the largest states, see Christopher Clapham, Jeffrey Herbst and Greg Mills, *Big African States: Angola, DRC, Ethiopia, Nigeria, South Africa, Sudan*, Cambridge 2006.

position that it is not necessarily the concern of those who govern to project state power to all corners of their territory. They may be content to leave entire regions to their own devices if they are of no material importance to the centre. The operative question then becomes: under what circumstances do states choose to engage with their populations in an active way? Boone's answer stresses extractive imperatives on the one hand, and the existence of powerful local elites capable of hard bargaining on the other. When state imperatives run up against the reality of cohesive local interests, she maintains, some form of negotiation is likely to ensue.[17] Her approach does not necessarily contradict that of Herbst—after all, sheer distance may impinge on the willingness of the state and local elites to engage each other—but it focuses attention much more on the specifics of bargaining between the state and societal actors. Boone's account also has the great merit of placing revenue extraction at the centre of the analysis.

Finally, Pierre Englebert invokes elements of the colonial legacy in what remains essentially a structuralist interpretation. He attributes the failings of African states to weak capacity, which is diagnosed as a symptom of limited legitimacy. This is in turn attributed to colonialism, which divorced pre-existing governing structures from the state that was inherited at independence:

> Of all the regions of the world, Africa has the highest proportion of countries where the process of state creation was exogenous to their societies and where the leadership or ruling class inherited the state rather than shaping it as an instrument of its existing or developing hegemony. As a result, African states were born lacking legitimacy, meaning simply that they were not endogenous to their societies; they were not historically embedded into domestic relations of power and domination.[18]

There is some echo here of Davidson's lament about the failure of post-colonial states to build on indigenous political cultures. Englebert distinguishes between vertical legitimacy, which comes down to the degree of fit between society and the political institutions, and horizontal legitimacy, which is about the level of consensus about who ought to partake in the social contract. In a nutshell, colonial regimes that rode roughshod over indigenous institutions tended to bequeath states with

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[17] Catherine Boone, *Political Topographies of the African State: Territorial Authority and Institutional Choice*, Cambridge 2003, pp. 240–82.

[18] Pierre Englebert, *State Legitimacy and Development in Africa*, London 2000.

low vertical legitimacy, while colonial borders that cut through African peoples in an arbitrary way were not conducive to horizontal legitimacy. Where states have lacked fundamental legitimacy, which he sets out to measure in quantitative terms, Englebert finds that the ruling elites have tended to engage in neo-patrimonial practices to garner political support. He maintains that the African states with the most positive records were either constructed on the foundations of pre-colonial chiefdoms/kingdoms (notably Lesotho, Swaziland and Botswana) or they were islands populated, and thus effectively forged from scratch, through the European encounter (Mauritius and Cape Verde). Herbst might observe that these all happen to be small states, but then building on existing polities made such a configuration inevitable. The problem with Englebert's account, which is common to that of Davidson as well, is that 'endogenous institutions' are a black box that is never really opened up. If Chabal is right in saying that pre-colonial states were built on personal ties rather than bureaucracy, then this somewhat complicates the analysis.[19]

Turning briefly to neo-patrimonialism, there is a growing body of literature that regards state failure as arising out of the strategies of ruling elites. As has already been noted, Chabal and Daloz regard African political actors as manifesting a weak commitment to bureaucratic norms because these are constantly undercut by the need to service social networks. Their account, which emphasizes a progressive weakening of the state in recent decades, bears a close resemblance to that of Bayart, Ellis and Hibou. Here too, social networks are seen as deeply embedded in the state, to the extent that the latter effectively becomes captive to criminality. However, their account also couples the crisis of the African state with new global forces that have created unprecedented opportunities for illicit wealth extraction—in essence, the latest manifestation of extraversion. In the words of the authors:

> The criminalization of politics and of the state may be regarded as the routinization, at the very heart of political and governmental institutions and circuits, of practices whose criminal nature is patent, whether as defined by the law of the country in question, or as defined by the norms

[19] Chabal and Daloz, *Culture Troubles*, p. 264. There has been some debate about how far a kingdom such as that of Asante rested on an impersonal bureaucracy. Compare Ivor Wilks, *Asante in the Nineteenth Century: The Structure and Evolution of a Political Order*, 2nd ed., Cambridge 1989, and the critiques by T. C. McCaskie, *State and Society in Pre-Colonial Asante*, Cambridge 1995; and Larry Yarak, *Asante and the Dutch, 1744–1873*, Oxford 1990.

> of international law and international organizations or as so viewed by the international community.[20]

The growing literature on resource-rich countries points to the manner in which rents can fundamentally re-shape the ways in which the state relates to its population. The leading oil-producing countries—Nigeria, Angola and Equatorial Guinea—exhibit the most extreme forms of extraversion, with political elites drawing little or no tax revenue from their populations and needing to pay minimal attention to them. Although the state may be considered as weak in formal bureaucratic terms, the oil rents enable core institutions to function and to reproduce the elites that are entwined with them. In Angola, we have the classic instance of how oil money has forged cosy connections for leaders with one foot in the ruling party and/or government and another in private business.[21]

Rulers and ruled

In the rest of this article, I will not dwell further on the resource-rich states or the cases where the state has effectively ceased to function. I will instead concentrate on instances where states do engage their populations, and will offer an explanation for why this assumes rather varied forms. Before proceeding, however, it is necessary to sharpen the focus. Although there is a large body of writing that stresses the historical roots of the present, there is relatively little that seeks systematically to account for the reproduction of state institutions or modes of operation over time. Frederick Cooper comes closest by showing how relatively weak states at the moment of independence were maintained through the performance of gatekeeper functions.[22] But there is still much more to be said about repertoires of state power as well as continuities in thinking about the political realm. Secondly, while geopolitical explanations are more or less convincing in their detail, neo-patrimonialism tends to have limited explanatory power, in part because it is invoked as both the cause and the effect of a dysfunctional politics. There are precious few attempts to show exactly how leaders channel resources to service their power bases or how their constituents conceive of, and act upon, the power dynamic

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[20] Bayart, Ellis and Hibou, *Criminalization of the State*, p. 16.

[21] See Tony Hodges, *Angola: From Afro-Stalinism to Petro-Diamond Capitalism*, Oxford 2001.

[22] Frederick Cooper, *Africa Since 1940: The Past of the Present*, Cambridge 2002.

in their own right. The otherwise stimulating Francophone literature on politics from below is pretty much silent on this score,[23] whereas the Anglophone focus on the politics of ethnicity is more convincing in its depiction of high politics around election time than in unravelling ongoing political networks.[24] Here, I will avoid neo-patrimonialism as a concept and will concentrate on the interaction of three key variables in the political economy of Africa over the course of the past century: namely revenue streams, control of land and population, and administrative capacity. These three together have helped to shape significantly different social contracts.

Social contracts in Africa have to be seen as the product of historical compromises forged out of relations of opposition, and not a little conflict. I distinguish between three kinds of contract from the colonial period to the present: coercive, productive and permissive. A coercive social contract is one in which the right to govern is predicated on the capacity of the rulers to render intolerable the lives of their subjects. In extreme cases, the contract may look more like a statist version of a protection racket in which people surrender their political voice in return for being spared from predatory acts. The mode of extraction is typically some form of tribute levied in a manner that is personalized rather than routinized. A productive contract is one in which the sovereign authority and the subjects/citizens enter into some form of negotiation over how the rule by the former can contribute to the well-being of the latter. This often involves negotiation over the payment of taxes as well as rights of access to scarce resources, including land.[25] Finally,

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[23] On politics from below, the work that set the agenda is Bayart, Achille Mbembe et al., *Le politique par le bas en Afrique noire*, Paris 1992. One possible reason why this agenda did not take root in the manner of Subaltern Studies among scholars of South Asia is that the protagonists did not follow through with detailed studies, while Anglophone researchers paid relatively little attention to the approach that was being advocated.

[24] One of the best studies of how patron–client ties operate, in this case across ethnic lines, is Jennifer A. Widner, *Rise of a Party State in Kenya: From 'Harambee' to 'Nyayo!'*, Berkeley 1992. A useful recent collection on ethnicity and politics is Bruce Berman, Peter Eyoh and Will Kymlicka, *Ethnicity and Democracy in Africa*, Oxford 2004.

[25] On taxes, see Margaret Levi, *Of Rule and Revenue*, Berkeley 1988. For an ambitious comparative analysis, see Lane F. Fargher and Richard E. Blanton, 'Revenue, Voice and Public Goods in Three Pre-modern States', *Comparative Studies in Society and History*, vol. 49, no. 4, 2007.

a permissive contract represents a kind of half-way house. While the governing authority claims its sovereign rights, it chooses not to exercise them (or all of them), in return for securing a measure of *de facto* compliance. This does not necessarily undermine state power because it is understood as a deal that the governing authority could renege upon at any point. Its strength often lies in the fact that it cuts both ways: that is, the rulers can be less accountable in return for not harassing the population concerned. The dilution or diminution of peripheral states' sovereignty within the international order remains, of course, a vital question. In what follows, however, the issue of 'semi-sovereignty' will simply be noted, as a matter of empirical reality, in order to focus on the state's actual executive, legislative, juridical and administrative scope.

2. BUILDING BLOCKS

Although colonial rule was frequently justified in terms of a grand civilizing mission, the reality was more mundane. The desire to mould Africans to European designs was tempered by the appreciation that this would produce a great deal of conflict, necessitating the investment of resources in repressing African dissent and/or curbing evasion.[26] Without ever admitting as much, colonial regimes generally settled for less. It was only during the decade after the Second World War that the imperial metropoles made resources available for more ambitious projects of social engineering in Africa.[27] In each colony, the administration found its own level. The cardinal principle was that the colonies should pay for themselves. In those colonies where the state was weakest, such as in Guinea-Bissau, the revenue imperative forced colonial states to raise income by any means possible. In these cases, indicative of the coercive contract, tax raids were a common expedient. A rule of thumb that is broadly valid is that colonial violence was inversely proportional to the level of effective bureaucratic control.

The Gold Coast (Ghana) is of particular interest because it provides an example of the limits placed on colonial state power by African agency.

[26] Anne Phillips, *The Enigma of Colonialism: British Policy in West Africa*, London 1989. Where the colonial project was crudely extractive, as it was in Leopold's Congo or in Mozambique during the era of the concessionary companies, violence was systemic.

[27] Cooper, *Decolonization and African Society: The Labour Question in French and British Africa*, Cambridge 1996; and Cooper, *Africa Since 1940*, pp. 66–132.

As Anne Phillips has demonstrated, the late nineteenth-century rhetoric of developing the colonial estates was not translated into practical results because of concerns about what it might cost to implement. In the Gold Coast, an additional problem was that the population did not regard itself as having been colonized. In the view of coastal chiefs and intellectuals, the Bond of 1844 provided the founding charter for the colony. Their contention was that the British had been contracted by the Fante chiefs to carry out a strictly limited range of functions, mostly pertaining to the administration of justice. On this interpretation, the colonial state only exercised the powers that had been expressly ceded to it, whereas the residual rights of Gold Coasters remained inviolate. To quote J. E. Casely-Hayford from a book written in 1903:

> I may broadly state that the relations between Great Britain and the Gold Coast originated in friendship, mutual trust and commercial alliance. It will be seen, therefore, that the people have a right to mould their institutions upon their own lines, Great Britain merely being a Protecting Power, and only properly concerned with their relations with the outside world. It will also be seen that at no time have the people divested themselves of their right to legislate for themselves.[28]

Although Asante was defeated by force of arms, southern intellectuals noted that its incorporation into the colony had been fully supported by them in the interests of liberating the Asante from their own rulers. In that sense, the indigenous population regarded themselves as partners in extending the boundaries of the Gold Coast. After 1900, therefore, an 'unwritten constitution' was transported northwards. It was really only in the Northern Territories (NTs), which the British acquired by treaty—significantly contracted by a Fante intermediary, George Ekem Ferguson—that it became possible for the British to insist on an absolute right to rule.

There were two defining moments for the colonial project, which are still pregnant with meaning to this day. The first was the ill-fated attempt to introduce a poll tax to cover the costs of the administration in the 1850s. Popular resistance to this measure put paid to the possibility of implementing direct taxation, which made the Gold Coast singular in the history of modern empires. The second moment came in the 1890s with the defeat of British efforts to introduce legislation vesting the control of

[28] J. E. Casely-Hayford, *Gold Coast Native Institutions With Thoughts on a Healthy Imperial Policy for the Gold Coast and Ashanti* [1903], London 1970, p. 129.

land in the colonial state. The Lands Bill of 1897 was opposed by southern chiefs and intellectuals who despatched a delegation to London to voice their objections. The offending legislation was withdrawn, even if state control of lands was later introduced in the Northern Territories.[29] The British defeat on such a core issue underlined the central contention that the chiefs retained their residual powers and were partners of the British rather than their instruments.

Not to put too fine a point on it, the British ran away from a fight. The net result was that colonialism could never rest on simple predation, or even a presumed right of command. Consent was hammered out in a seemingly never-ending series of negotiations over the reciprocal rights of the colonizer and the indigenous population. Although the British lost some face, they reconciled themselves to this arrangement because ultimately it was cost-effective. While the colonial state did not control southern lands and could not collect direct taxes, other sources of revenue were found. The British levied mining royalties, but these were much less important than the revenues derived from duties on imports and exports. As the cocoa economy boomed in the second decade of the twentieth century, and Gold Coasters became avid consumers of a wider range of imported goods, substantial revenues flowed into government coffers. In the long run, this helped to shape a distinctive configuration of power. Indirect taxes were capable of sustaining a dense fabric of administration by West African standards, which was reinforced by the first attempt actively to promote a 'development' agenda in the 1920s. By comparison with most African colonies, there was a relatively good network of roads, schools and health facilities in the southern half of the colony by the end of that decade.[30] Although the colonial state was in some respects highly extraverted—resting as it did on customs duties whose bounty depended on swings on the global commodity market—there was a sustained and

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[29] On opposition to the Lands Bill, see David Kimble, *A Political History of Ghana: The Rise of Gold Coast Nationalism, 1850–1928*, Oxford 1963, pp. 330–58. On northern lands, which reverted to communal tenure in 1979, see Christian Lund, *Local Politics and the Dynamics of Property in Africa*, Cambridge 2008, pp. 51–4.

[30] The best collection of basic data remain that of G. B. Kay, ed., *The Political Economy of Colonialism in Ghana: A Collection of Documents and Statistics 1900–1960*, Cambridge 1972. A standard work, which has stood the time less well, but still has useful things to say about state interventions, is Rhoda Howard, *Colonialism and Underdevelopment in Ghana*, London 1978, especially chapter 5.

reasonably productive interaction between ruler and ruled. In that sense, Bayart's model is rather too one-dimensional.

This outcome gifted three legacies to independent Ghana, amounting to a relatively stable social contract without which it is impossible to understand the politics of that country today. The first was the entrenchment of the cardinal principle that the state had circumscribed limits, which were at once spatial and institutional. The Nkrumah regime made an attempt to redefine these limits in the early 1960s. The crumbling remains of post offices, police stations and health centres are physical reminders of the attempt to intrude further into the lives of rural communities. After the fall of Nkrumah, successor governments settled back into default mode. There were Regional administrations (numbered at ten since the 1980s) and their District equivalents, but outside of the District capitals state power was negotiated rather than presumed. Hence, the District Secretary/Chief Executive worked through the good offices of the chiefs, whose sense of being masters of their own domain was as pronounced as ever. It was considered quite normal for officials to come to the palace to contract business.

This would have been unthinkable in a country like Togo where the same historic compromises were never struck. There, the Germans and later the French routinely re-scrambled the boundaries of administrative units to suit themselves. After independence, Togolese chiefs continued to be treated as lesser state functionaries: they exercised devolved responsibilities including oversight for law and order and the arbitration of local disputes, but they remained beholden to the *préfet* who embodied executive power at the local level.[31] In Ghana, chiefs have never been part of the state apparatus and thus have never taken orders. Moreover, Article 22 of the 1992 Constitution explicitly recognizes the prerogatives of traditional rulers, formally removing the right of government to interfere in the chiefly domain. The makers of the constitution (perhaps wisely) avoided trying to define the boundary between chieftaincy and the state, but everyone recognizes that one exists. Today, elected politicians

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[31] For a study of how power has operated in post-independence Togo, see Comi Toulabor, *Le Togo sous Eyadema*, Paris 1986. For a closer analysis of chief–state relations, see E. Adriaan B. Van Rouverory van Nieuwaal, *L'état en Afrique face à la chefferie: le cas du Togo*, Paris 2000.

routinely defer to the chiefs, who may be unelected, but lay claim to a deeper wellspring of legitimacy.

A second legacy is the pre-emptive rights attaching to the autochthons—or more accurately the 'landlords', given that the traditions of most societies include narratives of settlement in a remote past. Although there has been considerable southward migration since colonial times, in the direction of the cocoa belt and the cities, the status attached to being a 'stranger' is absolute. Within a given community, a stranger may enjoy some of the prestige that goes with possessing wealth or education, but she is also expected to accept an inferior status in perpetuity. Frequently, the 'settlers' in question arrived centuries ago, but those who initially granted them land continue to insist on the precept of 'once a stranger, always a stranger'. This has become a bone of contention in recent years, with the decision to carve out new districts. Whereas central government has chosen new capitals according to notionally objective criteria, such as population size, the putative landowners insist that there should be respect for the locally sanctioned pecking order. Here, we have an example of the collision between state and communal logics. The Ghanaian conception of citizenship is also a product of this particular history. In Ghana, becoming a genuine citizen involves two considerations: having been born in the country to two Ghanaian parents, but also having a 'hometown' where one claims one's primary citizenship. To lack a hometown is almost by definition to be counted as something less than fully Ghanaian. This is why those Lebanese who have managed to naturalize and to marry Ghanaians have been tolerated rather than fully accepted.[32]

The third legacy is that politics in Ghana has assumed a form that is not ethnic in any straightforward manner. In fact, traditional areas map onto ethnicity only in the loosest sense. In Kenya, where 'tribes' were fixed in colonial space—that is, the native reserve—land became the key resource available for disposal after independence, and this became highly politicized along ethnic lines. It has long played a part in Kenyan electoral politics, and lay in part behind the crisis of 2007–08. But because the state enjoyed no control over land in Ghana, political competition

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[32] There have been numerous instances of deportation since independence. See Xerxes Malki, 'The Alienated Stranger: A Political and Economic History of the Lebanese in Ghana, c. 1925–1992', DPhil thesis, University of Oxford 2008.

necessarily assumed a different form. In the 1950s, the Convention People's Party (CPP) dealt with the problem of legitimacy by promising purposive state intervention in the shape of infrastructure and the distribution of social amenities (water supplies, schools etc.). However, this was not a game that was invented by the CPP. It was one that the British had initiated after 1945, in effect giving the state purchase by demonstrating its importance as a facilitator of social 'betterment'—or what some prefer to call modernity. Subsequently, 'socialist' planning in the 1960s, which hinged on ambitious schemes for state-led industrial development, was intended to create jobs for a growing urban population while setting in motion a virtuous circle of self-sufficient development. The fact that all of this activity needed to be paid for meant that indirect taxes, which fell heavily on cocoa, increased in real terms. In the 1950s, the National Liberation Movement (NLM) kicked against the use of cocoa revenues to finance development outside Ashanti. This was a period when ethnicity *was* explicitly mobilized,[33] but the electoral defeat of the NLM led to the discrediting of ethnic politicking—although it did not extinguish the tradition, represented by such figures as Kofi Abrefa Busia and J. B. Danquah, which continued to argue for a more circumscribed role for the state.

Gambia and Togo

As I have already indicated, Ghana followed a quite different trajectory from Togo: whereas a broadly productive social contract emerged in the first case, in the second there was a return to a coercive mode within years of independence. But lest it be thought that this outcome was a function of the different national origins of the colonizer, it is instructive to consider the case of the Gambia. Here too the state was largely reproduced through customs duties, but land and people occupied a much more significant place in official thinking.[34] The British saw themselves as having acquired the Gambia through conquest, which conferred the moral right to intervene. The authorities constantly fretted about the likely cost of administering the Gambia. At an early stage, it was realized that the simplest solution lay in encouraging both immigration and seasonal

[33] Jean M. Allman, *Quills of the Porcupine: Asante Nationalism in an Emergent Ghana*, Madison, WI 1993.

[34] Kenneth Swindell and Alieu Jeng, *Migrants, Credit and Climate: The Gambian Groundnut Trade, 1834–1934*, Leiden 2006.

migration from neighbouring French territory. Settlers and migrants would boost the production of groundnuts, which could then be taxed at the point of export. At the same time, settlers could be required to pay the yard tax, and migrants a special tax, that would together help to defray part of the costs of the administration. These taxes were routinely manipulated to entice further movements of population out of French territory, where head taxes were generally higher. This amounted to an extremely effective form of demographic warfare. It also left a distinctive imprint on state–society relations in the Gambia. The British only recognized two categories of chief, namely the *seyfo* (a district chief) and the *alkalo* (a village chief). The latter exercised devolved responsibilities, the most important being the maintenance of the tax registers, the collection of tax and the settlement of strangers. By Ghanaian standards, these chiefs were weak.

In the Gambia, the limits to state power were initially set by the lack of administrative capacity. This was gradually remedied, although the French continued to claim that the British showed no real interest in possessing the colony. Today, the Jammeh government insists on the election of chiefs, which in reality means pre-selecting candidates whose accession it favours. Such intervention might be unwelcome, but it is not contested as illegitimate—whereas in Ghana it would surely provoke outright opposition. Secondly, the discourse of landlord and stranger has been almost completely absent in the Gambia. Since colonial times, villages have become highly mixed entities, with Mandinka, Fula, Jola and other peoples sharing the same local space. Strangers have been assimilated remarkably quickly and have enjoyed the same rights as those with deeper roots. The best example is the Karoninka, whose origins lie in the islands and Karone peninsula of the Casamance (Senegal). They are the largest component in many of the villages of the south-western Gambia, and they have come to be accepted as 'indigenous' despite their relatively recent arrival. Thirdly, ethnicity operates as a mobilizing strategy for politicians at the national level, but its salience remains weak in the internal politics of most rural communities.

The control of people and commodities has been central to state-building in the Gambia. But each of these has been contingent on parallel developments in Senegal. As the British empire was being wound down in the 1960s, the Gambian political elite was encouraged to seek some form of association with its larger neighbour. In the end, these negotiations came to nothing.[35] Subsequently, the Gambia maintained its independent existence by astutely playing off the advantages of being enveloped by Senegal. In the 1960s, the port of Banjul became a point of entry for goods traded legally and illicitly across the international border, with consumer items passing in one direction and Senegalese groundnuts in the other. While the duties collected at the port helped fund the government budget, the contraband trade provided employment for many Gambians. To that extent, the productive contract that came with the promise of promoting rural development was buttressed by a permissive one. Similarly, the Eyadéma regime in Togo knew that it would never enjoy willing support in the south: by establishing Lomé as a free port and allowing merchants and petty traders of the capital actively to engage in cross-border trade, the quasi-military government won their tacit compliance if not their affection. At the same time, the trade through Lomé brought money into government coffers that could be recycled as development spending in the impoverished north. In Togo, therefore, a coercive social contract—according to which Gnassingbé Eyadéma ruled through fear and the claim to represent the only barrier between stability and an ethnic apocalypse—was married to a permissive one.

Senegal

In Senegal itself, the colonial state was reproduced through the collection of customs duties and relatively tight control over land and population. The makers of the French empire took the view that the future of the *mission civilisatrice* hinged on breaking down indigenous political structures and the systems of obligation that underpinned them. This included taking control of the land and imposing a new institution of chieftaincy. A two-tier system of canton and village chiefs was introduced, but unusually the former ruling lines were cut out of the deal altogether.[36] The four communes of Saint-Louis, Dakar, Rufisque and Gorée represented an anomaly in that their inhabitants were entitled to claim rights of French citizenship. Whereas Gold Coast intellectuals regarded themselves as defending an autonomous sphere, the citizens of the four communes demanded the rights of Frenchmen. Around the turn of the century,

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[35] See the account in Jeggan Senghor, *The Politics of Senegambian Integration, 1958–1994*, Oxford 2008.

[36] James F. Searing, *'God Alone is King': Islam and Emancipation in Senegal: The Wolof Kingdoms of Kajoor and Bawol, 1859–1914*, Cape Town 2002.

there were attempts to make claims on French citizenship more restrictive, which were naturally resisted by the African populations concerned. The issue was resolved during the First World War when Blaise Diagne, a Senegalese deputy and minister in the French government, was able to trade military enlistment in return for ring-fencing citizenship.

Outside the four communes, the French initially struggled to find willing collaborators. They passed up the possibility of striking alliances with the religious leaders, or *marabouts,* who had long been opposed to the ruling houses in the Wolof states. Once again, the First World War settled the matter, when the leaders of the Tijani and Mouride brotherhoods urged their followers to enlist on the side of France.[37] The French used their appointed chiefs to collect taxes and to secure everyday compliance, but hereafter their real affinity lay with the *marabouts*. Different forms of social contract emerged in the interwar years, reflecting an over-riding concern with colonial *mise en valeur*. Prime land along the railways was often taken away from pastoralists and re-allocated to the Mourides, who engaged in the construction of new religious communities. The Mourides planted groundnut fields that were worked by their *talibés* (or followers) in a manner that some have regarded as deeply exploitative and others have presented in rather more nuanced terms.[38] In the Casamance, by contrast, the operative social contract was coercive. The French demand for head taxes and for military recruits was actively resisted by the Jola right through to the 1930s, fostering a tradition of opposition to the centre that continues to this day. Indirect taxes, derived largely from groundnut exports, supported the budget of the French West African Federation as a whole, whereas the head taxes, which were levied as if the very credibility of the empire rested upon them, sustained the Senegalese territorial administration.

Over time, the lone French administrator backed up by a handful of soldiers came to be supported by the fabric of a functioning bureaucracy. But the legacy for independent Senegal, as Boone makes clear, was a very uneven pattern of state penetration. The arid zones were largely left to their own devices, especially where they did not contribute significantly

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[37] Christopher Harrison, *France and Islam in West Africa, 1860–1960*, Cambridge 1988.

[38] Donal Cruise O'Brien, *The Mourides of Senegal: The Political and Economic Organization of an Islamic Brotherhood*, Oxford 1971; Jean Copans, *Les marabouts de l'arachide: la confrérie et les paysans du Sénégal*, Paris 1980.

to revenues. The Casamance continued to be considered as a geographical anomaly that could only be definitively resolved once the Gambia was fully merged into Senegal. Whereas its highly productive rice culture was not considered worthy of support, resources continued to be channelled into the groundnut basin despite growing evidence of soil degradation. Strikingly, the political alliance with the brotherhoods continued under Socialist Party rule. The latter expected the *marabouts* to bring out the rural vote in return for being granted privileged access to resources and a free hand in dealing with their followers. The Mouride leadership played this game most astutely. Their headquarters at Touba became a virtual state-within-a-state, sometimes equated with the Vatican. Here, even the most basic functions of policing were carried out by the Mourides.[39] Bargaining with the state became explicit around the time of the declaration of groundnut prices, with the *marabouts* negotiating openly on behalf of the farmers.

The Senegalese case is like that of Ghana to the extent that the dominant spokesmen of rural interests were never part of the state structure. Indeed, their independence was what granted them their bargaining power. However, this distance also conferred a considerable measure of legitimacy on the system as a whole. In Senegal, politicians were forced explicitly to recognize the limits of state power as much as they might have preferred a freer hand.[40] Senegal was also like the Gambia in that rural communities coalesced in a way that assumed the rights of people to settle where land was available. The language of autochthony was equally muted. But because the Wolof predominated within the Mourides, government policy tended to favour Wolof interests in practice. This was accentuated by rapid rates of migration to Dakar, especially after the collapse of the groundnut economy in the 1980s. Here, Wolof consolidated itself as the undisputed language of the street. Although there was a backlash in the Casamance in the 1990s, 'Wolofization' was remarkably successful in providing a focus for Senegalese identity. But as with Ghana's 'unwritten constitution', this was never an explicit dimension of the state-building project: it was rather an effect produced by the interaction between religious authorities and political leaders at the elite level, and the social networks produced by urban youth at the 'subaltern' level.

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[39] In recent times there has been resistance to the creation of state schools in the town. On Touba, see Eric Ross, *Sufi City: Urban Design and Archetypes in Touba*, Rochester 2006; and Cheikh Guèye, *Touba: la capitale des Mourides*, Paris 2002.

[40] Leonardo Villalón, *Islamic Society and State Power in Senegal: Disciples and Citizens in Fatick*, Cambridge 2006.

The system worked insofar as the *grands marabouts* were able to control their youthful constituency.

Patterns

Returning to the literature on African states, two conclusions can now be drawn. Firstly, *contra* Englebert, although the countries in question emerged out of a colonial partition that created geographical anomalies—most obviously in the shape of the minuscule Gambia—new forms of legitimacy did emerge out of the compromises that were struck. These contracts were mostly renewed at the time of independence, although additional bargains were entered into. In Ghana, politicians were forced to acknowledge that the state had definite limits, especially when it came to land and taxation. In the Gambia, where taxes and land were claimed as state business, the maintenance of open borders and the positive encouragement given to settlers produced a different kind of consensus. This was to some extent evident in Senegal as well, but the difference was that more of an attempt was made to manage land as a productive resource. Revenue imperatives and political convenience led to the emergence of a strategic alliance in which Senegalese rulers were forced to accept the relative autonomy of the Muslim brotherhoods.

In a nutshell, these cases represent three significantly different combinations of productive, coercive and permissive social contracts. As a concept, neo-patrimonialism is not precise enough to shed light on such differences. Moreover, it obscures the important point that it was a consensus about what the state was *not* empowered to do that was often more important for forging political legitimacy. The *de facto* respect for chiefly autonomy in Ghana and for distinct religious spaces in Senegal, neither of which was written into constitutional documents (at least until 1992 in Ghana), underlines the importance of seeing institutions not as abstract things, but as the product of social practice. The second overall finding is that although administrative structures were bent to accommodate the compromises that were struck, this should not be considered a weakness or as evidence for the 'criminalization of the state'. On the contrary, these adjustments were conducive to state consolidation in the first decades of independence.

Venturing beyond the four specific cases, how well can this model cope with the complex variations in the rest of Africa in the decade immediately after independence? In the early years, the push for 'development' enabled regimes to claim legitimacy on the basis of the benefits that they would bring to ordinary citizens. This was typically married to the formal declaration of a one-party state, which was promoted on the basis that unity was a prerequisite for development (as in Tanzania). In the first decade and a half, there was an impressive expansion of health and educational facilities across national space; such things had hitherto been the preserve of the urban few. Political debate within the one-party state was, however, confined to implementation rather than addressing the fundamentals of the agenda itself.

In those countries that embraced the capitalist path to development, an acceptance of the basic premise of social inequality potentially made the package a harder sell. But in countries like Kenya and Côte d'Ivoire, a balance of sorts was struck. While government sought to create a positive environment for external investors, which was expected to provide the necessary impetus for growth, it was also necessary to satisfy diverse domestic constituencies. The Kenyan scenario was one in which scarce land was carefully parcelled out to different ethnic constituencies—with members of the political class benefiting alongside some redistribution to landless peasants. In Côte d'Ivoire migrants from the north of the country and from Burkina Faso were encouraged to relocate to the forest zone where they could work on cocoa farms and potentially become independent producers in their own right. Whereas in Ghana, the assumption was that being a stranger was a perpetual condition, the regime of Félix Houphouët-Boigny left the status of northern migrants deliberately vague—with serious consequences for the future.[41]

Finally, external actors played their own part in inscribing the contract: hence the close involvement of the Nordic states in Tanzania, and the co-operation agreements that bound France to her former colonies, were crucial in enabling incumbent regimes to be seen to deliver. Whereas development co-operation at the level of line Ministries was intended to strengthen administrative capacity, at the level of high politics French governments openly fed the personalist styles of their allies

[41] On land and citizenship in Côte d'Ivoire, see Ruth Marshall-Fratani, 'The War of "Who Is Who": Autochthony and Citizenship in the Ivorian Crisis', in Sara Dorman, Daniel Hammett and Paul Nugent, eds, *Making Nations, Creating Strangers: State and Citizenship in Africa*, Leiden 2007, pp. 38–44.

like Omar Bongo in Gabon, Houphouët-Boigny in Côte d'Ivoire and Eyadéma in Togo.

Secondly, there were cases where coercive contracts re-asserted themselves in an unambiguous form. In Equatorial Guinea, Francisco Macias Nguema governed his tiny state primarily through fear, as did Ahmed Sekou Touré in Guinea and Jean-Bédel Bokassa in the Central African Republic. In such countries, a system of informers relayed rumour and real expressions of discontent to the security agencies. The primary objective of citizens was to avoid being noticed by representatives of the state at all. Participating in public veneration of the leader when required to do so was the minimum price that had to be paid. However, in most African countries, incumbent regimes needed to rely on something rather more nuanced than violence. Indeed, it is instructive to note that as the grip of Sekou Touré weakened in the 1970s, he was forced to reposition himself as a faithful Muslim in an attempt to recapture some lost moral authority. Somewhat counter-intuitively, military regimes were not necessarily the ones most inclined to coercion. Military juntas were typically vulnerable to counter-coups and often felt it necessary to strike up tactical alliances with civilian constituencies.

Finally, the permissive social contract was a pervasive phenomenon. It was a particular feature of West Africa, where micro-states enjoyed direct access to the sea.[42] There were many other micro-states in Africa—notably Rwanda, Burundi, Lesotho and Swaziland—but these were landlocked entities that only existed by virtue of the desire of colonial powers to preserve the inner nuclei of pre-colonial kingdoms. In Rwanda and Burundi, the monarchies were dispensed with in short order, and the social contract came to rest on appeals to core Hutu and Tutsi constituencies respectively (again through 'development'), combined with the threat of violence against potential dissidents from the other group. The combination of a productive and a coercive social contract, targeted at different constituencies, was rather unusual and was indicative of a fissure within the body politic. Beyond the micro-states, the permissive social contract was exemplified more broadly in the manner in which border zones were largely left to their own devices. In countries as varied as Mobutu's Zaire and Nyerere's Tanzania, the realities of contraband

[42] This was true of Equatorial Guinea and Guinea-Bissau as well, although the fact that these remained European colonies until 1968 and 1974 respectively perpetuated an entirely different dynamic.

underwrote tacit understandings between the political centre and the geographical margins.[43]

3. SOCIAL CONTRACTS UNDER STRAIN

The standard narrative of the post-independence period highlights a serious rupture in the mid-1970s. Devastating drought, especially in the Sahel and the Horn, together with the OPEC-induced oil shocks, placed African economies under severe strain. The argument that it was simply misplaced development priorities, and not external shocks, that created the crisis is one that has few defenders today—at least in any simple form.[44] The upshot was the almost universal adoption of Structural Adjustment Programmes (SAPs) in the mid-1980s and 1990s that completely rewrote the rules.[45] Rather than revisit the debate about adjustment, I will confine myself here to a consideration of how these processes impacted on state–society relations.

Most obviously, the productive contracts that had been built around state-led economic development and the promise of improved education, health and infrastructure ran into serious trouble. Even countries that had recorded sustained economic growth, such as Kenya and Côte d'Ivoire, experienced a significant change of fortunes. In most countries other than the oil states, government revenues went into sharp decline, making it increasingly difficult to deliver on the promises of 'development'. In the worst cases, state officials ceased to be paid on time and were forced to resort to various forms of moonlighting and graft to keep themselves afloat. Interestingly, however, the micro-states were often able to weather the shocks more easily, arguably not for reasons of size *per se* (in the manner of Herbst), but because they were already geared to exploiting commercial flows. In the Gambia, even greater encouragement was given to the contraband trade, despite Senegalese government

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[43] Janet MacGaffey, *The Real Economy of Zaire: The Contribution of Smuggling and Other Unofficial Activities to National Wealth*, London 1991.

[44] For a statement on the causes of the crisis that crystallized a way of viewing Africa and which informed Structural Adjustment regimes, see the 'Berg Report': World Bank, *Accelerated Development in Sub-Saharan Africa: An Agenda for Action*, Washington, DC 1981. For a more recent and nuanced account, see Robert Bates, *When Things Fell Apart: State Failure in Late-Century Africa*, Cambridge 2008.

[45] See my *Africa Since Independence: A Comparative History*, Houndmills 2004, chapter 8.

complaints about what this was doing to their manufacturing industry. Tourism became the second Gambian money-earner, whereas groundnut production lost much of its allure. Similarly, there was a period of boom in Lomé in the late 1970s: at a time of acute consumer shortages in Ghana, there was profitable trade to be had from smuggling just about everything, from sugar to pomade, across the border.

On the other side of the line, of course, it was a different story. In the 1970s, the Ghanaian economy went into freefall. Although exogenous shocks were crucial, attempts at managing the crisis propelled things from bad to worse. Hence, printing money in order to deal with liquidity problems merely had the effect of driving up inflation. Raising taxes on cocoa—both directly and through systematic overvaluation of the currency—induced farmers to withdraw from the market. This compounded the shrinkage of state revenues, producing the knock-on effects of a deteriorating infrastructure, demoralized public employees and a breakdown of core public services. At the same time, the loss of foreign-exchange earnings meant that state industries were unable to import sufficient raw materials and spare parts. Their cumulative losses became a further drain on the public exchequer, thereby completing the vicious circle.

Although the social contract was sorely tested, especially under military rule, crucially it never unravelled. The emergence of Flt-Lt Jerry Rawlings ended up producing an element of continuity within change. In 1979, the Armed Forces Revolutionary Council (AFRC) insisted that the blame lay with economic saboteurs, including senior military officers who had profited from the economic slide. After Rawlings's second coming on 31 December 1981, this rather simplistic message was buttressed by an attempt at building structures of 'people's power' that would make ordinary Ghanaians watchdogs of the public good. But despite the declarations of revolutionary intent, there was never any serious attempt to challenge the terms of the 'unwritten constitution' outlined above. It is true that the chiefs were not permitted to join the People's Defence Committees (PDCs), and there was an attempt by cadres to assert control over land revenues, but in significant respects it was business as usual. The chiefs continued to exercise considerable influence over local affairs (including land), whereas the structures of popular power concentrated on the management of politics at the District level and above.[46]

[46] See my *Big Men, Small Boys and Politics in Ghana*, New York 1995.

There was a rift within the regime in 1982–83 that brought about the purge of the so-called 'ultra-leftists'. The revamped Provisional National Defence Council (PNDC) continued to insist on the importance of Ghanaians taking control of their lives, through involvement in the renamed Committees for the Defence of the Revolution (CDRs) and the People's Militia. But at the same time, a technocratic elite in core Ministries quietly brokered the country's adoption of an Economic Recovery Programme. The latter proved crucial in that the injection of substantial levels of World Bank and bilateral assistance enabled the battered economic infrastructure of the economy to be rebuilt. The PNDC extracted political capital from road building, while the decision to provide electricity to all the District capitals was especially popular in the north, which had been all but left off the national grid. Although many workers were retrenched in the early years, the wages and conditions of service of those who remained in public employment gradually improved. The net result was that a demoralized civil service recovered some of its sense of professional pride and institutional presence.

However, the retraction of the state from the economic sphere also had more damaging consequences. In the 1980s, most of the support for peasant agriculture was withdrawn on the basis that subsidies bred price distortions. This had a detrimental impact on peasant agriculture, and contributed to a mounting food import bill. In the 1990s, pressure was placed upon government to privatize state enterprises, wholly or partially, as part of the package of conditionalities. This meant that the Nkrumahist vision of the state as an engine of development was effectively disabled. The Bretton Woods institutions predicted that inward foreign investment and reinvigorated local entrepreneurship would take up the slack, but this happened in an uneven manner. Manufacturing and food production never entirely recovered, whereas gold mining and the cocoa economy flourished. However, government revenues covered only 56 per cent of spending in 2000, which meant that the state remained heavily dependent on external aid.

In Ghana, a broad societal consensus always existed that did not entirely conform to the agendas of the multilateral institutions. This included the expectation that it remained the function of the state to deliver key public goods—notably health, education and infrastructure—while embracing the principle that government ought to allow prices and currency rates to find their own levels. At the same time as government worked to reduce the national debt and attract investment, chiefs and local leaders were expected to be pro-active in promoting development agendas in their own communities. The District Assemblies, which were the focal point of a decentralization agenda, notionally functioned as the hinge. At the start of the 1990s, the PNDC considered that it was safe to contemplate a return to open political competition. The National Democratic Congress (NDC) was founded as a political party and won the 1992 and 1996 elections. In 2000, the NDC lost to the New Patriotic Party (NPP), the party representing the Busia/Danquah tradition. In significant respects, however, the NPP borrowed the NDC agenda, as we will see.

Dakar's dilemmas

Senegal witnessed neither the same precipitous decline nor the relatively speedy recovery. From the 1970s, there was a steady process of attrition as the Sahelian drought bit hard, petroleum prices impacted on state industries, and the combination of soil degradation in the groundnut basin and low producer prices brought about a decline in the rural export economy. As a consequence, Senegal began to experience an accelerated drift of impoverished peasants to the city. Dakar grew very rapidly, but the fastest-growing urban area was the Mouride capital of Touba. The Mouride message of salvation through physical work in the groundnut fields was re-cast as the brotherhood increasingly became an urban network centred on these cities, but also Florence, Barcelona, Paris and New York. Within Senegal, the social contract came under acute strain when adjustment failed to produce a significant reversal in economic fortunes.

The Socialist government of Abdou Diouf faced a particular dilemma over the contraband trade. Much of the smuggling was organized from Touba, while the goods ended up on the streets of Dakar where they were sold on by petty traders who belonged to the Mourides. Adopting a permissive social contract would have meant allowing this activity to continue, but the net effect would be to undermine efforts to protect Senegalese enterprises. On the other hand, sealing the border would alienate a significant section of the Senegalese population whose livelihoods were bound up with trade. Ultimately, Senegalese officialdom emitted contradictory signals, declaring a war on smuggling at the border while looking the other way when contraband goods reached the city. Meanwhile, urban youth who mostly lived off precarious street trading became increasingly restive and unwilling to acknowledge the pretensions of the Socialist Party. When the *grands marabouts* began to withhold their customary injunctions to vote Socialist, the game was up. In 2000, Diouf was defeated at the polls by a coalition of interests that had been alienated by the former regime.

This was a story that was repeated in many other African countries where even well-ensconced regimes suffered a severe crisis of legitimacy in the early 1990s. The diagnosis that patron–client networks unravelled as sources of patronage dried up presumes, as I have already noted, that there was a stable pattern of resource flows—which has yet to be proved. Moreover, even if such patterns did exist, one might argue that the political effects of redistribution under conditions of resource scarcity might even have been enhanced. In that sense, the logic is questionable. Arguably, the crisis came down to other kinds of factors: in Benin, it was the inability of the government to pay its workers that was a catalyst for a series of strikes that weakened the regime; in Zambia, it was austerity and high food prices that led the trade unions to make a break with the ruling party; and in countless other cases it was the political paralysis of the old guard, and/or infighting over political succession, that both produced damaging splits and breakaways (Kenya and Cameroon) and elicited outspoken criticisms from churches (Malawi) and other interest groups.

In short, it was the failure of incumbent regimes to deal with issues of material hardship and to project an image of purposeful leadership that led to a series of National Conferences in the Francophone states and to national elections in the Anglophone ones. The fact that the external environment had altered with the ending of the Cold War, of course, removed the rug from under the feet of many embattled regimes. What followed is well known. In some cases, the old ruling parties were voted out of power (Benin and Zambia); in other cases (Cameroon), they managed to weather the storm; and in still others (most dramatically in Rwanda) democratization culminated in a complete political breakdown. If there is one lesson that has emerged from the decade and a half since the early 1990s, it is that regular elections do not of themselves bring political stability, or even greater accountability. In a number of instances, the former opposition behaved much like those they had replaced, as was the case in Zambia under Frederick Chiluba. The countries where democracy has functioned best are those where elements of older social contracts have been significantly reworked to suit changed times.

4. IN SEARCH OF NEW SOCIAL CONTRACTS

In this final section, I consider the prospects for the emergence of new social contracts across Africa. There are two reasons for addressing this issue now. First of all, there is a growing sense that the current international aid regime is not working, and that this has consequences that are as much political as economic.[47] Although some countries had experienced consecutive years of impressive growth prior to the current global downturn, there is little evidence that they are becoming any less aid-dependent. Moreover, in many countries, decades of economic reform have continued to produce disappointing results. The multilateral and bilateral donors and African recipients have become almost equally weary. Moreover, Structural Adjustment has not helped to make governments any more accountable to their citizens.

Those who believe that economic reform and political liberalization are natural bedfellows might point to the democratic takeoff in the 1990s. But as I have indicated, popular dissent was directed against regimes that had presided over increasing hardship, some of which was associated with the adjustment regime itself. Strict conditionalities also meant that there was relatively little scope for political parties to debate policy when it came to election time. As a result, the polls were often heavily dominated by personality and image rather than competing visions for an alternative future. Moreover, once the parliamentarians were safely installed in their respective legislatures, they found that the executive branch paid them scant attention. The story of Africa's Poverty Reduction Strategy Papers (PRSPs) is one in which MPs have been expected to rubber-stamp documents written according to a standard template, despite the cosy discourse of African ownership.[48] For governments, it has been more important to satisfy the international institutions than to listen to the elected representatives. The relationship between economic

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[47] Among a number of books on the subject, see Jonathan Glennie, *The Trouble With Aid: Why Less Could Mean More for Africa*, London 2008.

[48] Lindsay Whitfield, 'Trustees of Development from Conditionality to Governance: Poverty Reduction Strategy Papers in Ghana', *Journal of Modern African Studies*, vol. 43, no. 4, 2005, pp. 641–64.

restructuring and political accountability is therefore much more indirect than the boosters of reform have been willing to admit.

The second reason for raising the issue is that a number of new factors are entering the equation which make it unlikely that things can continue in their present form. Three may be singled out: hyper-urbanization, migration and climate change. Whereas Africa used to be a continent of peasant farmers, it is the cities that command the demographic majority in a growing number of countries. The pace at which Africa's primary cities have grown is extraordinary, but Touba exemplifies the equally impressive growth of many secondary cities. Given that forward planning became impossible during the adjustment years, serious health issues are now arising from the conjuncture between inadequate and contaminated water supplies, creaking waste-disposal systems and extreme congestion.[49] In most countries, including South Africa, the power grid is already overburdened, and urbanization is likely to place an even greater strain on supply in the future. The need for a return to systematic urban planning, of a kind that shaped Dakar and Abidjan in the 1960s, could not be more obvious. The World Bank's 2009 *Development Report* maintains that megacities should be seen as the dynamos for economic growth, and that Africa's prospects for real development hinge on the creation of more urbanized 'agglomeration economies'. Such a vision plainly risks fetishizing the megacity and the liberating effects of integrated transport systems, but it does at least recognize the importance of substantial investment in urban transportation and social amenities.

The second related development is that a significant section of the African population is now located outside of its country of origin. Migration within Africa is nothing new, but what is comparatively recent is the emergence of significant diasporas living abroad. This includes Somalis, Congolese and Nigerians in South Africa; Senegalese, Malians and Ghanaians in Europe; and Ethiopians and Eritreans in the United States. Most of these diasporic communities remain connected with home, to which they remit considerable sums of money. The new demographic realities raise fundamental questions about the associated rights and responsibilities of national citizenship. Finally, if current climate projections are correct, there will be further desiccation within the Sahel

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[49] T. C. McCaskie, '"Water wars" in Kumase, Ghana', in Francesca Locatelli and Paul Nugent, eds, *African Cities: Competing Claims on Urban Spaces*, Leiden 2009.

and the Horn, which will, in all likelihood, push pastoralists into zones currently claimed by farming groups, thereby raising the potential for resource-based conflicts. The pressure for control of water supplies is also likely to become an inter-state issue, given that many international boundaries follow water-courses.

The neo-liberal agenda that has prevailed since the 1980s has tended to regard the African state as being inherently unequal to the task of tackling the big issues. Urging African governments to make way for private capital and NGOs has been the preferred option, although there have been sporadic efforts at rebuilding bureaucratic capacity. What has resulted from governance reform is often the worst of both worlds, as indicated by Nicolas van de Walle:

> In fact, there is little evidence that the central states of the region have refocused their activities onto a narrower, more 'public' set of activities, except for a limited amount of privatization and deregulation that has occurred. Instead, what is emerging is often an effectively privatized delivery system that exists side by side with a hollowed out public system that continues to receive public resources (albeit inadequate ones) whether or not it actually produces services.[50]

Van de Walle's argument in favour of inserting the state back into the equation is one that seems eminently sensible. However, this also has to be done in a way that encourages African states to re-connect with their own populations.

Sovereignty and development

Here, I want to propose what could be thought of as some minimum preconditions for meaningful change. The first is that African governments need to find ways of raising more revenue themselves, for two reasons: because health, education and infrastructure need greater resources; and because taxation provides the occasion for bargaining between the state and its citizens.[51] A perpetuation of aid dependency stands in the way,

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[50] Nicolas van de Walle, 'Introduction: The State and African Development', in van de Walle, Nicole Ball and Vijaya Ramachandran, eds, *Beyond Structural Adjustment in Africa: The Institutional Context of African Development*, New York 2003, p. 19.

[51] Mick Moore, 'Between Coercion and Contract: Competing Narratives on Taxation and Governance', in Deborah Bräutigam, Odd-Helge Fjeldstad and Mick Moore, *Taxation and State-Building in Developing Countries: Capacity and Consent*, Cambridge 2008.

because it reproduces a form of extraversion that is as deleterious as the effects of rents in the oil-rich states. Tax reform is very much on the international agenda, and some lessons have already been learned. One is that African states need to develop diverse and flexible taxation systems. External pressure to reduce customs tariffs in a country such as Kenya has led to lower than expected revenue, whereas these should be complementary to other forms of revenue-gathering.[52] Secondly, the present fashion for semi-autonomous revenue authorities may improve efficiency, but it weakens the link between revenue collection and service delivery.[53] And finally, taxation systems have paid insufficient attention to social inequalities that have reached acute levels in many African countries. The gated communities springing up across African cities contrast only too starkly with the sprawling slums. Placing Value-Added Tax (VAT) on luxury goods is one way of taxing the rich, but the latter are otherwise highly adept at escaping the revenue net. Taxing fixed property is one area in which gains could be made, given that urban real estate has become one of the most important foci of investment. Another obvious area where revenue could be raised is by the state tapping some of the earnings from the diaspora. Trading citizenship rights, including the vote and identity documents, in return for the payment of taxes is something that is within the grasp of African states, as the success of Eritrea demonstrates.

Secondly, an enhanced role for the state in service delivery cannot be avoided given the growing public-health issues arising out of urbanization. There are some services that it may be better to contract out, such as urban waste collection, but the public authorities (in this case municipal ones) need to be accountable for the quality of that service alongside the companies concerned. World Bank pressure to privatize urban water supply has met with popular resistance because of a widespread feeling that something as basic as water should not be a source of private gain.[54] In reality, the water multinationals have shown limited interest in managing African supplies, except when they have been granted generous risk guarantees. Whether they are more cost-effective is therefore highly

[52] Nic Cheeseman and Robert Griffiths, *Increasing Tax Revenue in the Developing World: The Case of Kenya*, OCGG Project Paper 05–05, Oxford 2005.

[53] Fjeldstad and Moore, 'Revenue authorities and public authority in sub-Saharan Africa', *Journal of Modern African Studies*, vol. 47, no. 1, 2009.

[54] Lindsay Whitfield, 'The Politics of Urban Water Reform in Ghana', *Review of African Political Economy*, vol. 33, no. 109, 2006; E. Osei Kwadwo Prempeh, *Against Global Capitalism: African Social Movements Confront Neoliberal Globalization*, Aldershot 2006.

debatable.[55] When it comes to electricity, the need for substantial infrastructural investments and, above all, strategic planning also presume an important role for the state.[56] Although the private educational sector is growing rapidly, there is a widespread consensus that it is the duty of the state to set educational targets and to be the primary provider of education at all levels. Similarly, there is an expectation that the state should be primarily responsible for the provision of basic health facilities.

Thirdly, the role of the state in supporting African agriculture needs to be revisited. Structural Adjustment reforms have sometimes been good for the cash-crop sector, but the other side of the story is that food production has lagged behind population growth. Relying on market forces may make sense for farmers located close to urban centres, but the costs of transport have tended to penalize rural producers who are more off the beaten track.[57] As soaring global food prices have underlined, it is risky to rely entirely upon external supplies. The rebuilding of agricultural extension services, which were killed off under Structural Adjustment, and improved access to subsidized inputs and bank credit are absolutely essential accompaniments to infrastructural development. The alternative is a progressively larger import bill and further depopulation of the countryside. Land reform is currently on the agenda of the World Bank, which is seeking to persuade African countries of the need to embrace titling in order to simplify land-management systems and permit land to be used as a form of collateral. In some countries, such intervention may be feasible, but at the interface between agriculture and pastoralism it is likely to lead to further land enclosure at the expense of herders. In fact, there is often a need for a greater appreciation of multiple and overlapping rights in land—in other words, more complexity rather than less—which is entirely at odds with Bank instincts. Embracing legal pluralism again presupposes institutions that can broker new land-management systems and underwrite resulting agreements. Similarly, the reality that cross-boundary resource-use is essential for ensuring the ongoing

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[55] Kate Bayliss, 'Private Sector Participation in African Infrastructure: Is It Worth the Risk?', IPC-IG Working Paper 55, 2009.

[56] In April 2010, the World Bank made an unprecedented loan of $3.5bn to ESKOM, the state electricity provider in South Africa, to construct a new coal-fired power station, following the failure of private capital to plug the energy gap. The loan has been immensely controversial on environmental grounds; less commented upon is the tacit admission that public utilities may in fact be the only option.

[57] For evidence from Tanzania, see Stefano Ponte, *Farmers and Markets in Tanzania: How Policy Reforms Affect Rural Livelihoods in Africa*, Oxford 2002.

livelihoods of pastoralists and farmers alike underlines the importance of state actors in creating binding rules.

The task of rebuilding state institutions is not purely a technocratic exercise because it ultimately hinges on Africans renewing their faith in public institutions. The chances of success are likely to depend on sensitivity to popular understandings of the role of the state. In fundamental respects, there is a divergence between the neo-liberal expectation of the limited state and the conceptions of limits to state power that I have mapped in this article: whereas the former hinges on the idea that states should seek to do less in the economic and social spheres, in countries like Ghana and Senegal the emphasis is on a state that is pro-active, but which respects autonomous social spaces. The latter is the platform on which new permutations of state–society engagement need to be built. The case of Ghana reveals how it is possible to introduce significant innovations, while respecting elements of an older set of social contracts. On the other hand, the case of Senegal—where the regime of Abdoulaye Wade has fallen back upon the Mouride network—demonstrates the problems with standing still. That is, while the political elite and the *grands marabouts* have returned to the cosy relationship of the Senghor and Diouf years, there are signs of a growing gulf between the religious leadership and its constituency among disaffected urban youth.

Those of an Afro-pessimist persuasion might argue that the changes outlined here are bound to founder on the reality that so much of the population is too poor to pay higher taxes, while malfunctioning bureaucracies cannot be expected to reform themselves. Although Ghanaians have a history of aversion to direct taxation, and have witnessed more than their fair share of state failure, a renewed social contract is in the process of emerging. The Rawlings regime introduced VAT, largely as a response to international pressure, as early as 1995. In the face of street protests, fomented by the opposition, the NDC government was forced to suspend VAT, but later reintroduced it at the lower rate of 12.5 per cent (down from 17.5 per cent). After the election of the NPP in 2000, the Kufuor regime reversed its stance and even decided to raise VAT levels in order to pay for improvements in educational infrastructure. In 2004, Kufuor went into fresh elections promising a further VAT increase in order to permit investment in improved social amenities—and he won handsomely. The NPP also began the difficult process of raising revenue from the informal sector.

Voting for higher taxes would have seemed inconceivable only a short time before, but this change of political strategy reflected a canny understanding of what motivated the average Ghanaian voter. During its second term, the NPP also rolled out a National Health Insurance Scheme (NHIS), although the latter had in fact been piloted by the Rawlings regime in 1997–98.[58] The underlying contention was that there were simply not the resources available for the state to bear the entire costs of health delivery, while the 'cash and carry' system was regarded as inequitable. Although a safety net was to remain for the poorest sections of society, the implication was that Ghanaians would need to pick up the tab for their own health needs and to plan their lives accordingly. As with VAT, the NPP banked on the willingness of Ghanaians to accept higher financial outlays in return for a better service. The fact that an earlier pilot scheme failed due to a lack of popular trust was an indication that Ghanaians needed some convincing. In 2008, the NPP lost the elections, but not because of the NHIS. On the contrary, uptake was ahead of schedule (estimated at around 48 per cent), suggesting a broad acceptance of health reform.[59] Significantly, the Mills government has since announced the creation of a National Health Insurance Project to facilitate implementation of the NHIS.[60]

The rebuilding of state institutions has been important to this success, as has the existence of a competitive political system. But at a more profound level, what is crucial is that the broad social consensus that took shape over the past century has adapted to the changes over the last twenty years. The Ghanaian example cannot simply be replicated elsewhere, and many structural problems remain—especially in respect of urban planning—but the salient point is that African countries can break out of the regressive cycle. For this to happen, however, abandoning many of the neo-liberal orthodoxies about the inherent evils of the state will be essential.

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[58] Daniel Kojo Arhinful, *The Solidarity of Self-Interest: Social and Cultural Feasibility of Rural Health Insurance in Ghana*, Leiden 2003, pp. 60–4.

[59] By contrast, the take-up in Tanzania has been slower, in part because the financial outlays are higher than for user fees and there is less choice between health service providers. Deograsias Mushi, *Financing Public Health Care: Insurance, User Fees or Taxes? Welfare Comparisons in Tanzania*, Dar es Salaam 2007.

[60] 'Government to address policy issues of NHIS', *Ghana Web*, 23 June 2009.