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State and non-state regulation in African protracted crises: governance without government?

Timothy Raeymaekers (1), Ken Menkhaus (2), Koen Vlassenroot (1)

(1) Conflict Research Group, Centre for Third World Studies, Ghent University, Belgium
(2) Political Science Department, Davidson College, USA

This article introduces a collection of papers that treat the question of governance in conditions of protracted crises in Subsahara Africa. Contrary to the widespread belief that African conflicts are little more than (undoubtedly complex and intractable) instances of anarchy and chaos, the authors present the reader with tangible evidence of the existence of non-state governance processes by constituencies attempting to manage the perils of long periods of violent strife and state failure. Their aim is to move beyond the purely empirical and to theorize and situate such phenomena of non-state governance in the broader context of political and social change that is currently reshaping Africa.

Key words: protracted crisis, non-state governance, political order

Introduction

The present collection of papers is one of the outcomes of a comparative project that was funded by the University of Ghent and that aimed at analysing governance in conditions of protracted crises in Subsahara Africa. Contrary to the widespread belief that African conflicts are little more than complex and highly intractable instances of anarchy and chaos, the authors of this volume present the reader with tangible evidence of non-state governance by constituencies attempting to manage the perils of long periods of violent strife and state failure. These examples involve the mostly invisible but practical attempts by populations and individuals – households, entrepreneurs, but also administrators, customary rulers and militia members- to cope with the consequences of long-term political crisis.

Our objective is not merely to document this phenomenon of "governance without government" in protracted African crises (Menkhaus, 2006); we also hope to contribute to current efforts to theorize and situate it in the broader context of political and social change that is currently reshaping Africa. Using empirical case studies from some of

Africa's worst hit conflict areas (e.g. Somalia, Ivory Coast, the DR Congo, Sudan), the authors make the point that violence in Africa does not always have to equal anarchy and chaos, but can herald a profound process of social change that has a determining impact on both the course of African conflicts and on their resolution. The collection of cases presented here also emphasizes that the failure of African governments to resolve conflicts peacefully does not necessarily have to result in the end of 'governance' – i.e. the inability of local communities to administer basic public goods, deliver services and determine rights.[1] On the contrary, the evidence illustrates a high level of creativity and mobility on the part of African populations to cope with the problems of weak government and political violence, especially in zones of so-called 'limited' statehood. Post-state Somalia, for example, which usually serves as the emblematic case of contemporary anarchy and collapse, has seen the emergence of a whole range of informal pacts and local agreements between non-state authorities such as clan elders, customary authorities and transnational businessmen that try to cope with the uncertainty of crisis and conflict. These pacts have included, in some cases, the setting up of occasional police forces or the creation of rudimentary taxation systems to regulate Somalia's 'economy without a state' (Little, 2003). The DR Congo's and Sudan's long periods of low-intensity warfare have produced in turn a whole series of opportunities for non-state actors (businessmen, militias, youngsters, customary authorities) to participate in local decision-making processes and regulate access to markets and resources. In some cases, this has led to new arrangements between state and non-state actors regarding the management of local security, public services and resources.

At the same time, this issue is also critical to arguments that challenge the view that the African state as absent, collapsed or weak. These and other cases of non-state governance presented in this volume show that even in the midst of crisis and warfare, Africans are trying to cope with their "messy" environments (Lawson and Rothchild, 2005, pp. 228). They also offer the prospect of a critical, if contested, role in post-conflict *governance in interaction with* state technologies and agencies. This is an especially important question in instances of external peacekeeping, in which the international community is attempting to support transitional governments to revive a functional central government. As Christopher Cramer and Jonathan Goodhand observed with regard to Afghanistan, the "post-conflict moment" is not simply one in which we stand back, take note of the destruction and unravelling of the state, and go about re-building pre-war societies (Cramer and Goodhand, 2002). It is instead a different phase in resolving longstanding tensions embedded in processes of making and unmaking political systems. The spaces of regulation and accumulation emerging in the realm of the non-state in Africa will likely take up an increasing role in the debate of such historical processes in the years to come.

The aim of this volume is not to reproduce yet another essay on the crisis of the state or civil society in Africa, therefore. Rather than falling into such "pathological" de-

1 The definition of governance used in this volume is borrowed from Eckert, et. al. (2003). We will return to this definition later in this introduction.

scriptions (Hagmann and Hoehne, 2008, forthcoming), one of the principal objectives of this special issue is to move beyond the binary interpretation of the state and society in Africa by elucidating the specific modes in which different social forces in society strive for political control and domination. The contributions in this issue start from a 'state-in-society' approach, which recognizes that the "state" in Africa only represents one amongst many forces that struggle to maintain a monopoly over the legitimate use of force (Migdal, 2001). At the same time, the authors in this issue call for a renewed sociology of governance on the African continent that departs in significant ways from the normative, state-centrist notion of (good) governance and state reconstruction that has hitherto dominated the academic and policy debate. Such a sociology potentially has as its object "an emergent pattern or order of a social system, arising out of complex negotiations and exchanges between 'intermediate' social actors, groups, forces, organizations, public and semi-public institutions in which state organizations are only one – and not necessarily the most significant – amongst many others seeking to steer or manage these relations." (Rose, 1999, pp. 21) This approach is epistemologically not much different from the recent non-Western studies of governmentality and political sociologies of governance that describe the often deterritorialized and emergent orders in crisis-affected areas (See e.g. Chatterjee 2004; Ferguson & Gupta 2002; Lattas 2006; Watts 2004).

In Africa's conflictual post-Cold War era, the multiplicity of this institutional landscape can only be seen to accelerate, as the various arenas of political domination and opposition have come to include new networks of transboundary interaction and exchange that are often connected to the continent's expanding conflict complexes. According to Crawford Young, "the webs of conflict, violent social patterns and governmental dysfunctionalities in many parts of Africa make the state a far less dominating, agenda-setting actor than in the first post-independence decades." (Young, 2004, pp. 24) As central governments are believed to increasingly lose grip over their countries' political realm, entire segments of the population are being left under the tutorship of NGOs, private businesses, warlords, rebel militias, as well as other (violent) non-state political authorities, whom nonetheless continue to refer to state power to claim local political control and legitimacy.

This situation probably constitutes the greatest paradox of African politics today. On the one hand, the thundering erosion of African state capacity since colonial independence has opened up new spaces for the negotiation of sites of political and economic interaction, involving a multitude of actors (from informal traders, smugglers, warlords, arms traffickers, youth militia, "civil society" etc.) that operate with varying degrees of autonomy within and beyond country borders. On the other hand, the state in Africa continues to play a preponderant role both as an objective of contemporary interventions in the domain of (transnational) conflict resolution, and in the brokerage of local decision-making processes through street-level bureaucracies and everyday political interaction. Within the same spatial perimeter of the state, therefore, one has to increasingly recognise the "co-existence of multiple public authorities" linked with "multiple, partly overlapping, territories," each of which attaches its own meaning to authority and political

power (Lund 2006, pp. 694; Arnaut and Hojbjerg, 2009 forthcoming). Therefore, rather than denying authority to the state altogether, it seems prudent to take its organizations and mixed institutions seriously as just some of the many forces striving for an integrated dominion over African societies.

Crisis and Transformation

Already in the late 1980s, the World Bank reported that underlying the litany of Africa's development problems was a crisis of governance. The adage that the state is in crisis has since then become a central part of almost any work on African politics. Initial optimism about the penetration capacities of central state administrations has gradually faded away in favour of a more sceptical stance towards 'weak' and corrupt African leaderships, in which non-state actors have increasingly served as a counterweight to governmental power. Under the grand nomer of 'civil society', different non-state organizations were targeted for assistance, in part as a component of democratization and good governance, but also as a mechanism to provide social services more efficiently than the state. Today, this preoccupation with liberal, developmental statehood also defines the many post-conflict reconstruction efforts currently implemented on the African continent. Often starting from blueprints and "lessons learned" in widely varying contexts, state-building in African post-conflict settings has in many cases taken the form of massive social engineering exercises, in which African political realities are jammed into a procrustean bed of pre-set rule of law templates. At the same time, the international community is rarely willing to deploy overwhelming force against so-called peace spoilers, because such deployments bear high financial and political costs. The result is often an endless interventionist quagmire, in which populations continue to face considerable levels of intra- and intercommunal violence (Ottaway, 2001).

Contrary, This special issue proposes to view African political 'crises' in a manner different to that of many existing accounts, namely that crisis can be understood as opportunity and not just rupture or breakdown. Employing the definition of Spittler, this approach presents crisis as "an open situation in which the result is not known in advance" (Spittler, 2004: 446). This suggests at least two options that are often conflated in the literature: while on the one hand, crisis situations often involve high degrees of uncertainty, unpredictability, and "bad surroundings" (Finnström, 2003), at the same time they open up the possibility for novelty, energy and creative outcomes that in some way or another relate back to existing modes of cultural and social reproduction. Crisis situations like wars or political turmoil, the literature suggests, cause massive suffering and despair, but also potentially also contain the germs of new political orders.[2]

This observation has special implications for Africa, where many of the world's most violent conflicts are currently being waged and where state failure is widespread: some eight million Africans have died of war-related causes since 1991, while another 3.3 mil-

2 For a similar point, see Doornbos (2002), 2006; Milliken and Krause (2002); Cramer (2006).

lion are refugees and 13.5 million are internally displaced.[3] As we know, these civil wars have generally led not to victory by one side or the other, but instead have morphed into a prolonged state of 'no-war-no-peace', even in instances where international mediation has led to an inclusive settlement. Typically, those peace settlements have been as formulaic as the state-building efforts which follow: first, a power-sharing accord towards a government of national unity is brokered; then a transitional government is instituted that oversees the demobilisation and reintegration of combatants, the drafting of a constitution, conducting of a census, and holding of elections. On the surface, there is nothing wrong with this approach. But too often it has had the unintended effect of reproducing the very political and security conditions that created the war in the first place. The result is not the liberal peace some have repeatedly hoped for, but instead post-conflict situations which are, in terms of security conditions for the population, virtually indistinguishable from the civil war which preceded it. In the next five to ten years, therefore, it is likely that many African communities will continue to endure security conditions characterised not only by a lack of political reconciliation and government control, but also by different types of violence that have gradually replaced open warfare (See e.g. Richards 2005; Menkhaus 2004; Mehler 2004).

At the same time, however, one must recognize Africa's unremitting potential to cope with the effects of political and economic crisis. Whether one observes the 'informal' activities developed in response to staggering official policies, or the "invisible governance" embodied in mixed platforms of conflict mediation and security arrangements such as vigilantes and communal anti-crime groups, Africans have shown a great capacity to absorb and adapt to the effects of crisis and uncertainty in their everyday lives. According to Finnström (2003), this is probably what makes the analysis of cultural and social practices in crisis-affected areas such a relevant field of study, since it reveals how crisis can become one among multiple routines in everyday life.

Emergent Orders

In this special issue, violence associated with African 'crisis' will not be explained in terms of its root causes or origins, but rather as a key element in shaping the African public sphere – more particularly in areas where the representation of sovereign state authority is either weak or apparently absent. The collection of articles thus starts from a similar analytical assumption as made by Richards (2005), who claims that to explain war in Africa, one must first deny its special status; war, like peace, has to be explained as something made through social action, rather than requiring some special analytical effort that goes beyond current socio-political categories of explanation. This mode of viewing things enables us to take account of often underestimated phenomena. For one, it exemplifies the often blurry distinction that exists between analytically opposed condi-

3 Estimates of war and famine casualties produced by war are very hard to secure with precision in Africa. The conflict in the DRC is said to be responsible for about five million deaths; Sudan, two million; the Rwandan genocide, 500,000 to 800,000; Angola, one million; Liberia, 200,000; and Somalia's war and famine, 300,000. Those six conflicts alone thus produce estimated casualties of seven million people.

tions of war and peace in Africa.[4] One should not underestimate the often high degree of organized violence in non-war affected but highly impoverished African countries, with their high rates of unemployment, persistent shadow economies and pervasive arms proliferation. Today's 'new' wars mostly differ from the continent's violent peace in terms of degree, since they involve more violent form of economic competition between state and non-state networks (Duffield, 2001). At the same time, this redimensioning of war and peace along social explanatory categories also opens up the potential for 'spontaneous peace' to occur in places where one would least expect it.

Such understanding of political crisis in Africa as a potential foundation for social change obviously requires a methodological stance that goes far beyond the classical distinctions made in the literature on peace and war on the continent. Contrary to the to the approach advocated by the protagonists of liberal peace and state reconstruction, the contributors to this issue develop a historical and ethnographic approach to conflict and social reproduction in crisis-affected Africa that takes issue with the very institutional foundations of practices and symbols of power at stake. As numerous authors have maintained, much (armed) conflict in the contemporary developing world is precisely over what power means (Ballentine and Sherman, 2003). It involves the violent but often decisive struggle over who is to determine the legitimate rule over communities and populations, who appropriates economic surplus, who has access to which resources and by what 'rules of the game' political and economic competition is to occur in an increasingly globalised context.[5] Regardless of the civil war threshold, such processes of conflict *transformation* have involved, to different degrees, discussions over the types of political authority, citizenship, and representation Africans aspire to have, as well as a profound renegotiation of the regulation over economic activities and markets. In the economic sphere, for example, the violent encounter between members of state administrations like police, customs and army, and the range of cross-border entrepreneurs and smugglers active in the 'informal' economy have given rise to new patterns of authority and regulation, which sometimes become legitimated as an alternative to state power precisely because they challenge the state's legitimate monopoly over the means of violence. Such a situation has emerged for example in the borderland between Nigeria, Cameroon and the Central African Republic, which has historically been a site of violent armed conflict (Bennafla, 1999; Roitman, 1998; 2005).

Also in other places in Africa, this combination of violent conflict and renegotiation of political power has engendered new ways of defining authority and regulation. The ongoing discussion on security demand and provision in places like Nigeria, Kenya, South Africa, and Mozambique (to name a few) has revealed new dimensions of socio-political

4 One example that particularly illustrates this dimension is that of the war in Sierra Leone, which only at its peak reached a death toll comparable to that of Johannesburg in South Africa (Richards, 1996).

5 According to Mats Berdal (2005), for example, the issue at the heart of contemporary conflicts in the developing world is still about "determining who exercises political power, redressing historically rooted socio-economic grievances of marginalised classes, and competing ideas on the type of political and economic system [a population] should have."

struggle over these countries' regulatory frameworks, which sometimes involve a profound transformation of authority and representation sustained by different regimes of violence. The stream of literature that is currently being published on African vigilantism has also been illustrative of this renegotiation of security in such contexts marked by high levels of violence and mixed political institutions. According to Gore and Pratten (2003, pp. 213–14), the classification of these forms of behaviour as 'neo-traditional' often obscures the fact that this violent renegotiation of security and representation often occurs along logical pathways of "localized idioms of power, knowledge and accountability" that respond to the general instrumentalisation of disorder in an African contemporary context. Rather than taking the categories of state collapse, weakness or reconstruction for granted, therefore, it is important, to unravel just how such renegotiation processes step into the perceived void of political disorder to gradually re-articulate patterns of political domination (See e.g. Anderson 2002; Baker 2002; Buur 2006).

One of the broader lessons from this kind of analysis could be that emergent regulatory forms in African conflict zones do not necessarily have to be lawless outposts, but can also be effective sites of sustaining power that can endure *certain* kinds of representation and welfare, while excluding others. The idea behind this is that notwithstanding the enormous levels of human and political suffering, contemporary conflicts in Africa have visibly realigned actors and interests in such ways as to engender different patterns of distribution and redistribution that have an enduring impact on local and transnational political order. Contrary to the conventional wisdom that contemporary civil wars in Africa have essentially degenerated into a landscape of loot, plunder and predation, state and non-state actors are making systematic attempts to control economic activity by establishing modes of rent-creation and elaborating systems of capital accumulation that have significantly altered the balance of power among social constituencies.

This reflection on state and non-state forms of regulation finally bring us to the important question of political authority. As other authors have argued, the concept of authority refers to the ability to place action and practices into a meaningful social frame or context, that is, to subject something or somebody to the operation of a system of meaning, significance, institutionalization and power (Latham, 2003). This dimension is important, as it immediately draws us back to the discussion on the making and unmaking of social power during times of political crisis. Some of the more obvious transformations of power that have occurred during violent conflict have been the gradual transposition of authority from customary and state agents towards more militarized forms of social control. A crucial dimension of the wars in Sierra Leone and the DR Congo, for example, has been the consistent weakening of traditional authorities in the rural hinterland to the advantage of armed and mostly young individuals that had lost out on the advantages of the post-colonial political system (Richards, 1996; Van Acker and Vlassenroot, 2000). Sometimes however, such changing opportunity structures have led to more profound transformations of political systems that go beyond a simple militarization of social relationships, especially when considering the contestation of existing property rights systems. Based on the principle that "he who controls the land controls

its people" (Pottier, 2003) rebel militias have sometimes introduced veritable systems of labour control in some of Africa's rural backwaters, which simultaneously involve the elaboration of violence as a prime instrument of social control (Vlassenroot and Raeymaekers, 2004a; Richards). For this reason, some propose to speak about "figurations" when dealing with questions of power and authority in war-affected zones.[6] Figurations usually revolve around interdependent patterns of social relationships human beings (as groups or individuals) form with each other, including in contexts of protracted crisis. As such, they can have a profound influence on the formulation of political authority in violent contexts as well as on the course of the conflict itself, as they usually combine a profound renegotiation of patterns of political authority with a reconfiguration of interests and modes of regulation.

In this issue, we prefer to use the term non-state governance to describe the configuration of interests and actors around such new definitions of power in African conflictual contexts. This term is both broader and narrower than the more frequently used concept of 'regulation', which refers to the control over the possibilities of *access* to power, wealth and rights (Roitman, 2005). Contrary to regulation, the term governance often discusses the active processes of administrating and managing these regulation mechanisms through the allocation of certain services, goods, and rights. These include processes of *describing* certain rights (for example to 'public' goods such as security, but also access to resources, or citizenship) as well as the active *ascription* of these rights and the conflicts these generate within a particular frame or context (as exemplified in conflict resolution mechanisms, political negotiation platforms or judicial bodies). The advantage of this distinction is two-fold. First, it enables us to go beyond the often hegemonizing perspective on technologies and techniques of government, to finally describe the outcomes of processes of authority negotiation through the association and dissociation of actors, means and interests in certain crisis contexts. Crucial in this regard is the observation of Michel de Certeau that even those who appear the most powerless can twist dominant systems of rule by institutionalizing very different ways of doing things. By bending or ignoring the rules that surround certain power systems, their practices may also work against the myths and perceptions that underlie the foundations of such systems of rule and thought (de Certeau 1984, pp. 18; Migdal and Schlichte, 2005). In fact, as this collection will hopefully make clear, there are innumerable ways of playing and foiling the dominant "rules of the game". Political systems around the world – and the state in particular – have repeatedly been modified by "tools manipulated by users", to put it in de Certeau's terms, which is another way of saying that such power reconfigurations are per definition hegemonic in nature.

A second motive in choosing the definition of non-state governance is that it will hopefully facilitate a gradual departure from the conventional application of the term governance in terms of "intersubjective meanings" and shared goals, or more generally

6 Figurations are networks of individuals who are mutually dependent, and thus oriented towards each other. Central to this notion is its character as a network of social relationships (Elias, 1978, pp. 15-16; quoted in Veit, 2007: 5).

as a systemic quality associated with certain political systems (but not others).[7] The usefulness of the concept of governance is that it can help us provide a basic understanding of the ways societies *organize* power in order to manage public resources, which involves both the making and implementation of collective decisions, enforcement of rules and resolution of conflicts emerging from these rules (Kassimir, 2001). The advantage of such a definition is that it takes seriously the issue of *access* to these services, goods and rights (as exemplified in the concept of regulation), while also pointing to the at times very active processes behind the administration of these regulation mechanisms, and this through processes of conflict resolution, goods and services provision. This simultaneously acknowledges the often dialectical nature of governance in our given context: while on the one hand, leaders of state and non-state organizations try to influence others on behalf of a particular identity or group – an exercise that automatically gives rise to different discussions about authority and legitimacy – on the other hand they also have to continue to exercise authority within their organization or groups – a problem that relates to the maintenance of internal trust and cohesion.

Reproblematising Political Systems in Africa

A final underlying question posed by the following contributions is how we can potentially reconcile the 'emergent' forms of governance on Africa's political frontier with existing projects of state-building. A fierce discussion seems to be currently emerging in the debate on African conflict resolution, in which defenders and sceptics of the African state are standing opposed to each other. In a recent contribution, James Putzel recognizes that both historically and currently, people find themselves operating in more than one "rule system", but nonetheless sees the reconstruction of a central state as necessary to engage in the difficult task of conflict resolution.[8] Marina Ottaway in contrast calls for more modest goals for nation building in post-conflict contexts, which she describes as highly undemocratic and problematic (Ottaway, 2002). Filip De Boeck finally calls for a new approach to problematizing the state in Africa, which focuses on "the interaction between local and global spheres of socio-political, economic and cultural interaction, and on the hinge-joints between 'traditional' and 'modern' worlds, concepts, beliefs and practices." According to his claim, this implies an explanation of such processes of interaction, through an analysis of cultural entities "as forms, not only of hegemony and resistance, but also of adaptation, accommodation and collaboration." (De Boeck, 1996: 93-94).

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7 Such is for example the arguument by Hyden, according to whom governance refers to that aspect of politics that aims to formulate and manage the rule of the political arena in which state and civil society actors operate and interact to make authoritative decisions. In more operational terms, governance refers to those measures that involve setting the rules for the exercise of power and settling conflicts over such rules (Hyden, 1997).

8 Putzel develop the terms 'institutional multiplicity' to examine the multiple 'rule systems' that confront economic and political actors providing distinct and different normative frameworks and incentive structures . He conceptualizes four competing institutional systems: rule systems adopted by the state (statutory law); the rule systems evolved over time by older communities (customary traditions); the rule systems that communities or groups have devised for survival; and the rule systems hatched by non-state centres of power (warlords, bosses, criminal gangs). Another additional rule system can be that introduced by foreign development agencies or NGOs; see also Cramer and Goodhand (2002: 277).

The various contributions in this special issue have in common a move to go beyond simple either-or-logics, and instead look for ways that combine this opposition and complementarity of current rule systems in Africa. The question the authors ask is to what extent the 'emergent' forms of governance in Africa's borderlands are either hostile, favourable or indifferent to current projects of state-building on the continent.

In a way, this approach links up with the question asked by Michael Bratton thirty years ago, namely what do all these dynamic social forces and informal forms of power actually mean in terms of the reproduction of political order, particularly in terms of African states that have been limited in constructing such an order (Bratton, 1989; Kassimir, 2001). As is illustrated in the different case-studies, instead of describing governance exclusively in terms of resistance and opposition, there is in fact a great deal of complicity and overlap between state and non-state forms of political power. Just as we require a framework that enables us to account for citizen engagement as well as disengagement from state organizations of power, it still seems useful that we leave room for engagement that may be congruent as well as conflictual with the state's political realm. Indeed, even though the authority of non-state actors over certain governance domains – such as cross-border trade, the management of security and even political representation – might make us conclude that they stand in opposition to the modern African nation-state, this situation does not at all imply the latter's demise in terms of authority or accumulation possibilities.

As the cases of Ethiopia's Somalia region and Southern Sudan in this collection reveal, for example, the relationship between state and non-state realms of authority is often highly ambiguous as it is oppositional, not in the least because they remain linked through interdependent livelihood systems. The phenomenon of cattle raiding discussed in both cases reflects a clear transformation of the structures, codes and norms of conflicting social groups, which occurs in collusion and conflict with different regulatory institutions. To a certain extent, this also applies to the post-election security predicament in the DR Congo, which combines elements of non-state governance such as military control over resources and cross-border regulation with a reinvigoration of patrimonial state practice. As is argued in the DRC case-study, the constant undermining and reinterpretation of state power within the context of crisis and violent conflict has apparently given rise to a more commodified, indirect form of statehood that drives the middleground between formal and informal, state and non-state spheres of authority and regulation. In West African Cote d'Ivoire finally, a particular form of negotiating political order appears to emerge, where state and non-state organizations constantly negotiate the terms of ruling the public sphere. While it is argued that it is the social and economic hyper-mobility of West-African youngsters that made them available for recruitment as militiamen and women, in urban centres, militias can be observed to generate new contexts and spaces of socialization. These new 'glocal' spaces that appeared during the conflict in Côte d'Ivoire are of many different sorts and include the people's parliaments and so-called 'grins', but also different subdivisions or regiments of the Groupement Patriotique pour la Paix (GPP), as well temporary organisations such as the training camps

or the group excursions to GPP members in other cities.

The evidence provided in this special issue thus takes a different stance on state-society in African post-conflict settings than both the liberal peace and critics of the state want us to accept. Rather than constantly reinventing the African state or society, it seems important to differentiate between the different manifestations of the state on the continent, and how this in turn reflects changing patterns of social control. According to Sally Falk Moore (1978), there are two dimensions in which the state demonstrates itself in local spaces. One is through the embodiment of public authority (eg. administrators, government representatives, school teachers representing the central or federal government). Another dimension in which African statehood inserts itself into the local is through the form of an idea, which usually bears a strong governmental dimension: although many non-state organizations potentially take up tasks of local governance, they usually bolster themselves by referring implicitly or explicitly to the idea of a unified state.[9] In contrast then to some dominant accounts, the contributors to this issue are not so enthusiastic about the 'end of the post-colony' some are apt to predict (Young, 2004). Despite the 'twilight' character of many post-colonial institutions in Africa (Lund, 2006), the state still shows an amazing ability to survive both in the image of nation-statehood with its visible institutions, symbols and practices, and in the structure of relationships underlying contemporary modes of governance – as is evidenced for example in mechanisms of economic redistribution, political clientelism and continuing bureaucratic practice as mechanisms of social reciprocity.

One crucial difference with the immediate post-colonial period nonetheless appears to be that political power is no longer founded on a principle of 'subsidiarity', in which the means of control are provided mostly by inclusionary corporatism. The contemporary power configurations one encounters in many post-conflict African settings rather involves the constant negotiation between different poles of authority in a process that can best be described as state 'mediation'. In practical terms, the authors of this issue see the emergence of a mediated form of statehood, in which governments rely on diverse strategies of negotiation with non-state sources of authority to provide certain functions of government, including public security provision, justice, and the management of local conflicts in the country's periphery. Contrary to the liberal, 'mediating' state that is so strongly promoted in post-conflict reconstruction efforts, the exercise of public authority becomes the "amalgamated result of the exercise of power by a variety of local institutions and the imposition of external institutions, conjugated with the idea of a state." (Lund, 2006: 686)

The difference to previous approaches is perhaps that the following contributions

9 A useful distinction Moore uses in this regard is that between processes of regularization and processes of situational adjustment. While regularization occurs when people try to fix social reality through the production of rules, customs and symbols, the process of situational adjustment refer to the exploitation of legal ambiguity to reinterpret and redefine existing rules. So while the first produces a higher degree of predictability, the second results in more unpredictability, paradox and inconsistency. Both processes can be examined through the analysis of institutional outcomes of "governance" (see also Lund, 2006).

also recognize the advantages of promoting such mediating types of government as a form of conflict-resolution, but not necessarily as a mode of state-building. For one, it can open up the possibility for 'spontaneous' forms of peace to arise in the form of locally negotiated settlements, transboundary regulation and new sites for political governance – especially there where the state has limited or no power to implement its authority. Second: although mediated states are intrinsically contradictory, illiberal, and constantly re-negotiated, they are often the best of bad options for post-conflict African states to be able to claim a minimum of government authority in areas that formerly escaped their political control. As the chapter by Ken Menkhaus shows, mediated models of state government are already an unspoken practice in much of the Horn of Africa, where weak states are at pains to control their remote hinterlands and find it easier to partner with, co-opt, or subcontract to whatever local non-state authorities that are present on these countries' political frontiers. Specifically in Somalia, the best hope for state revival may lie in the explicit pursuit of such a mediated state – in which a central government with limited power and capacity relies on a diverse range of local authorities to execute core functions of government. In this approach, the top-down project of building a central government and the organic emergence of informal polities are not viewed as antithetical – though they are invariably political rivals, coexisting in uneasy partnership – but are instead nested together in a negotiated division of labour: while the nascent central state limits itself to essential competencies not already provided by local, private or voluntary sector actors, non-state authorities such as clan elders and 'informal' associations of power transcend the local image of the state through a practical subcontracting and outsourcing of central state authority at a local level. As a result, a negotiated kind of statehood seems to emerge in many African post-conflict settings that holds the middle ground between an unstable political settlement reached through international intervention, and a return of patrimonial government politics. Although they are essentially founded on an ambiguous relationship between state and non-state forms of organization, they nonetheless take account of the messy realities of African hardship developed in a context of prolonged political and economic crisis.

Messy as it may be, the emergence of mediated statehood may ultimately announce a more realistic pattern of state-building in Africa, where state sovereignty is not only divided among several domains and organizations, but also respects the fundamentally pluralistic nature of African political institutions. While the state in African post-conflict settings predominantly continues to gain recognition through international technologies of "good governance", a thin central government simultaneously continues to mediate its power through local and transnational agencies and institutions. As the different case studies in this special issue show, such state/non-state attempts at political and economic regulation in African crisis situations are likely to gain importance in the years to come.e, the emergence of mediated statehood may ultimately announce a more realistic pe show, such state/non-state attempts at political and economic regulation in African crisis situations are likely to gain importance in the years to come.

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