

Apocalyptic triad: state failure, state disintegration and state collapse: structural problems of democracy in Africa

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Abstract At the beginning of the twenty-first century, precarious statehood in Africa has once again become a severe problem. The dramatic failure of state functions, the disintegration and even collapse of states on this continent also has a pervasive presence in the scholarly literature. The basic thesis of this paper underlines a systematic link between the observed problems of statehood and the few successful democratic transitions in Africa. The fragile or idiosyncratic form of statehood in Africa is one reason for the lack of successful instances of democratization: the structural weakness of neopatrimonial states hinders successful democratization. The paper classifies the phenomena of precarious statehood with three categories introduced through the “apocalyptic triad” of statehood. It discusses various explanations for precarious statehood and the drama of its development and investigates the effects on democratization and consolidation of democracy.

Keywords State failure · State disintegration · State collapse · Democratization · Neopatrimonialism · Africa

Apokalyptische Trias: Staatsversagen, Staatsverfall und Staatszerfall – strukturelle Probleme der Demokratie in Afrika

Zusammenfassung Zu Beginn des 21. Jahrhunderts ist die prekäre Staatlichkeit in Afrika erneut zum ernsthaften Problem geworden. Das dramatische Versagen von

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Staatsfunktionen, der Verfall und sogar der Zerfall von Staaten auf dem Kontinent werden auch in der wissenschaftlichen Literatur breit bearbeitet. Die Grundthese von Erdmann behauptet einen systematischen Zusammenhang zwischen den beobachteten Problemen der Staatlichkeit und den wenigen geglückten demokratischen Transitionen: Die strukturelle Schwäche des neopatrimonial formierten Staates erschwert eine erfolgreiche Demokratisierung. Der Beitrag ordnet die Phänomene der prekären Staatlichkeit mit drei Kategorien der apokalyptischen Trias von Staatlichkeit. Des Weiteren werden verschiedene Erklärungen für die prekäre Staatlichkeit und das Drama ihrer Entwicklung behandelt sowie deren Auswirkung auf Demokratisierung und Konsolidierung der Demokratie untersucht.

Schlüsselwörter Staatsversagen · Staatsverfall · Staatszerfall · Demokratisierung · Neopatrimonialismus · Afrika

“It is difficult to tell the exact surface area of Benin. A journey through the border areas shows that the various countries that surround Benin have annexed a large part of the country. Niger for instance has moved almost 9 km into Beninese territory. The citizens in these areas are Niger nationals. The Niger government provides most of the facilities the people enjoy there, such as schools and electricity. The same applies to the Togo border to the west and Nigeria to the east. The major problem is the inability of the Beninese government to provide basic facilities for its citizens in the border areas of the country. The authorities are called upon to define the country’s territorial borders precisely, otherwise we will wake up one day to discover that our neighbours have taken over the entire Beninese land.”

BBC Monitoring Global Newline: Radio Benin, Cotonou, in French, 19.30 GMT 11 April 2002

“Zambians living along the border with Malawi in Northern Province have opted to send their children to schools in Malawi because of lack of teachers. A Zambian headteacher Wilbroad Kisowa, based at Chaswata Basic School, said most of the school going pupils in the area had stopped going to Zambian schools due to lack of teachers.”

Bivan Saluseki Isoka, *The Post* (Lusaka), 31 August 2001

1 Introduction

At the beginning of the twenty-first century, precarious statehood in Africa has once again become a problem.¹ The dramatic failure, the disintegration and even collapse of states on this continent also has a pervasive presence in the scholarly literature. Cheap analogies are drawn with European history: the phenomenon observable in numerous states is likened to the Thirty Years War, with a distant hope of a Peace of Westphalia. A summary by Stefan Mair (1999) from the year 1999 shows how severely Africa is afflicted by these problems. At the time, he considered only 15 out of the 48 states of sub-Saharan Africa to be “functioning” states. Depending on the criteria used, two to three further states can now be added to this, leaving the following result: three quarters of the states of Africa are affected by structural deficits or have even ceased to exist as states.

¹ ‘Africa’ refers to sub-Saharan Africa throughout this article.

This disorder in the states of Africa is reflected in the scholarly treatment of the topic. The many facets of this disorder are described in almost as many metaphors and concepts. To name just a few: *Predatory Rule* (Fatton 1992), *The Politics of the Belly* (*La politique du ventre*, Bayart 1993), *Criminalisation of the State* (Bayart et al. 1999), *Africa Works. Disorder as a Political Instrument* (Chabal and Daloz 1999), “Failing states” (Tetzlaff 2000c), “la faillite de l’état” and “caricature de celui de l’Occident” (Tshiyembe 2000, p. 14), and *The African State at a critical juncture. Between Disintegration and Reconfiguration* (Villalon and Huxtable 1998). Bayart (1993, p. 263) even expresses fundamental doubts about whether the African state entities actually qualify as “states”: “Max Weber himself would have had his doubts”.

The above-mentioned title by Villalon and Huxtable makes it clear that there are also processes working in the opposite direction, as captured by Rainer Tetzlaff (2000a): “Afrika zwischen Zivilisierung und Zerfall des Staates” (“Africa between the civilizing and the collapse of the state”). The keyword “civilizing” is a reference to the ongoing processes of democratization in Africa. Surprisingly, however, the connection between state and democracy is scarcely mentioned, let alone systematically discussed, in the relevant literature on the collapse of states in Africa. Exceptions are Rainer Tetzlaff (2000a, b) and, in passing, Siegmund Schmidt (1999). On the one hand, this has to do with the fact that democratization in Africa has not always been taken seriously, even today. Patrick Chabal even goes so far as to declare that investigating the problems of democracy in Africa is completely irrelevant, since the real problem of African politics and its analysis is the informality of neopatrimonialism (Chabal 1998, p. 302). Undoubtedly, the neopatrimonial heritage of authoritarian rule in Africa places a strain on the institutionalization and consolidation of democracy (Erdmann 2002). Yet this insight cannot mean that the problems associated with this do not need to be thematized. The implication would be that there had not been a change of system in Africa at all—a judgement that is only possible if unhistorical and contextually inappropriate criteria of a “substantive” concept of democracy are used.²

On the other hand, the anti-statist element in the collapse of states obviously exerts a certain fascination, as do the resulting new orders that apparently emerge “from below”, without any formal state authority (e.g. von Trotha 1995b, 2000). Questions about democratic governance—as an alternative to authoritarian, violent despotism—and about the rule of law or human rights then become peripheral or disappear altogether.

Nonetheless, the significant correlation between statehood and democratic governance cannot be seriously disputed, and is acknowledged even in Chabal’s reference to neopatrimonialism. In fact, functioning statehood is an essential prerequisite for the establishment of democracy. It includes unbroken state sovereignty, the state monopoly on the use of force, and the rule of law. This means, to use a phrase borrowed from Juan Linz and Alfred Stepan (1996, pp. 7, 17), that democracy—in the sense of a modern form of governance—cannot exist without a functioning state, for without a state there is no defined and guaranteed citizenship, and without citizens

²For the problems of categories cf. Erdmann 2001, pp. 37 f.

there is no democracy. And in turn democracy, according to the definition generally accepted in transition studies today, requires a state based on the rule of law. The inner, indissoluble link between democracy and the rule of law is obvious (Cf. Böckenförde 1991, pp. 51 ff.; Habermas 1994; Merkel 1999, pp. 363 ff.): to protect individual liberties, every democracy must be based on the rule of law, the associated basic rights, and the separation of powers, or the system of checks and balances. However, they can only fulfil their function completely if they have arisen from and been legitimized by the democratic participation of the citizens—in other words, if “the democratic procedure [...] alone provides legitimating force to the law-making process in the context of social and ideological pluralism” (Habermas 1995, p. 16).

An effective state, then, is indispensable, first and foremost to ensure sovereignty, the monopoly on the use of force, and the rule of law, without which there can be no lasting democratically legitimized governance. Over and above this, however, effective statehood is also necessary to bestow legitimacy on the democratic order. In other words, the state must be able to adequately satisfy the fundamental needs and demands of its citizens, who have expressed these through the democratic process. The state must be able to fulfil its “service function”. If the state is or becomes ineffective, and is unable to fulfil the functions required of it, then sooner or later the question of its legitimacy will arise. This raises questions about the specific forms of legitimacy, and about whose legitimacy is affected. Will the legitimacy of the government, the regime, or the state as a whole be called into question?

The basic thesis here is that there is a systematic link between the observed problems of statehood and the few successful democratic transitions in Africa, and/or the many hybrid regimes, and that the fragile or idiosyncratic form of statehood in Africa is one reason for the lack of successful instances of democratization: the structural weakness of neopatrimonial states hinders successful democratization. This fundamental weakness cannot prevent regime change, but it hampers effective institutionalization and helps to make the consolidation of democracy in such conditions virtually impossible.

In the following section I will first try to classify the phenomena of precarious statehood with three categories: the “apocalyptic triad” of statehood. Secondly, I will discuss various explanations for precarious statehood and the drama of its development. Here I base my argument partly on theses about Africa’s hybrid regimes that have already been formulated elsewhere (cf. Erdmann 2002). Thirdly, I will investigate what effect this has on democratization and consolidation, focusing on the question of legitimacy. For without the majority support of the population, any consolidation of democracy is inconceivable, even if this is only necessary for a late phase: the “consolidation of civil society”. This, however, involves more than mere acceptance of democracy: it takes both a democratic attitude and a corresponding active mode of behaviour (Linz and Stepan 1996, pp. 5 f.; Merkel 1999, pp. 164 ff.). The ability of democratically legitimated state institutions to function is, however, a precondition for gaining and retaining the support of the population, and transforming it into corresponding behaviour. Other issues will only be mentioned in passing: the question of political community, the role of ethnicity, the problems associated with the concepts of the nation state or the state nation, and the nature of state-related identities. Given their complexity in Africa, these issues need to be dealt with separately.

2 Statehood as an apocalyptic triad

The diverse manifestations of precarious statehood in Africa are usually described sweepingly with the term “state collapse”. Since the processes we are concerned with are very diverse in qualitative terms—e.g. the disappearance of a central authority, a partial loss of control over some of the national territory, or merely the collapse of normal public services—the aim here is to give a more nuanced picture, especially as these different processes have entirely different effects. I shall therefore use three terms to categorize these phenomena: the apocalyptic triad of state *failure*, state *disintegration* and state *collapse*. These three phenomena have completely different effects on the economic, social and political order, and therefore on democracy and its chances of consolidation.

1. *State failure* includes structural deficits in the actions and performance of the state, but no lasting curtailment of its monopoly on the use of force or its sovereignty over territory and citizens. Inevitably, however, this is associated with problems of legitimation. It is not clear to what extent these affect the state, the regime, or merely the government. Nearly all the states in Africa are at least threatened by state failure, and most are affected by it, unless they already fall into one of the other two categories.

State failure includes, for example, the collapse of the health system and the education system; general administrative problems of implementation linked with pervasive corruption; the virtually unchecked decay of the physical infrastructure (roads, railways, electricity and water supply), rampant crime and with it the partial privatization of security, in some cases by citizen militias, challenging the state’s monopoly on the use of force.³

2. *State disintegration* goes beyond state failure, which generally precedes disintegration. The crucial point here is the territorial restriction of the monopoly on the use of force, and thus also of other administrative services provided by the state. At the same time, however, statehood itself is not openly challenged, i.e. there is no intention to secede, and no renunciation of the political community. Trutz von Trotha (2000, pp. 269 ff.) has described this as “para-statehood” or “para-sovereignty”, using Mali as an example.

Para-statehood describes relations of governance in which non-state institutions have assumed part of the state’s sovereign rights or core public services, without completely supplanting the state or explicitly challenging it. The result is “informal” decentralization or privatization. The institutions that appear in this context include (national and international) development assistance agencies, and local representatives of the system of tribal chiefs, in other words colonial and post-colonial intermediary authorities.

³With regard to the limiting of the monopoly on the use of force, it may become difficult to maintain the empirical clarity of the analytical distinction made here between state failure and state disintegration. It nonetheless seems useful to preserve this analytical distinction for the time being. In cases of state failure, the monopoly on the use of force is only limited temporarily and sporadically, while in cases of state collapse it is much more limited, with a definable territorial dimension and a longer-term time span.

3. *State collapse* designates the complete collapse of state authority. There are two variations:
 - a. Partial state collapse: loss of sovereignty within a limited territory, entailing a complete loss of the monopoly on the use of force and a simultaneous challenge to the integrity of the state. This is the case in areas afflicted by civil war: Angola, the two Congos, Sudan, Uganda, Senegal, Central African Republic, Burundi. Here the government still controls substantial parts of the national territory, still nominally holds the monopoly on the use of force in these areas (though in practice the situation is one of para-statehood), and is still capable of fighting for the remaining parts of the country.
 - b. Complete state collapse applies to those countries in which there is no central authority, or at best a rudimentary central authority in a small part of the former national territory: Somalia, Sierra Leone and Liberia.⁴

The triad of precarious statehood outlined above suggests that there is a typical sequence of developments: that severe state failure risks turning into state disintegration, which can in turn end in state collapse. This historical sequence has been observable in nearly all the above-mentioned cases of state collapse, with variations in the length of the different phases. It is not inevitable, however, that every instance of state failure must escalate into collapse.

3 On the genesis of precarious statehood

These phenomena, which I divide into state failure, state disintegration and state collapse, are often described without differentiation as “state collapse”. Among the many explanations currently offered for them, three general explanations are cited particularly often, usually together:

1. poverty,
2. the artificial nature of the state borders and, closely connected with this,
3. the multi-ethnicity of the states, in which ‘nation building’ has not yet successfully been completed, in short: the absence of a nation state with a (largely) ethnically homogeneous nation.

Without going into the individual points in detail, I will begin by highlighting some general counter-arguments. I will show that the theses and arguments that have been put forward lack cogency, or that each one, taken on its own, is too sweeping and too simplistic, and that therefore, taken together, they fail to do justice to the actual structural context.

1) Ongoing processes of state collapse are not to be observed in the poorest countries (with the exception of Somalia, which is in fact one of the poorest countries).

⁴Another type of state collapse, its orderly form, so to speak, is that of a secession combined with the establishment of one or more new states: Ethiopia and Eritrea are an example of this in Africa, the USSR/CIS an example outside Africa. Since this involves the founding of a new state, i.e. the result is two new states and not a collapsed state, this process is not dealt with here as a third type of state collapse.

The poorest countries mainly exhibit processes of disintegration, as in the states of the Sahel. Processes of collapse are primarily to be observed in relatively wealthy countries, or in countries with rich extractive resources: oil, ore, diamonds. A comprehensive study by the World Bank (Collier and Hoeffler 2001), based on a broad data base not limited to Africa, uses regression analyses to show that it is not so much grievance as greed that leads to civil wars. “Grievance” as a cause of conflict refers to ethnic and religious differences, political oppression and inequality, while “greed” refers to the presence of material resources (diamonds, oil etc.), which allow both the acquisition of wealth and the financing of troops and wars. Contrary to popular belief, the study also demonstrates that ethnic and religious diversity seems to decrease rather than increase the risk of conflict. This makes it clear that the poverty argument, in this unspecific form (does it refer to society, the state, or both?), is not plausible. The poverty argument could have a more specific meaning (though this is not made explicit): that the state institutions simply have too little money to be able to fulfil their functions, e.g. because of falling tax revenues or a drop in development assistance transfers. As will become clear below, however, this explanation is also too sweeping: what counts is how the available funds are used, and for what, i.e. policies on the use of resources.

2) The artificiality of state borders is not, in itself, a reason for states to collapse. The European state borders were also created artificially, by means of political will, coercion and violence. It is only within these state structures that the national identity of the population and the national legitimacy of the political community have developed. Eugene Weber (1976) captured this in the title of his study *Peasants into Frenchmen*, in which he examines in detail the state-led process of overcoming multilingualism and multiculturalism in nineteenth-century France. At the beginning and even in the middle of the eighteenth century, there were still several *nationes* living in the French kingdom, and students at the Sorbonne were registered as Provençaux, Dauphinois, Bourgoignons, and Aquitains, as well as Lorrainers and Alsations.

In other words, even in Europe the first state-nations developed in and from states, not the other way around. The idea that nations emerged more or less deliberately from states and manifested themselves in nation states, applies more to the later nation states founded in Central and Eastern Europe (Linz 1993).⁵

The argument of artificiality (usually) focuses on the fact that ethnic groups live in two states, leading to demands for a change in the borders, to the benefit of one state and the detriment of the other. State collapse, however, is *not* generally caused by disputes over the shifting of borders in one direction or another, in order to include the whole of an ethnic group in the territory of one state. Instead, it usually has its

⁵This is not intended to assert that the development of state-nations in Western Europe and in the Third World (including Africa) follows the same pattern. The crucial difference, though, lies not so much in the coercive nature of the colonial state or in the foreignness of this product exported from Western Europe, as emphasized by Peter Gärtner (2001, pp. 39 ff.), but in the time dimension and in the social substrate on which the formation of nation states is based: the crucial factor here is the weakness of the state structures as the main instrument of formation. The African states had (and have) neither the capacity, nor the time, nor the moderately homogeneous social substrate needed to create nation-state cohesion of the kind produced in Western Europe. Thus the argument about artificiality has no counterpart of cultural “naturalness”; instead one would have to take a more nuanced look at both the time dimension and the state’s capacity for organized ideological and cultural integration.

origins in a conflict over cultural hegemony, over the state culture. The issues at stake, then, are integration and exclusion; the latter has seldom played a part so far, but has recently become more important in West Africa. But even states in which there is no conflict about the state culture, inclusion or exclusion, are not immune to state collapse. One of the most culturally homogeneous states in Africa, Somalia, is at the same time the most drastic example of collapse. There are also examples of multi-ethnic state integration which have so far been successful, such as Tanzania (mainland), Zambia or Malawi, to name but a few⁶—though these countries have by no means been spared from the processes of state failure.

In any case, the thesis of the absence of nation-state identities in Africa probably needs to be revised. Politicized ethnic identities which deliberately challenge the state union and demand a state of their own play only a relatively small role in the problems of the state in Africa. In contrast, as suggested above, politicized national identities have now come to play a major (and negative) role in social conflicts over the distribution of resources in West Africa. These identities are able to be mobilized against foreign migrants (workers, small-scale entrepreneurs, settlers and traders) from neighbouring countries in the region, e.g. against “Malians” and “Burkinabes”.

3) Lastly, the argument about ethnic and geographical artificiality cannot explain the much more widespread processes of state failure or state disintegration, which affect many more countries than just those that are ethnically segmented. It could at best offer an explanation for state disintegration in individual parts of countries.

In addition to these very general, almost clichéd explanations for state disintegration and collapse, a number of further contextual reasons have been cited. A prominent position is occupied by structural adjustment policies (e.g. Nyang'oro and Shaw 1998), which, since the second half of the 1980s, have been interpreted as leading to greater integration on the global market. And in fact, globalization and structural adjustment policies (mainly referring to the dismantling of the state apparatus, privatization and liberalization) are relevant factors everywhere. However, they only constitute one additional exacerbating factor for the already existing structural problem of the state in Africa, i.e. the fragility of statehood.

Another explanation is offered by Joshua Bernhard Forrest (1998, pp. 47 ff.), who identifies four further, more specifically historical causes for the highly visible weakness of the African states. He does not clarify whether they all took effect simultaneously, or each individually in particular cases:⁷

1. transformation of the international system (end of the Cold War),
2. ultra-privatization of the African states,
3. reduced integrity of the African armies,

⁶In the first instance, this simply means that the political community is not seriously challenged from the inside by any major group. The citizens see themselves, in general, as “Malawians”, “Tanzanians” etc. Even in the Congo, which has experienced both inner collapse and destruction by outside forces, and where large areas have not been subject to any effective state control since the end of the 1970s, there are reports of a broad identification with the Congolese state or with the political community of the Congo when faced with invaders from Rwanda and Uganda (Englebert 2002; Tull 2002). We should remember, here, that the oldest democracies, Switzerland and the United States of America, are multi-ethnic states.

⁷In fact the first two points apply to all the African states, while the other two, army and subnational movements, are only to be found in some states.

4. a rising wave of subnational movements and rebellions, leading to state disintegration and collapse.

Without discussing the individual points in detail here, the first point raises the question of why political changes in the international system were able to fundamentally endanger these states within such a short space of time. True, the changes in the global political constellation after 1989 meant that Western development assistance for Africa could be reduced and tied to political conditions.⁸ This did not happen to such an extent, however, that it could have put the majority of African states in a precarious position within a short space of time. The drop in development assistance can at most have been partially responsible for the failure of states (fewer services). Regarding the second point, the question is what is meant by “ultra-privatization”, and, more fundamentally, to what extent this repeatedly cited privatization actually took place. Undoubtedly there was extensive privatization of state-owned and partly state-owned enterprises in many areas. The extent of this privatization differs from one country to the next, however. Many African elites succeeded in obstructing or delaying this process. Many programmes of privatization were therefore not completed until the second half of the 1990s or even later, were not completed in the form envisaged, or are not yet complete even now.

Sometimes there seems to be a tendency to confuse informal processes of the privatization of state functions with state failure (and state disintegration), or to misrepresent the causes. In many places, when private actors or external agencies (development or aid organizations) take over state functions in the health or education sector, this is simply a reaction of self-help or outside help to the collapse of public service systems. In other words, there was no intention to privatize on the part of the state. Instead, private agencies, often non-governmental organizations funded by overseas countries or the United Nations, or development programmes run by large donor organizations (GTZ), have taken the place of the no longer functioning, or only partially functioning state, and have established their parallel structures across entire districts, in some cases incorporating the remains of the state structure. Sometimes this informal and local “privatization” is even seen as a positive manifestation of the principle of subsidiarity—a misjudgement of the actual situation, in which there is no longer a functioning state to play its complementary part. Here, as with the first point, the time dimension has to be considered: given that privatization is still a relatively recent phenomenon, how can these states have found themselves in serious difficulties in a comparatively short space of time?

In any case, as Nicolas van de Walle is able to demonstrate, only a partial structural adjustment was carried out in the majority of states. These partial reforms mainly help to weaken the state by reinforcing neopatrimonial tendencies and rent-seeking behaviour (without directly affecting the rents themselves) (van de Walle 2001, p. 179). Here the way the ruling elites dealt with the structural adjustment

⁸Nominally, official development assistance (ODA) only fell a little in the 1990s, from 16.81 billion USD (1990) to 15.982 billion USD (1999). ODA per capita had dropped more dramatically, from 36 USD to just 20 USD (1999), and ODA as a percentage of GNP had fallen from 9.9 to 4.1% (1998). However: until 1997, the decline in development assistance mainly affected just four countries: Kenya, Somalia, Zaire/DR Congo and Sudan (van de Walle 2001, pp. 217 ff.; World Bank 1992, 2001, 2002; OECD 2002).

programmes played a crucial role. For example, there are clear indications that the ruling elites diverted state expenditure to the “political class”, the elite core of state administration and government, and to their financial and military security (“sovereignty expenditure”)—in short, to the instruments needed to retain power. The same period saw a distinct drop in spending on the lower ranks of the administration, on investments in development, and on services in health and education, as well as on infrastructure (van de Walle 2001, pp. 64–111). This reallocation of state expenditure was not intended by the donors; it was a decision taken by those in government, and naively overlooked or tolerated by the donors. Béatrice Hibou (1999) goes even further, arguing that liberalization and privatization were instrumentalized by the state elites in a manner diametrically opposed to the liberal economic textbook intentions. The result was an increase in corruption, the private appropriation of public assets, and the manipulation of state agencies:

We may observe in Africa today that [...] measures of privatization and financial liberalization can lead to a plundering of the economy as widespread as did the processes of nationalization, and perhaps in an even less orderly manner. (Hibou 1999, p. 71)

To summarize: the first two points give only superficial answers, and do not really explain the phenomena of state failure, state disintegration and state collapse. In particular, the examples where state collapse is associated with a rising wave of subnational movements—the Congo, Sudan, Angola etc.—have long histories of conflict, beginning with or even before independence, each with their own specific dynamics. They cannot plausibly be linked with either the end of the Cold War or structural adjustment (“ultra-privatization”).

A further point will make it clear that the reasons cited cannot adequately explain the forced drama surrounding the African state. Academics were already debating the fundamental problems of the state in Africa in the first half of the 1980s—before the end of the Cold War, before the widespread programmes of structural adjustment, and at a time when, as a rule, only the military was responsible for changes of government by coup d’état. The latter point also makes it clear that the military in Africa has always been “unreliable”, ever since independence, for both civil and military governments.

At the time, the debate was not focused on state collapse, but on the “weak”, “underdeveloped”, or “predatory” state (Hyden 1980; Callaghy 1987; Azarya 1988; Chazan 1988; Fatton 1992). Thus the topic of discussion was initially state failure or at most state disintegration, with regard to the absence of development activities, the non-fulfilled postulate of state-planned and state-led development. This older debate, then, makes it clear that the crisis of the state in Africa began well before 1989, i.e. before the democracy movements and the democratic transitions or the democratic and hybrid regimes. In fact, the causality is the opposite of that which has been presumed to exist: the failure of states which was one of the causes of the development crisis in Africa also brought forth the democracy movements, because the shrinking mantle of patronage had robbed the authoritarian regimes of their integrative power and legitimation.

In contrast to the arguments cited above, my thesis is as follows: the crucial factor for the problems of the state, especially for state failure and state disintegration—less

so for state collapse, in the first instance—is the neopatrimonial nature of state governance. Other facts—the decrease in development assistance since the end of the Cold War, the partial reforms and privatization in the context of neoliberal structural adjustment policies, the concentration of public financial resources on the elite centre of power—had a reinforcing effect on the increasing prominence of these processes from the 1990s onwards.

This brings me back to the topic of neopatrimonialism (Erdmann 2001), of which I will again provide a short definition. Neopatrimonialism is a mixed form of governance, in which elements of patrimonial and rational-bureaucratic governance are interwoven. The distinction between private and public exists in theory, but is often disregarded in practice. Thus two systems co-exist: the patrimonial system of personal relationships, and the legal-rational system of bureaucracy, with the patrimonial system encroaching on the legal-rational one and deforming its functional logic and effect.

Another aspect that needs to be emphasized here is that a functioning rational state has virtually never existed in Africa—with the possible exception of South Africa. While the (modern) state has a fairly long history in Europe and North America,⁹ Africa had, at best, one to two decades after the Second World War, during the “second colonial occupation” (Low and Lonsdale 1976, p. 12), in which an *attempt* was made to construct a modern, rational-bureaucratic state, able to do justice to the more enlightened development aims of the colonial powers. This was based on the insight that, in order to effectively exploit the colonies, they needed to make their own efforts at development, in the form of initial investments. This included an effective state apparatus, capable of planning these processes and managing their implementation.

The attempt to establish a state bureaucracy with native civil servants and a native state elite was not, however, particularly successful. Ultimately it involved only a small group and only for a relatively short time. The implication is that there was no legal-bureaucratic tradition in Africa, no wide culture of bureaucratic governance supported by rational law and a body of specialized civil servants.

The colonial state was not a rational or modern state, a fact generally overlooked by scholars—with the exception of a small number of sociologists (Spittler 1981; von Trotha 1994). It was a mixture of a rational and a traditional state. From the point of view of the population, it was closer to the old, traditional kingdoms than to the modern, bureaucratic states of capitalist Europe. The British, German or French colonial state only established a legal-bureaucratic administration in its central (European) administration, which was also directly responsible for the relevant citizens. In relation to the native population, it made use of intermediary authorities, that is, real traditional or invented native rulers, chieftains, kings and emirs. These ruled their subjects in patrimonial fashion.

⁹Many parts of Latin America and Asia have much longer histories as states than most parts of (sub-Saharan) Africa, even if Spanish and Portuguese colonialism in Latin America and Asia did not by any means have rational bureaucracies (cf. Reinhard 2000, pp. 482–503). This refers both to colonial history and to the native “traditional states” (Breuer 1998) or “patrimonial-state structures” (Weber 1980, p. 585), which not only encompassed much larger units, but also had more elaborate bureaucracies. There are scarcely any examples of this in the old African kingdoms, which can barely even be described as patrimonial bureaucracies. Most of the continent was not made up of states, even “traditional states”.

This model of governance corresponded more to that of the old kingdoms, such as were also familiar in Africa: no direct control by an administrative staff of European civil servants, but colonial rule mediated by authorities of local origin (Spittler 1981; von Trotha 1994). The colonial administration was based on a few hundred European civil servants ruling over millions of Africans, in territories that were sometimes many times larger than their home country. The lowest level of the European administration, the District Officer and the Commandant de cercle—also known, tellingly, as the “kings of the bush”—were universal civil servants, with all-round responsibility and extensive powers. It was hardly possible to control them from the central administration in the colonial capital, let alone from London. The way these local officials from the district administration treated the native population was not just bureaucratic, but authoritarian and sometimes despotic. To the population, this form of rule must often have seemed just as arbitrary as any other. The colonial administration was comparatively modest in its demands, requiring only the observance of the peace, obedience, taxes, and/or the supply of labour. In the concise summary of Gerd Spittler (1981, pp. 174 f.), this means that the colonial administration adopted traditional methods of governance and adapted to the pre-colonial conditions in the native agrarian societies. In this sense, the rational European state administration became “Africanized”. The intermediary authorities exercised a traditional, patrimonial form of governance—loosely controlled by the European officials.

After independence, when the native elites acceded to political power, this “Africanization” increased in two respects: not only did Africans take over the positions of the Europeans in the old colonial administration, but the informal, personalized, client-patron networks of relationships and activities from the patrimonial mode of governance intervened in the bureaucratic process of administration. Metaphorically speaking, the “traditional” Africa is gradually reconquering the remaining European domain of governance. More precisely, and without culturalist connotations: even in the central organs of state, forms of relationship and governance based on agrarian societies are gradually beginning to penetrate the legal-bureaucratic forms of governance based on industrialized societies.

Thus precarious statehood in Africa is in essence not a new problem but an old one, with its origins in the colonial state. Over time, the postcolonial neopatrimonial practice of governance hastened the decline of the modern, bureaucratic-rational elements of state. This first found expression in the crisis of the imaginary developing state, observed in the 1980s, and then, in combination with neoliberal policies of structural adjustment, led to the current crises of the state in Africa. The weak neopatrimonial form of statehood is ultimately the structural cause of the processes of state failure, state disintegration and, lastly, state collapse. The consequences of this apocalyptic triad for the establishment and consolidation of democracy will be discussed in the following section.

4 Consequences for democratization and consolidation

The consequences of *state collapse* can be outlined quickly: it brings forth the new warlords, whose unstable order is based on indiscriminate, unfettered violence, and

it leads to governance by warfare, in which the basic rights and freedoms of citizens, participation and democracy no longer play a part. The disorder of the warlords, who may also be traditional clan leaders, is usually based on the violent exploitation of mineral resources (diamonds, gold), on plundering that requires little investment or that can be financed by risk capital, such as the exploitation of coltan in eastern Congo.

Some observers have come to follow these processes with fascination, and to interpret them as “positive” or “normal”. On the one hand they are regarded as normal in terms of world history; a normality that does not conform to the occidental ideas of the primacy of the general over the particular, but to the much more widespread “concentric order”, where primary, personal relationships have precedence and there is no separation between private and public (von Trotha 2000).

On the other hand, the collapse of the state is also seen as a chance to re-found the state “from the bottom”, e.g. in Somalia. To comment briefly on this: in the light of Somali history, this seems fairly unlikely. The negotiations between the different self-appointed governments, clans, exile groups, parties and warlords have been dragging on for years, without leading to any binding agreement so far. Deals are frequently made between individual groups, but are revoked in next to no time. There is probably a tendency to underestimate the extent of the violence and arbitrariness in and between the different groups, and the high degree of informal politics, with all its uncertainties—which also affect economic transactions. The re-founding of the Somali state will, in all probability, occur by means of force, i.e. war, and therefore “from the top”.¹⁰ The existing authorities—the Republic of Somaliland, Puntland and the disparate remains in the south—may perhaps be unified one day, but this could hardly be seen as state founded “from the bottom”.

A general thesis about the consequences of *state disintegration* and *state failure* has been put forward: as the state loses its ability to fulfil its core functions—protecting its citizens, controlling the national territory, guaranteeing security and order, supplying the physical infrastructure, providing a basic level of education and health-care—it risks losing its legitimacy in the eyes of its citizens. In other words, their willingness to acknowledge the state as the “primary regulator” diminishes (Mair 1999, p. 12; Schmidt 1999, p. 258). Development experts in Africa regularly make the sweeping claim that “the people” have allegedly “had enough of the state”, which does not deliver anything it promises.¹¹ This is contradicted by other observations, namely that “the people” explicitly demand certain services from the state, such as

¹⁰The continued existence of smaller state authorities or smaller territorially limited ones will certainly be possible, but their prospects for the future are less certain (cf. Eickenberg 1990–2000; Michler 1998; Marchal 2001; Nord 2002).

¹¹In the context of state failure, a not-unproblematic response from development experts is to promote the principle of subsidiarity. This policy, which is in practice designed to push the state out of its remaining “blocking” positions in the field of local politics, is currently being debated and implemented by GTZ experts in southern Africa, but at the same time reflects a long-established practice: many development projects push aside the last remaining, ineffective state institutions and establish their own parallel structures, in order to at least be able to achieve something for the duration of the project—and to make their own actions meaningful. With regard to the legitimacy of state institutions, state order, and the rule of law, this form of “para-statehood” is highly problematic. In some areas, then, development cooperation contributes indirectly to the delegitimation of state office-holders and to the disintegration of the state.

security, infrastructure, education and health, but are disappointed that these services are unavailable or no longer available. Thus surveys have shown that, alongside the improvement of the economic situation, the highest political priority is public safety, the enforcement of law and order. In Malawi in 1998 and 2000, “law and order” was the most important political goal (even more important than the economy) for 63.6 and 62.9% of respondents respectively. In Zambia, 40.3 and 34.8% prioritized law and order, while 50.0 and 57.0% saw the improvement of the economy as the top priority. In Namibia, the most important political goal was “law and order” for 43.0% (2000), and improving the economy for 44.3% (Malawi, Zambia, Namibia Surveys 1998/2000).¹² It is very clear that the population still expects the state and government to ensure public safety and economic development. And in fact it is hardly conceivable that citizens’ needs for security could be ensured by any entity other than the state, given the conditions of poverty in Africa.¹³ The only alternative consists in self-help, for example by means of citizen militias; these, however, challenge or threaten the state’s monopoly on the use of force and are generally not able to ensure the rule of law.¹⁴

Plausible though the thesis of the state’s loss of legitimacy seems at first glance, it can be shown that it is too general on the one hand, and raises new questions on the other. The first question is what is meant by the “state”, and who or what is losing its legitimacy: the government (those in power), the regime (the political order), or the state as a political community—or all three together? Another question is what the loss of legitimacy ultimately means. All these things cannot simply be equated with one another. Empirical studies on legitimation in the field of political science stress the necessity of these distinctions (Easton 1975; Westle 1989). The reference to “citizens” makes it clear that this is not about whether the political order is worthy of recognition in normative terms, but more specifically about its empirical legitimacy, or people’s belief in its legitimacy (Weber 1980, pp. 122 ff.). The following discussion is therefore based on an empirical concept of legitimacy. There is no doubt that, in the 1980s, state failure and in some cases state disintegration led to a loss of legitimacy for authoritarian governments and the authoritarian system. This loss led to the urban mass protests, the democracy movements and ultimately the numerous transitions in Africa.

Voter turnout in the second set of democratic elections in the 1990s gives no clear indication that democracy or the democratic state had lost any of its legitimacy. In some countries voter turnout continued to rise, in others it fell (Bratton and Pos-

¹² These figures are based on surveys from the years 1998 and 2000 in Malawi und Zambia and 2000 in Namibia. The sample in Namibia comprised 1000 respondents, in Malawi there were 1056 respondents in 1998 and 1958 in 2000, and in Zambia there were 1102 in 1998 and 1108 in 2000. The surveys were carried out in the same villages and urban districts in 1998 and 2000.

¹³ Recently it has been suggested that this could be provided by private security services. This idea is not only invalidated by European experience, but also by the insufficient financial clout of the rural and urban population. Even under the most (neo)liberal governments in the West, guaranteeing public safety has been a sovereign or state function, and has not been privatized.

¹⁴ Cf. also the exemplary study by Johannes Harnischfeger on the militias in Nigeria (Harnischfeger 2003).

ner 1999).¹⁵ In the meantime, surveys have shown that despite ongoing state failure and state disintegration, democracy has *not yet* lost its legitimacy among the general population, contrary to repeated predictions. Even “ultra-privatization” and the ongoing economic crisis, with falling per-capita incomes, have so far had little impact on the population’s approval for democratic systems. Surveys have shown majority support for democracy in Botswana (84%), Ghana (77%), Malawi (65%), Mali (60%), Namibia (58%), Nigeria (81%), Zambia (75%), Zimbabwe (71%), South Africa (60%), Tanzania (83%) and Uganda (80%) (1999–2001). The only country where democracy did not have majority support was Lesotho, though here most respondents also rejected other forms of governance (military, one-party system); the only exception was governance by traditional leaders (Afrobarometer 1999–2001).¹⁶ Even in Malawi and Zambia, where income per capita fell between 1998 and 2000, support for democracy and its basic principles did not decline: in Malawi it remained the same, and in Zambia it actually increased (Malawi, Zambia, Namibia Surveys 1998/2000). Yet both countries had experienced an ongoing recession since the beginning of the 1990s. Thus the process of democratization was hampered rather than helped by economic developments, and yet this had no directly negative effects on attitudes to democracy. Furthermore, more detailed surveys have revealed that this support for the regime is not simply instrumental, but is based on values, and that a fundamental belief in democracy is to be found in large parts of the population—among just over half of respondents in Zambia and Malawi (Erdmann 2001).

All this shows that there is generally diffuse support for a democratic regime,¹⁷ and that such regimes have (or would have) a considerable degree of legitimacy,¹⁸ much more than has hitherto been supposed in political studies on Africa. So if “the state” refers to the political order, the democratic regime, there is clearly no empirical confirmation of the thesis that it has lost its legitimacy.¹⁹

It is still unclear what exactly is meant by the above-mentioned assertions about the state’s loss of legitimacy. The context suggests that it refers to state institutions, which, along with values and norms, are to be seen as part of the political order (Westle 1989, pp. 75, 170 ff.). In light of the development of the state outlined above, and the form taken by statehood in Africa, one might ask to what extent state institutions in Africa *could* actually experience a severe loss of legitimacy—since these institu-

¹⁵ It is equally difficult to discern a trend in later elections. van de Walle (2001, pp. 257 f.) does note a slight decline in voter turnout from 63.9 to 61.3% of registered voters, but this decline is more understandable than noteworthy, since a country’s *first* election is, by nature, likely to mobilize voters to a greater extent. Moreover, the reference to registered voters alone is not conclusive.

¹⁶ The following statements were used to ascertain support for democracy: “Democracy is preferable to any other kind of government”, or: “In certain situations, a non-democratic government can be preferable”, or: “For someone like me, it doesn’t matter what form of government we have”.

¹⁷ For the concept of specific and diffuse support, see Easton 1975; for more detail Westle (1989).

¹⁸ This is not meant to imply automatically that the states in which the surveys were conducted are in fact democracies.

¹⁹ Antonie Nord (2001) demonstrated the same thing for Namibia and Botswana, and at the same time observed political trust, a belief in the effectiveness of the state, and a widespread acceptance of the political community. Undoubtedly both these states are comparatively effective in African terms, so they do not seem relevant for the context under discussion here. However, the acceptance of the political order and the political community is important.

tions have hardly ever had exclusive legitimacy as rational-bureaucratic regulatory authorities. On the contrary, the citizens, especially the farmers, have always had a precarious relationship to state institutions as authorities, and these institutions have scarcely even been present as *primary* regulators. Hence the relationship with state institutions has been defined by personal, client-patron relationships. The precarious relationship with formal state institutions is at the origin of these client-patron relations (Spittler 1977). In everyday practice, the state's regulatory power has always been limited and never exclusive. This is part of the constitutive principle of the state in Africa, and forms the core of the neopatrimonial mode of governance.

However—and this is sometimes overlooked—the neopatrimonial state can acquire legitimacy, insofar as it uses functioning personal relationships and client-patron networks to provide certain services to citizens, albeit selectively. Thus it can be assumed that many authoritarian regimes have had a considerable degree of diffuse and specific legitimacy. The implication is that even the neopatrimonial order, whether authoritarian or formally democratic, can have legitimacy in individual cases. This legitimacy can, however, be lost or at least reduced, as was the case with the authoritarian neopatrimonial regimes in the late 1980s and early 1990s. This is probably a comparatively unstable (specific) form of support, since it depends on individuals and their effectiveness. At the same time we should not overlook the fact that these informal mechanisms of legitimacy can certainly also acquire an institutional character, i.e. they can to a certain degree become supra-personal. After all, these political orders—the different forms of neopatrimonial authoritarianism—have existed for a comparatively long time.²⁰

The assertion about the state's loss of legitimacy can also be taken to mean that the state as a *political community* is no longer accepted, that it has lost its legitimacy among the population. This could be implied by the success of para-statehood, and the thesis that the state is recognized less and less as the “primary regulator”. The question is, however, whether the principle of a state-based community has actually lost legitimacy among the population. As mentioned above, there are no signs of a mass exodus from state structures. State disintegration, and with it para-statehood and state collapse, are not based on a plebiscite, in which the population withdraws legitimacy from the state as the representative of the community, and from the state's monopoly on the use of force. Instead, state disintegration and state collapse are based on the routine use of force by rival elites, who do not seek the opinions of the population. It is not clear what legitimacy the para-state rulers or independent warlords have, beyond the direct threat and the actual use of violence. It seems unlikely to be very great.

My counter-thesis is that, in the context of neopatrimonial governance, it is not so much the principle of state-organized community that can lose legitimacy, but more the specific order existing in each case, and its institutions—democratically legiti-

²⁰ For Africa, three forms of neopatrimonial authoritarianism are distinguished: (1) military oligarchies, (2) plebiscitary one-party systems, and (3) competitive one-party systems (Bratton and van de Walle 1997, p. 77); sultanism as another possible type of system is not included.

mated or authoritarian, the regime and the government.²¹ It remains to be clarified, however, in what way acceptance of a regime depends on the “patrimonial charisma” of an office-holder.

In a different context, however, the legitimacy of state institutions takes on a central and elementary importance: for the establishment and consolidation of democracy. The legitimacy which a democratic order requires of state institutions is of a different, impersonal nature, in which only legal, rational-bureaucratic processes are valid. In the short term, a low degree of legitimacy of state institutions is entirely compatible with a young, democratically regulated regime. In the long term, democratic governance will not be able to survive without the practical legitimacy of state institutions in the sense identified above. Even if there is diffuse, values-based support (on the level of attitude), it will remain a threatened form of governance, in which it will be virtually impossible to develop and expand democratic principles on the level of behaviour, i.e. to foster pro-democratic behaviour. As the experience of dictatorship grows more distant, the legitimacy of the democratic order is more likely to erode.

If what is needed for the long-term institutionalization or consolidation of democracy is an everyday acceptance of the rule of law, a routinization of legal-bureaucratic practices, and the recognition of formalized politics, then it will be very difficult to achieve this in conditions of state failure and state disintegration. The process of democratization will remain fragile, and even on the elite level, consolidation will be hard to imagine. Strategically, the institutionalization and stabilization of effective statehood—in essential elements such as the rule of law, formalized administrative practice, and the enforcement of the monopoly on the use of force—are the precondition for the consolidation of democratic achievements in Africa.

An ineffective state apparatus—one characterized by failure and disintegration, and unable to meet the basic needs of security, health, education and an elementary level of welfare—has the opposite effect, however. For a start, it can help to ensure that the democratically elected governments, one by one, lose the support of the population. If the elected governments are unable to keep their election promises and provide the services required, then the democratic principle of government accountability cannot be seen to be upheld. Over time, the loss of this specific support, related to the political *output* of governing, can eventually turn into the loss of diffuse support for the democratic system. Thus precarious statehood in the form of state failure and state disintegration constitutes a permanent threat to democratic development. However, its destructive potential for democratically oriented regimes is (for the time being) mitigated by the fact that their authoritarian predecessors (or alternatives) were affected by the same side-effects of neopatrimonial governance. Given the precarious condition of the state in Africa, it seems both obvious and tempting to follow Mwayila Tshiyembe’s call (2000, p. 15) to radically rethink the traditional

²¹This is not intended to conjure away the distance between the farmers and the state, which is entirely compatible with this thesis. The farmers’ attitude, like that of all taxpayers, is ambivalent: they expect certain services (security, a functioning market with infrastructure, good prices for their work and products etc.), but at the same time they do not want it to cost too much, and when things are going well the state is expected to keep its distance. This leads to individual avoidance strategies, e.g. the mobilization of personal relationships or patrons, tax evasion or tax fraud.

concept of citizenships (*citoyennetés*) that are based exclusively on the state. Yet given the circumstances in Africa, simple demands for something completely different are not especially helpful, unless they offer specific suggestions or perspectives. The identity of these “citizenships” does not matter particularly, as long as they guarantee the necessary inclusion within a national territory. Here much seems possible, especially as the “traditional citizenships” in Europe have allowed numerous variations. Given Africa’s multi-ethnic societies, a republican understanding of state and nation is clearly more appropriate here than an ethnocultural one (Oberndörfer 1988, 1992). There are as yet no convincing ideas about how this might be achieved without reference to a democratically legitimated state regulatory framework with the corresponding civilizing principles of the rule of law and the monopoly on the use of force (on what level this regulatory framework functions is another issue). Simply accepting “concentric order” as a normal part of world history can hardly be seen as a contribution to peaceful development in Africa. Tshiyembe, in any case, sees it as the duty of twenty-first-century Africa to develop nothing less than his own model of an “*Etat de droit démocratique*”.

5 Summary

If we work on the assumption that there is an intrinsic link between democracy and the rule of law, and that there can in the long term be no democracy without a functioning state, which ensures sovereignty, the monopoly on the use of force, and a number of public services, then it becomes clear that democratization in Africa is confronted with the structural problem of an extremely precarious statehood. The triad of state failure, state disintegration and state collapse allows us to look in more detail at the phenomena associated with this. The precariousness of statehood in Africa is underestimated in the literature, which often explains the issue purely in terms of the recent historical events of decreasing development assistance and denationalization in the framework of structural adjustment policies. Nor can poverty or the artificiality of the borders or state structures be seen as an adequate explanation. Instead, the reason for the vulnerability of the state in Africa lies in the fact that there has hardly ever been a functioning, modern (rational) state there (or only in rudimentary form), and that state governance has always been organized along neopatrimonial lines. This applies equally to the colonial and the postcolonial state.

State failure, state disintegration and state collapse have been taken as evidence for the thesis that the state has lost its legitimacy. Apart from the fact that it remains unclear what is meant by the “state”, it has been possible to show that there is virtually no empirically backed proof supporting this thesis, either for the democratic regime as a political order, or for the state as a political community. In fact, contrary to widespread expectations, it is clear that there is majority support for democracy in nearly all the countries in which relevant surveys have been carried out (with one exception). In terms of state institutions (as part of the political order), this perhaps surprising finding has been explained by the fact that these institutions cannot suffer any great loss of legitimacy in neopatrimonial conditions of governance, because the population has a precarious relationship with them anyway. Since they have never

been able to impose an exclusive claim to regulation, this cannot be lost. Of course this does not exclude the possibility that the political order—whether democratic or authoritarian—can lose the support of the population, as occurred at the end of the 1980s. A similar fate may befall the young democracies and the many hybrid transitional regimes in the form of neopatrimonial multi-party systems, though for the latter the paths to dictatorship or democracy are both open.

Nonetheless, precarious statehood is problematic for the democratic regimes in two ways. On the one hand, their ineffective bureaucracies will make it hard for them to fulfil basic needs such as security, education and health, or to facilitate crucial economic innovations and therefore sustained economic development. This means that one democratic government after the other is in danger of losing the (specific, output-oriented) support of the population, until in the end the democratic regime itself may no longer be seen as legitimate and may lose its diffuse support. This danger grows as the experience of dictatorship becomes a more distant memory. Here it is not even necessary to openly support authoritarian rule; to allow authoritarian elites to remove the democratic order (or what remains of it), all that is needed is a sufficient degree of political apathy. On the other hand—and this is closely connected with the preceding point—the consolidation of democracy can only occur through the everyday acceptance of the legal-bureaucratic procedures of the state bureaucracy, which is not subjected to the personalized influences of client-patron networks. Unless the rule of law and the monopoly on the use of force can be firmly established, as core elements of democracy, this will not be possible. In conditions of state failure and state collapse, democracy in Africa will remain fragile. In short, precarious statehood is not an obstacle to democratic changes of regime, but a structural problem for the consolidation of democracy.

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