

Patrimonialism, Neo-patrimonialism and the Study of the Post-colonial State in Subsaharian Africa

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Weber's approach was initially introduced in the study of African politics through the use of the ideal type of charismatic domination. The existence of historical founding fathers such as Sekou Touré, Nkrumah, Kenyatta or Houphouët-Boigny as heads of the newly independent states irresistibly invited an analysis of this kind, for a certain number of the new political systems. However with time, the charisma became routine, or the founding fathers died, and the lack of charisma of their successors, if you except Rawlings and Sankara, was obvious. The idea of patrimonialism for the study of third world politics was first introduced by Gunther Roth in 1968¹, followed by Samuel Eisenstadt in 1973². As soon as 1966, Aristide Zolberg introduced this notion to Africa in his book *Creating political order*³. It was

¹ Gunther Roth, "Personal Rulership, Patrimonialism and Empire Building in the New States, *World Politics*, XX, (2), 1968, pp.194-303.

² Samuel Eisenstadt, "Traditional Patrimonialism and Modern Neo-Patrimonialism, Sage Research Paper, Beverly Hills et Londres, Sage publications Inc. 1973.

³ Aristide Zolberg, *Creating Political Order*, Chicago, The University of Chicago Press, 1966. See in addition, G. Heeger, *The Politics of Underdevelopment*, London, Mac Millan, 1974. J-C Willame, *Patrimonialism and Political Change in the Congo*, Stanford, Stanford University Press, 1972. S. Gellar, *State-Building and Nation-Building in West Africa*, in S.N. Eisenstadt and S. Rokkan, (eds.), *Building States and Nations*, vol. II, Sage, 1973. J-F Médard, *L'Etat sous-développé au Cameroun*, *L'Année africaine* 1977, Paris, Pédone, 1978, p.35-84. V. Le Vine, *African patrimonial Regimes in Comparative Perspectives*, *The Journal of Modern African Studies*, 18, 4, 1980, pp.657-673. J-F Médard,

not until the eighties however that this type of interpretation became widespread. It was difficult to fit it into the developmental approach, according to which, a change from traditional modes of domination to legal rational ones was to be expected and not the reverse. It did not fit into the dependency approach either which focused on the international economical system rather than on internal politics. When the dependency school started to deal with the African state, their marxism a priori prevented them from considering it seriously⁴. During the period which was ideologically and intellectually dominated by marxism, Max Weber, with much exaggeration, was considered as a kind of anti marxist, a kind of class enemy. Today's dominant ideological and intellectual school, rational choice, is leading a crusade against the state which is, considered as "rent seeking" in essence. But it does not really make a difference between successful and failed states, a legal rational state and a patrimonial one, for instance, the Norwegian kingdom or Mobutu's Zaïre.⁵ What is perhaps more important is that it used to be improper to emphasize patrimonialism or corruption in the workings of the African state. You might be labelled ethnocentric, or even worse racist. René Dumont's *False start in Africa*, in its own too moralistic way, was the first book to point out the problem, as early as 1962, but it was not well received. It was not in the interest of the non African countries to draw attention to it since they were directly or indirectly participants to corruption.

In the eighties, the failure of development policies and of the state, which are strongly connected, became so clear that even the international organizations realized that administrative and political factors, instead of being taken for granted, had to be dealt with seriously from the standpoint of development : no

The Underdeveloped State in Tropical Africa : Clientelism or Neo-Patrimonialism?, in C. Clapham, ed., *Private Patronage and Public Power in the Modern State*, London, Frances Pinter Ltd., 1982. Th. Robin, *Patrimonialism, World Politics*, 1982, pp. 548-559. Th. Callaghy, *The State-Society struggle in comparative Perspective*, New York, Columbia University Press, 1984. C. Clapham, *Third World Politics*, Wisconsin University Press, 1983. R. Sandbrook, *The Politics of Africa's Stagnation*, Cambridge, Cambridge University Press, 1985. A. Mescheriakoff, *L'ordre patrimonial: essai d'interprétation du fonctionnement de l'administration d'Afrique francophone, subsaharienne*, *Revue française d'administration publique*, 42, avril-juin 1987, pp323-51.

⁴ They could not admit that the political class was the ruling class.

⁵ This is somewhat exaggerated, but it is true that there is no space for patrimonialism and the specificity of the African state in Bates.

development without good governance. This is when the notion of patrimonialism started to be widely used, under various names, such as patrimonialism, neo-patrimonialism, corruption, prebendalism, rent seeking, predatory state, or "belly politics"... Even though all these designations belonged to different approaches, they pointed at the same phenomenon. This paper is about this phenomenon in Africa, the ways of labelling it, and its interpretation. I will start with the idea of the patrimonialization of the African state which helps us to define it as a neo-patrimonial state, and not a patrimonial state. The neo-patrimonial state is a kind of contradictory and variable combination of patrimonial and legal rational dominations. I will then explore what has been called by Zaki Ergas the "common patrimonial core"⁶ of the African state. Lastly I will comment on the contradictions of patrimonialism, which can be considered both as leading to the failure of the state, or even to its dissolution, and as a mode of political regulation.

The Patrimonialization of the African State

The African state is not a patrimonial state, it is a patrimonialized state, and this is why it is better to call it neo-patrimonial.

According to Max Weber, there are three different types of domination: legal-rational, charismatic and traditional⁷. The idea of domination combines legitimacy and a specific mode of exercising authority. Legal-rational domination is based on an impersonal rule. Charismatic domination refers to the prestige of a person because of his extraordinary qualities. With traditional domination, legitimacy is based on the belief in the sacred character of immemorial traditions. As a mode of exercising power, traditional authority always implies a combination of discretionary power and submission to traditional

⁶ Z. Ergas, *The African state in transition*, London, Mac Millan Press, 1987, p.2.

⁷ See Max Weber, *Economie et Société*, tome I, Paris, Plon, 1971, pp.219-274; *Economy and society*, vol. II, edited by Guenther Roth and Claus Wittich, pp.1006-1110; Max Weber, *Social and Economic Organization*, edited with an introduction by Talcott Parsons, New York, The Free Press 1964; Reinhard Bendix, *Max Weber, an Intellectual Portrait*, Garden City, N.Y., Doubleday Anchor Book, 1960, pp.329-381.

norms and customs. Max Weber distinguishes between three different but strongly connected forms of traditional domination: patriarchal, patrimonial and feudal. The patriarchal domination is based on a strict personal loyalty, and not on the obedience to abstract and impersonal rules, as in the case of legal rational domination. It is entrenched in the master's authority over his household. In the case of kinship societies, the elders are the ones in charge of the domestic group. With patriarchalism, the authority is exercised by a single man as the head of the household, which includes not only kins, but also servants, clients or slaves.

Patrimonialism first appears with political differentiation when a patrimonial chief exercises his authority beyond his own domestic group, his "oikos", over people who are no longer relatives or servants. With the correlated increase in scale of the social unit, authority cannot be exercised directly and must be mediated by administrative officers, personal retainers, like servants, relatives, slaves or clients. It may at first look like a simple decentralization of the household, when the patriarch settles his dependents in far off places. In this case, patrimonialism is included in patriarchalism. It may also correspond to the situation of a conqueror who settles down on the land he has conquered. He will then rule his kingdom as he would manage his private domain. He will rely on an administrative staff of servants who will be given titles and offices, prebends or benefices in order to maintain themselves while administrating their masters' properties. This is how Max Weber characterizes the patrimonial system:

"The object of obedience is the personal authority of the individual which he enjoys by virtue of his traditional status. The organized group exercising authority is, in the simplest case, primarily based on relations of personal loyalty, cultivated through a common process of education. The person exercising authority is not a superior but a personal chief. His administrative staff does not consist primarily of officials, but of personal retainers. Those subject to authority are not members of any associations, but are either his traditional comrades or his subjects. What determines the relations of the

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administrative staff to the chief is not the impersonal obligations of office, but personal loyalty to the chief⁸."

In this case, there is no distinction between the public kingdom and the private domain, the private servant and the public officer, the public purse and the private purse. The very essence of patrimonialism consists in the idea that "the whole government authority and the economic rights which correspond to it, tend to be treated as privately appropriated economic advantages"⁹, and furthermore that "government powers and their associated advantages are treated as private rights"¹⁰. There is no distinction between public and private law¹¹. Although Max Weber did not really offer a systematic definition of patrimonialism, it can be understood from the above quotations that the defining characteristic of patrimonialism is the absence of a distinction between the public and the private domain. This implies a confusion between the public and the private sphere, in spite of the fact that a structural differentiation between what is public and what is private exists.

Patrimonialism extends the logics of patriarchalism beyond the limits of kinship and of the domestic household. Feudal domination is a borderline case of patrimonialism in the sense that it is a military based and decentralized form of patrimonialism. It is based on personal loyalty as patrimonialism, but both the lord and the vassal are patrimonial chiefs, and they are bound by quasi contractual reciprocal ties. Weber writes: "feudalism is a marginal case of patrimonialism that tends toward stereotyped and fixed relationships between lord and vassal"¹². Feudal domination corresponds in that case to one of the possible transformations of patrimonialism.

The confusion between the private and the public sector, which is at the heart of patrimonialism and also of feudalism, is precisely the main characteristic of African political life, and this is why patrimonialism is relevant to the study of the

⁸ Max Weber, *Economie et Société*, op. cit., p.431.

⁹ Max Weber, *Economie et société*, op. cit., p.352.

¹⁰ *ibidem*, p.353.

¹¹ Max Weber, *Economy and Society*, p.643.

¹² *ibidem*, p.1070.

African states. As I shall endeavour to show, it is a simple idea which has the advantage of subsuming a variety of different, but connected practices such as nepotism, clientelism, patronage, prebendalism, friendship ties, tribalism, ethno-regionalism, and corruption, which, in various degrees, are part of African political life. Most of the criticisms directed at the patrimonial approach of African states can be explained by the inability to grasp its nature, and the lack of a proper understanding of Weber's comparative methodology based on the ideal type. This failure is often shared by both the users of the concept and their critics. Many authors question the applicability of the concept because of its generality¹³. This is the case of Robin Theobald who criticises the indiscriminate application of patrimonialism to any society, as a catch all concept which then loses its analytical power¹⁴. What he criticises in fact is not patrimonialism as such, but rather the way it is used. The same kind of argument is chosen by Richard Joseph who suggests to replace patrimonialism by prebendalism, another and more restrictive weberian notion¹⁵. If the notion of prebend can be very effectively transposed to the African state, it is in fact just one among other patrimonial practices. It can be considered as a distinctive case of patronage: when a public servant or/and a political friend or follower is named at the head of a parastatal, one might say that he is offered the parastatal as a prebend or a benefice, in order to maintain himself. This includes the right to siphon off the resources of the parastatal for his own use. Richard Joseph is followed by Jean-François Bayart who considers that patrimonialism is too vast a generalization and is "mixing different kinds of practices under a generic label"¹⁶. He prefers to use the narrower notion of prebendal politics on one hand, and suggests the larger notion of "belly politics" on the other hand. The notion of "belly politics" is more an image than a concept and as such, it is appealing because it can grasp a plurality of meanings. When he characterises it as "the tendency to become wealthy or rather the tendency for

¹³ On the discussion about patrimonialism, see J-F Médard, *Etats d'Afrique noire*, op. cit., pp.328-331.

¹⁴ R. Theobald, *Patrimonialism*, World Politics, 1982, p.555.

¹⁵ R. Joseph, *Democracy and Prebendal Politics in Nigeria, the Rise and the Fall of the Second Republic*, Cambridge, Cambridge University Press, 1987.

¹⁶ J-F Bayart, *L'Etat en Afrique : la politique du ventre*, Paris, Fayard, 1986, p.104.

primitive accumulation by every means"¹⁷, we come very close to the idea of corruption or of patrimonialism. It is true that this notion can be applied beyond the sphere of the public to churches or to witchcraft. Indeed it can be useful and necessary to take into account indigenous representations. But what this approach gains in specificity it loses in comparability. This is precisely what Bayart is criticizing, when he speaks derogatively of "flat comparatism"¹⁸. If this last expression can be used properly to describe Almond's approach to comparative politics, there is nothing "flat" about Max Weber's methodology, as the reading of his second volume of *Economy and Society* shows.

In reality it is the very generality of the concept of patrimonialism which makes it useful, provided it is used as an analytical means of observing and interpreting concrete and empirical political reality without reifying the concept and confusing the abstract model with reality. The way Max Weber himself applies the ideal type of patrimonialism to so many radically different political systems such as Egypt, the Chinese and Byzantine empires, the Merovingian kingdom or European absolute monarchies, without reducing them to some kind of standardized notion, demonstrates that the generality of the concept can be heuristically confronted to the singularity of historical situations. Weber's methodology can help us to deal with the necessary tension between universalism and relativism. The forms taken by patrimonialism vary greatly from one historical and cultural background to another. In the African case this can be understood by taking into account: the logics of patrimonialism, the structure of opportunities and constraints, the various uses of different patrimonial practices, the strategies and the representations of actors, the discrepancies between the model and reality, etc.

However, the application of patrimonialism which, it must not be forgotten is a mode of traditional domination to modern political systems, has led many scholars to use the notion of neo-patrimonialism instead of the one of patrimonialism. It appears that it is important to distinguish between contemporary African political systems and traditional political systems. African states are not identical to Merovingian kingdoms or to

¹⁷ *ibidem*.

¹⁸ personal communication.

absolute monarchies. Contrasting traditional patrimonialism with modern neo-patrimonialism, allows us to avoid the error of a-historicity. This choice has been criticized by other scholars who prefer to stick to the notion of patrimonialism.

It must be noted that Max Weber himself took into account the case of patrimonialism without traditional legitimacy. He refers to what he calls "sultanism" when discretionary power, characteristic of patrimonialism, is not checked and limited by traditional norms and customs. This is what often happens in political systems based on conquest and pure military power. Is it then preferable to use the term of sultanism instead of patrimonialism, since present day African patrimonialism seems to correspond rather well to the case described by Max Weber? The terminology used here by Weber seems too historically dated. What is more important, the use of the term neo-patrimonialism has the advantage of pointing out the radical historical differences between the past and the present. The present Western states, characterized by an important degree of legal rationality have been developed from an overlapping of feudal and patrimonial kingdoms which transformed through the centuries into approximations of the legal rational and bureaucratic model. When Weber refers to absolute monarchies in Europe, like Louis XIV's kingdom, he speaks of bureaucratic patrimonialism. It is a way to stress the mixed dual nature of this state which combines in itself two contradictory logics, the logic of bureaucracy and the logic of patrimonialism. For example, if the "Intendants" are somehow the successors of the former "baillis" and the ancestors of the modern prefects, the administrative offices are still sold to make money for the war. The two contradictory forms coexist and are articulated together in the same system.

Now, if we choose to turn to the African state, we discover another mixed form, combining bureaucracy and patrimonialism, the product of a radically different historical trajectory. If, in Europe, the legal rational state proceeds from the feudal-patrimonial state, it is the reverse which has happened in Africa: an approximation of a legal rational state (in fact a rather mixed state) was exported to Africa through

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colonialization¹⁹. It was with the colonization that Africa discovered both the modern bureaucratic and the territorial state. But this state was already partly patrimonialized during colonization. J. Fremigacci has convincingly demonstrated that the state in French colonies was closer to the state of the "Ancient Regime" than to the state of the Third Republic²⁰. After independence, the bureaucratic apparatus was considerably developed, even over-developed. And at the same time, it was patrimonialized. It became over-developed more for patrimonial than bureaucratic reasons. In reality, both the bureaucratization and the patrimonialization of the state proceeded together. It is in this sense that we can speak of the patrimonialization of the African state. As the bureaucratic administrations were being multiplied, they were being patrimonialized at the same time, that is privately and informally appropriated by their agents. This patrimonialization of the state has brought about a "neo-patrimonial" state, a kind of hybrid of patrimonialism and bureaucracy. The formal structure of the state is bureaucratic, a written law exists, the civil servants are recruited through examinations²¹, but there is no real state of law and the functioning of the state is largely patrimonialized. The use of the prefix "neo" helps us to specify that we are facing an original historical mixed type which must not be considered as an ideal type²². Patrimonialism is the ideal type of reference. The degree of approximation of the African state to the ideal type of patrimonialism depends on the various states. Mobutu's Zaïre is (or was) very close to the ideal type, and can qualify as a sultanic-patrimonial state. The degree of approximation of the ideal state for each state varies, still we agree with the general statement that the African state is neo-patrimonial. In this sense, neo-patrimonialism is the statistically modal characteristic of the African state, it corresponds to the highest

¹⁹ J-F Médard, *L'africanisation du modèle occidental d'Etat*, in SGDN, *L'Afrique subsaharienne, sécurité, stabilité, développement*, Paris, La Documentation française, 1993, pp.139-153.

²⁰ J. Frémigacci, "L'Etat colonial français, du discours mythique aux réalités," Centre de recherches africaine, Université de Paris I, unpublished.

²¹ The importance of university diploma is such that some speak about a "diploma bourgeoisie".

²² For a discussion of neo-patrimonialism, see J-F Médard, *Etats d'Afrique noire*, op. cit., pp.331-336.

frequency. The relatively low level of patrimonialism in a state like Botswana should prevent us from calling it neo-patrimonial. The relatively high level of patrimonialism in most African states, together with the fact that they are not normatively oriented by traditional legitimacy, justifies the use of this label. Much depends then on the personal norms and personality of the leader. If we adopt this notion of neo-patrimonialism, it has to be defined not only as the lack of distinguishing between the public and private domains, but also as the non respect of this distinction when it is made. In the pure patrimonial situation, the distinction does not exist, in the neo-patrimonial situation the distinction is made, but rarely internalized, and even when it is, it is not respected.

This use of the prefix "neo" has been criticized by several scholars. I will not insist on Bigo's criticism²³ in which he does not make it clear whether he is against its use in general or in the case of Central Africa only, and who lacks an understanding of Max Weber writings. The comments of Alain Mescheriakoff are much more relevant because there was a lack of clarity in my first presentation of neo-patrimonialism: I was somewhat confusing the ideal type and the mixed type²⁴. He observes that I am using the prefix neo in an ambiguous way because it can have two meanings: either a resurgence in the present of an ancient phenomenon, or a simple transition between patrimonialism and modern conceptions of the state. This is why he prefers to stick to patrimonialism. In any case, I consider that in interpreting neo-patrimonialism only as a mixed and modal form, and not as an ideal type, there can be no more ambiguity²⁵. After having distinguished neo-patrimonialism from patrimonialism, we must now analyse the patrimonial core which is common to all African states.

²³ D. Bigo, *Pouvoir et obéissance en Centrafrique*, Paris, Karthala, 1989, pp.331-332.

²⁴ A. Mescheriakoff, *op. cit.*, pp.122-123.

²⁵ For a through discussion, see D. Compagnon, *Ressources politiques, régulation autoritaire et domination personnelle en Somalie, le régime Siyyad Barre (1968-1991)*, Thèse Science politique, Université de Pau et des Pays de l'Adour, 1995.

The Common Patrimonial Core

We will start by characterizing the logics of patrimonialism before reviewing the patrimonial practices.

The logics of patrimonialism

From the definition of patrimonialism characterized by the confusion between the public and the private sector, we can draw two consequences : the first one is the personalization of power - private means personal-, the second one is the lack of differentiation between what is political and what is economic. Economic and political resources, wealth and political power are directly exchangeable. This is very clear when you consider the behavior of the African politician, the African "big man"²⁶.

Power is personalized instead of being institutionalized in the sense that no distinction is made between the office and the person in charge of the office. They are formally and structurally differentiated, but not functionally. The public office is thus privatized by the officer in the sense that the public officer uses it as his private possession. This can be observed at every level of the state, from the top to the bottom. Political relations, as social relations in Africa, are personalized. The state does not exist as an abstraction. Every agent of the state uses his public position to extract resources from the state or from the people: if he is a policeman, he will extort money from the taxi drivers, if he is school-master he will ask for a bribe or a goat to register the children in school. If he is the head of a parastatal, he will steal the money from the corporation. At the top of the state personalized power becomes personal rule: the state is appropriated by its ruler and his entourage. Every ruler builds and manages his own system of personal power within and outside the state to accumulate political and economical resources: it is thanks to his personal network which infiltrates the party and the state apparatus, that he can control the state, extract resources for his own use and maintain his own network.

The second point is that because of the low degree of differentiation between what is economic, political and social,

²⁶ J-F Médard, *Le 'Big Man' en Afrique noire, esquisse d'analyse du politicien entrepreneur*, *L'Année sociologique*, 42, 1991.

the search for power, and the search for wealth and prestige turn out to be overlapping. The logics of accumulation is global instead of being differentiated. In a patrimonialized state, the access to the state becomes the main way of acquiring economic goods and wealth. And wealth gives access to power. There is a direct interaction between political and economic accumulation. Politics then become a kind of business with three main currencies: force, money and connections. The state becomes a pie or a cake to share. Because of this the nature of political competition changes. The stake of political competition is not only power as such but direct access to wealth, which means that the stakes of political competition are vital and much higher than in our democracies. This is what makes the institutionalization of the state and the democratization of politics much more difficult.

The practices of patrimonialism²⁷

Patrimonialism is practised through different means. Some, as nepotism and clientelism, are highly personalized and are related to the logics of social exchange, even if a very strong economic element is present. The other ones have a purely economic nature, and as such, obey the logics of market exchange: this is the case of economic corruption. The difference between the two kinds of exchanges is that, in the case of market exchange (as an ideal type), the exchange is impersonal. It is the degree of personalization of the exchange which makes a difference.

Because of the enduring prevalence of kinship ties in Africa, nepotism, as it is well known, permeates the functioning of the African states. The deepest sense of loyalty of individuals is oriented toward their family and their kins. On the other hand, the loyalty towards the state as such is extremely weak. This results in a tendency for public servants and politicians to mobilize the resources of the state to serve in priority of their relatives, the definition of a relative being much larger than in Western countries. It may include the whole tribe. The functioning of the administration, its recruitment, is often disrupted by nepotism. In addition the pressure of the family incites corruption. The family has invested in the education of a

²⁷ On the patrimonial practices, see J-F Médard, *The Underdeveloped State in Africa*, op. cit.

civil servant and wants its money back. Poison may even be resorted to. But normally the family functions as a kind of insurance device. In some cases, it is possible to speak of a nepotistic state, when the top of the state is in the hands of the family of the president, as in Equatorial Guinea. During the Kenyatta era in Kenya, there used to be a distinction between the "family" and the "Family" of the President. Very often the wives and children of the president eagerly participate in the plundering of the state and behave as though they were above the law, which they are.

As a combined mechanism of economic distribution and political control, usually associated to nepotism and "tribalism", clientelism and patronage are at the heart of patrimonialism. A clientele relationship can be defined as "a relation of personal dependency based on an reciprocal exchange of favors between two persons, the patron and the client who control unequal resources"²⁸. Clientelism is based on personal loyalty. Patronage is less personalized. It could be defined as a particularist mode of distribution of public resources in exchange of political support. Patronage, as "politics of distribution" or as the art of political favoritism, is one of the main tools of African "big men" to cultivate and maintain political loyalty. Prebendialism is one aspect of it. It takes the form of very instrumental gift giving practices, and remains strongly personalized, even if the partners do not know themselves personally: the president cannot know personally all of those who benefit from his largeness, but he knows about them, and expects returns of loyalty and support. This is one means of personalizing power. The president is always cautious in presenting as a gift, as a kind of grace, all the measures concerning the welfare of the population, such as, for example, an increase of salaries of the civil servants. But there are no favors without disfavours, favoritism is also disfavoritism, and grace implies disgrace. This is what makes the difference to the universalistic mode of distribution of the welfare state.

The clientele networks can permeate the whole society or parts of it, and they can be more or less centralized in the hands of the president. In case of decentralized clientelism, the president

²⁸ J-F Médard, "Le rapport de clientèle" : du phénomène social à l'analyse politique, *Revue française de science politique*, 26, 1, février 1976, p.103.

will play factions against factions. Clientelistic politics lead naturally to faction politics. It leads also to "court politics" as in the absolute monarchies where courtiers depended on the favor of the king. The political factions are articulated vertically in relation to the top, but they are themselves based on both vertical clientelistic ties and horizontal social exchanges and alliances, that is friendship ties. Clientelism can help transcend ethnicity²⁹.

What is called "tribalism" is related both to kinship ties, since the tribe is often represented as an extension of the family, and to clientelism and patronage. Ethnicity, as a wider notion than tribe, does not necessarily include the idea of kinship, and is often associated with regionalism (ethno-regionalism). Ethnic politics are part of the patronage system but represent a kind of preferential clientelism which is oriented towards the ethnic group. The mobilization of ethnic ties through favoritism, combined with the "scapegoating" of the other ethnic groups, is one of the current political survival tactics of African "big men". Recently there have been many examples to illustrate this, with Arap Moi in Kenya and Paul Biya in Cameroon. As it has been shown again and again, these ethnic conflicts are not traditional but modern even if they are rooted in African culture and that some of them find their historical origins in precolonial history. It is because of the existence of the state as a center of extraction and distribution, that there is ethnic conflict for the access to the monopoly of resources. Most of the separatist movements have been related to this problem of access to resources: they wanted to keep the resources of their soil for themselves (Biafra, Katanga).

These social practices of patrimonialism are all based on the confusion of the public and the private domain. If we refer to the values of traditional patrimonialism this is not corruption³⁰. It becomes corruption when the distinction between what is private and what is public is recognized, but not respected. In our perspective, it is corruption, even though the actors do not think it is. But it is empirically important to assess whether these practices are considered as being corrupt by the actors

²⁹ R. Lemarchand, "Political Exchange, Clientelism and Political Development in Tropical Africa", *Culture et Développement*, 1973.

³⁰ On corruption in Africa, J-F Médard, "Public Corruption in Africa: a comparative perspective", *Corruption and Reform*, 1, 1986, pp.115-131.

themselves or by part of the actors. This is less of a problem if we consider market corruption and not social exchange corruption because market corruption is not rooted in African culture.

Market corruption is a product of the monetization of the economy and of the emergence of the market as an institution. Some authors insisted on the continuity between modern bribing and traditional gift giving practices. This may be true, sometimes, but not necessarily so: when a soldier or a policeman on a road block is extorting money from you he is not trying to make friends with you: he is fighting for survival. This kind of behavior is certainly felt as corruption by the African population. This is only petty corruption, but when petty corruption is generalized as it often is, it disrupts completely the functioning of the administration. Grand corruption is practiced by the big men on a much larger scale and can be tolerated materially by society when the rate of extraction is moderate. This is not the case in Africa where often the bribes amount to 20% of the deals on the international market. This is what has been at the source of the proliferation of "white elephants". Here, the co-responsibility of foreign governments and businesses for the prevailing extension of external corruption, is clear³¹.

All these practices of patrimonialism are used in African states, but in different ways. Each leader combines them differently depending on the constraints and opportunities of the environment, on the cultural and individual perception, both cognitive, affective and moral, of his environment. But he will also have to deal somehow with the contradictions of patrimonialism.

³¹ J-F Médard, "Les relations Nord-Sud: l'Afrique, les démocraties occidentales et la corruption", to be published in *Revue Internationale de Politique Comparée*. See also "The Patrimonialization of Franco-African Relations", Joint sessions, ECPR, Leyden, Avril 1993, partly published under the title of "France-Afrique : des affaires de familles", in D. Dellaporta et Y. Mény, *Corruption et démocratie en Europe*, Paris, Editions de La découverte, 1995.

The Contradictions of Patrimonialism³²

If we try to assess the consequences of patrimonialism on African political systems, the first point to make is that it illustrates a failure in the institutionalization of the state³³. I have to add that it is also a mode of functioning of the state, and one can speak of a patrimonial mode of political regulation. In addition, when the private appropriation of the state is pushed to its paroxysm, the state is dissolved. We can then speak both of the failure and of the mode of functioning of the state. Eventually this mode of functioning of the state transforms itself into a mode of dissolution of the state.

The failure of the state

By definition, patrimonialism is inversely proportional to the degree of institutionalization of the state. In that sense patrimonialism illustrates the failure of one of the projects of the African founding fathers, who basically shared two aims, building a nation-state and promoting development. In addition, the failure of development is strongly related to the failure of the state. I do not have to describe at length the dysfunctions of the African state and its political, social and economic consequences: they are now well documented and publicized, after more than twenty years of silence. It is not exaggerated to speak of an underdeveloped state in the same way as one speaks of an underdeveloped economy. Since in some circles such a discourse is considered as ethnocentric, I will add that it is not ethnocentric to confront the African leaders with their own programme. In addition, if it is useful to try to consider the African political systems in themselves, it is also important to take into account their political performances and their mode of governance within a challenging political, economical and social environment.

How can this failure of the state be explained ? I do not think there is a single answer to such a question. I do not believe in determinist types of explanation even if I am aware of the force and nature of the constraints. However, I will suggest four directions of reflection.

³² J-F Médard, "Etatisation et désétatisation en Afrique noire", in J-F Médard, *Etats d'Afrique noire*, op. cit. ? "La patrimonialisation de l'Etat", *Politique Africaine*, 39, septembre 1990, pp.25-36.

³³ On this point J-F Bayart and I are disagreeing.

One reason which is often stressed is that the modern state has been imported to Africa through colonization. The colonial version of the state was based only on conquest and coercion. It was reduced to a purely administrative and foreign apparatus of constraint. Even if there was resignation, there could not be any legitimacy, since the political head of the state was in France. In addition the state was not the product of a multi-secular history, it was just brutally imposed from the outside. It was not the product of any indigenous dynamics. This is a strong enough reason to explain why the state as such has not been legitimized. But let's not forget that the rhetoric of African leaders was the rhetoric of the nation-state. This is what they were looking for because it was through the action of nation states that they had lost their independence. The building of a nation-state was for them the necessary consecration of their independence and the only model to follow. There was at the beginning a sincere aspiration to move from what the Nigerian sociologist Peter Ekeh calls the "primordial civic" to what he names the "civic public"³⁴. The first one is related to the community, it is rooted in private domestic ethics. The second one corresponds to the loyalty toward the state which has been exported by the colonizer: it is foreign to African ethics; it is even anomic: what belongs to nobody belongs to everybody. It seems that soon after independence, African leaders forgot about it. However, during the eighties a new aspiration developed in many African countries, such as Burkina Faso, particularly among the urban and educated youth, against corruption and patrimonialism. This was one of the aspects of the myth of Sankara. Later, the democratic movement corresponded in part to the same kind of aspiration.

The historical interpretation can be completed by a culturalist one, stressing the incompatibility of the modern state with African culture. This, according to Bertrand Badie, resulted in a rejection of the modern occidental type of state by African societies³⁵. There is some truth in the argument, but it must not be pushed too far. The modern state, in spite, or maybe rather because of its origins, has been reappropriated to a certain

³⁴ Peter Ekeh, "Colonialism and the two Publics in Africa: a Theoretical statement". *Comparative Studies in Society and History*, n°17, 1975.

³⁵ Bertrand Badie, *L'Etat importé*, Paris, Fayard.

degree by the elites. This interpretation gives the impression of enclosing Africans within their cultures. But cultures are not static and frozen in an intemporal past, they are dynamic and can transform themselves. This argument can be accepted insofar as it is not formulated in a deterministic way, and understood as an obstacle rather than an impediment to the institutionalization of the state. If it is true that one cannot understand anything without culture, on the other hand one cannot explain much with culture. We should also take into account both the constraints under which political leadership is exercised, and the qualities of leadership. In a context of personal rule, the idiosyncratic qualities of each leader make a difference: Nyerere was not Amin Dada, Senghor was not Bokassa, Houphouet-Boigny was not Mobutu. But one problem which the leaders have encountered was that they are facing a contradiction between their own political survival and the institutionalization of the state. They sometimes really want to reform and strengthen the state, because it is their long term interest: when Houphouet-Boigny attempted to reform the parastatals and the administration, he meant it; but when Houphouet had to face the political cost of reform, he stepped down³⁶. Almost every time, the political leaders have preferred their own short term political survival to reform. Worse, some of them, like Moi and Biya, engineered and manipulated ethnic conflict in order to stay in power. There has been a despairing absence of statesmen in Africa.

Another type of explanation which should be explored further, would be related to the weakness and fragility of the economic basis of the African state³⁷. Facing the structural weakness of the economic basis of the state, patrimonialism could correspond to a rational reaction in the face of this kind of situation. The question may be raised whether the institutionalization of the state can proceed when the state, because of the weakness of its economic basis, is condemned to be the rentier state of a rentier economy, the ruling class becoming the rentier class of a rentier state. The fact that the colonial state was obliged to reinvent the administrative patrimonial devices of the Ancient Regime, because it did not have the material means of its ambitions, is

³⁶ N'Goran, *La réforme de l'administration publique en Côte d'Ivoire*, Thèse, Etudes Africaines, CEAN-IEP, Bordeaux I.

³⁷ J-F Médard, *Etatisation et désetatisation en Afrique noire*, op. cit. p.335-336.

extremely characteristic. Is there some kind of economic precondition to the building of an institutionalized state ? Some degree of economic development seems a precondition for the strengthening and the institutionalization of the state. Since some degree of institutionalization of the state appears to be also a precondition of development, it seems that both the institutionalization of the state and economic development should proceed in interaction.

The present condition of the state in Africa, may then correspond to a kind of political system more or less adapted to the situation of the present African society. This neo-patrimonial state, while at the same time a failure of the state, should be considered also as a mode of functioning of the state.

**A mode of operation of the state:
The patrimonial mode of political regulation**

The neo-patrimonial state has been able to function, in its own way, for more than twenty years in some African countries, those corresponding, according to Achille Mbembe, to the "useful Africa". The stability of some African leaders, in contrast to many others which faced military coups, can be considered as a political performance in itself. They succeeded in surviving and prospering because they were able to mobilize and manage the necessary resources, both economic and political, internal and external. These states, as Ivory Coast, Cameroon, Gabon or Kenya not only have succeeded in preserving political stability, but also in setting the conditions favorable to economic growth, if not to economic development. The leaders could extract a surplus from the flow of resources generated by this growth. The marketing boards were very instrumental, together with internal, and even more, international corruption. The patrimonial mode of political regulation entails, first, an encouragement of economic growth for the generation of a surplus to extract, second, modes of extraction of the surplus, and third, a rational political redistribution of the surplus in order to nurture political support. Since an important share of the fruits of growth must be subtracted in order to be reinvested politically, this is very costly from the point of view of economic

development³⁸. What is invested politically cannot no longer be invested in economic production.

But what is considered as a waste from the point of view of economic development can be politically very productive in terms of political resources. This is one aspect of the contradictions between patrimonialism and development³⁹. This does not mean, far from it, that all the economic waste, is politically productive. In any case, if a minimum of political order through force and redistribution is not maintained, the conditions for economic growth, and then for economic development, are not fulfilled. But when the resources are mismanaged, both politically and economically, or when the prices of raw material are dropping, and the economic crisis is spreading, the resources to distribute decrease, the possibility of redistribution becomes limited: the political crisis follows the economic crisis. This is what happened at the end of the eighties and it led to the deligitimation of the authoritarian regimes and the birth of the democratic movement. We see then, how neo-patrimonialism can be interpreted not only as a failure of the state, but simultaneously, as a mode of acclimatization of the modern state to African society. In other cases, it has been the exacerbation of patrimonialism which has generated the political crisis and led to the dissolution of the state.

The dissolution of the state

When patrimonialism is exacerbated it becomes self destructive. When the private appropriation of the state by its leader and the ruling class goes too far, it destroys the very economic bases of the state. Patrimonialism supposes the existence of public resources to exploit. When the public resources have gone, there is nothing left "to eat". This is what was happening in Uganda under Amin Dada and Obote. There was little left to plunder. Since the salaries of the public servants could at most pay for one day of family survival, one could wonder why there still were civil servants. They were trying to survive through "magendo", and for that they still needed to be attached to the state. It was also a matter of prestige. If we take the case of Sierre Leone, one recent study has shown that the political class is still in power

³⁸ See J. Coussy, "Economie et politiques du developpement", in D. Martin et C. Coulon, *Afrique Politique*, Paris, La découverte, 1991.

³⁹ R. Sandbrook, *op. cit.*, pp.14-41.

not because of its position at the top of the state, but because of its role in the smuggling of diamonds⁴⁰. In many African states, one observes a tendency to what has been called by J-F Bayart the "criminalization of the state"⁴¹. The state is transformed into a mafia state. This is developing in connection with the extension of world wide mafia networks involved in all kinds of illegal businesses, including drug traffic (Nigeria, Equatorial Guinea), and sometimes in connection with uncon-trolled (?) elements close to some foreign governments⁴².

Mobutu's Zaire is typical of this situation. He has managed to survive in spite of the decline of the country's economic and political resources⁴³. His economic base has shrunk to false money and diamonds which are fungible and easy to transport. As long as Mobutu can pay his presidential guard, he will control the regions and cities which are strategic to his survival. Roland Pourtier speaks of an "Archipelago state"⁴⁴. It is no longer a territorial state, because large parts of the territory are beyond Mobutu's permanent reach. The railways and road⁴⁵ infrastructure have disappeared. The state has been dissolved, but Mobutu still rules. He cannot even be toppled by a coup, since he lives far away in northern Zaire in the province of

⁴⁰ W.Reno, *Corruption and State Politics in Sierra Leone*, 1994, Cambridge, University of Cambridge Press, 1994.

⁴¹ Unpublished report.

⁴² Coalition pour amener à la raison démocratique la politique africaine de la France, "Les liaisons mafieuses de la Françafrique", Agir ici, 14 passage Dubail, 75010 Paris 1995.

⁴³ M-F Bernard, "Système Mobutu et gestion des ressources politiques, mémoire DEA d'Etudes Africaines, CEAN-IEP de Bordeaux, 1994.

⁴⁴ R. Pourtier, "Zaire : L'Etat archipel", *Herodote*, 65-66, 2ième-3ième trimestre 1992, pp.266-290.

Equatoria, and when he comes close to Kinshasa, he stays on his boat protected by his guard.

The question is raised, whether the situation we observe in countries like Sierre Leone, Liberia or Zaïre is going to spread further and contaminate other African countries. In these extreme cases of patrimonialism, the personal responsibility of the leader in power is involved. There is no structural determinism which can explain the way Mobutu behaves.

Patrimonialism...