Book Review

***Africa: Unity, Sovereignty, and Sorrow.* By Pierre Englebert. Boulder, CO: Lynne Rienner, 2009. 310 pp. $65.00 cloth/$26.50 paper.**

This is something of a jubilee year for Africa, marking half a century from that *annus mirabilis* of 1960 when no fewer than eighteen colonial territories across the continent were given their independence. It might seem churlish, but—aside from literally a handful of truly exceptional cases—one might legitimately ask what there is about these anniversaries that is to be celebrated. By almost any measure of progress or index of well-being, the vast majority of the states of sub-Saharan Africa have failed their citizens. Twenty-two of the twenty-four countries characterized by the United Nations Development Programme's annual Human Development Report as having "low human development" are in sub-Saharan Africa; conversely, with the exception of Mauritius and Seychelles—two island states in the Indian Ocean that belong to the African Union (AU)—no African country placed among the forty-five states enjoying "high human development" (no country in Africa figured among the thirty-eight with "very high human development" indicators).[1] Nor are sub-Saharan African states as a group living up to the hopes of their citizens at independence with respect to political freedom and civil liberties: According to the most recent edition of Freedom House's *Freedom in the World* report, only nine countries—Benin, Botswana, Cape Verde, Ghana, Mali, Mauritius, Namibia, São Tomé and Príncipe, and South Africa—were qualified as "free."[2]

Thus, while there is certainly variation among the forty-eight sub-Saharan African countries, and some of them have admittedly made heroic strides in recent years, it is difficult overall to contest the damning *j'accuse*

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[1]See United Nations Development Programme, *Human Development Report 2009. Overcoming Barriers: Human Mobility and Development* (New York: Palgrave Macmillan, 2009), 143–145.

[2]Freedom House, *Freedom in the World, 2010 Edition,* available at http://freedomhouse.org/template.cfm?page=363&year=2010 (accessed August 1, 2010).

delivered by Pierre Englebert at the very beginning of his new book, *Africa: Unity, Sovereignty, and Sorrow*, that:

> Most of them . . . have not brought about or facilitated much economic or human development for their populations since independence. Often, they have caused their people much havoc, misery, uncertainty, and fear. With some exceptions, African states have been, mildly or acutely, the enemies of Africans. Parasitic or predatory, they suck resources out of their societies. At the same time, weak and dysfunctional, many of them are unable or unwilling to sustainably provide the rule of law, safety, and basic property rights that have, since Hobbes, justified the very existence of states in the modern world. (p. 1)

The tragic story of how Africa has fallen prey to what Ghanaian-born economist George Ayittey memorably termed its "vampire elites"[3] is all too well known and the subject of, sadly enough, a vast literature to which some of the most distinguished and creative scholars of Africa have contributed. What is more rarely contemplated is why, if they have so manifestly failed to carry out even the most basic of their responsibilities, Africa's states have nonetheless endured. As this reviewer chronicled a few years ago, the African continent is actually quite exceptional for having retained essentially unchanged borders fixed in the late nineteenth century, a feat that international society has repeated nowhere else, even in Latin America where the international juridical principle of *uti possidetis* originated in the affirmation of the boundaries inherited by the newly independent states from the Spanish empire.[4] This dogged persistence is all the more remarkable when one considers not only the contrived and artificial nature of the African state, but the surreal expectation that the continent's postindependence leaders would somehow forge polities out of heterogeneous groups of peoples and cultures that were not only stable but also accepted by its citizens as legitimate and thus would be, hopefully, sufficiently empowered by them to exercise the minimal functions of statehood, including control over national territory, oversight of natural resources, effective and rational collection of revenue, maintenance of adequate national infrastructure, and the upholding of law and order, including respect for basic human rights. The monumental nature of this challenge was sketched out by the biographer of the Luso-African revolutionary Amílcar Cabral, British Africanist Patrick Chabal, who has observed:

> Once the nationalists had gained independence and captured the state, they faced the difficult prospect of building on foundations which were

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[3]George B. N. Ayittey, *Africa in Chaos* (New York: St. Martin's Press, 1998), 278.

[4]See J. Peter Pham, "African Constitutionalism: Forging New Models for Multi-Ethnic Governance and Self-Determination," in *Africa: Mapping New Boundaries in International Law,* ed. Jeremy I. Levitt (Oxford: Hart Publishing, 2008), 183–203.

rarely as solid as they would have wished them to be. Few African countries were "natural" nation-states, that is geographically, ecologically, ethnically, culturally, economically, socially or politically homogenous, cohesive or even coherent. Most are amalgams or patchworks, with predictable consequences for the nation-builders. Some were hardly plausible candidates for nationhood. In almost all cases, therefore, the task of constructing an African nation-state was difficult, on balance more difficult (though in different ways) than it had been in Europe, Asia or Latin America.[5]

Yet, despite their poor initial prospects, sub-Saharan Africa's states have evinced a striking resilience that continually confounds those who expecting their imminent demise. In his new volume, which follows on an earlier, well-regarded monograph on the impact of African state legitimacy (or lack thereof) on sustainable development,[6] Englebert, a professor of politics at Pomona College, tries to resolve the apparent paradox of how, "given its very weakness and the multiplicity of adaptive institutional arrangements devised by Africans to deal with its shortcomings and avoid its exactions" (p. 41), the African state has not simply disappeared.

Some of the earlier scholars whose work Englebert acknowledges drawing upon—most notably Robert Jackson and Carl Rosberg[7]—focused on the international community's recognition of the "juridical statehood" of the former colonial possessions and how that sovereignty on the international level enabled regimes to resist domestic challenges to their rule. Others, like William Reno, zeroed in on the advantages to be had by potential regime challengers if they maintained the legal cover of failed, but nonetheless "sovereign," states for "shadow" transactions that they could arbitrage to their profit.[8] In this reviewer's own study of the Liberian civil wars between 1989 and 2003, it was found that the various warlords were "not constrained by the traditional requirements of a state actor and, consequently, enjoyed the advantages of a global market while the *de jure* governments in Monrovia were saddled with its disadvantages, including accountability for past sovereign debt."[9] They did not, however, address why those marginalized by the African state and who are not in a position to exploit its weaknesses do not challenge the state itself, but instead generally limit themselves to taking issue with its representatives. As Englebert notes, "even the few separatist

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[5]Patrick Chabal, *Power in Africa: An Essay in Political Interpretation* (New York: St. Martin's Press, 1992), 120–121.

[6]See Pierre Englebert, *State Legitimacy and Development in Africa* (Boulder, CO: Lynne Rienner, 2000).

[7]See Robert H. Jackson and Carl G. Rosberg, "Why Africa's Weak States Persist: The Empirical and Juridical in Statehood," *World Politics* 35, no. 1 (October 1982): 1–24.

[8]See William Reno, *Warlord Politics in African States* (Boulder, CO: Lynne Rienner, 1999).

[9]J. Peter Pham, *Liberia: Portrait of a Failed State* (New York: Reed Press, 2004), 124.

insurgencies among Africa's rebellions also reproduce the postcolonial state to the extent that they usually call for the independence of their region on the grounds of a past colonial existence" (p. 50), citing the examples of Eritrea, Somaliland, and Western Sahara.[10]

Englebert explains that even a state that cannot perform its functions nevertheless retains "a residual of command" in that "the institutions and officers of the failed state continue to carry some authority" (p. 62). That is to say, in the majority of African states, where regime legitimacy is tenuous at best and the means of violence readily available, international recognition still confers something of value: "Because the state is defined by its legality rather than its effectiveness, this power of command survives its failure or the erosion of its effective capacity" (ibid.). Thus, that which endures in the African state is legal command, that is, the capacity to control, dominate, extract, or dictate through invocation of "the law"—the very state functions that are the least dependent on domestic institutional effectiveness and the most on sovereign status. The author describes the situation in the rather ironically named Democratic Republic of Congo (formerly Zaïre and, before that, the Belgian Congo), where he did extensive field research for the present volume:

> In the DRC, the national hierarchy of command includes ministers, secretaries-general, directors, division chiefs, and bureau chiefs. It continues at the provincial and urban levels with chiefs of provincial divisions, provincial bureau chiefs, section and cell chiefs, chiefs of urban services, chiefs of sections and cells, and chiefs of subsections and sub-cells. Communal administrations add layers. In Lubumbashi, for example, city officials include mayors, burgmeisters, chiefs of neighborhoods (*quartiers*), chiefs of cells, and street chiefs. Each *street* thus has a chief who is in some measure an agent of the state. Of course, there are also innumerable people in nonchiefly positions at all these levels, who carry authority over regular citizens, including clerks, advisers, assistants, secretaries, and more. In each case, the major function of these administrative layers is command, the ordering around of people. (p. 63)

The perversity of it all is that it becomes less relevant whether or not the commands issued by all these officials are obeyed or not, for even evasion of the "law" gives power to them: "In the DRC, one can either try to have all the required documents for driving around town or purchase a 'certificate of loss of documents' at the police station . . . Thus one needs the state to bypass it"

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[10]See idem, "Not Another Failed State: Toward a Realistic Solution in the Western Sahara," *Journal of the Middle East and Africa* 1, no. 1 (January–June 2010): 1–24; also see idem, review of *Somaliland: An African Struggle for Nationhood and International Recognition,* by Iqbal D. Jhazbhay, *Journal of the Middle East and Africa* 1, no. 1 (January–June 2010): 139–144.

(p. 65). In contrast, although nonsovereign actors can regulate activities in areas they control, they face the constraint that they need to retain effective control in order to command anything and hence cannot distribute and devolve power to their supporters the way a sovereign state can. Further-more, the state's prerogative of legal command assures those in formal positions of authority that they can trade on their offices:

> Not only does sovereignty maintain the state's exchange value, but it does so, like an overvalued currency, at an artificially high level, unwarranted by the state's weakness. Without sovereignty, the largely incapable institutions of weak states would be mostly devoid of com-mand and thus broadly worthless in terms of personal power and priv-ate appropriation. As a result, they would likely confront institutional competition. But sovereignty shields them from such competition and confers upon them monopoly rents, offering those associated with them benefits above and beyond their social utility. State agents are thereby able to extrat a sovereign surplus from their fellow citizens. (p. 80)

Englebert then tests his theoretical model against a number of case studies that demonstrate both the compliance of African peripheral elites to the postcolonial state project and acquiescence of such separatist move-ments that have emerged to the same agenda, even if their exponents would not be wont to admit as much. For example, his highly informative accounts of Anglophone Cameroon, the Kivu provinces in the DRC, the Biafra and Delta regions of Nigeria, and Barotseland in Zambia show how regional elites gave up claims to self-determination in exchange for local access to the prerogatives of legal command.

This cooptation, however, comes at a cost. Englebert contends that "nationalist sentiments are stirred by African elites to make juridical states appear natural, hide the private nature of state theft, reduce the realm of the politically thinkable, and divert the blame for development failure onto others, particularly the West" (p. 198). This recourse to a contrived national-ism leads, especially in times of scarcity, to rulers being tempted to use legal command to challenge the citizenship of various groups and singling out cer-tain communities (i.e., those of their supporters) as more "authentically" national than others. Exclusionary nationalism can be a problem at the state level, as has been the case in Côte d'Ivoire where a civil war (2002–2007) was fought essentially over national identity (*Ivoirité*), or the substate level, as has repeatedly occurred in Nigeria in the disputes over which groups were "original" inhabitants of one or another of the states of the federation. The political manipulation of nationalism threatens the "plural softness" of the postcolonial African state that has thus far enabled its survival. The result is a vicious cycle that cannot but retard governance, democracy, and develop-ment on the continent.

Englebert rounds out his clear, but sober, analysis with a chapter devoted to what he calls his "rational policy fantasies" (p. 243). Reminding his reader both of the colonial origins of African states and that it is "our recognition of states limits what policies are possible" (p. 245), the author then follows the evidence he has amassed to its logical conclusion:

> Wipe away this sovereignty bias with a blanket removal of Africa's post-colonial states. Considering them to be the contemporary manifestation of colonialism, one could simply refuse to recognize them. This is not to imply that one could not trade with their producers, arrange air links with them, or develop other forms of economic interactions, but there would be no diplomatic recognition…While African rulers would certainly attack such a policy as a disregard for their people's sovereignty, it is really only their own prerogatives as sovereign rulers that would be affected. (p. 246)

According to Englebert, who cites Taiwan and Somaliland as examples, a lack of diplomatic recognition can actually be a powerful incentive for governments to develop better governance capacities as they must make up in domestic legitimacy what they lack in internationally recognized sovereign status. The author also suggests that a policy of derecognition might be complemented by one which offers sovereignty "*ex post* to authorities that have already demonstrated their willingness and capacity to serve their populations" (p. 251), inverting current international practice by using diplomatic recognition to endorse effective states rather than to create nonviable artifices. "If a state's recognition were a function of its performance, rather than its previous existence as a colony," he argues, "the pursuit of effective institutions would be compatible with individual and communal quests for resources" (p. 251).[11]

Africa: Unity, Sovereignty, and Sorrow is, in the best sense of the term, a provocation. Englebert gathers a vast amount of data (to which this review cannot do justice) and combines it with considerable historical knowledge to produce some powerful insights into the nature and (dys)function of the postcolonial African state. He then courageously trespasses the boundaries of political correctness to advocate policies which might actually alleviate the crushing structural burden that juridical sovereignty has imposed for half a century on hundreds of millions of ordinary Africans. Not only does

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[11]See idem, "Imagining the Congo Secure and Stable," *RUSI Journal* 153, no. 6 (December 2008): 38–43, in which this reviewer argued with respect to the DRC: "It may be time to recognise that the far more sustainable path is to allow local polities the space to coalesce as they will and to arrive at resolutions which their peoples find adequate for their own security and in conformity with their traditional notions of legitimacy…Quite simply, the Congo may be too immense and its problems so great that, without significant innovation in how the international community approaches the challenges, it is impossible to envisage real peace and stability, much less sustainable development."

this reviewer heartily recommend this work for its rare combination of rigorous scholarship, compelling narrative, and innovative prescriptions, but having himself previously inveighed against artificial states that "have not survived on internal legitimacy but on foolhardy international recognition" and that the international community needs "to face up to the reality that in some cases 'nation breaking' is precisely what is required to escape the cycle of violence at the root of the crises and lift the heavy burden of humanitarian intervention,"[12] he cannot but endorse the author's impassioned plea for reform.

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[12]Idem, "Do Not Resuscitate," *The National Interest* 94 (March–April 2008): 21.