



Why Africa's Weak States Persist: The Empirical and the Juridical in Statehood

Robert H. Jackson, Carl G. Rosberg

World Politics, Volume 35, Issue 1 (Oct., 1982), 1-24.

Your use of the JSTOR archive indicates your acceptance of JSTOR's Terms and Conditions of Use, available at <http://www.jstor.org/about/terms.html>. JSTOR's Terms and Conditions of Use provides, in part, that unless you have obtained prior permission, you may not download an entire issue of a journal or multiple copies of articles, and you may use content in the JSTOR archive only for your personal, non-commercial use.

Each copy of any part of a JSTOR transmission must contain the same copyright notice that appears on the screen or printed page of such transmission.

World Politics is published by Johns Hopkins University Press. Please contact the publisher for further permissions regarding the use of this work. Publisher contact information may be obtained at <http://www.jstor.org/journals/jhup.html>.

World Politics
©1982 Johns Hopkins University Press

JSTOR and the JSTOR logo are trademarks of JSTOR, and are Registered in the U.S. Patent and Trademark Office. For more information on JSTOR contact jstor-info@umich.edu.

©2001 JSTOR

WHY AFRICA'S WEAK STATES PERSIST: The Empirical and the Juridical in Statehood

By ROBERT H. JACKSON and CARL G. ROSBERG*

INTRODUCTION

BLACK Africa's forty-odd states are among the weakest in the world. State institutions and organizations are less developed in the sub-Saharan region than almost anywhere else; political instability (as indicated by coups, plots, internal wars, and similar forms of violence) has been prevalent in the two-and-a-half decades during which the region gained independence from colonial rule. Most of the national governments exercise only tenuous control over the people, organizations, and activities within their territorial jurisdictions. In almost all of these countries, the populations are divided along ethnic lines; in some, there has been a threat of political disorder stemming from such divisions; in a few, disorder has deteriorated into civil warfare. Some governments have periodically ceased to control substantial segments of their country's territory and population. For example, there have been times when Angola, Chad, Ethiopia, Nigeria, Sudan, Uganda, and Zaire have ceased to be "states" in the empirical sense—that is, their central governments lost control of important areas in their jurisdiction during struggles with rival political organizations.

In spite of the weakness of their national governments, none of the Black African states have been destroyed or even significantly changed. No country has disintegrated into smaller jurisdictions or been absorbed into a larger one against the wishes of its legitimate government and as a result of violence or the threat of violence. No territories or people—or even a segment of them—have been taken over by another country. No African state has been divided as a result of internal warfare. In other words, the serious empirical weaknesses and vulnerabilities of some African states have not led to enforced jurisdictional change.

* We gratefully acknowledge the comments of Leonard Binder, Alan C. Cairns, David Gordon, Ernst B. Haas, F. John Ravenhill, and George von der Muhll on an earlier version of this paper, which was delivered at the 1981 Annual Meeting of the American Political Science Association in New York City.

Why not? How can the persistence of Africa's weak states be explained? In order to answer the latter question, we must enquire into contemporary African political history as well as into the empirical and juridical components of statehood. An investigation of this question has implications not only for our understanding of African states and perhaps other Third World states, but also of statehood and contemporary international society.

THE CONCEPT OF STATEHOOD

Many political scientists employ a concept of the state that is influenced by Max Weber's famous definition: a corporate group that has compulsory jurisdiction, exercises continuous organization, and claims a monopoly of force over a territory and its population, including "all action taking place in the area of its jurisdiction."¹ As Weber emphasized, his definition is one of "means" and not "ends," and the distinctive means for him are force.² A definition of the state primarily in terms of means rather than ends—particularly the means of force—emphasizes the empirical rather than the juridical, the *de facto* rather than the *de jure*, attributes of statehood. This emphasis is undoubtedly an important element in the appeal of Weber's sociology of the state to political scientists. To be sure, Weber does not overlook the juridical aspects of statehood. However, he does not explore what many students of international law consider to be the true character of territorial jurisdiction: the reality that such jurisdiction is an international legal condition rather than some kind of sociological given.

By Weber's definition, the basic test of the existence of a state is whether or not its national government can lay claim to a monopoly of force in the territory under its jurisdiction. If some external or internal organization can effectively challenge a national government and carve out an area of monopolistic control for itself, it thereby acquires the essential characteristic of statehood. According to Weber's *de facto* terms of statehood, two concurrent monopolies of force cannot exist over one territory and population. In situations where one of several rival groups—that is, claimant states—is unable to establish permanent control over a contested territory, Weber would maintain that it is more appropriate to speak of "statelessness."

By Weber's definition, a few of Africa's governments would not qualify as states—at least not all of the time—because they cannot

¹ Weber, *The Theory of Social and Economic Organization*, ed. by Talcott Parsons (New York: Free Press, 1964), 156.

² *Ibid.*, 155.

always effectively claim to have a monopoly of force throughout their territorial jurisdictions. In some countries, rivals to the national government have been able to establish an effective monopoly of force over significant territories and populations for extended periods—for example, Biafra in Nigeria and Katanga in the Congo (now Zaire). In other countries—such as Chad and Uganda—some of the territories have not been under the continuous control of one permanent political organization, and a condition of anarchy has existed. Furthermore, the governments of many Black African countries do not effectively control all of the important public activities within their jurisdictions; in some, government is perilously uncertain, so that important laws and regulations cannot be enforced with confidence and are not always complied with. If the persistence of a state were primarily the result of empirical statehood, some sub-Saharan African countries would clearly not qualify as states some of the time. Yet it is evident that all of them persist as members of the international society of states; it is also evident that none of the claimant governments that have on occasion exercised *de facto* control over large territories and populations within the jurisdictions of existing states have yet succeeded in creating new states in these areas.

Definitions that give priority to the juridical rather than the empirical attributes of statehood are employed by international legal scholars and institutionally oriented international theorists. One such definition—which shares a number of characteristics with Weber's, but gives them a different emphasis—is that of Ian Brownlie, a British legal scholar. Following the Montevideo Convention on Rights and Duties of States, Brownlie describes the state as a legal person, recognized by international law, with the following attributes: (a) a defined territory, (b) a permanent population, (c) an effective government, and (d) independence, or the right "to enter into relations with other states."³

If the assumption of juridical statehood as a sociological given is a shortcoming of Weber's definition, a limitation of Brownlie's is the tendency to postulate that the empirical attributes of statehood—i.e., a permanent population and effective government—are as definite as the juridical attributes; they are not. What does it mean to say that a state consists, *inter alia*, of a permanent population and an effective government? Our research reveals that within sub-Saharan African states, these empirical properties have been highly variable, while the juridical components have been constant. Kenya's population has been more

³ Brownlie, *Principles of Public International Law*, 3d ed. (Oxford: Clarendon Press, 1979), 73-76.

“permanent” and its government more “effective” than Uganda’s; yet both states have survived as sovereign jurisdictions. Moreover, an exclusively legal approach cannot adequately deal with the empirical properties of statehood: “Once a state has been established, extensive civil strife or the breakdown of order through foreign invasion or natural disasters are not considered to affect personality.”⁴ In the formulation of concepts, empirical properties can be determined only by investigation, not by definition.⁵ Although Brownlie recognizes the need to incorporate empirical criteria into a “working legal definition of statehood,”⁶ he acknowledges (as do other scholars) that there is considerable difficulty in employing these criteria without specifying them concretely. Nonetheless, his definition enables us to undertake an analysis of the empirical as well as the juridical aspects of statehood—that is, a sociological-legal analysis.

Political scientists do not need to be convinced of the limitations of an exclusively legalistic approach to the state, which is usually summed up as “legal-formalism”: an undue emphasis on abstract rules, leading to the neglect of concrete behavior and the social conditions that support or undermine legal rules.⁷ What is more difficult is to convince a generation of political scientists whose theories and models were formulated in reaction to legal, institutional, and philosophical studies of the state, of the limitations of an exclusively sociological conception of statehood. However, if one assumes that the state is essentially an empirical phenomenon—as was suggested not only by Weber but also by David Easton in a systems approach that has been very influential—one cannot explain why some states manage to persist when important empirical conditions of statehood are absent, or are present only in a very qualified manner.⁸ In sum, one cannot explain the persistence of some “states” by using a concept of the state that does not give sufficient attention to the juridical properties of statehood.

THE EMPIRICAL STATE IN BLACK AFRICA

Weber’s and Brownlie’s definitions of statehood provide a useful point of departure for examining empirical and juridical statehood in con-

⁴ *Ibid.*, 75.

⁵ See Giovanni Sartori, “Guidelines for Concept Analysis,” in Sartori, ed., *Social Science Concepts: A Systematic Analysis* (forthcoming).

⁶ Brownlie (fn. 3), 75.

⁷ See Harry Eckstein’s brilliant critique, “On the ‘Science’ of the State,” in “The State,” *Daedalus*, Vol. 108 (Fall 1979), 1-20.

⁸ Easton avoids the concept of the “state” in favor of that of the “political system”; see *The Political System: An Inquiry into the State of Political Science* (New York: Knopf, 1953), 90-124.

temporary Black Africa. (Juridical statehood is discussed in the following section.) We shall begin with Brownlie's definition, which is more explicit and current. As we noted above, Brownlie specifies two empirical attributes of the state: "a permanent population [which] is intended to be used in association with that of territory, and connotes a stable community," and an "effective government, with centralized administrative and legislative organs."⁹

Before we can apply Brownlie's empirical attributes to our analysis, we must clarify them. First, what exactly do we understand by "a stable community" and its crucial empirical component, "a permanent population"? In attempting to define these terms in the context of contemporary Africa, we find that political sociology may be of considerably more help than law. In political sociology, societies are seen as integrated or disunited, culturally homogeneous or fragmented—resting on common norms and values or not. If we take "a stable community" to signify an integrated political community resting on a common culture, we must conclude that few contemporary Black African states can be said to possess this attribute. The populations of many Black African countries are divided internally among several—and often many—distinctive ethnic entities by differences of language, religion, race, region of residence, and so forth. Moreover, these ethnic cleavages can reinforce each other, thus aggravating the differences. In Sudan, for example, the racial division between Arabs and Africans is reinforced by geography, religion, and language; it has resulted in bitter conflicts over the control of the state. Furthermore, many ethnic entities are divided by international boundaries, with members residing in two or more countries; however, the social and political boundaries between these ethnic entities may well be more significant in terms of public attitudes and behavior than are the boundaries between the countries. As a result, political tensions and conflicts arising from ethnic divisions can seriously affect national political stability and the capacity of governments to control their territories.

From our discussion, it appears that few African states can qualify as stable communities. Where ethnic divisions have been politicized, the result has been serious civil conflict. Thus, ethnic divisions have been a major factor contributing to extreme disorder or civil war in the following countries: Sudan (1956-1972); Rwanda (1959-1964); Zaire (1960-1965; 1977-1978); Ethiopia (1962-1982); Zanzibar (1964); Burundi (1966-1972); Chad (1966-1982); Uganda (1966; 1978-1982); Nigeria (1967-1970); and Angola (1975-1982). In other countries, ethnic divisions have

⁹ Brownlie (fn. 3), 75.

been sufficiently threatening to prompt governments to control political participation severely out of fear that they would otherwise jeopardize their command of the state.¹⁰ Recent African politics have been characterized by the opposition of most African governments to competitive party systems, their preference for political monopoly generally, their lack of sympathy for federalism, and their attack on political liberties (among other things). All of these can be explained at least in part by the governments' fear of politicized ethnicity. Efforts by African governments to emphasize the "nation" and "nationalism" at the expense of the "ethnos"—efforts that are evident elsewhere in the Third World as well—indicate their concern about the instability of their political communities and the threat posed by that instability not only to individual governments, but to statehood itself.¹¹

Second, by "an effective government" Brownlie means exactly what Weber means by "compulsory jurisdiction": centralized administrative and legislative organs.¹² Such a definition is somewhat Eurocentric because it identifies governing not only with administering, but also with legislating. In contemporary Africa, governments do not necessarily govern by legislation; personal rulers often operate in an arbitrary and autocratic manner by means of commands, edicts, decrees, and so forth.¹³ To make this empirical attribute more universal, let us redefine it as a centralized government with the capacity to exercise control over a state's territory and the people residing in it. By "exercise control" we mean the ability to pronounce, implement, and enforce commands, laws, policies, and regulations.

The capacity to exercise control raises the question of means. Analytically, the means of government can be considered in terms of the domestic authority or right to govern (legitimacy) on the one hand, and the power or ability to govern on the other. In Michael Oakeshott's terms, the modern state consists, among other things, of both an "office of authority" and "an apparatus of power"; the two are analytically different and should not be confused.¹⁴ For example, governmental

¹⁰ See Nelson Kasfir, *The Shrinking Political Arena: Participation and Ethnicity in African Politics, with a Case Study of Uganda* (Berkeley, Los Angeles, London: University of California Press, 1976).

¹¹ See Clifford Geertz, "The Judging of Nations: Some Comments on the Assessment of Regimes in the New States," *European Journal of Sociology*, xviii (No. 2, 1977), 249-52.

¹² Brownlie (fn. 3), 75; Weber (fn. 1), 156.

¹³ See Robert H. Jackson and Carl G. Rosberg, *Personal Rule in Black Africa: Prince, Autocrat, Prophet, Tyrant* (Berkeley, Los Angeles, London: University of California Press, 1982).

¹⁴ See Michael Oakeshott, "The Vocabulary of a Modern European State," *Political Studies*, xxiii (June and September, 1977), 319-41, 409-14.

administration usually involves the (delegated) authority to issue regulations *and* the power to enforce them. A government may possess legitimacy, but have little in the way of an effective apparatus of power; or it may have an imposing power apparatus, but little legitimacy in the eyes of its citizens. Other combinations are also possible.¹⁵

In our judgment, the capacity of Africa's governments to exercise control hinges upon three factors: domestic authority, the apparatus of power, and economic circumstances. First, political authority in Africa (and in other parts of the Third World as well) tends to be personal rather than institutional. Geertz has commented:

Fifteen years ago, scholarly writings on the New States . . . were full of discussions of parties, parliaments, and elections. A great deal seemed to turn on whether these institutions were viable in the Third World and what adjustments in them . . . might prove necessary to make them so. Today, nothing in those writings seems more *passé*, relic of a different time.¹⁶

Constitutional and institutional offices that are independent of the personal authority of rulers have not taken root in most Black African countries. Instead, the state and state offices are dominated by ambitious individuals, both civilian and military. Post-independence rulers of Africa and Asia, Geertz writes, "are autocrats, and it is as autocrats, and not as preludes to liberalism (or, for that matter, to totalitarianism), that they, and the governments they dominate, must be judged and understood."¹⁷ Wherever African governments have exercised substantial control, strong personal rulers have been firmly in the saddle. This has been the case in regimes that are primarily autocratic—such as Félix Houphouët-Boigny's Ivory Coast, H. Kamazu Banda's Malawi, Omar Bongo's Gabon, Ahmadou Ahidjo's Cameroon, and Gnassingbé Eyadéma's Togo. It has also been the case where regimes are primarily oligarchic—such as Léopold Sédar Senghor's Senegal, Jomo Kenyatta's Kenya, and Gaafar Mohamed Numeiri's Sudan—and where they are primarily ideological—such as Julius Nyerere's Tanzania and Sékou Touré's Guinea (which exhibits features of despotism as well). Where African governments have not exercised control, it has often been because no personal leader has taken firm command; alternatively, it has been as a result of excessively arbitrary and abusive personal rule, as

¹⁵ The legitimacy of a government in the eyes of its citizens must be distinguished from its legitimacy in the eyes of other states; it is international legitimacy that is significant in the juridical attribute of statehood. A government may be legitimate internationally but illegitimate domestically, or *vice versa*. An instance of the former is Uganda during the last years of Idi Amin's regime; of the latter, the Soviet Union in its early years.

¹⁶ Geertz (fn. 11), 252.

¹⁷ *Ibid.*, 253.

was the case in Uganda under Idi Amin. In the most unstable African regimes, the military has repeatedly intervened in politics—as in Benin from 1960 to 1972 and in Chad from 1975 to 1982.

Related to the problem of institutional weakness in African states is the disaffection of important elites from the government. The frequency of military coups is perhaps the best indication of elite alienation and disloyalty. Between 1958 and the summer of 1981, more than 41 successful coups had taken place in 22 countries of Black Africa; in addition, there had been many unsuccessful ones.¹⁸ Gutteridge has noted that, “by 1966, military intervention in politics in Africa had become endemic. . . . Even the smallest armies [had] carried out successful coups.”¹⁹ There is little doubt that the internal opponent most feared by African rulers—both military and civilian—is the military. Indeed, military rulers have themselves been the victims of military coups—for instance, Yakubu Gowon of Nigeria, and Ignatius Kutu Acheampong and Frederick Akuffo of Ghana in the 1970s. It should be noted that, although Africa’s military formations are called “armies” and their members wear uniforms and display other symbols of state authority, they cannot be assumed to be loyal to the government. A military career is sometimes a promising avenue for political advancement; soldiers in Black Africa have become not only government officials, but also rulers of their countries.

Second, the apparatus of power in African governments—the agents and agencies that implement and enforce government laws, edicts, decrees, orders, and the like—can in general be considered “underdeveloped” in regard both to their stock of resources and to the deployment of these resources. In proportion to their territories and populations, African governments typically have a smaller stock of finances, personnel, and materiel than Asian or Western governments, and their staffs are less experienced and reliable. As a result, the concept of governmental administration as a policy instrument bears less relation to reality. Governmental incapacity is exacerbated by overly ambitious plans and policies that are prepared on the assumption that underdevelopment is a problem of economy and society, but not of government. In fact, it

¹⁸ There is a wealth of literature on military intervention in Africa. Two outstanding accounts are Samuel Decalo, *Coups and Army Rule in Africa: Studies in Military Style* (New Haven: Yale University Press, 1976), and Claude E. Welch, Jr., ed., *Soldier and State in Africa: A Comparative Analysis of Military Intervention and Political Change* (Evanston, Ill.: Northwestern University Press, 1970). Both have excellent bibliographies.

¹⁹ William Gutteridge, “Introduction,” in Richard Booth, “The Armed Forces of African States, 1970,” *Adelphi Papers*, No. 67 (London: International Institute for Strategic Studies, 1970), 4.

is also African governments that are underdeveloped, and in most countries they are very far from being an instrument of development.²⁰ The modern "administrative state" image of government is of questionable applicability in many parts of the world, but Black African governments are even less likely than others to be rational agencies.

Undoubtedly the biggest problem of both civilian and military administrations in Africa is the questionable reliability of staffs. In a famous phrase, Gunnar Myrdal characterized the governments of South Asia as "soft states."²¹ The term can be applied equally to many governments in Black Africa which must operate amidst corruption and disorder. The problem of inefficient staff has rarely been as candidly exposed as in a 1977 report by Julius Nyerere on socialist progress in Tanzania. He noted that ministries were overspending in disregard of severe budgetary restraints; the Rural Development Bank was issuing loans that were not being repaid; state enterprises were operating far below capacity—sometimes at less than 50 percent; "management" was preoccupied with privilege and displayed little enterprise; and "workers" were slack, incompetent, and undisciplined.²²

Of course, there is considerable variation in the administrative capacity of African governments, and Tanzania is by no means the country most seriously affected by an inefficient state apparatus. While the comparative effectiveness of the Ivory Coast, Kenya (at least under Kenyatta), and Malawi is striking, Benin, Congo-Brazzaville, Mali, Togo, and Upper Volta are infamous for their swollen bureaucracies and administrative lethargy. Once relatively efficient Ghana and Uganda are examples of marked deterioration, the origins of which are perhaps more political than economic and relate to a failure to establish an effective and responsible ruling class. One of the worst cases of administrative decay is Zaire, where the state's resources have been plundered and regulations abused by government officials at all levels. President Mobutu Sese Seko has identified abuses such as the case of army officers who divert for "their own personal profit the supplies intended for

²⁰ Jon R. Moris, "The Transferability of Western Management Concepts and Programs, An East African Perspective," in Lawrence D. Stifel, James S. Coleman, and Joseph E. Black, eds., *Education and Training for Public Sector Management in Developing Countries* (Special Report from the Rockefeller Foundation, March 1977), 73-83. For Ghana, see Robert M. Price, *Society and Bureaucracy in Contemporary Ghana* (Berkeley and Los Angeles: University of California Press, 1975); for Kenya, Goran Hyden, Robert Jackson, and John Okumu, eds., *Development Administration: The Kenya Experience* (Nairobi: Oxford University Press, 1970).

²¹ Myrdal, *Asian Drama: An Inquiry into the Poverty of Nations* (New York: Twentieth Century Fund, 1968).

²² Nyerere, *The Arusha Declaration Ten Years After* (Dar es Salaam: Government Printer, 1977), esp. chap. 3: "Our Mistakes and Failures," 27-48.

frontline soldiers"; the refusal of rural development officials to leave their air-conditioned offices in Kinshasa; and the "misuse of judicial machinery for revenging private disputes, . . . selective justice depending upon one's status and wealth."²³ So extreme is the corruption that observers have had to invent new phrases to describe it; Zaire has been referred to as "an extortionist culture" in which corruption is a "structural fact" and bribery assumes the form of "economic mugging."²⁴ It has been estimated that as much as 60 percent of the annual national budget is misappropriated by the governing elite.

As we have noted, the inefficiency of African governments extends to the military as well as the civilian organs of the state. As in the case of civilian maladministration, military ineffectiveness stems from socio-political as well as technical-material factors; the size and firepower of the armed forces can also play a role. Typically, military forces in African countries are small in relation to the size or population of a state; however, they are considerably larger than the colonial armies they replaced. Over the past two decades, the size of African armies has increased (primarily for purposes of internal security), and their equipment has been upgraded. As early as 1970, Gutteridge commented that "there is no doubting a general upward trend in the numbers of men under arms in regular forces";²⁵ there have been no significant developments since 1970 to suggest any change in what appears to be military "growth without development."

In practice, most African armies are less like military organizations and more like political establishments: they are infected by corruption, factionalism, and patterns of authority based not only on rank, role, or function, but also on personal and ethnic loyalties. The ability of African armies to deal with internal conflicts is dubious. Despite overwhelming superiority in men and equipment, the Nigerian Federal Army had great difficulty in defeating the forces of Biafra in the late 1960s; according to Gutteridge, "there were times when the Federal Army seemed to have lost the will to win."²⁶ Moreover, the state's apparatus of power may be not only aided and supported by the solicited intervention of a foreign power in the form of troops, military equipment, advisers, and so forth, but such intervention can be essential to the survival of a regime. In a number of French-speaking countries,

²³ Independence Day Speech of President Mobutu Sese Seko, July 1, 1977, typescript, translated from the French by James S. Coleman.

²⁴ See *West Africa*, No. 3255 (December 3, 1979), 2224; and Ghislain C. Kabwit, "Zaire: The Roots of the Continuing Crisis," *Journal of Modern African Studies*, xvii (No. 3, 1979), 397-98.

²⁵ Gutteridge (fn. 19), 1.

²⁶ *Ibid.*, 3.

a French military presence has enhanced the power of the African government; in Angola and Ethiopia, Cuban soldiers and Soviet arms and advisers have made a decisive difference to the power and survival of incumbent African regimes in their conflicts with both internal and external powers. The lethargy of African armies has sometimes been acutely embarrassing. When Zaire's copper-rich Shaba Province (formerly Katanga) was invaded by Katangan forces from neighboring Angola in 1977 and again in 1978, President Mobutu's army proved incapable of stopping them; Mobutu had to call upon friendly powers (Morocco, Belgium, France, and the United States) to save his regime.

Third, governmental incapacity in Black Africa is affected by economic circumstances, which are exacerbated by the small size of the skilled work force. African economies are among the poorest and weakest in the world: in 1978, 22 of them had a per capita GNP below \$250; throughout the 1970s, the Black African countries had the lowest worldwide rates of growth. Of the world's poorest countries—those with per capita incomes below \$330—the 28 that were African had the lowest projected growth rates for the 1980s. In many of these countries, absolute poverty is increasing as birthrates continue to exceed economic growth rates.²⁷

Many African countries are highly dependent on a few primary exports for their foreign exchange earnings. They are therefore vulnerable to uncontrollable fluctuations in world commodity prices and, in the case of agricultural commodities, unpredictable changes in weather conditions and harvest returns. The countries without petroleum resources have had to face dramatically increased prices for oil imports, resulting in very severe balance-of-payments problems. In some countries, more than 50 percent of scarce foreign exchange had to be used to pay for imported oil. Moreover, 27 countries had a shortfall in their production of food crops—principally maize—in 1980; they were therefore forced to import food, which resulted in a further drain of scarce foreign exchange. (South Africa became an important supplier of food to Angola, Kenya, Malawi, Mozambique, Zaire, and Zambia, among others). Lacking industrial and manufacturing sectors of any significance and being highly dependent upon imports, most African countries are caught between the certainty of their demand for foreign goods and the uncertainty of their ability to earn the foreign exchange to pay for them. In many (if not most) of these countries, inflated and consumption-oriented government administrations—whose members

²⁷ *Africa Contemporary Record*, 1979-80, p. C 109.

enjoy a standard of living far in excess of the national average—weigh down the already overburdened and sluggish economies; in many, the economy is simply exploited to support the political class. The hope that intelligent government planning might effect a substantial economic transformation has long since faded.

It is evident that the term “empirical state” can only be used selectively to describe many states in Black Africa today. With some notable exceptions—for example, Kenya and the Ivory Coast—it seems accurate to characterize Africa’s states as empirically weak or underdeveloped. If we adopted a narrow empirical criterion of statehood—such as Weber’s monopoly of force—we would have to conclude that some African countries were not states, and that statehood in others has periodically been in doubt. In 1981, the governments of Angola, Chad, Ethiopia, and Uganda could not claim a monopoly of force within their jurisdictions. Furthermore, these countries and some others—for example, Nigeria, Sudan, and Zaire—have exhibited *de facto* statelessness in the past, and there are reasons to believe that they might do so again. Yet it is unlikely that any of their jurisdictions will be altered without the consent of their governments. Jurisdictional change by consent has happened, however. In 1981, The Gambia was forced to call upon neighboring Senegal for troops to put down an armed rebellion by a substantial segment of its own field force under the leadership of leftist militants. The episode undermined the security of the Gambian government to such an extent that it consented to a form of association with Senegal which resulted in a new confederation: Senegambia.

THE JURIDICAL STATE IN BLACK AFRICA

Before we investigate the significance of the juridical state in Black Africa, let us emphasize that “juridical statehood” is not only a normative but essentially an international attribute. The juridical state is both a creature and a component of the international society of states, and its properties can only be defined in international terms. At this point, it is important to clarify what is meant by “international society.”²⁸ It is a society composed solely of states and the international organizations formed by states; it excludes not only individuals and private groups, but also political organizations that are not states or are

²⁸ The concept of “international society” is explored in Martin Wight, *Power Politics*, ed. by Hedley Bull and Carsten Holbraad (London: Royal Institute of International Affairs, 1978), 105-12. Also see Hedley Bull, *The Anarchical Society: A Study of Order in World Politics* (London: Macmillan, 1977), 24-52; and Alan James, “International Society,” *British Journal of International Studies*, iv (July 1978), 91-106.

not composed of states. The doctrine of "states' rights"—that is, sovereignty—is the central principle of international society. It often comes into conflict with the doctrine of international human rights, but international society does not promote the welfare of individuals and private groups within a country or transnational groups among countries; nor does it protect individuals or private groups from their governments.²⁹ Rather, international society provides legal protection for member states from any powers, internal and external, that seek to intervene in, invade, encroach upon, or otherwise assault their sovereignty.³⁰ A secondary but increasingly important goal—one that is linked to the emergence of Third World states—is to promote the welfare and development of member states.

According to Brownlie, the juridical attributes of statehood are "territory" and "independence" (as recognized by the international community). In international law, a demarcated territory is the equivalent of the "property" of a government—national real estate, including offshore waters and airspace; international boundaries are the mutually acknowledged but entirely artificial lines where one government's property rights end and another's begin. Determinate and recognized frontiers are therefore a basic institution of the state system and an essential legal attribute of any state. A government recognized as having political independence is legally the equal of other independent governments, and is not only the highest authority within its territorial jurisdiction but is under no higher authority.³¹ It has the right to enter into relations with other states and to belong to the international society of states.

A political system may possess some or all of the empirical qualifications of statehood, but without the juridical attributes of territory and independence it is not a state. Furthermore, these attributes—which constitute territorial jurisdiction—serve as a test of a government's claim to be a state; there is no empirical test. For example, the Transkei, Bophuthatswana, Venda, and Ciskei—black "homelands" in South Af-

²⁹ In considering the issue of human rights in Africa, the O.A.U.'s Assembly of Heads of States stressed the equal importance of "peoples' rights," and recently recommended that an "African Charter on Human and Peoples' Rights" be drafted. Peoples' rights are the rights of a sovereign people and can only be claimed and exercised by state governments. See *Africa Contemporary Record*, 1979-80, p. C 21.

³⁰ Bull argues that the primary historical goal of international society has been to preserve the society of states itself; but it is difficult to see how this can be accomplished in the long run without first guaranteeing the sovereignty of member states. See *The Anarchical Society* (fn. 28), 17.

³¹ This is essentially the Austinian concept of "sovereignty." See John Austin, *The Province of Jurisprudence Determined*, ed. by H.L.A. Hart (London: Weidenfeld and Nicolson, 1954).

rica—are as much empirical states as some other territories in Africa, but they lack statehood because they are not recognized by any state except South Africa and enjoy none of the rights of membership in international society. Since they are creatures wholly of South Africa's apartheid regime, their political survival is probably tied to the survival of apartheid. On the other hand, the former British territory of Lesotho, which is also an enclave within South Africa, but was never ruled by Pretoria and has gained its independence from Britain, is a recognized state and exercises full rights of membership in international society, which are not likely to be threatened in this way precisely because it is independent.

The juridical state in Black Africa is a novel and arbitrary political unit; the territorial boundaries, legal identities, and often even the names of states are contrivances of colonial rule. Only rarely did a colonial territory reflect the shape and identity of a preexisting African socio-political boundary, as in the cases of the British Protectorate of Zanzibar (formerly a sultanate) and the High Commission Territories of Swaziland and Basutoland (Lesotho), which had been African kingdoms. (Under British rule, the *internal* administrative boundaries of a colony were often drawn to conform with indigenous borders where these could be determined.) During the European colonization of Africa in the late 19th century, international society was conceived as a "European association, to which non-European states could be admitted only if and when they met a standard of civilization laid down by the Europeans."³² With the exceptions of Ethiopia and Liberia, which escaped colonialism and were treated as states, Black African political systems did not qualify as states, but were regarded as the objects of a justified colonialism.

At independence (beginning in the late 1950s), there were therefore very few traditional African states to whom sovereignty could revert.³³ Consequently, there was little choice but to establish independence in terms of the colonial entities;³⁴ in most cases, a colony simply became a state with its territorial frontiers unchanged. Most attempts to create larger political units—usually conceived as federations—failed, as hap-

³² Bull (fn. 28), 34.

³³ For an argument that at least in some cases "independence" was a "reversion" to sovereignty, see Charles H. Alexandrowicz, "New and Original States: The Issue of Reversion to Sovereignty," *International Affairs*, XLVII (July 1969), 465-80. For an opposing view, see Martin Wight, *Systems of States*, ed. by Hedley Bull (Leicester: Leicester University Press, 1977), 16-28.

³⁴ French West Africa rather than its constituent units—Senegal, Mali, Upper Volta, Ivory Coast, etc.—could have been one state had Africans been able to agree to it; Nigeria could have been more than one.

pened in the cases of the Mali Federation and the Central African Federation.³⁵ Kwame Nkrumah's vision of a United States of Africa received virtually no support from his counterparts in the newly independent states. Instead, the Organization of African Unity (O.A.U.), formed in May 1963, fully acknowledged and legitimated the colonial frontiers and the principle of state sovereignty within them. As President Modibo Keita of Mali put it: although the colonial system divided Africa, "it permitted nations to be born. . . . African unity . . . requires full respect for the frontiers we have inherited from the colonial system."³⁶

It is a paradox of African independence that it awakened both national and ethnic political awareness. In almost every Black African country there are ethnic groups that desire to redraw international boundaries in order to form independent states. Self-determination, which accelerated after World War I and reached its peak in the years after World War II with the independence of numerous colonies, came to a halt in Black Africa at the inherited (colonial) frontiers. The movement, which is still alive sociologically among millions of Africans and within many ethnic communities, is unlikely to make further political-legal progress. The opposition of existing African states and of international society has reinforced the legitimacy of the inherited frontiers and undermined that of the traditional cultural borders. One of the exceptions to ethnic Balkanization has been Somali irredentism in Ethiopia and Kenya, which has sought the creation of a greater Somalia defined by cultural rather than colonial boundaries. But so far, Somali irredentism—as well as Biafran nationalism, Katangan separatism, and Eritrean secessionism—has failed to win international legitimacy. When the claims of Somali cultural nationalists were debated at the founding meeting of the O.A.U. in 1963, the argument advanced by the Kenyan delegation represented the view of the vast majority of African governments: "If they [the Somalis] do not want to live with us in Kenya, they are perfectly free to leave us and our territory. . . . This is the only way they can legally exercise their right of self-determination."³⁷ When the Kingdom of Buganda—an administrative region within the colony

³⁵ At the time of independence in 1960, British-governed Somaliland joined the Italian-administered trust territory to form the Somali Democratic Republic. In October 1961, the Federal Republic of Cameroon came into being, composed of East Cameroon (formerly a French Trust Territory) and West Cameroon (part of a former British Trust Territory). Independent Tanganyika joined with Zanzibar to form the United Republic of Tanzania in April 1964.

³⁶ Quoted in Robert C. Good, "Changing Patterns of African International Relations," *American Political Science Review*, Vol. 58 (September 1964), 632.

³⁷ Quoted in Ali A. Mazrui, *Towards a Pax Africana: A Study of Ideology and Ambition* (Chicago and London: University of Chicago Press, 1967), 12.

of Uganda and a traditional African state—declared itself independent in 1960 after realizing that the British authorities were going to give independence to Uganda, no other state recognized the declaration. Buganda failed to achieve juridical statehood; it remained a region—albeit a troublesome one—of the new Ugandan state, which became independent in 1962.

African decolonization—like decolonization elsewhere—demonstrated that it is impossible to have rational empirical qualifications for statehood. Many colonies became states although the viability of their economic bases and their developmental potentiality were questionable. Some of the new states had minuscule populations and/or territories: Cape Verde, the Comoros Islands, Djibouti, Equatorial Guinea, Gabon, The Gambia, Sao Tome and Principe, the Seychelles, and Swaziland. Empirically these entities are really microstates, but juridically they are full-fledged states.³⁸ Their independence reveals the assumption of the contemporary international community that even countries of very questionable viability and capacities can be preserved by a benevolent international society. In other words, international society has become a global “democracy” based on the principle of legal equality of members. Even the most profound socioeconomic inadequacies of some countries are not considered to be a barrier to their membership: all former colonies and dependencies have the right to belong if they wish. The existence of a large number of weak states poses one of the foremost international problems of our time: their protection and preservation, not to mention development. The survival of states is not a new issue; indeed, it is the historical problem of international relations, which has served to define traditional international theory as “the theory of survival.”³⁹ What is new is the enlarged scope, added dimensions, and greater complexity and delicacy of the problem in contemporary international society.

INTERNATIONAL SOCIETY AND THE AFRICAN STATE

The juridical attributes of statehood can only be conferred upon governments by the international community. The Transkei is not a state because South Africa alone does not have the right to confer statehood, whereas Lesotho is a state because the international com-

³⁸ According to the United Nations, in 1978 there were 13 African countries (8 on the continent and 5 island countries) with a population of less than one million. Nine of these had populations of 600,000 or fewer. See *Africa Contemporary Record*, 1979-80, p. C 107.

³⁹ Martin Wight, “Why is there no International Theory?” in Herbert Butterfield and Martin Wight, eds., *Diplomatic Investigations* (London: George Allen & Unwin, 1966), 33.

munity accepted—indeed encouraged—British decolonization in Africa. Even though a state's jurisdictions and boundaries often appear to be "natural" phenomena and sometimes correspond with natural land forms, they are political artifacts upheld by the international community. Among other things, the international society of states was formed to support the doctrine of states' or sovereigns' rights as a cornerstone of international order. Basically, it involves mutual rights and obligations—for example, the right of a country to exist and not to have its jurisdiction violated, and its duty not to violate the rights of others.

In this section we offer an explanation as to why the existing pattern of juridical statehood has been maintained in Africa. The most important conditions that have contributed to this phenomenon appear to be: the ideology of Pan-Africanism; the vulnerability of all states in the region and the insecurity of statesmen; the support of the larger international society, including particularly its institutions and associations; and the reluctance, to date, of non-African powers to intervene in the affairs of African states without having been invited to do so by their governments. We will briefly discuss each of these conditions.

First, unlike any other continent except Australia, "Africa" is a political idea as well as a geographical fact with a distinctive ideology: African nationalism. This ideology emerged largely as a result of the universal African experience of colonial domination. European colonialism and its practices fostered the reactive ideology of African nationalism, which was directed at political independence and the freedom of the continent from European rule. Colonialism was the experience of Africans not only as individuals or as members of subordinated communities, or even as members of particular colonies; it was also their experience as Africans—a common political experience. As long as any country on the continent remains dominated by non-Africans, Pan-Africanism means the liberation of the continent in the name of African "freedom." Almost without exception, the Pan-Africanists came to realize that freedom could in practice only be achieved within the existing framework of the colonial territories that the Europeans had established. The European colonies were the only political vehicles that could give expression to African nationalism; as a consequence, these artificial jurisdictions acquired a vital legitimacy in the eyes of most knowledgeable Africans. Politicians in particular have maintained that, whatever the size, shape, population, and resources of these jurisdictions, they have a right to exist because they are the embodiment of the African political revolution. The only practical way of realizing the goal of African freedom was through the independence of the colonial

territories. By this process, the successor states were made legitimate—not one, or several, or many individually, but all equally. Moreover, it is consistent with the ideology of Pan-Africanism that until Namibia—and perhaps even South Africa—are free, “Africa” is not yet free.

Therefore, however arbitrary and alien in origin the inherited state jurisdictions might have been—and however far removed from traditional African values—they have been endowed with legitimacy. The ideology of Pan-Africanism that has gained historical expression in this way is a fundamental bulwark within Africa against the violation of existing, inherited state jurisdictions. At the same time, Pan-Africanism disposed the new African statesmen to associate in a common continental body whose rules would legitimize existing jurisdictions and specify any international actions that would be considered illegitimate. As a result, the principles of the O.A.U., as set down in Article III of its Charter, affirm: the sovereign equality of member states; non-interference; respect for sovereignty; peaceful settlement of disputes; and the illegitimacy of subversion.⁴⁰ In sum, the ideology of Pan-Africanism has been expressed in the acceptance of the inherited colonial jurisdictions and the international legitimacy of all of the existing African states.⁴¹

Second, there is a common interest in the support of international rules and institutions and state jurisdictions in the African region that derives from the common vulnerability of states and the insecurity of statesmen. This approach would appear to be a variant of Hobbes’s explanation of why rational individuals would prefer subordination to Leviathan as against freedom in the state of nature: general insecurity. “Since many are vulnerable to external incitement for secession it was obvious to most of the O.A.U. Members that a reciprocal respect for boundaries, and abstention from demands for their immediate revision, would be to their general advantage.”⁴² In order to survive, weak African governments had to be assured of the recognition and respect for their sovereignty by neighboring states, as well as any other states in a position to undermine their authority and control. Regional vulnerability and the general apprehension of externally promoted interference and subversion have disposed African governments to collaborate in maintaining their jurisdictions.

From a balance-of-power perspective, it might be objected that, in

⁴⁰ Zdenek Cervenka, *The Organization of African Unity and its Charter* (New York and Washington: Praeger, 1969), 232-33.

⁴¹ Martin Wight defined “international legitimacy” as “the *collective* judgement of international society about rightful membership in the family of nations.” See his *Systems of States* (fn. 33), 153 (emphasis added).

⁴² Cervenka (fn. 40), 93.

actual fact, the roughly equal powerlessness of African governments is what upholds state jurisdictions by making violation very difficult and therefore unlikely. But military weakness did not prevent the Tanzanian army from invading Uganda and overthrowing Amin's tyranny, and it did not prevent the Katangan rebels from invading Shaba province in Zaire on two separate occasions. To the contrary, the civil and military weakness of most African governments disposes them to fear international subversion by neighboring states and others who may support their internal enemies. Consequently, it is weakness that induces all of them to support the rules and practices of the O.A.U. which are intended to uphold existing state jurisdictions. African international society—specifically the O.A.U.—is intended to provide international political goods that guarantee the survival, security, identity, and integrity of African states, which the majority of African states cannot provide individually.

The O.A.U. is less an "organization" with its own agents, agencies, and resources than it is an "association" with its own rules: a club of statesmen who are obligated to subscribe to a small number of rules and practices of regional conduct, and to which every state except South Africa belongs. It is evident from the rules of Article III that the O.A.U. is very much a traditional association of states. But the O.A.U.'s effectiveness, like that of other successful international associations, probably owes less to its formal procedures than to its internal political processes. According to a leading student of the association, its main source of strength is the way in which it fosters the peaceful settlement of disputes.⁴³ Conflict resolution has often taken place outside the Commission of Mediation, Conciliation, and Arbitration—which was specifically set up for the purpose. Most statesmen involved in disputes have resorted to mediation or conciliation by the O.A.U. Chairman, who is elected annually by the members, or by another respected member who is not involved in the disputes. The success of the O.A.U. is indicated by the fact that the majority of the numerous disputes among its members have been contained through its internal political process. Its only significant failures to date have been the wars in the Horn of Africa prompted by Somalia's attempts to claim border territories in Ethiopia and Kenya (challenging the inherited boundaries as well as a fundamental principle of the O.A.U.) and the Uganda-Tanzania war of 1978-1979, which resulted in the overthrow of Idi Amin's tyranny.⁴⁴

⁴³ Zdenek Cervenká, *The Unfinished Quest for Unity: Africa and the OAU* (New York: Africana Publishing Co., 1977), 65.

⁴⁴ As of March 1982, it was unclear whether the war between Morocco and the Polisario over the former Spanish Sahara could be considered a failure for the O.A.U., since it was

Third, the African states all became independent at a time when international society was highly organized and integrated. Its elaborate framework of international associations of both a worldwide and a regional or functional kind includes bodies that are important for African states: the United Nations (and its numerous specialized agencies that deal in whole or in part with Africa), the Commonwealth, Francophonie, the Lomé Convention of the European Economic Community (EEC), and so forth. Membership in such associations is an acknowledgement of the existence of the member states and of their international rights and duties, including the right not to be interfered with. Their membership in international society acknowledges the legitimacy and supports the independence of African states. Indeed, the states' rights that derive from membership in the United Nations and other bodies are commonly used by African governments—sometimes with considerable skill and success—to secure both material and non-material benefits from the international system.

International society is a conservative order. Any international actor that seeks to interfere by force or any other illegitimate means in the affairs of a member state is almost certain to be confronted by a condemnation of its actions by most other states. The only interventions that are acceptable under present international rules and practices are those to which the legitimate government of the target country has consented. Imposed or unsolicited interference is difficult to justify; in Africa, the attempts by Katangan rebels, Biafran secessionists, Eritrean separatists, and Somalian and Moroccan irredentists to alter existing jurisdictions by force have to date not only been roundly condemned, but successfully resisted. Moreover, external powers that have been in a position to assist African claimant or expansionist states in their attempts at forced jurisdictional change have usually been loath to do so. For example, in 1977 the U.S.S.R. switched its military support from Somalia to Ethiopia when the Somalis seized Ethiopian territory by force. The Ethiopian army did not invade Somalia after it had expelled the Somali forces from Ethiopia's Ogaden region (with major Cuban as well as Soviet assistance). When external powers have intervened in Africa, they have usually respected existing state jurisdictions: most such interventions were in response to solicitations by African governments or revolutionary movements fighting against colonial or white minority regimes.

The rare interventions in independent African states that were not

uncertain whether the Sahrawi Democratic Republic (SADR) was as yet a legal member of the organization. See "The OAU's Sahara Crisis," *West Africa*, March 8, 1982, p. 639.

solicited by a sovereign government, and thus did not respect existing state jurisdictions, can—with two exceptions involving France—be explained by the intervening power's status as an international outcast. In southern Africa, there have been numerous armed intrusions by the South African army into Angola to destroy, harass, or contain forces of the South West Africa People's Organization (SWAPO), and at least one dramatic raid into Mozambique to punish or destroy anti-apartheid movements in their sanctuaries. They can be accounted for by Pretoria's outcast status and preoccupation with political survival. The military interventions by the Rhodesian armed forces into Zambia and Mozambique toward the end of the Rhodesian conflict can be understood in similar terms, as can the 1970 raid by Portuguese soldiers and African collaborators on Conakry, the capital of independent Guinea. The only interventions that cannot be explained in this way were made by France: in Gabon (1964) to restore a regime that had been overthrown, and in the Central African Republic (1979) to overthrow a government and impose a new regime. In the first case, France had entered into an international agreement to protect the M'Ba government; in the second, it appears that other African states had given their tacit consent to the action, and may even have solicited it.

CONCLUSION

We have argued that juridical statehood is more important than empirical statehood in accounting for the persistence of states in Black Africa. International organizations have served as "post-imperial ordering devices" for the new African states,⁴⁵ in effect freezing them in their inherited colonial jurisdictions and blocking any post-independence movements toward self-determination. So far, they have successfully outlawed force as a method of producing new states in Africa.

Membership in the international society provides an opportunity—denied to Black Africa under colonialism—to both influence and take advantage of international rules and ideologies concerning what is desirable and undesirable in the relations of states. The impact of Third World states on those rules and ideologies is likely to increase as the new statesmen learn how to take advantage of international democracy. They have already been successful in influencing the creation of some new ideologies. For example, the efforts of the Third World have led

⁴⁵ Peter Lyon, "New States and International Order," in Alan James, ed., *The Bases of International Order: Essays in Honour of C.A.W. Manning* (London: Oxford University Press, 1973), 47.

to the formation of the North-South dialogue which would legitimate an international theory of morality based on assumptions of social justice that have heretofore been largely confined to internal politics.⁴⁶ The states of the South—supported by some Northern statesmen—have asserted a moral claim on the actions and resources of the North; international society is not only being subjected to demands for peace, order, and security, but for international social justice as well. This radical new development in international relations is associated with the emergence of the Third World. If it succeeds, a revolutionary change in international morality will have been brought about.

The global international society whose most important institutions have been established or expanded since the end of World War II has been generally successful in supporting the new state jurisdictions of independent Africa; thus, the survival of Africa's existing states is largely an international achievement. Still, international effects on empirical statehood are ambiguous. International society has legitimated and fostered the transfer of goods, services, technology, skills, and the like from rich to poor countries with the intention of contributing to the development of the latter. But there are definite limits to what international society can contribute to the further development of the capabilities of African states. A society of states that exists chiefly in order to maintain the existing state system and the independence and survival of its members cannot regulate the internal affairs of members without the consent of their governments. It is therefore limited in its ability to determine that the resources transferred to the new states are effectively and properly used. In spite of a strong desire to do so, there is no way to guarantee such transfers against the wishes of a sovereign government without interfering in its internal affairs. Consequently, the enforcement of state jurisdictions may be at odds with the effort to develop the empirical state in Africa and elsewhere in the Third World. By enforcing juridical statehood, international society is in some cases also sustaining and perpetuating incompetent and corrupt governments. Perhaps the best example in sub-Saharan Africa is the international support that has gone into ensuring the survival of the corrupt government of Zaire. If this relationship is not an uncommon one, we must conclude that international society is at least partly responsible for perpetuating the underdevelopment of the empirical state in Africa by

⁴⁶ Independent Commission on International Development Issues, *North-South, a Programme for Survival* (Cambridge: MIT Press, 1980); Roger Hansen, *Beyond the North-South Stalemate* (New York: McGraw-Hill, 1979); Robert L. Rothstein, *Global Bargaining: UNCTAD and the Quest for a New Economic Order* (Princeton: Princeton University Press), 1979.

providing resources to incompetent or corrupt governments without being permitted to ensure that these resources are effectively and properly used.

State-building theories which assume that empirical statehood is more fundamental than juridical statehood, and that the internal is prior to the international in state formation and survival, are at odds with contemporary African experience. To study Black Africa's states from the internal perspective of political sociology is to assume that the state-building process here is basically the same as it was in Europe (where the political sociology of the modern state largely developed). In Europe, empirical statehood preceded juridical statehood or was concurrent with it,⁴⁷ and the formation of modern states preceded (and later accompanied) the emergence of a state system. European statesmen created jurisdictions over the course of several centuries in Machiavelian fashion—by dominating internal rivals and competing with external rivals—until the international system had attained its present-day jurisdictions.⁴⁸ However, as Tilly points out: "The later the state-making experience . . . the less likely . . . internal processes . . . are to provide an adequate explanation of the formation, survival or growth of a state."⁴⁹ In Black Africa (and, by implication, in other regions of the Third World), external factors are more likely than internal factors to provide an adequate explanation of the formation and persistence of states. State jurisdictions and international society, which once were consequences of the success and survival of states, today are more likely to be conditions.

Arnold Wolfers pointed out that in the Anglo-American conceptualization of the international system versus the nation-state, the most persistent image has been one of international discord versus internal order and civility.⁵⁰ In contemporary Black Africa, an image of international accord and civility and internal disorder and violence would be more accurate. At the level of international society, a framework of

⁴⁷ Charles H. McIlwain has noted that "Independence *de facto* was ultimately translated into a sovereignty *de jure*." Quoted by John H. Herz, "Rise and Demise of the Territorial State," in Heinz Lubasz, ed., *The Development of the Modern State* (New York: Macmillan, 1964), 133.

⁴⁸ See Wight (fn. 28), chaps. 1 and 2.

⁴⁹ Charles Tilly, ed., *The Formation of National States in Western Europe* (Princeton: Princeton University Press, 1975), 46. Unfortunately, Tilly tends to neglect the international dimension of European state making. For two excellent essays on this topic, see Martin Wight, "The Origins of Our States-System: Geographical Limits," and "The Origins of Our States-System: Chronological Limits" (fn. 33, 110-52).

⁵⁰ "Political Theory and International Relations," in Wolfers, *Discord and Collaboration: Essays on International Politics* (Baltimore and London: The Johns Hopkins University Press, 1965), 239-40.

rules and conventions governing the relations of the states in the region has been founded and sustained for almost two decades. But far less institutionalization and political order has been evident during this period at the level of national society: many African countries have been experiencing internal political violence and some internal warfare. Insofar as our theoretical images follow rather than precede concrete historical change, it is evident that the recent national and international history of Black Africa challenges more than it supports some of the major postulates of international relations theory.